

2001 No. 3337

**CLIMATE CHANGE LEVY
CUSTOMS AND EXCISE
INSURANCE PREMIUM TAX
LANDFILL TAX
VALUE ADDED TAX**

**The Air Passenger Duty and Other Indirect Taxes
(Interest Rate) (Amendment) Regulations 2001**

Made - - - - - *4th October 2001*
Laid before the House of Commons - *4th October 2001*
Coming into force - - - - - *1st November 2001*

The Treasury, in exercise of the powers conferred upon them by section 197 of the Finance Act 1996(a) and of all other powers enabling them in that behalf, hereby make the following regulations:

1. These Regulations may be cited as the Air Passenger Duty and Other Indirect Taxes (Interest Rate) (Amendment) Regulations 2001 and come into force on 1st November 2001.

2.—(1) Amend regulation 4 of the Air Passenger Duty and Other Indirect Taxes (Interest Rate) Regulations 1998(b) (interest payable to the Commissioners) as follows.

(2) In paragraph (1)—

- (a) in sub-paragraph (e) omit “and”, and
- (b) after sub-paragraph (f) insert “and, (g) paragraphs 41(2)(f), 70(1)(b) and 81(3) of Schedule 6 to the Finance Act 2000(c) (climate change levy),”.

(3) At the end insert—

“(4) With effect from 1st November 2001 the rate of interest prescribed in paragraph (1) above for the purposes of paragraph 17 of Schedule 5 to the Finance Act

(a) 1996 c. 8; section 197 was amended by the Finance Act 1997 (c. 16), Schedule 5, paragraph 21, the Finance Act 1999 (c. 16), section 130(3) and Schedule 5, Part VI, the Finance Act 2000 (c. 17), Schedule 7, paragraph 6 and the Finance Act 2001 (c. 9), section 49(2) and Schedule 3, paragraph 18.

(b) S.I. 1998/1461, amended by S.I. 2000/631.

(c) 2000 c. 17.

1997(a) also applies in the application of that paragraph to assessments under paragraph 14 or 15 of that Schedule as amended by paragraph 19 of Schedule 3 to the Finance Act 2001(b).”

3. Amend regulation 5(1) of the Air Passenger Duty and Other Indirect Taxes (Interest Rate) Regulations 1998 (interest payable by the Commissioners) as follows—

- (a) in sub-paragraph (a), for the words “paragraph 9 of Schedule 6 to the Finance Act 1994” substitute “Parts 2 and 3 of Schedule 3 to the Finance Act 2001 (interest payable on repayments etc.)”,
- (b) in sub-paragraph (d) omit “and”, and
- (c) after sub-paragraph (e) insert “and, (f) paragraphs 62(3)(f) and 66 of Schedule 6 to the Finance Act 2000 (climate change levy)”.

Tony McNulty
Anne McGuire

Two of the Lords Commissioners
of Her Majesty’s Treasury

4th October 2001

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, which come into force on 1st November 2001, amend regulations 4 and 5 of the Air Passenger Duty and Other Indirect Taxes (Interest Rate) Regulations 1998 (S.I. 1998/1461, as amended by S.I. 2000/631). The primary purpose of this amendment is to extend the existing provisions for setting interest rates on payments to and by the Commissioners on certain indirect taxes to include excise duties generally, and climate change levy.

The Regulations also extend those provisions for setting interest rates so as to cover cases where the Commissioners assess to recover excessive repayments of excise duty, or climate change levy.

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- (a) 1997 c. 16.
 - (b) 2001 c. 9; paragraphs 14 and 15 of Schedule 5 to the Finance Act 1997 are amended so that, in consequence, paragraph 14 (assessment of excessive repayment) applies to the provision made by Part 1 of Schedule 3 to the Finance Act 2001 (payments made and rebates disallowed in error) and paragraph 15 (assessment of overpayments of interest) applies to the provision made by Part 2 of that Schedule (interest).

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