



# Finance Act (Northern Ireland) 1971

## 1971 CHAPTER 27

An Act to amend the law relating to estate duty, stamp duties and certain duties of excise (including excise duties on mechanically-propelled vehicles and gaming machine licences); to confirm and give effect to an agreement between the Ministry of Finance and the Treasury of the United Kingdom relating to health services; and to make further provision in connection with finance. [15th June 1971]

*Part I (ss. 1#4)—Estate Duty*

### PART II

#### STAMP DUTIES

#### **5 Stamp duty: abolition of duty on bonds, mortgages etc.**

*Subs. (1) rep. with saving by 1999 c. 16*

- (2) Subject to section 4 of the said Act of 1891 (separate charges on instruments containing or relating to several distinct matters)<sup>F1</sup> . . . , any instrument which, but for subsection (1), would be chargeable with duty under a heading mentioned in that subsection shall not be chargeable with duty under any other heading in the said Schedule 1.

*Subs. (3) rep. with saving by 1999 c. 16*

- (4) This section shall have effect as from 1st August 1971.

**F1** 1985 c. 54

*Part III (s. 6) rep. by 1972 c. 10 (NI)*

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*Status: Point in time view as at 01/01/2006.*

*Changes to legislation: There are currently no known outstanding effects for the Finance Act (Northern Ireland) 1971. (See end of Document for details)*

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*Part IV (s. 7) rep. by 1972 c. 11 (NI)*

## PART V

### MISCELLANEOUS

#### HEALTH SERVICE AGREEMENT

#### **8 Confirmation of scheduled health service agreement.**

- (1) Confirmation is hereby given to the agreement between the Treasury of the United Kingdom and the Ministry of Finance for Northern Ireland set out in Schedule 2 (an agreement which, if confirmed by Acts of the Parliaments of the United Kingdom<sup>F2</sup> and Northern Ireland, supersedes as from 1st April 1971 an earlier agreement as amended).
- (2) Any sums which, by virtue of the scheduled agreement hereby confirmed, are payable from the Exchequer of Northern Ireland to the Consolidated Fund of the United Kingdom shall be charged on and paid out of the Consolidated Fund of Northern Ireland.

<b>F2</b> 1971 c. 68
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#### GENERAL

*S. 9, with Schedule 3, effects repeals*

#### **10 Short title and construction.**

- (1) This Act may be cited as the Finance Act (Northern Ireland) 1971.

*Subs. (2)—Estate Duty*

- (3) Part II shall be construed as one with the Stamp Act 1891 .

*Subs. (4) rep. by 1972 c. 10 (NI)*

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## SCHEDULES

### *Schedule 1—Estate Duty*

#### SCHEDULE 2

Section 8.

#### HEALTH SERVICE AGREEMENT BETWEEN THE MINISTRY OF FINANCE AND THE TREASURY OF THE UNITED KINGDOM

The Commissioners of Her Majesty's Treasury and the Ministry of Finance for Northern Ireland, with a view to assimilating the burdens on the Consolidated Fund of the United Kingdom and the Exchequer of Northern Ireland in respect of health services, have entered into the following Agreement, which supersedes as from 1st April 1971 the Agreement of 11th February 1949 set out in the Schedule to the Social Services (Northern Ireland Agreement) Act 1949, as amended by the Agreement of 28th February 1968 set out in Schedule 19 to the Finance Act 1968 .

- 1 (1) There shall be ascertained in respect of each financial year during which this Agreement is in operation the total net cost in Great Britain and in Northern Ireland under the National Health Service Act 1946 and the National Health Service (Scotland) Act 1947, as they may be amended from time to time, and the corresponding enactments in Northern Ireland.
- (2) The net cost under paragraph (1) above shall be the actual cost as certified annually by the Commissioners of Her Majesty's Treasury as respects the services in Great Britain and by the Ministry of Finance for Northern Ireland as respects the services in Northern Ireland.
- (3) The net cost under paragraph (1) above of services in Northern Ireland shall, in relation to the net cost of the corresponding services in Great Britain, be determined subject to such adjustments, if any, as may be necessary to take account, from time to time, of any differences between methods of administration in Great Britain and in Northern Ireland.
- 2 (1) If in respect of any financial year the total net cost in Northern Ireland under article 1 of this Agreement is less than 2 per cent. of the total net cost in Great Britain and Northern Ireland, there shall be paid from the Exchequer of Northern Ireland to the Consolidated Fund of the United Kingdom a contribution equal to 90 per cent. of the amount by which the said net cost in Northern Ireland is less than the said 2 per cent.
- (2) If in respect of any financial year the total net cost in Northern Ireland under article 1 of this Agreement exceeds 2 per cent. of the total net cost in Great Britain and Northern Ireland, there shall be paid to the Exchequer of Northern Ireland out of the Consolidated Fund of the United Kingdom a contribution equal to 90 per cent. of the amount by which the said net cost in Northern Ireland exceeds the said 2 per cent.

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- 3 It is hereby agreed that, subject to such differences as may from time to time exist between the methods of administration in Great Britain and in Northern Ireland of the services covered by this Agreement, the Government of Northern Ireland undertakes to keep the scale and standard of comprehensive health services in Northern Ireland in general conformity with the scale and standard of such services in Great Britain, and to ensure that the rates of remuneration of persons employed in such services in Northern Ireland correspond as nearly as may be with the rates for such services obtaining in Great Britain.
- 4 Payments on account of such contributions as may ultimately be found to be due under article 2 of this Agreement from the Exchequer of Northern Ireland or from the Consolidated Fund of the United Kingdom shall be made of such amounts and at such times as may be agreed between the Commissioners of Her Majesty's Treasury and the Ministry of Finance for Northern Ireland.
- 5 Any question arising under this Agreement, whether as to the amount of any adjustments necessary in the determination of net costs in Great Britain and in Northern Ireland for the purposes of article 1 of this Agreement, or of any contribution payable under article 2, or otherwise, shall, in default of agreement between the Commissioners of Her Majesty's Treasury and the Ministry of Finance for Northern Ireland, be determined by the Joint Exchequer Board<sup>F3</sup>, whose decision shall be final.

**F3** 1973 c. 36

- 6 This Agreement shall not come into operation until confirmed by Acts of the Parliaments of the United Kingdom and Northern Ireland respectively, but upon being so confirmed shall have effect as from 1st April 1971.

In Witness whereof Walter Clegg and Hector Munro two of the Commissioners of Her Majesty's Treasury have hereunto set their hands and seals and the Official Seal of the Ministry of Finance for Northern Ireland has been hereunto affixed this 14th day of April 1971.

*[Signed and sealed by Commissioners and Official Seal of M/Fin. affixed]*

**Status:**

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