



Finance Act 1971

1971 CHAPTER 68

An Act to grant certain duties, to alter other duties, and to amend the law relating to the National Debt and the Public Revenue, and to make further provision in connection with Finance. [5th August 1971]

Editorial Information

- X1** The text of ss. 6(1), 7, 69(1)(4) was taken from SIF group 107:2 (Road Traffic:Vehicle Excise Duty), ss. 13–60, 69, Schs. 2–12, 14 from SIF group 63:1 (Income, Corporation and Capital Gains Taxes:Income and Corporation Taxes), ss. 66–69(1)(4)(5), Sch. 13 from SIF group 99:7 (Public Finance and Economic Control:Miscellaneous), ss. 64, 69(1)(4)–(6) from SIF group 114 (Stamp Duty); provisions omitted from SIF have been dealt with as referred to in other commentary.
- X2** General amendments to Tax Acts, Income Tax Acts, and/or Corporation Tax Acts made by legislation after 1.2.1991 are noted against [Income and Corporation Taxes Act 1988 \(c. 1, SIF 63:1\)](#) but not against each Act

Modifications etc. (not altering text)

- C1** Words of enactment omitted under authority of [Statute Law Revision Act 1948 \(c. 62\), s. 3](#)
Act applied (3.5.1994) by [1994 c. 9, s. 118\(8\)](#)

Commencement Information

- I1** Act partly in force at Royal Assent, partly retrospective, partly prospective, see individual sections; all provisions so far as unrepealed wholly in force at 1.2.1991

PART I

CUSTOMS AND EXCISE

Changes to legislation: There are currently no known outstanding effects for the Finance Act 1971. (See end of Document for details)

Textual Amendments

- F1** S. 1 repealed by European Communities Act 1972 (c. 68), s. 4, **Sch. 3 Pt. I**; Finance Act 1977 (c. 36), s. 59(5), **Sch. 9 Pt. I**

2 **F2**

Textual Amendments

- F2** S. 2 repealed by Finance Act 1977 (c. 36), s. 59(5), **Sch. 9 Pt. I**

3 **F3**

Textual Amendments

- F3** S. 3 repealed by Hydrocarbon Oil Duties Act 1979 (c. 5), s. 28(2), **Sch. 7**; Excise Duties (Surcharges or Rebates) 1979 (c. 8), s. 4(3), **Sch. 2**

4, 5. **F4**

Textual Amendments

- F4** S. 4, 5 repealed by Finance Act 1972 (c. 41), ss. 54(8), 134(7), **Sch. 28 Pt. II**

6 Agricultural machines—vehicles excise duty and customs and excise duty.

(1) **F5**

(2) As from the said 1st September, in Schedule 1 to the ^{M1}Hydrocarbon Oil (Customs & Excise) Act 1971 (vehicles in which heavy oil may be used without repayment of rebate)—

- (a) the reference in paragraph 2(b) to the said Schedule 3 shall be construed as a reference to that Schedule as amended by subsection (1) above, and
- (b) the reference to an agricultural machine in paragraph 3(b) shall not include any vehicle which does not satisfy the conditions specified in paragraphs (a) and (b) of section 6(1) of the ^{M2}Finance Act (Northern Ireland) 1971 (which makes provision corresponding to that made by subsection (1) above).

Textual Amendments

- F5** S. 6(1) repealed by Finance Act 1989 (c. 26, SIF 107:2), s. 187(1), **Sch. 17 Pt. II** (in relation to licences taken out after 14.3.1989)

Changes to legislation: There are currently no known outstanding effects for the Finance Act 1971. (See end of Document for details)

Modifications etc. (not altering text)

- C2** The text of ss. 6(2), 68, Sch. 6 paras. 83, 87 to 90 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations

- M1** 1971 c. 12.
M2 1971 c. 27 (N.I.).

