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*Changes to legislation: There are currently no known outstanding effects for the Finance Act 2001, Paragraph 14. (See end of Document for details)*

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## SCHEDULES

### SCHEDULE 3

#### EXCISE DUTY: PAYMENTS BY COMMISSIONERS IN CASE OF ERROR OR DELAY

##### PART 3

##### APPEALS

- 14 (1) This paragraph applies if—
- (a) a person (the appellant) appeals to a tribunal under section 16 of the Finance Act 1994 (c. 9) in relation to an assessment to excise duty,
  - (b) the appellant pays, or gives cash security for, the whole or any part of that duty, and
  - (c) the tribunal finds that the whole or any part of the amount paid or secured is not due.
- (2) The Commissioners must repay to the appellant an amount equal to—
- (a) so much of the duty paid as is found not to be due, or
  - (b) so much of the cash security as relates to the duty found not to be due.
- (3) The Commissioners must pay interest to the appellant on the amount referred to in sub-paragraph (2) for the period which—
- (a) starts with the day when the duty is paid or the cash security is given, and
  - (b) ends with the day when the Commissioners authorise the repayment.
- [<sup>F1</sup>(4) The rate of interest is the rate applicable under section 197 of the Finance Act 1996.]
- (5) In this paragraph “cash security” means such adequate security as enables the Commissioners to place the amount in question on deposit.

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#### Textual Amendments

- F1** Sch. 3 para. 14(4) substituted (1.4.2009) by [The Transfer of Tribunal Functions and Revenue and Customs Appeals Order 2009 \(S.I. 2009/56\)](#), art. 1(2), [Sch. 1 para. 308](#) (with Sch. 3 para. 9(2)(g))

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