

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations come into force on 1st April 2015. They describe the provisions that must be included in reimbursement arrangements made by a person making a claim under section 107 of the Act (recovery of overpaid tax), the undertakings that the person must give and the other requirements with which the person must comply, in order that the reimbursement arrangements are not to be disregarded for the purposes of determining whether the person would be unjustly enriched if the person's claim is met.

Regulation 2 defines certain terms used in the Regulations.

Regulation 3 describes, in general terms, the provisions which a claimant's reimbursement arrangements must include, and the undertakings which the claimant must give.

Regulation 4 describes the detailed provisions that must be included in reimbursement arrangements.

Regulation 5 requires a claimant to repay to Revenue Scotland any amount which the claimant received in order to reimburse customers, but which the claimant had failed to apply to that purpose within 30 days of receipt of that amount.

Regulation 6 describes the records that the claimant must keep relating to the reimbursement arrangements.

Regulation 7 provides for the production of such records.

Regulation 8 describes in detail the undertakings that the claimant must give to comply with the claimant's reimbursement arrangements.

Regulation 9 makes provisions in respect of penalties.