
STATUTORY INSTRUMENTS

2010 No. 588

INCOME TAX

The Income Tax Act 2007 (Amendment) Order 2010

<i>Made</i>	- - - -	<i>3rd March 2010</i>
<i>Laid before the House of Commons</i>	- - - -	<i>4th March 2010</i>
<i>Coming into force</i>	- -	<i>25th March 2010</i>

The Treasury make the following Order in exercise of the powers conferred by sections 1028 and 1029 of the Income Tax Act 2007⁽¹⁾.

Citation, commencement and effect

1.—(1) This Order may be cited as the Income Tax Act 2007 (Amendment) Order 2010 and shall come into force 25th March 2010.

(2) The amendments made by this Order shall be deemed to have come into force on 6th April 2007 and have effect for the tax year 2007-08 and subsequent tax years.

Amendment of the Social Security Contributions and Benefits Act 1992

2.—(1) Schedule 2 to the Social Security Contributions and Benefits Act 1992⁽²⁾ (levy of Class 4 contributions with income tax) is amended as follows.

(2) In paragraph 1(c) for “the Act of 1988” substitute “the Income Tax Acts (see section 989 of ITA 2007)”.

(3) In paragraph 3(5)⁽³⁾—

(a) after paragraph (b) insert—

“(c) payments from which a sum representing income tax must be deducted under—

(i) section 900(2) of ITA 2007 (commercial payments made by individuals),

(ii) section 903(5) of that Act (patent royalties), or

(iii) section 906(5) of that Act (certain royalties etc where usual place of abode of owner is abroad),

(1) 2007 c. 3.

(2) 1992 c. 4.

(3) Paragraph 3(5) was amended by paragraph 422(4) of Schedule 1 to the [Income Tax \(Trading and Other Income\) Act 2005 \(c. 5\)](#) and by paragraph 290(3)(d) of Schedule 1 to the Income Tax Act 2007.

- (d) so much of any payment from which a sum representing income tax must be deducted under section 910(2) of ITA 2007 (proceeds of a sale of patent rights: payments to non-UK residents) as is equal to the amount referred to in that provision as “the chargeable amount”, or
 - (e) a payment from which a sum representing income tax must be deducted as a result of a direction under section 944(2) of ITA 2007 (tax avoidance: certain payments to non-UK residents)”, and
- (b) for “so far as incurred” substitute “so far as the payment is incurred”.

Amendment of the Social Security Contributions and Benefits (Northern Ireland) Act 1992

3.—(1) Schedule 2 to the Social Security Contributions and Benefits (Northern Ireland) Act 1992⁽⁴⁾ (levy of Class 4 contributions with income tax) is amended as follows.

(2) In paragraph 1(c) for “the Act of 1988” substitute “the Income Tax Acts (see section 989 of ITA 2007)”.

(3) In paragraph 3(5)⁽⁵⁾—

(a) after paragraph (b) insert—

“(c) payments from which a sum representing income tax must be deducted under—

(i) section 900(2) of ITA 2007 (commercial payments made by individuals),

(ii) section 903(5) of that Act (patent royalties), or

(iii) section 906(5) of that Act (certain royalties etc where usual place of abode of owner is abroad),

(d) so much of any payment from which a sum representing income tax must be deducted under section 910(2) of ITA 2007 (proceeds of a sale of patent rights: payments to non-UK residents) as is equal to the amount referred to in that provision as “the chargeable amount”, or

(e) a payment from which a sum representing income tax must be deducted as a result of a direction under section 944(2) of ITA 2007 (tax avoidance: certain payments to non-UK residents)”, and

(b) for “so far as incurred” substitute “so far as the payment is incurred”.

Amendment of the Charities Act 1993

4. In section 10(2)(c) of the Charities Act 1993⁽⁶⁾ (disclosure of information to Commission) after “the Income and Corporation Taxes Act 1988” insert “or Part 10 of the Income Tax Act 2007”.

3rd March 2010

Dave Watts
Steve McCabe
Two of the Lords Commissioners of Her
Majesty’s Treasury

(4) 1992 c. 7.

(5) Paragraph 3(5) was amended by paragraph 425(4) of Schedule 1 to the Income Tax (Trading and Other Income) Act 2005 and by paragraph 293(3)(d) of Schedule 1 to the Income Tax Act 2007.

(6) 1993 c. 10; section 10 was substituted by paragraph 104 of Schedule 8 to the Charities Act 2006 (c. 50).

EXPLANATORY NOTE

(This note is not part of the Order)

This Order exercises powers conferred by the Income Tax Act 2007 to make consequential amendments and to undo changes. The Acts affected are the Social Security Contributions and Benefits Act 1992 (article 2), the Social Security Contributions and Benefits (Northern Ireland) Act 1992 (article 3) and the Charities Act 1993 (article 4).

Authority for the retrospective provision made by this Order is conferred by sections 1028(4) and 1029(4) of the Income Tax Act 2007.

A full and final Impact Assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.