

SCHEDULES

SCHEDULE 14

GIFTS TO THE NATION

PART 2

INCOME TAX AND CAPITAL GAINS TAX

Suspension pending negotiations

- 9 (1) An individual who makes an offer in the circumstances described in paragraph 1 (a “potential donor”) may make a request under this paragraph if—
- (a) the offer is registered in accordance with the scheme,
 - (b) the offer includes a proposal (“the donor proposal”) of what should be in the agreed terms,
 - (c) the potential donor will be required to pay an amount of or on account of tax for a relevant tax year by a certain date, and
 - (d) the negotiations are not expected to conclude before that date (referred to as “the due date”).
- (2) For the purposes of this paragraph, the negotiations “conclude” when—
- (a) a qualifying gift is made pursuant to the offer,
 - (b) the offer is withdrawn by the potential donor, or
 - (c) the offer is rejected.
- (3) A request under this paragraph is a request that the potential donor’s obligation to pay the amount by the due date be suspended until the negotiations conclude.
- (4) But the running total of amounts for which suspension may be requested under this paragraph in respect of the same offer and the same relevant tax year must not exceed the proposed tax reduction figure for that tax year.
- (5) “The proposed tax reduction figure” for a tax year is the amount shown in the donor proposal as the proposed tax reduction figure for that year.
- (6) A request under this paragraph—
- (a) must be made in writing to HMRC at least 45 days before the due date, and
 - (b) must be accompanied by a copy of the donor proposal and such other information as an officer of Revenue and Customs may reasonably require.
- (7) In considering whether or to what extent to agree to a request, HMRC must have regard to all the circumstances of the case (including, for example, the creditworthiness of the potential donor).
- (8) HMRC may impose conditions with respect to the suspension.