F67

Textual Amendments

- F6** S. 7 repealed (13.10.1993) by Finance (No. 2 Act) 1992 (c. 48), ss. 12(1)(a), 82, **Sch. 18 Pt. IV**; SI 1993/2272 art.2 (with Sch. para. 2)

8—10. **F7**

Textual Amendments

- F7** S. 8—10 repealed by Betting and Gaming Duties Act 1972 (c. 25), s. 29(2), **Sch. 7**

11 **F8**

Textual Amendments

- F8** S. 11 repealed by Customs and Excise Management Act 1979 (c. 2), s. 177(3), **Sch. 6 Pt. I**

12 **F9**

Textual Amendments

- F9** S. 12 repealed by Finance Act 1973 (c. 51), s. 59(7), **Sch. 22 Pt. I**

PART II

INCOME TAX AND CORPORATION TAX

Changes to legislation: There are currently no known outstanding effects for the Finance Act 1971. (See end of Document for details)

CHAPTER I

GENERAL

13.to **F10**
20.

Textual Amendments

F10 Ss. 13 to 20 repealed by [Income and Corporation Taxes Act 1988 \(c. 1, SIF 63:1\)](#), s. 844, **Sch. 31**.

F11 21 Occupational pension schemes

Textual Amendments

F11 S. 21 repealed (with effect in accordance with s. 1034(1) of the repealing Act) by [Income Tax Act 2007 \(c. 3\)](#), s. 1034(1), **Sch. 1 para. 265, Sch. 3 Pt. 1** (with **Sch. 2**)

22— **F12**
28.

Textual Amendments

F12 Ss. 22 to 28 repealed by [Income and Corporation Taxes Act 1988 \(c. 1, SIF 63:1\)](#)

Modifications etc. (not altering text)

C3 [S. 22\(4\)-\(10\)](#): power to continue conferred (1. 7. 1992) by [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\)](#), ss. 5, 7(2), **Sch. 3 Pt. II para.15**.

CHAPTER II

SUB-CONTRACTORS IN CONSTRUCTION INDUSTRY

29 (Deductions on account of income tax from payments to certain sub-contractors in construction industry.)

F13

Textual Amendments

F13 Chapter II, [ss. 29-31](#), *ceased to have effect and was replaced by* [Finance \(No. 2\) Act 1975 Part III Ch. II, ss. 68-71](#) *which was in turn replaced by* [Income and Corporation Taxes Act 1988 \(c. 1, SIF 63:1\)](#), [ss.559-567](#).

Changes to legislation: There are currently no known outstanding effects for the Finance Act 1971. (See end of Document for details)

30 (Exceptions from section 29.)

F14

Textual Amendments

F14 Chapter II, [ss. 29-31](#), *ceased to have effect and was replaced by* Finance (No. 2) Act 1975 Part III Ch. II, ss. 68-71 *which was in turn replaced by* [Income and Corporation Taxes Act 1988 \(c. 1, SIF 63:1\)](#), [ss.559-567](#).

31 (Interpretation of Chapter II.)

F15

Textual Amendments

F15 Chapter II, [ss. 29-31](#), *ceased to have effect and was replaced by* Finance (No. 2) Act 1975 Part III Ch. II, ss. 68-71 *which was in turn replaced by* [Income and Corporation Taxes Act 1988 \(c. 1, SIF 63:1\)](#), [ss.559-567](#).

CHAPTER III

METHOD OF CHARGING INCOME TAX FOR 1973-74 AND SUBSEQUENT YEARS

32.to F16
36.

Textual Amendments

F16 [Ss. 32 to 36](#) repealed by [Income and Corporation Taxes Act 1988 \(c. 1, SIF 63:1\)](#), s. 844, [Sch. 31](#).

37 Consequential amendments and repeals.

- (1) The enactments mentioned in Schedule 6 to this Act shall have effect subject to the amendments specified therein.
- (2) The enactments mentioned in Part II of Schedule 14 to this Act are hereby repealed to the extent specified in the third column of that Part.

38 Commencement of Chapter III and transitional provisions.

- (1) The preceding provisions of this Chapter shall have effect for the year 1973-74 and subsequent years of assessment; and accordingly the amendments and repeals made by those provisions (including those mentioned in section 37 of this Act) shall not be taken to affect tax for an earlier year of assessment or the doing of anything in relation to tax for such a year.
- (2) The transitional provisions contained in Schedule 7 to this Act shall have effect.

