



Finance Act 1981

CHAPTER 35

FINANCE ACT 1981

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Status: This is the original version (as it was originally enacted).

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SCHEDULE 4 — Provisions Substituted in Vehicles (Excise) Act (Northern Ireland) 1972

- I — PROVISIONS SUBSTITUTED FOR PART II OF SCHEDULE 1
- II — PROVISIONS SUBSTITUTED FOR PART II OF SCHEDULE 2
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TABLES SHOWING ANNUAL RATES OF DUTY ON GOODS VEHICLES

V — PROVISIONS SUBSTITUTED FOR PART II OF SCHEDULE 5

SCHEDULE 5 — Betting and Gaming Duties : Consolidation Amendments

- 1 (1) At the beginning of sub-paragraph (1) of paragraph 3...

Status: This is the original version (as it was originally enacted).

- 2 In paragraph 14 of Schedule 2 and in paragraph 17...
- 3 In paragraph 21 of Schedule 3 to that Act for...
- 4 (1) In paragraph 4(1) of Schedule 4 to that Act...
- 5 The maximum penalty which may be imposed on summary conviction...
- 6 Sections 6 and 7(1) of and Schedule 5 and Part...

SCHEDULE 6 — Import Procedures : Amendments of Customs and Excise Management Act 1979

Entry of goods on importation

- 1 (1) Section 37 shall be amended as follows.

Acceptance of incomplete entry

- 2 For section 38 (entry by bill of sight) there shall...

Examination of goods for purpose of making entry

- 3 After section 38 there shall be inserted— Examination of goods...

Correction and cancellation of entry

- 4 After the section inserted by paragraph 3 above there shall...

Removal of uncleared goods

- 5 In section 40(1) for paragraph (b) there shall be substituted—...

Failure to comply with provisions as to entry

- 6 At the end of section 41 there shall be inserted...

Duties on imported goods

- 7 (1) Section 43 shall be amended as follows.

Delivery of imported goods on giving security for duty

- 8 In section 119(1) after the words " for home use...

Restriction on delivery of goods

- 9 In section 128(1) and (2) (power to restrict delivery of...

SCHEDULE 7 — Export Procedures

PART I — SECTIONS SUBSTITUTED IN CUSTOMS AND EXCISE MANAGEMENT ACT 1979

PART II — AMENDMENTS OF CUSTOMS AND EXCISE MANAGEMENT ACT 1979

Control of movement of goods

- 1 (1) Section 31 shall be amended as follows.

" Dutiable or restricted goods "

- 2 (1) Section 52 shall be amended as follows.

Restrictions on putting export goods alongside for loading

3 In section 59(1) for the words " whether under section...

Provisions as to stores

4 (1) Section 61 shall be amended as follows.

Power to make regulations as to exportation, etc.

5 In section 66(2) for the words " a penalty of...

SCHEDULE 8 — Miscellaneous Customs and Excise Amendments
PART I — AMENDMENTS OF CUSTOMS AND EXCISE MANAGEMENT ACT
1979

Definition of " revenue trader "

1 (1) In the definition of "revenue trader" in subsection (1)...

Warehousing regulations

2 In section 93— (a) in paragraph (a) of subsection (2)...

Deficiency in warehoused goods

3 Section 94(2) shall cease to have effect.

Procedure on warehouse ceasing to be approved

4 In section 98— (a) at the end of subsection (1)...

Excise licences

5 Sections 105 and 106 shall cease to have effect.

Powers of entry on premises of revenue traders

6 In section 112— (a) in subsection (1) after the word...

Power to estimate excise duties

7 After section 116 there shall be inserted— Power to estimate...

Execution and distress

8 After subsection (7) of section 117 there shall be inserted—...

Proof of documents

9 In section 153 after subsection (3) there shall be inserted—...

PART II — AMENDMENTS OF ALCOHOLIC LIQUOR DUTIES ACT 1979

Ascertainment of volume etc. of alcoholic liquors from labels etc.

