



Finance Act 1958

1958 CHAPTER 56

PART VII

MISCELLANEOUS

36 Exchequer advances to nationalised industries and undertakings

In subsection (3) of section forty-two of the Finance Act, 1956 (which, as amended by the Nationalised Industries Loans Act, 1958, limits to seven hundred million pounds the total of the advances which may be made under that section and prohibits the making of such advances after the end of August, nineteen hundred and fifty-eight), there shall be substituted, for the words " seven hundred " the words " one thousand and seventy " and for the words " nineteen hundred and fifty-eight " the words " nineteen hundred and fifty-nine ".

37 Pensions under Overseas Service Act, 1958 (income tax and estate duty)

- (1) So much of any pension paid to or in respect of any person—
- (a) under an order made under section two of the Overseas Service Act, 1958, or under a pension scheme provided and maintained under such an order; or
 - (b) under subsection (2) of section four of that Act;
- as may be certified by the Secretary of State to be attributable to the employment of that person in the public services of an overseas territory shall not be liable to charge to income tax if it is the income of a person who satisfies the Commissioners of Inland Revenue that he is not resident in the United Kingdom.
- (2) Subsections (3) and (4) of section one hundred and ninety of the Income Tax Act, 1952 (which confer a right of appeal on questions of residence under that section), shall apply to any decision of the Commissioners of Inland Revenue on any question as to residence arising under subsection (1) of this section as they apply to such decisions under that section.
- (3) For the purposes of the enactments relating to estate duty so much of any pension paid as mentioned in subsection (1) of this section as is certified by the Secretary of State

Status: This is the original version (as it was originally enacted).

to be attributable to service under the Government of an overseas territory shall be treated as if it had been paid by the Government of that territory.

(4) In this section—

"pension" includes a gratuity or any sum payable on or in respect of death, and a return of contributions with or without interest thereon or any addition thereto;

"overseas territory" means any territory or country outside the United Kingdom;

and references in this section to employment in the public services of an overseas territory and to the Government of an overseas territory shall be construed as if they occurred in the Overseas Service Act, 1958, and subsections (2) and (3) of section seven of that Act (which relate to the construction of such references) shall apply accordingly.

38 Annuities under Tithe Acts, 1936 and 1951

(1) The following provisions shall have effect with respect to annuities within the meaning of the Tithe Acts, 1936 and 1951.

(2) For the year beginning with the second day of October, nineteen hundred and fifty-eight, and subsequent years, instead of annuities being payable by half-yearly instalments on the first day of April and the first day of October, they shall be payable in one yearly sum on the first day of October; and accordingly—

(a) in the Tithe Acts, 1936 and 1951, and in any other enactment relating to those annuities the expression "payment date" shall mean the first day of October, and references to an instalment of an annuity shall be construed as referring to the yearly sum payable on that day; and

(b) in subsection (1) of section fourteen of the Tithe Act, 1936 (which makes provision for remitting from each instalment of an annuity charged on agricultural land one half of any excess of the annuity over one third of the annual value of the land), the words "one half of" shall be omitted.

(3) In paragraph (a) of subsection (1) of section eleven of the Tithe Act, 1936 (which provides for the compulsory redemption in certain circumstances of an annuity of one pound or less, or two or more annuities amounting in the aggregate to one pound or less), for the references to one pound there shall be substituted references to three pounds or such higher amount as may from time to time be specified in rules made by the Treasury under section fifteen of that Act.

39 Winding up of Treasury Chest Fund

The amount of the available balance of the Treasury Chest Fund as at the end of March, nineteen hundred and fifty-eight, shall be paid into the Exchequer, and no further payments shall be made into or out of that Fund or any Treasury chest.

40 Short title, construction, extent and repeal

(1) This Act may be cited as the Finance Act, 1958.

(2) Parts I to VI of this Act shall be construed as one with the enactments mentioned in this subsection respectively, that is to say—

(a) Part I with Part V of the Finance (No. 2) Act, 1940;

- (b) Part II with the Customs and Excise Act, 1952;
 - (c) Part III with the Income Tax Acts ;
 - (d) Part IV with Part III of the Finance Act, 1937, and the other enactments relating to the profits tax;
 - (e) Part V with Part I of the Finance Act, 1894;
 - (f) Part VI with the Stamp Act, 1891.
- (3) Any reference in this Act to any other enactment shall, except so far as the context otherwise requires, be construed as a reference to that enactment as amended or applied by or under any other enactment, including this Act.
- (4) Such of the provisions of this Act as relate to matters in respect of which the Parliament of Northern Ireland has power to make laws shall not extend to Northern Ireland.
- (5) The enactments specified in the Ninth Schedule to this Act are hereby repealed to the extent mentioned in the third column of that Schedule :

Provided that the repeals effected by any Part of that Schedule shall have effect from the dates and subject to the savings (if any) provided for in that Part.