Changes to legislation: There are currently no known outstanding effects for the Finance Act 1971. (See end of Document for details)

39 **F17**

Textual Amendments

F17 [S. 39](#) repealed by [Income and Corporation Taxes Act 1988 \(c. 1, SIF 63:1\)](#)

PART III

INCOME TAX AND CORPORATION TAX: CAPITAL ALLOWANCES

40.to **F18**
54.

Textual Amendments

F18 [Ss. 40 to 54](#) repealed by [Capital Allowances Act 1990 \(c. 1, SIF 63:1\)](#), [s. 164\(4\)](#) and Sch. 2. See [Income and Corporation Taxes Act 1988 \(c. 1, SIF 63:1\)](#), [s. 197D\(8\)](#)—*calculation of taxed mileage profit: vehicles used by employees.*

PART IV

TAX ON CAPITAL GAINS AND ESTATE DUTY

F19 **55**

Textual Amendments

F19 [S. 55](#) repealed (1992-93 and subsequent years of assessment) by [Taxation of Chargeable Gains Act 1992 \(c. 12\)](#), ss. 289(1), 290, [Sch. 12](#) (with ss. 60, 101(1), 201(3), Sch. 11 paras. 22, 26(2), 27).

56 **(Taxation of short-term capital gains.)**

..... **F20**

Textual Amendments

F20 [S. 55\(1\) to \(4\)\(6\)](#) and 56 repealed by [Capital Gains Tax Act 1979 \(c. 14, SIF 63:2\)](#), [s. 158](#) and Sch. 8 for 1979-80 *et seq.*

57 **(Exemption or relief for small disposals).**

..... **F21**

Changes to legislation: There are currently no known outstanding effects for the Finance Act 1971. (See end of Document for details)

Textual Amendments

F21 S. 57 repealed by [Finance Act 1978 \(c. 42\)](#), ss. 44(7), 80, **Sch. 13 Part IV** for 1977-78 et seq.]

58 (Disposal of options.)

F22

Textual Amendments

F22 Ss. 58 to 60 repealed with savings and replaced by [Capital Gains Tax Act 1979 \(c. 14, SIF 63:2\)](#), ss. 157(1), 158, [Sch. 6 para. 10\(2\)\(b\)](#), **Sch. 8** for 1979-80 et seq.

59 (Abolition of charge to capital gains tax on death, etc.)

F23

Textual Amendments

F23 Ss. 58 to 60 repealed with savings and replaced by [Capital Gains Tax Act 1979 \(c. 14, SIF 63:2\)](#), ss. 157(1), 158, [Sch. 6 para. 10\(2\)\(b\)](#), **Sch. 8** for 1979-80 et seq.

60 (Replacement of business assets.)

F24

Textual Amendments

F24 Ss. 58 to 60 repealed with savings and replaced by [Capital Gains Tax Act 1979 \(c. 14, SIF 63:2\)](#), ss. 157(1), 158, [Sch. 6 para. 10\(2\)\(b\)](#), **Sch. 8** for 1979-80 et seq.

61, 62. F25

Textual Amendments

F25 Ss. 61, 62 repealed with savings by [Finance Act 1975 \(c. 7\)](#), ss. 50, 52(2)(3), 59, **Sch. 13 Part I**

PART V

MISCELLANEOUS

63 F26

Changes to legislation: There are currently no known outstanding effects for the Finance Act 1971. (See end of Document for details)

Textual Amendments

F26 Ss. 63 repealed by Finance Act 1972 (c. 41), ss. 122(5), 134(7), **Sch. 28 Part VIII**

F27 **64**

Textual Amendments

F27 S. 64 repealed (27.7.1999 with effect as mentioned in Sch. 20 Pt. V(2) notes 1, 2 of the amending Act) by 1999 c. 16, s. 139, **Sch. 20 Pt. V(2)**

65 **F28**

Textual Amendments

F28 S. 65 repealed by Finance Act 1976 (c. 40), ss. 126(4), 132(5), **Sch. 15 Pt. VI**

66 **F29**

Textual Amendments

F29 S. 66 repealed by Finance Act 1982 (c. 39, SIF 63:1), s. 157, **Sch. 22 Pt. V**

67 Confirmation of health service agreement with Northern Ireland and U.K. contribution towards cost of certain allowances and benefits in Northern Ireland.