10 After subsection (3) of section 2 there shall be inserted—...

Definitions of " wholesale " and " wholesaler "

11 For the definitions of "wholesale" and "wholesaler" in section 4(1)...

Status: This is the original version (as it was originally enacted).

Regulations about manufacture of spirits

12 In section 13— (a) after subsection (1) there shall be...

Attenuation charge for distilled spirits

13 In section 14(2) for the words "8.8 degrees" in both...

Distillers' warehouses

14 In section 15— (a) for subsection (2) there shall be...

Rectifying and compounding of spirits

15 In section 19— (a) after subsection (1) there shall be...

Drawback on British compounds and spirits of wine

16 In section 22 after subsection (3) there shall be inserted—...

Restrictions on distillers and rectifiers

17 In section 24— (a) at the beginning of subsection (1)...

Spirits consignment and advice notes

18 Sections 27 to 30 shall cease to have effect.

Transfer of spirit from distillers' warehouses

19 In section 32(1) the words from " and " onwards...

Abolition of wholesalers' licences etc.

20 Sections 65, 68, 70 and 85 to 89 shall cease...

Restrictions on wholesalers of spirits

21 At the beginning of section 69(1) there shall be inserted...

Methylated spirits

22 Section 76 shall cease to have effect.

23 In section 77— (a) in subsection (1) in paragraph (d)...

PART III — AMENDMENTS OF LICENSING ACTS

The Licensing Act 1964

24 In section 181 of the Licensing Act 1964—

25 In the definition of " intoxicating liquor " in section...

The Licensing Act (Northern Ireland) 1971

26 In section 76 of the Licensing Act (Northern Ireland) Act...

27 In the definition of "intoxicating liquor" in section 84(1) of...

28 In section 85 of that Act for paragraph (c) there...

SCHEDULE 9 — Stock Relief

PART I — THE ALL STOCKS INDEX

- 1 The Department of Industry shall for the purposes of this...
2 In determining under this Schedule whether there has been an...
PART II — INCOME TAX

Entitlement to relief

- 3 (1) Where a person carries on a trade in respect...

Recovery of relief on cessation of trade etc.

- 4 (1) Where during or at the end of a period...

Method of giving effect to relief or charge

- 5 (1) Relief under paragraph 3 above in respect of any...

Top-slicing

- 6 (1) Where a trade has been carried on by a...

Meaning of "relevant year of assessment" and "basis period"

- 7 (1) This paragraph provides for ascertaining the relevant year of...

Right to set unused relief against general income

- 8 (1) Subject to the provisions of this paragraph, a claim...

Carry forward of unused relief

- 9 (1) Where, in any year of assessment, full effect cannot...

Restriction on carry forward of unused relief

- 10 Relief falling to be allowed under this Part of this...

Social security contributions

- 11 In computing for the purposes of Schedule 2 to the...
PART III — CORPORATION TAX

Entitlement to relief

- 12 (1) Where a company carries on a trade in respect...

Recovery of relief on cessation of trade etc.

- 13 (1) Where during or at the end of a period...
14 (1) Where there is a change of ownership of a...
15 (1) Where an amount of government investment in a body...

Method of giving effect to relief or charge

- 16 (1) Relief under paragraph 12 above in respect of any...

Restriction of carry forward of unused relief

- 17 (1) Where a company incurs a loss in an accounting...
PART IV — GENERAL RULES

Status: This is the original version (as it was originally enacted).

Partnerships

- 18 (1) Where a trade is carried on by persons in...

New businesses

- 19 (1) A person's entitlement to relief under this Schedule for...

Successions

- 20 (1) The provisions of this paragraph apply—
21 (1) Subject to the provisions of this paragraph, where there...

Adjustment for special circumstances

- 22 (1) An adjustment shall be made under this paragraph where...

Long periods of account

- 23 (1) Where a person's period of account is longer than...

Valuation of stock at intermediate dates

- 24 (1) If for the purposes of this Schedule it is...

