

SCHEDULES

SCHEDULE 29

CONSEQUENTIAL AMENDMENTS

TAXES MANAGEMENT ACT 1970 c. 9

3 The Taxes Management Act 1970 shall have effect subject to the amendments made by paragraphs 4 to 10 below.

4 The following subsections shall be inserted in section 8 after subsection (3)—

“(3A) A notice given to trustees under this section may require a return of the income arising to them to include particulars of the manner in which the income has been applied, including particulars as to the exercise of any discretion and of the persons in whose favour it has been exercised.

In this subsection “trustees” and “income” have the same meaning as in section 686 of the principal Act.

(3B) A notice given to a person under this section may require him to include in the return of his income particulars of premiums paid by him or his wife living with him under policies of life insurance or contracts for deferred annuities and of deductions made from the premiums payable.”

5 In section 16(1)(c) and (2)(b) after “copyright” there shall be inserted “or public lending right”.

6 The following section shall be inserted after section 16—

“16A Agency workers

(1) Where—

(a) any services which an individual renders or is under an obligation to render under a contract are treated under section 134(1) of the principal Act as the duties of an office or employment held by him; or

(b) any remuneration receivable under or in consequence of arrangements to which subsection (6) of that section applies is treated under that subsection as emoluments of an office or employment held by an individual,

section 15 above shall apply as if that individual were employed—

(i) in a case within paragraph (a) above, by the persons or each of the persons from whom he receives any remuneration under or in consequence of the contract; and

(ii) in a case within paragraph (b) above, by the other party to the arrangements,

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and section 16 above shall not apply to any payments made to that individual under or in consequence of that contract or those arrangements.

(2) In subsection (1) above “remuneration”, in relation to an individual, does not include anything in respect of which he would not have been chargeable to tax under Schedule E if it had been receivable in connection with an office or employment held by him but, subject to that, includes every form of payment and all perquisites, benefits and profits whatsoever.”

7 (1) In subsection (1) of section 18 after the words “income tax” there shall be inserted the words “other than interest to which subsection (4) below applies”.

(2) In subsection (2) and (3) of that section for the words “this section” there shall be substituted the words “subsection (1) above”.

(3) The following subsection shall be inserted at the end of that section—

“(4) Where interest on any securities issued subject to the condition that interest is payable without deduction of tax is paid without deduction of tax—

- (a) any person by whom such interest is paid,
- (b) any person who receives, on behalf of any other person who is a registered or inscribed holder of such securities, any interest paid without deduction of tax, and
- (c) any person who has acted as intermediary in the purchase of any securities on which the interest is payable without deduction of tax,

shall, on being so required by the Board, furnish to the Board—

- (i) the names and addresses of the persons to whom such interest has been paid, or on whose behalf such interest has been received, or on whose behalf such securities have been purchased, and
- (ii) the amount of the interest so paid or received, or the amount of the securities so purchased.”

8 (1) In subsection (1) of section 55 (recovery of tax not postponed) the following paragraph shall be added after paragraph (f)—

“(g) a notice under subsection (1) or subsection (3) of section 753 of the principal Act where, before the appeal is determined, the appellant is assessed to tax under section 747(4)(a) of that Act by reference to an amount of chargeable profits specified in that notice”.

(2) The following subsection shall be inserted in that section after subsection (6)—

“(6A) Where an appeal is brought against an assessment to tax under section 747(4)

(a) of the principal Act as well as against a notice under section 753(1) or (3) of that Act—

- (a) an application under subsection (3) above may relate to matters arising on both appeals and, in determining the amount of tax the payment of which should be postponed, the Commissioners shall consider the matters so arising together; and
- (b) if the Commissioners have determined the amount of tax the payment of which should be postponed solely in relation to one of the appeals, the bringing of the other appeal shall be taken to be a change of circumstances falling within subsection (4) above; and
- (c) any reference in this section to the determination of the appeal shall be construed as a reference to the determination of the two appeals,

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but the determination of one before the other shall be taken to be a change of circumstances falling within subsection (4) above.”