(1) Confirmation is hereby given to the agreement between the Treasury and the Ministry of Finance for Northern Ireland set out in Schedule 13 to this Act (an agreement which, if confirmed by Acts of the Parliaments of the United Kingdom and Northern Ireland, supersedes as from 1st April 1971 an earlier agreement as amended).

(2) **F30**

(3) The preceding provisions of this section shall not come into operation unless and until Her Majesty by Order in Council declares that a corresponding provision has been enacted by the Parliament of Northern Ireland.

(4) **F30**

Textual Amendments

F30 S. 67(2)(4) repealed by Northern Ireland Constitution Act 1973 (c. 36), **Sch. 6 Pt. II**

Changes to legislation: There are currently no known outstanding effects for the Finance Act 1971. (See end of Document for details)

Modifications etc. (not altering text)

C4 Order in Council made under s. 67(3) on 27.10.1971 by [S.I. 1971/1749](#)

68 Payments to Banks of England and Ireland in respect of management of Government securities.

Section 16 of the ^{M3} National Loans Act 1968 (supplemental provisions as to the national debt) shall be amended as follows—

- (a) in subsection (7) (under which payments to the Banks of England and Ireland in respect of management of Government securities must relate to management in financial years ending on 31st March), for the words “in the year ending 31st March 1968 or any subsequent financial year” there shall be substituted the words “in any period”, and
- (b) subsection (8) (which governs the calculation of the amount of such payments and the time of payment) shall be omitted.

Modifications etc. (not altering text)

C5 The text of ss. 6(2), 68, Sch. 6 paras. 83, 87 to 90 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations

M3 [1968 c. 13.](#)

69 Citation, interpretation, construction, extent and repeals.

- (1) This Act may be cited as the Finance Act 1971.
 - (2) In this Act “the Taxes Act” means the Income and Corporation Taxes Act [^{F31}1988].
 - (3) In this Act—
 - sections 3, 8, 9, 10 and 12 shall be construed as one with the Customs and Excise Act 1952;
 - Parts II and III, so far as they relate to income tax, shall be construed as one with the Income Tax Acts and, so far as they relate to corporation tax, shall be construed as one with the Corporation Tax Acts;
- F32
.....
- (4) Except so far as the context otherwise requires, any reference in this Act to any enactment shall be construed as a reference to that enactment as amended, and as including a reference to that enactment as applied, by or under any other enactment, including this Act.
 - (5) Except as otherwise expressly provided, such of the provisions of this Act as relate to matters in respect of which the Parliament of Northern Ireland has power to make laws do not extend to Northern Ireland.
 - (6) If the Parliament of Northern Ireland passes provisions amending or replacing any enactment of that Parliament referred to in this Act the reference shall be construed

Changes to legislation: There are currently no known outstanding effects for the Finance Act 1971. (See end of Document for details)

as a reference to the enactment as so amended or, as the case may be, as a reference to those provisions.

- (7) The enactments mentioned in Schedule 14 to this Act (Part VI of which includes certain obsolete enactments) are hereby repealed to the extent mentioned in the third column of that Schedule, but subject to any provision at the end of any Part of that Schedule.

Textual Amendments

F31 [Income and Corporation Taxes Act 1988 \(c. 1, SIF 63:1\)](#), **Sch. 29 para. 32**

F32 Words omitted repealed by [Capital Gains Tax Act 1979 \(c. 14, SIF 63:2\)](#) s. 158, Sch. 8 for 1979-80 et seq.

Modifications etc. (not altering text)

C6 The text of s. 69(3) and Sch. 6 paras. 84, 85 is in the form in which it was originally enacted: it was not wholly reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Changes to legislation: There are currently no known outstanding effects for the Finance Act 1971. (See end of Document for details)

SCHEDULES

F33F33SCHEDULE 1

Textual Amendments

F33 Sch. 1 repealed by Customns and Excise Management Act 1979 (c. 2, SIF 40:1), s. 177(3), Sch. 6 Part I

F33

SCHEDULE

2.....

F34

Textual Amendments

F34 Sch. 2 repealed by Income and Corporation Taxes Act 1988 (c. 1, SIF 63:1), s. 844, Sch. 31

F35SCHEDULE 3Section 21.