Farm animals

- 25 (1) Animals treated as trading stock under Schedule 6 to...
PART V — INTERPRETATION

"Period of account"

- 26 In this Schedule "period of account" means a period for...

"Past relief"

- 27 (1) References in this Schedule to "past relief", in...

"Trading stock"

- 28 (1) Subject to the provisions of this paragraph and of...
29 (1) For the purpose of determining under this Schedule whether...
30 (1) In relation to relief in respect of any period...

"Work in progress"

- 31 In this Schedule "work in progress" means—

Other definitions

- 32 For the purposes of this Schedule a person is within...
33 Any reference in this Schedule to a period ending in...
PART VI — APPLICATION TO PROFESSIONS AND FOREIGN TRADES
34 The foregoing provisions of this Schedule have effect, with the...
35 The foregoing provisions of this Schedule (including paragraph 34 above)...

SCHEDULE 10 — Stock Relief : Transitional Provisions

Option for old relief

- 1 Paragraph 2 below has effect in relation to any period...
- 2 (1) If the new relief to which a person is...
- 3 (1) For the purposes of paragraph 2 above the amount...

Recovery of deferred charge

- 4 Notwithstanding section 35 of this Act any charge which under...

SCHEDULE 11 — Relief for Investment in New Corporate Trades: Wholesale and Retail Distribution

PART I

- 1 The goods are bought by the trader in quantities larger...
- 2 The goods are bought and sold by the trader in...
- 3 The trader employs staff and incurs expenses in the trade...

PART II

- 4 There are purchases or sales from or to persons who...
- 5 Purchases are matched with forward sales or vice versa.
- 6 The goods are held by the trader for longer than...
- 7 The trade is carried on otherwise than at a place...
- 8 The trader does not take physical possession of the goods....

SCHEDULE 12 — Relief for Investment in New Corporate Trades : Subsidiaries

Finance for trade of subsidiary

- 1 The shares issued by the new qualifying company may, instead...

Individuals qualifying for relief

- 2 (1) Subsections (2) and (3) of section 54 shall have...

New qualifying trade

- 3 In relation to a new qualifying trade carried on by...

Value received

- 4 In sections 58(1) and 59(4) references to the receipt of...

Claims

- 5 Where a company has one or more subsidiaries, the reference...

Information

- 6 Where a subsidiary is notified by the inspector that relief...
- 7 Subsections (5) and (6) of section 63 shall have effect...

SCHEDULE 13 — Lifetime Rates of Capital Transfer Tax

SCHEDULE 14 — Capital Transfer Tax Relief for Agricultural Property

Preliminary

- 1 (1) In this Schedule " transfer of value " includes...

Status: This is the original version (as it was originally enacted).

Nature of relief

- 2 (1) Where the whole or part of the value transferred...

Minimum period of occupation or ownership

- 3 Subject to the following provisions of this Schedule, paragraph 2...

Replacements

- 4 (1) Where the agricultural property occupied by the transferor on...

Occupation by company or partnership

- 5 (1) For the purposes of paragraphs 3 and 4 above,...

Successions

- 6 Where the transferor became entitled to his interest on the...
7 For the purposes of paragraph 3 above, where the transferor...
8 (1) Where— (a) the whole or part of the value...

Shares and securities of companies

- 9 (1) Where the whole or part of the value transferred...
10 Where paragraph 9 above applies, the references in paragraph 2(2)(a)...
11 Subject to the following provisions of this Schedule, paragraph 2...
12 (1) Sub-paragraphs (1) and (2) of paragraph 4 above shall...
13 For the purposes of paragraph 11 above, a company shall...

Contracts for sale

- 14 (1) Paragraph 2 above does not apply to agricultural property...

Control

- 15 Paragraph 13(7) of Schedule 4 to the Finance Act 1975...

Saving

- 16 Nothing in this Schedule shall be taken to apply to...

