

**EXPLANATORY MEMORANDUM TO
THE FINANCIAL SERVICES AND MARKETS ACT 2000 (CONSEQUENTIAL
AMENDMENTS) (TAXES) ORDER 2008**

2008 No. 2673

1. This explanatory memorandum has been prepared by HM Revenue and Customs on behalf of HM Treasury and is laid before the House of Commons by Command of Her Majesty. This memorandum contains information for the Select Committee on Statutory Instruments.

2. Description

This instrument amends section 444BA of the Income and Corporation Taxes Act 1988 (“ICTA”) to update a reference to the Financial Services Authority’s (“FSA”) Handbook.

3. Matters of special interest to the Select Committee on Statutory Instruments

None

4. Legislative Background

4.1 The Rules made by the FSA in accordance with the powers under the Financial Services and Markets Act 2000 are frequently amended and rewritten, especially in the case of insurance companies. This Order updates a reference in section 444BA of ICTA to take account of a rewriting of the prudential Rules for insurers from the Integrated Prudential Sourcebook to the Insurance Prudential Sourcebook.

5. Territorial Extent and Application

This instrument applies to all of the United Kingdom.

6. European Convention on Human Rights

The Economic Secretary to the Treasury (Kitty Ussher) has made the following statement regarding Human Rights:

“In my view the provisions of the Financial Services and Markets Act 2000 (Consequential Amendments) (Taxes) Order 2008 are compatible with the convention rights.”

7. Policy background

This instrument is made to keep legislation affecting insurance companies up to date.

8. Impact

8.1 A full and final Impact Assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.

8.2 There is no impact on the public sector.

9. Contact

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victor.j.baker@hmrc.gsi.gov.uk can answer any queries regarding the instrument.