9 The following Table shall be substituted for the Table in section 98—

“TABLE

<i>1.</i>	<i>2.</i>
Part III of this Act, except sections 16 and 24(2).	In the principal Act— section 38(5);
Section 51 of this Act.	section 41(2);
In the principal Act—	section 42;
section 181(1);	section 124(3);
regulations under section 202;	section 136(6);
section 217;	section 139(5) or (6);
section 226(3) and (4);	section 148(7);
section 234(7)(b), (8) and (9);	section 180(1);
section 250(6) and (7);	regulations under section 202;
section 272(7);	regulations under section 203;
section 310(4) and (5);	section 216;
regulations under section 333;	section 226(1) and (2);
regulations under section 476(1);	section 234(5), (6) and (7)(a);
section 481(5)(k);	section 250(1) to (5);
section 482(3);	section 310(1), (2) and (3);
regulations under section 482(11);	section 313(5);
section 483;	regulations under section 333;
regulations under section 555(7);	section 350(1);
section 561(8);	section 375(5);
section 588(7);	regulations under section 476(1);
regulations under section 602;	regulations under section 482(11);
section 605(1), (2), (3)(b) and (4);	section 552;
regulations under section 612(3);	regulations under section 555(7);
regulations under section 639;	regulations under section 566(1) or (2);
section 652;	
section 669;	section 577(4);
section 680;	section 588(6);
section 700(4);	regulations under section 602;

The references in this Table to regulations under section 602 have effect only for the purpose of giving effect to any provision mentioned in paragraphs (a) and (b) of subsection (2) of that section.

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<i>1.</i>	<i>2.</i>
section 708;	section 605(3)(a);
section 728;	regulations under section 612(3);
section 729(11);	regulations under section 639;
section 730(8);	section 772(6);
section 737(8);	Schedule 3, paragraph 6;
section 745(1);	Schedule 13;
section 755;	regulations under paragraph 7 of Schedule 14;
section 768(9);	
section 772(1) and (3);	Schedule 15, paragraph 14(4);
section 774(5);	Schedule 16;
section 778;	Schedule 22, paragraph 2.
section 815;	Regulations under section 149D of the Capital Gains Tax Act 1979.
Schedule 3, paragraph 13(1);	
Schedule 5, paragraph 10;	Section 67(2) of, and paragraph 4(1) of Schedule 12 to, the Finance Act 1980.
Schedule 9, paragraphs 6 and 25;	
Schedule 15, paragraph 14(5);	
Schedule 19, paragraph 17;	Regulations 16 and 17 of the Income Tax (Interest Relief) Regulations 1982.
Schedule 22, paragraph 4.	
Section 32 of the Finance Act 1973.	
Paragraph 2 of Schedule 15 to the Finance Act 1973.	Paragraph 15(3) of Schedule 14 to the Finance Act 1984.
Regulations under section 149D of the Capital Gains Tax Act 1979.	Paragraph 10 of Schedule 16 to the Finance Act 1986.
Paragraph 6(9) of Schedule 1 to the Capital Gains Tax Act 1979.	
Section 67(4) of, and paragraph 4(3) of Schedule 12 to, the Finance Act 1980.	
Section 84 of the Finance Act 1981.	
Paragraph 15(1) of Schedule 14 to the Finance Act 1984.	
Paragraph 6(1) of Schedule 22 to the Finance Act 1985.”	

The references in this Table to regulations under section 602 have effect only for the purpose of giving effect to any provision mentioned in paragraphs (a) and (b) of subsection (2) of that section.

- 10 (1) The Taxes Management Act 1970, as amended by the Finance (No.2) Act 1987, shall have effect, after the day appointed under section 95 of the 1987 Act for the purposes of the provision in question, subject to the following amendments.
- (2) In section 11(8) for “286” there shall be substituted “419”.
- (3) In section 30(2A) and (3A) for “87 of the Finance (No.2) Act 1987” there shall be substituted “826 of the principal Act”.
- (4) In section 87A—
- (a) in subsection (1) for “243(4)” there shall be substituted “10”;
 - (b) in subsection (3) for the words from “266” to “Taxes Act” there shall be substituted “346(2) or 347(1) of the principal Act, section 267(3C) or 278(5) of the Income and Corporation Taxes Act 1970”;
 - (c) in subsection (4), in paragraph (a) for “85 of the Finance Act 1972” there shall be substituted “239 of the principal Act”, and in paragraph (b) for “85” there shall be substituted “239”; and
 - (d) in subsection (5) for the words from “subsection” to “1972” there shall be substituted “section 252(5) of the principal Act”.
- (5) In section 89 for “87 of the Finance (No.2) Act 1987” there shall be substituted “826 of the principal Act”.
- (6) In section 91(2A) for “90 of the Finance (No.2) Act 1987” there shall be substituted “10 of the principal Act”.
- (7) In section 94(8) for the words from “subsection (3)” to “1972” there shall be substituted “section 239(3) of the principal Act”;
- (8) In section 109—
- (a) in subsection (3) for “286” and “(4)” there shall be substituted “419” and “(3)”;
 - (b) in subsection (3A) for “(5)” and “286” (twice) there shall be substituted “(4)” and “419”.