Textual Amendments

F35 Sch. 3 repealed (with effect in accordance with s. 1034(1) of the repealing Act) by Income Tax Act 2007 (c. 3), s. 1034(1), Sch. 1 para. 265, Sch. 3 Pt. 1 (with Sch. 2)

SCHEDULE

4.....

F36

Textual Amendments

F36 Sch. 3 paras. 1 to 7, 9 to 13, Sch. 4, Sch. 6 paras. 1 to 80, 91 to 93, Sch. 7 repealed by Income and Corporation Taxes Act 1988 (c. 1, SIF 63:1), s. 844, Sch. 31

Changes to legislation: There are currently no known outstanding effects for the Finance Act 1971. (See end of Document for details)

SCHEDULE

5.
F37

Textual Amendments

F37 Sch. 5 repealed by Finance (No. 2) Act 1975 (c. 45), ss. 68(1), 75(5), Sch. 14 Part IV Note 1 with effect from 6 April 1977 except in relation to sums payable before that day under Finance Act 1971 s. 29

SCHEDULE 6

Section 37.

AMENDMENTS CONSEQUENTIAL ON NEW METHODS OF CHARGING TAX

PART I

1. to 80. F38

Textual Amendments

F38 Sch. 3 paras. 1 to 7, 9 to 13, Sch. 4, Sch. 6 paras. 1 to 80, 91 to 93, Sch. 7 repealed by Income and Corporation Taxes Act 1988 (c. 1, SIF 63:1), s. 844, Sch. 31

PART II

AMENDMENT OF TAXES MANAGEMENT ACT 1970

81 The Taxes Management Act 1970 shall be amended in accordance with the following provisions of this Part of this Schedule.

82 F39

Textual Amendments

F39 S. 82 repealed by Capital Allowances Act 1990 (c. 1, SIF 63:1), s. 132, Sch. 19 Part V where a notice to deliver a return was, or falls to be, given after 5 April 1990.

83 In section 22 the words “for the purpose of charging surtax” shall be omitted.

Modifications etc. (not altering text)

C7 The text of ss. 6(2), 68, Sch. 6 paras. 83, 87 to 90 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

84 In section 29—

(a) F40

Changes to legislation: There are currently no known outstanding effects for the Finance Act 1971. (See end of Document for details)

- (b) in subsection (4) the words “at the standard rate” shall be omitted; and
- (c) in subsection (7) the words “at the standard rate” shall be omitted.

Textual Amendments

F40 Sch. 6 paras. 84(a), 85(b) repealed by Finance Act 1972 (c. 41), s. 134, Sch. 28 Part VI

Modifications etc. (not altering text)

C8 The text of s. 69(3) and Sch. 6 paras. 84, 85 is in the form in which it was originally enacted: it was not wholly reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

85 In section 31(3)—

- (a) in paragraph (a) the words “assessment to surtax, or any other” shall be omitted;
- (b)^{F41}; and
- (c) after the paragraphs there shall be added the words “or if the appeal involves any question as to the application of section 30, Part XV or Part XVI of that Act.”.

Textual Amendments

F41 Sch. 6 paras. 84(a), 85(b) repealed by Finance Act 1972 (c. 41), s. 134, Sch. 28 Part VI

Modifications etc. (not altering text)

C9 The text of s. 69(3) and Sch. 6 paras. 84, 85 is in the form in which it was originally enacted: it was not wholly reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

86^{F42}

Textual Amendments

F42 Sch. 6 para. 86 repealed by Finance (No. 2) Act 1975 (c. 45, SIF 63:1), s. 75, Sch. 14 Part III

^{F43}87

Textual Amendments

F43 Sch. 6 para. 87 repealed (29.4.1996 with effect as in accordance with Sch. 18 para. 17) by 1996 c. 8, s. 205, Sch. 41 Pt. V(8)

88 In section 91(3)—

- (a) paragraphs (a) and (b)(i) shall be omitted; and
- (b) after paragraph (b) there shall be added the following:—

“or

- (c) affecting tax charged at a rate other than the basic rate on income from which tax has been deducted (otherwise than under section 204

of the principal Act) or is treated as having been deducted, unless it is a relief from tax so charged.”