SCHEDULE 15 — Capital Transfer Tax Scottish Agricultural Leases

- 1 Subject to the following provisions of this Schedule, where any...
2 The value to be left out of account under paragraph...
3 (1) Subject to the following provisions of this paragraph, where,...
4 (1) Where tax is chargeable under paragraph 3 above it...
5 Where a disposal on which tax is chargeable under paragraph...
6 In this Schedule— (a) references to the value transferred on...
7 (1) This Schedule applies to deaths on or after 15th...

SCHEDULE 16 — Supplementary Petroleum Duty

Management

- 1 The duty shall be under the care and management of...
2 (1) The provisions of the Taxes Management Act 1970 which...

Returns and information

- 3 The particulars contained in returns made under paragraph 2 or...

Assessments and determinations

- 4 (1) Where it appears to the Board that, in accordance...
5 (1) Where a participator has under paragraph 2 of Schedule...
6 (1) Where it appears to the Board—

Appeals

- 7 (1) A participator may appeal to the Special Commissioners against...
8 (1) A participator who has given notice of appeal under...

Payment

- 9 Subject to paragraphs 7 and 8 above, the duty charged...
10 (1) Every participator in an oil field shall, at the...
11 (1) Subject to sub-paragraphs (4) and (6) below, every participator...
12 Certificates of tax deposit issued by the Treasury under section...

Interest

- 13 (1) Duty charged in an assessment for a chargeable period...

Transfers to associated companies

- 14 In paragraph 5(2) and (4) of Schedule 3 to the...

SCHEDULE 17 — Special Tax on Banking Deposits

PART I — THE BASE PERIOD AND CHARGEABLE DEPOSITS

The base period

- 1 (1) The base period for the purposes of section 134...

Chargeable deposits

- 2 For the purposes of the principal section and this Schedule...
3 (1) Subject to the following provisions of this paragraph, a...
4 (1) Where any amount of the chargeable deposits held by...
5 (1) The amount of chargeable deposits held by a deposit-taker...
6 Where a person was carrying on a banking business at...

PART II — MANAGEMENT AND COLLECTION

Management

- 7 The tax shall be under care and management of the...

Notice of liability

- 8 (1) Every person who is chargeable with the tax shall...

Returns

- 9 (1) Every person who is chargeable with the tax shall...
10 (1) If a person fails to deliver a return within...

Status: This is the original version (as it was originally enacted).

Payment of tax

- 11 (1) The tax chargeable in the case of any person...

Assessments

- 12 (1) Any tax with which a person is chargeable may...
13 (1) Where it appears to the Board that the amount...

Right of appeal

- 14 (1) An appeal may be brought against an assessment to...

Interest

- 15 (1) Any tax with which a person is chargeable and...

Information

- 16 (1) Where the Board are not satisfied that the information...

Incorrect returns, accounts, etc.

- 17 (1) Where a person fraudulently or negligently—

Application of Taxes Management Act

- 18 (1) The provisions of the Taxes Management Act 1970 specified...

SCHEDULE 18 — Exchange Control

Restriction of borrowing etc. from non-residents

- 1 (1) Except with the permission of the Treasury, no person...

Deposits by borrowers from non-residents etc.

- 2 (1) Where a person resident in the United Kingdom borrows...

Deposits by banks etc.

- 3 (1) Without prejudice to paragraph 2 above but subject to...

Supplementary

- 4 (1) The Bank of England shall pay to the Treasury...

SCHEDULE 19 — Repeals

PART I — IMPORT PROCEDURES

PART II — EXPORT PROCEDURES

PART III — CUSTOMS AND EXCISE: MISCELLANEOUS

PART IV — VALUE ADDED TAX

PART V — CAR TAX

PART VI — INCOME TAX AND CORPORATION TAX: GENERAL

PART VII — STOCK RELIEF

PART VIII — CAPITAL GAINS

PART IX — CAPITAL TRANSFER TAX

PART X — PETROLEUM REVENUE TAX

PART XI — EXCHANGE CONTROL
PART XII — IRISH LAND ACTS