
STATUTORY INSTRUMENTS

1996 No. 804

INCOME TAX

**The Income Tax (Employments)
(Amendment) Regulations 1996**

<i>Made</i>	- - - -	<i>13th March 1996</i>
<i>Laid before the House of Commons</i>	- - - -	<i>15th March 1996</i>
<i>Coming into force</i>	- -	<i>6th April 1996</i>

The Commissioners of Inland Revenue, in exercise of the powers conferred on them by section 203(2) of the Income and Corporation Taxes Act 1988⁽¹⁾, hereby make the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Income Tax (Employments) (Amendment) Regulations 1996 and shall come into force on 6th April 1996.

Interpretation

2. In these Regulations “the principal Regulations” means the Income Tax (Employments) Regulations 1993⁽²⁾ and “regulation” means a regulation of those Regulations.

Amendments to the principal Regulations

3. In regulation 23—

(a) in paragraph (2) for sub-paragraphs (g) and (h) there shall be substituted—

“(g) the cumulative emoluments at the date of the payment referred to in sub-paragraph (f) above and the corresponding total net tax deducted, and

(h) if the employee has been employed in more than one employment during the year, the cumulative emoluments relating to the last employment, and the corresponding total net tax deducted.”;

(1) 1988 c. 1; section 203(2) was amended by section 128(1) of the Finance Act 1988 (c. 39) and by paragraph 38 of Schedule 19, and Part V (23) of Schedule 26, to the Finance Act 1994 (c. 9).

(2) S.I. 1993/744; relevant amending instruments are S.I. 1993/2276, 1995/853.

- (b) in paragraphs (3) and (4) for the word “two”, wherever it occurs, there shall be substituted “three”.
4. In regulation 25—
- (a) in paragraph (1) the word “the” immediately preceding the words “two copies” shall be omitted;
 - (b) in paragraph (5) for the words “paragraphs (6) and” there shall be substituted “paragraph”;
 - (c) paragraph (6) shall be omitted.
5. In regulation 26—
- (a) in paragraph (1) for sub-paragraph (b) there shall be substituted—
 - “(b) within 14 days after retirement—
 - (i) send to the inspector a certificate on the form provided containing the particulars specified in paragraph (2), and
 - (ii) deliver a copy of the certificate to the employee.”;
 - (b) in paragraph (2) for sub-paragraph (e) and the word “and” immediately preceding it there shall be substituted—
 - “(e) the emoluments of the employment since the 6th April last to the date of retirement,
 - (f) the corresponding total net tax deducted, and
 - (g) the amount of pension payable weekly or monthly as the case may be.”;
 - (c) in paragraph (3)—
 - (i) for the words “the two” there shall be substituted “two of the”;
 - (ii) the word “and” at the end of sub-paragraph (a) shall be omitted;
 - (iii) after sub-paragraph (b) there shall be added—
 - “and
 - (c) make a copy of the certificate on the form provided and deliver it to the employee within 14 days of retirement.”
6. In regulations 27(1) and 30(4)(a) for the word “two” in each place where it occurs there shall be substituted “three”.
7. In regulation 34—
- (a) in paragraph (1)(a) the word “the” immediately preceding the words “two copies” shall be omitted;
 - (b) paragraph (2)(c) shall be omitted.
8. In regulation 37(2) the word “the” immediately preceding the words “two copies” shall be omitted.
9. In regulation 84—
- (a) in paragraphs (1) and (2) for the words “the two” in each place where they occur there shall be substituted “two of the three”;
 - (b) paragraph (4) shall be omitted;
 - (c) in paragraph (7)(3) for “paragraphs (1) or (2)” there shall be substituted “paragraph (1) or (2)”;

(d) in paragraph (8) for the word “two” in each place where it occurs there shall be substituted “three”.

10. In regulation 88(5) sub-paragraph (c) and the word “and” immediately following it shall be omitted.

11. In regulation 89(2)—

(a) in sub-paragraph (b) for paragraphs (vi) and (vii) there shall be substituted—

“(vi) if different from the amount referred to in paragraph (iv) above, the amount of taxable benefit paid in the last period of claim,

(vii) if different from the amount of the tax referred to in paragraph (v) above, the amount of tax shown by the calculation to be payable or refundable on the amount of taxable benefit referred to in paragraph (vi) above, and

(viii) the date of issue of the certificate;”;

(b) in sub-paragraph (c) for the word “two” there shall be substituted “three”.

12. In regulation 91—

(a) in paragraph (1), in sub-paragraph (a), immediately before paragraph (i) there shall be inserted—

“(zi) the total taxable benefit;”;

(b) in paragraph (3) the words from “, save that” to the end shall be omitted.

13. In regulation 92(1)(a) for the word “two” there shall be substituted “three”.

14. In regulation 98E(1)(4)—

(a) in sub-paragraph (a) for the word “two” there shall be substituted “three”;

(b) for the words “deliver the copies” there shall be substituted “deliver two of the three copies”.

S. C. T. Matheson

G. H. Bush

13th March 1996

Two of the Commissioners of Inland Revenue

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Income Tax (Employments) Regulations 1993 (S.I.1993/744) (“the principal Regulations”).

Apart from an amendment of a drafting nature, the amendments made by these Regulations ensure that, as from 6th April 1996, an employee taxpayer will have sufficient information to record in his self assessment return details of his emoluments (including pension emoluments) for the year and of tax deducted under PAYE in respect of those emoluments, and a claimant in respect of unemployment benefit or incapacity benefit will be able to record in his self assessment return details of the benefit paid to him and of tax deducted for the year. The amendments also abolish the requirement for an employer to notify the inspector of taxes before making a repayment exceeding £200 to an employee.

Regulation 1 provides for citation and commencement, and regulation 2 for interpretation.

Regulation 3 amends regulation 23 of the principal Regulations so that the certificate of emoluments and tax deducted given by an employer to an employee on cessation of employment (P45) contains an additional part to be retained by the taxpayer and, in cases where there has been more than one employment during the year, records separately the emoluments paid and tax deducted in respect of the latest employment.

Regulations 4(a), 6, 7(a) and 8 make consequential amendments to the principal Regulations in the light of the amendments made to regulation 23 by regulation 3 of these Regulations.

Regulation 4(b) amends regulation 25 of the principal Regulations so as to abolish the requirement for an employer to notify the inspector of taxes for authorisation to make a repayment of tax exceeding £200 to an employee. Regulation 7(b) makes a consequential amendment to regulation 34 of the principal Regulations in the light of the amendment made by regulation 4(b).

Regulation 5 amends regulation 26 of the principal Regulations so as to provide that the certificate sent by the employer to the inspector on the occasion of an employee’s retirement on pension (P160) contains details of the emoluments paid to the employee in the year to the date of retirement and the total tax deducted, and that a copy of the certificate is given to the employee.

Regulations 9(a) and (d), 11, 12(a) and 13 make similar amendments to the principal Regulations in connection with unemployment benefit as those made by regulations 3, 4(a), 6, 7(a) and 8, and regulation 14 makes similar amendments in connection with incapacity benefit.

Regulations 9(b), 10 and 12(b) amend regulations 84, 88 and 91 respectively of the principal Regulations so as to abolish the requirement for an inspector of taxes to authorise the making of a repayment of tax exceeding £200 to an unemployed person.

Regulation 9(c) makes a drafting amendment to regulation 84(7) of the principal Regulations.