Modifications etc. (not altering text)

C10 The text of ss. 6(2), 68, Sch. 6 paras. 83, 87 to 90 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

89 In section 93(4) for the words from the beginning to “this Act it” there shall be substituted the words “ In relation to a return required for the purposes of section 9 of this Act the reference in subsection (2) above to tax ”

Modifications etc. (not altering text)

C11 The text of ss. 6(2), 68, Sch. 6 paras. 83, 87 to 90 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

90 In section 95(3) for the words “include surtax” to “do not” there shall be substituted the words “ do not, in relation to anything done in connection with a partnership ”.

Modifications etc. (not altering text)

C12 The text of ss. 6(2), 68, Sch. 6 paras. 83, 87 to 90 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

PART III

91.to 93. F44

Textual Amendments

F44 Sch. 3 paras. 1 to 7, 9 to 13, Sch. 4, Sch. 6 paras. 1 to 80, 91 to 93, Sch. 7 repealed by Income and Corporation Taxes Act 1988 (c. 1, SIF 63:1), s. 844, Sch. 31

SCHEDULE

7..... F45

Textual Amendments

F45 Sch. 3 paras. 1 to 7, 9 to 13, Sch. 4, Sch. 6 paras. 1 to 80, 91 to 93, Sch. 7 repealed by Income and Corporation Taxes Act 1988 (c. 1, SIF 63:1), s. 844, Sch. 31

Changes to legislation: There are currently no known outstanding effects for the Finance Act 1971. (See end of Document for details)

SCHEDULE

8.

F46

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Textual Amendments

F46 Sch. 8 repealed by Capital Allowances Act 1990 (c. 1, SIF 63:1), s. 164(4), Sch. 2

SCHEDULE 9

Section 55.

RESTORATION OF DEVELOPMENT VALUE

1.to 3.

F47

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Textual Amendments

F47 Sch. 9 paras. 1 to 3, 5, Schs. 10, 12 repealed by Capital Gains Tax Act 1979 (c. 14, SIF 63:2), s. 158, Sch. 8for 1979-80et seq.]

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F48

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Textual Amendments

F48 Sch. 9 para. 4 repealed by Income and Corporation Taxes Act 1988 (c. 1, SIF 63:1), s. 844, Sch. 31

5

F49

.....

Textual Amendments

F49 Sch. 9 paras. 1 to 3, 5, Schs. 10, 12 repealed by Capital Gains Tax Act 1979 (c. 14, SIF 63:2), s. 158, Sch. 8for 1979-80et seq.]

SCHEDULE

10.

F50

.....

Textual Amendments

F50 Sch. 9 paras. 1 to 3, 5, Schs. 10, 12 repealed by Capital Gains Tax Act 1979 (c. 14, SIF 63:2), s. 158, Sch. 8for 1979-80et seq.]

Changes to legislation: There are currently no known outstanding effects for the Finance Act 1971. (See end of Document for details)

SCHEDULE

11.....
F51

Textual Amendments

F51 Sch. 11 repealed by Finance Act 1978 (c. 42), s. 80, Sch. 13 Part IV for 1977-78 seq.]

SCHEDULE

12.....
F52

Textual Amendments

F52 Sch. 9 paras. 1 to 3, 5, Schs. 10, 12 repealed by Capital Gains Tax Act 1979 (c. 14, SIF 63:2), s. 158, Sch. 8 for 1979-80 et seq.]

SCHEDULE 13

Section 67.

HEALTH SERVICE AGREEMENT BETWEEN TREASURY
AND MINISTRY OF FINANCE FOR NORTHERN IRELAND

The Commissioners of Her Majesty's Treasury and the Ministry of Finance for Northern Ireland, with a view to assimilating the burdens on the Consolidated Fund of the United Kingdom and the Exchequer of Northern Ireland in respect of health services, have entered into the following Agreement, which supersedes as from 1st April 1971 the ^{M4}Agreement of 11th February 1949 set out in the Schedule to the Social Services (Northern Ireland Agreement) Act 1949, as amended by the ^{M5}Agreement of 28th February 1968 set out in Schedule 19 to the Finance Act 1968.

