
Changes to legislation: Finance Act 1999, Part I is up to date with all changes known to be in force on or before 28 August 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

SCHEDULE 17

STAMP DUTY: PENALTIES OTHER THAN ON LATE STAMPING

PART I

AMENDMENTS OF PENALTIES

Introduction

- 1 The amendments in this Part of this Schedule—
- (a) replace administrative fines by penalties;
 - (b) amend provisions imposing a fine or penalty of a specified amount so as to impose a penalty not exceeding a specified amount;
 - (c) increase or modernise in certain cases the maximum penalty.

Stamp Duties Management Act 1891 (c.38)

- 2 (1) The Stamp Duties Management Act 1891 is amended as follows.
- (2) In section 12A (lost or spoiled instruments), in subsection (2)(b) for “, fine or penalty” (twice) substitute “ or penalty ”.
 - (3) In section 21 (penalty for frauds in relation to duties), for “a fine of fifty pounds” substitute “ a penalty not exceeding £3,000 ”.

Stamp Act 1891 (c.39)

- 3 (1) The Stamp Act 1891 is amended as follows.
- (2) In section 5 (failure to set out in instrument facts and circumstances affecting duty), for “a fine of ten pounds” substitute “ a penalty not exceeding £3,000 ”.
 - (3) In section 9(1) (penalty for frauds in relation to instrument bearing adhesive stamp), for the words from “he shall” to the end substitute “ he is liable to a penalty not exceeding £3,000 ”.
 - (4) In section 16 (rolls, books, etc. to be open to inspection), for “a fine of ten pounds” substitute “ a penalty not exceeding £300 ”.
 - (5) In section 17 (penalty for enrolling, etc. instrument not duly stamped), for “a fine of ten pounds” substitute “ a penalty not exceeding £300 ”.
 - (6) In section 83 (penalty on issuing etc. foreign etc. security not duly stamped), for “a fine of twenty pounds” substitute “ a penalty not exceeding £300 ”.

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Finance Act 1946 (c.64)

F14

Textual Amendments

- F1** [Sch. 17 para. 4](#) repealed (with effect as mentioned in Sch. 20 Pt. V(5), Notes 1, 2) by [1999 c. 16, s. 139](#), [Sch. 20 Pt. V\(5\)](#), Notes

Finance (No. 2) Act (Northern Ireland) 1946 (c.17 (N.I.))

F25

Textual Amendments

- F2** [Sch. 17 para. 5](#) repealed (with effect as mentioned in Sch. 20 Pt. V(5), Notes 1, 2) by [1999 c. 16, ss. 123\(3\)\(4\), 139](#), [Sch. 20 Pt. V\(5\)](#)

Finance Act 1963 (c.25)

- 6 In section 67(1) of the Finance Act 1963 (prohibition of circulation of blank transfers), for “fine” substitute “ penalty ” and for “£50” substitute “ £300 ”.

Finance Act (Northern Ireland) 1963 (c.22 (N.I.))

- 7 In section 16(1) of the Finance Act (Northern Ireland) 1963 (prohibition of circulation of blank transfers), for “fine” substitute “ penalty ” and for “fifty pounds” substitute “ £300 ”.

Finance Act 1986 (c.41)

- 8 In section 68(4) and (5) and section 71(4) and (5) of the Finance Act 1986 (depository receipts and clearance services: failure to comply with requirements as to notification), for “fine” substitute “ penalty ”.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Sch. 17 para. 6 - 8 Sch. 19 Pt. 1-III repealed (prosp.) by 1999 c. 16 s. 123(3)s. 123(4)139Sch. 20 Pt. 5(6) Note