



# Finance Act 1988

## 1988 CHAPTER 39

### PART III

#### INCOME TAX, CORPORATION TAX AND CAPITAL GAINS TAX

#### CHAPTER V

#### MANAGEMENT

#### *Interest and penalties*

#### <sup>F1</sup>128 Interest on overdue or overpaid PAYE.

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#### Textual Amendments

**F1** S. 128 repealed (with effect in accordance with s. 723(1)(a)(b) of the amending Act) by [Income Tax \(Earnings and Pensions\) Act 2003 \(c. 1\)](#), s. 723, [Sch. 8 Pt. 1](#) (with Sch. 7)

#### 129 Two or more tax-gearred penalties in respect of same tax.

(1) After section 97 of the Taxes Management Act 1970 there shall be inserted—

#### “97A Two or more tax-gearred penalties in respect of same tax.

Where two or more penalties—

- (a) are incurred by any person and fall to be determined by reference to any income tax or capital gains tax with which he is chargeable for a year of assessment; or

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***Changes to legislation:*** *There are currently no known outstanding effects for the Finance Act 1988, Cross Heading: Interest and penalties. (See end of Document for details)*

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- (b) are incurred by any company and fall to be determined by reference to any corporation tax with which it is chargeable for an accounting period,
- each penalty after the first shall be so reduced that the aggregate amount of the penalties, so far as determined by reference to any particular part of the tax, does not exceed whichever is or, but for this section, would be the greater or greatest of them, so far as so determined.”
- (2) Section 97A(a) of that Act has effect with respect to the year 1988-89 or any subsequent year of assessment; and section 97A(b) has effect with respect to accounting periods ending after 31st March 1989.

**Changes to legislation:**

There are currently no known outstanding effects for the Finance Act 1988, Cross Heading:  
Interest and penalties.