Marginal Citations

M4 1949 c. 23.

M5 1968 c. 44.

- 1 (1) There shall be ascertained in respect of each financial year during which this Agreement is in operation the total net cost in Great Britain and in Northern Ireland under the [^{F53} National Health Service Act 2006, the National Health Service (Wales) Act 2006] and the ^{M6}National Health Service (Scotland) Act [^{F54}1978] as they may be amended from time to time, and the corresponding enactments in Northern Ireland.
- (2) The net cost under paragraph (1) above shall be the actual cost as certified annually by the Commissioners of Her Majesty's Treasury as respects the services in Great Britain and by the Ministry of Finance for Northern Ireland as respects the services in Northern Ireland.

Changes to legislation: There are currently no known outstanding effects for the Finance Act 1971. (See end of Document for details)

- (3) The net cost under paragraph (1) above of services in Northern Ireland shall, in relation to the net cost of the corresponding services in Great Britain, be determined subject to such adjustments, if any, as may be necessary to take account, from time to time, of any differences between methods of administration in Great Britain and in Northern Ireland.

Textual Amendments

- F53** Words in Sch. 13 para. 1(1) substituted (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), s. 8(2), **Sch. 1 para. 49** (with [Sch. 3 Pt. 1](#))
- F54** Word substituted by [National Health Service \(Scotland\) Act 1978 \(c. 29\)](#), **Sch. 16 para. 36**

Marginal Citations

- M6** [1978 c. 29](#).

- 2 (1) If in respect of any financial year the total net cost in Northern Ireland under article 1 of this Agreement is less than 2 per cent. of the total net cost in Great Britain and Northern Ireland, there shall be paid from the Exchequer of Northern Ireland to the Consolidated Fund of the United Kingdom a contribution equal to 90 per cent. of the amount by which the said net cost in Northern Ireland is less than the said 2 per cent.
- (2) If in respect of any financial year the total net cost in Northern Ireland under article 1 of this Agreement exceeds 2 per cent. of the total net cost in Great Britain and Northern Ireland, there shall be paid to the Exchequer of Northern Ireland out of the Consolidated Fund of the United Kingdom a contribution equal to 90 per cent. of the amount by which the said net cost in Northern Ireland exceeds the said 2 per cent.
- 3 It is hereby agreed that, subject to such differences as may from time to time exist between the methods of administration in Great Britain and in Northern Ireland of the services covered by this Agreement, the Government of Northern Ireland undertakes to keep the scale and standard of comprehensive health services in Northern Ireland in general conformity with the scale and standard of such services in Great Britain, and to ensure that the rates of remuneration of persons employed in such services in Northern Ireland correspond as nearly as may be with the rates for such services obtaining in Great Britain.
- 4 Payments on account of such contributions as may ultimately be found to be due under article 2 of this Agreement from the Exchequer of Northern Ireland or from the Consolidated Fund of the United Kingdom shall be made of such amounts and at such times as may be agreed between the Commissioners of Her Majesty's Treasury and the Ministry of Finance for Northern Ireland.
- 5 Any question arising under this Agreement, whether as to the amount of any adjustments necessary in the determination of net costs in Great Britain and Northern Ireland for the purposes of article 1 of this Agreement, or of any contribution payable under article 2, or otherwise, shall, in default of agreement between the Commissioners of Her Majesty's Treasury and the Ministry of Finance for Northern Ireland, be determined by the Joint Exchequer Board, whose decision shall be final.
- 6 This Agreement shall not come into operation until confirmed by Acts of the Parliaments of the United Kingdom and Northern Ireland respectively, but upon being so confirmed shall have effect as from 1st April 1971.

Changes to legislation: There are currently no known outstanding effects for the Finance Act 1971. (See end of Document for details)

In Witness whereof Walter Clegg and Hector Monro two of the Commissioners of Her Majesty's Treasury have hereunto set their hands and seals and the Official Seal of the Ministry of Finance for Northern Ireland has been hereunto affixed this 14th day of April 1971.

Signed Sealed and Delivered by Walter Clegg (L.S.)
 Clegg one of the Commissioners of Her Majesty's Treasury in the presence of:

—
 Albert George Nicholson Civil Servant,
 House of Commons, London S.W.1.

Signed Sealed and Delivered by Hector Monro (L.S.)
 Monro one of the Commissioners of Her Majesty's Treasury in the presence of:—

Albert George Nicholson Civil Servant,
 House of Commons, London S.W.1

The Official Seal of the Ministry of Finance for Northern Ireland was hereunto affixed in the presence of:—

H. V. Kirk (L.S.)
 D. C. B. Holden Civil Servant, Ministry of Finance, Stormont, Belfast.

SCHEDULE 14

Section 69.

ENACTMENTS REPEALED

Modifications etc. (not altering text)

C13 The text of Sch. 14 is as it appears in the Taxes Acts (edited by Inland Revenue) and is incomplete.

PART I

OCCUPATIONAL PENSIONS SCHEMES

Section 21.

Chapter	Short Title	Extent of Repeal
1970 c.9	The Taxes Management Act 1970.	In the Table in section 98(3) the entry (in each column) relating to section 224 of the Taxes Act, but not as regards any penalty incurred before this repeal takes effect.

Changes to legislation: There are currently no known outstanding effects for the Finance Act 1971. (See end of Document for details)

1970 c.10	The Income and Corporation Taxes Act 1970.	[See 1987 edition for these repeals.]
1970 c.24	The Finance Act 1970.	

[The repeals of the Taxes Management Act 1970 took effect on 6th April 1980.]

PART II

NEW METHOD OF CHARGING TAX

Section 37.

Chapter	Short Title	Extent of Repeal
1970 c.9	The Taxes Management Act 1970.	<p>In section 7(2), the words from “or in the case” to the end.</p> <p>In section 8, subsections (5) and (6) and in subsection (8), the words from “which are required” to “standard rate” and the words “for either or both of those purposes.”</p> <p>In section 12(1), the words “at the standard rate”.</p> <p>In section 22, the words “for the purpose of charging surtax”.</p> <p>In section 29, in subsections (4) and (7), the words “at the standard rate.”</p> <p>In section 31(3)(a), the words “assessment to surtax, or any other”.</p> <p>In section 33(2), the words from “including” to “surtax”.</p> <p>...</p> <p>F55</p> <p>In section 77(1), the words “chargeable at the standard rate”.</p> <p>In section 91(3), paragraph (a) and in paragraph (b), sub-paragraph (i).</p>

Changes to legislation: There are currently no known outstanding effects for the Finance Act 1971. (See end of Document for details)

1970 c.10	The Income and Corporation Taxes Act 1970.	[See 1987 edition for these repeals.]
1970 c.24	The Finance Act 1970	
1970 c.54	The Income and Corporation Taxes (No.2) Act 1970.	

Textual Amendments

F55 Words omitted and repealed by Finance (No. 2) Act 1975 (c. 45), s. 75, Sch. 14 Part III

These repeals have effect subject to section 38 of this Act.

PART III

BETTERMENT LEVY

Section 55.

Chapter	Short Title	Extent of Repeal
1970 c.9	The Taxes Management Act 1970.	Section 57(2).
1970 c.10	The Income and Corporation Taxes Act 1970.	Section 269(2).
1970 c.24	The Finance Act 1970.	In section 29, in subsection (2)(b) the words from “including” to “Act”, and in subsection (3) paragraphs (b) and (c). In Schedule 6, Part I; and in paragraph 4(1) the words from “but without prejudice” to the end.

These repeals have effect subject to section 55(2) of this Act.

PART IV

CASE VII

Section 56.

Chapter	Short Title	Extent of Repeal
1970 c.9	The Taxes Management Act 1970.	Section 9(5). In section 98, in Table I, the words “section 167(4)”.

Changes to legislation: There are currently no known outstanding effects for the Finance Act 1971. (See end of Document for details)

1970 c.10

The Income and Corporation Taxes Act 1970.

In section 270, subsections
(1) and (2).In section 271, subsections
(1) to (3).

1970 c.24

The Finance Act 1970.

These repeals have effect subject to section 56(4) of this Act.

PART VII

[See 1987 edition for these provisions.]

Changes to legislation:

There are currently no known outstanding effects for the Finance Act 1971.