

*Status: Point in time view as at 01/02/1991.*

*Changes to legislation: There are currently no known outstanding effects for the Finance Act 1970. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 1

Section 2

#### GAMING LICENCE DUTY

#### PART I..... F1

##### Textual Amendments

**F1** Sch. 1 Pts. I, II paras. 1–13, 15, 16(1) repealed by [Betting and Gaming Duties Act 1972 \(c. 25\)](#), [Sch. 7](#)

#### PART II

##### SUPPLEMENTAL

1–13 ..... F2

##### Textual Amendments

**F2** Sch. 1 Pts. I, II paras. 1–13, 15, 16(1) repealed by [Betting and Gaming Duties Act 1972 \(c. 25\)](#), [Sch. 7](#)

14 ..... F3

##### Textual Amendments

**F3** Sch. 1 Pt. II para. 14 repealed by [Statute Law \(Repeals\) Act 1974 \(c. 22\)](#), [Sch. Pt. II](#)

15 ..... F4

##### Textual Amendments

**F4** Sch. 1 Pts. I, II paras. 1–13, 15, 16(1) repealed by [Betting and Gaming Duties Act 1972 \(c. 25\)](#), [Sch. 7](#)

#### *Consequential amendments of Gaming Act 1968*

16 (1) ..... F5

(2) In the following provisions of the Gaming Act 1968 (under which failure to pay gaming licence duty under section 13 of the Finance Act 1966 is a ground for refusal to grant, renew or transfer a licence or renew a registration) after “the Finance Act 1966” insert “ or section 2 of or Schedule 1 to the Finance Act 1970” ”.

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The said provisions are  
paragraph 20(1)(e) and paragraph 60(c) of Schedule 2.  
paragraph 9(e) of Schedule 3.  
paragraph 11(e) of Schedule 4.

- (3) In Schedule 10 to the <sup>M1</sup>Gaming Act 1968, in paragraphs 3 and 4 (right of constable, without fee, to inspect registers) after “constable” insert “ or officer of customs and excise” ”.

#### Textual Amendments

**F5** Sch. 1 Pts. I, II paras. 1–13, 15, 16(1) repealed by [Betting and Gaming Duties Act 1972 \(c. 25\)](#), [Sch. 7](#)

#### Modifications etc. (not altering text)

**C1** The text of Sch. 1 Pt. II para. 16(2)(3) is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991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** 1968 c. 65.

## SCHEDULE 2

1–4 ..... **F6**

#### Textual Amendments

**F6** Sch. 2 paras. 1–4 repealed with savings by [Finance Act 1977 \(c. 36\)](#), s. 59(5), [Sch. 9 Pt. II](#)

5 ..... **F7**

#### Textual Amendments

**F7** Sch. 2 para. 5 repealed by [Customs and Excise Management Act 1979 \(c. 2\)](#), s. 177(3), [Sch. 6 Pt. I](#)

## SCHEDULE 3

Section 16(4).

### APPLICATION OF CORPORATION TAX ACTS IN RELATION TO PUBLIC TRANSPORT AUTHORITIES IN LONDON

- 1 In this Schedule—  
“the Board” means the London Transport Board;  
“the Company” means London Country Bus Services Limited;  
“the Executive” means [<sup>F8</sup>London Regional Transport]; and

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“the transferee”, in relation to any part of the trade of the Board transferred under Part III of the Transport (London) Act 1969, means the Company or [<sup>F9</sup>London Regional Transport], according to the body to which that part is transferred.

**Textual Amendments**

- F8** Words substituted by [London Regional Transport Act 1984 \(c. 32\), s. 71\(4\)](#)
- F9** Words substituted by [London Regional Transport Act 1984 \(c. 32\) s. 71\(3\)\(a\)](#), Sch. 6 para. 8

2–7 ..... **F10**

**Textual Amendments**

- F10** Sch. 3 paras. 2–7 repealed by [Income and Corporation Taxes Act 1988 \(c. 1, SIF 63:1\)](#), s. 844, [Sch. 31](#), and Sch. 3 repealed (6.4.1992 with effect as mentioned in s. 289(1) of 1992 c. 12) by [Taxation of Chargeable Gains Act 1992 \(c. 12\)](#), s. 290, [Sch.12](#) (with Sch. 11 paras. 22, 26(2), 27)

8 (1) For the purposes of [<sup>F11</sup>the Capital Gains Tax Act 1979] any asset transferred on the transfer of the trade shall be deemed to be for a consideration such that no gain or loss accrues to the Board on its transfer; and for the purposes of [<sup>F11</sup>Schedule 5] to that Act (assets held on 6th April 1965) the transferee shall be treated as if the acquisition by the Board or the British Transport Commission of any assets so transferred had been the transferee’s acquisition thereof.

(2) ..... **F12**

**Textual Amendments**

- F11** Words substituted by [Capital Gains Tax Act 1979 \(c. 14, SIF 63:2\)](#), s. 157(2) and Sch. 7 para. 8
- F12** Sch. 3 para. 8(2) repealed by [London Regional Transport Act 1984 \(c. 32\) s. 71\(3\)](#), Sch. 6 para. 8, Sch. 7

SCHEDULE 4

Section 18.

AMENDMENTS OF INCOME TAX ACTS AND CORPORATION TAX ACTS

**PART I**

..... **F13**

**Textual Amendments**

- F13** Sch. 4 Pt. I (paras. 1–5) repealed by [Finance Act 1972 \(c. 41\)](#), s. 134, [Sch. 28 Part VI](#)

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**Textual Amendments**  
**F13** Sch. 4 Pt. I (paras. 1–5) repealed by Finance Act 1972 (c. 41), s. 134, **Sch. 28 Part VI**

**PART II**

**OTHER AMENDMENTS**

6 ..... **F14**

**Textual Amendments**  
**F14** Sch. 4 Pt. II paras. 6, 8, 9(6), 11 repealed by Income and Corporation Taxes Act 1988 (c. 1, SIF 63:1), s. 844 and Sch. 31

7 ..... **F15**

**Textual Amendments**  
**F15** Sch. 4 Pt. II para. 7 repealed by Capital Allowances Act 1990 (c. 1, SIF 63:1), ss. 82, 164(4)(5), **Sch. 2**

8 ..... **F16**

**Textual Amendments**  
**F16** Sch. 4 Pt. II paras. 6, 8, 9(6), 11 repealed by Income and Corporation Taxes Act 1988 (c. 1, SIF 63:1), s. 844 and Sch. 31

9 (1) ..... **F17**

(6) ..... **F18**

(7) ..... **F17**

**Textual Amendments**  
**F17** Sch. 4 Pt. II para. 9(1)–(5), (7)–(9) repealed by Finance Act 1972 (c. 41), ss. 75(7)(8), 134, **Schs. 10 para. 10** and 28 Part V  
**F18** Sch. 4 Pt. II paras. 6, 8, 9(6), 11 repealed by Income and Corporation Taxes Act 1988 (c. 1, SIF 63:1), s. 844 and Sch. 31

*Inland Revenue procedures: returns and assessments*

10 In section 113 of the Management Act after subsection (1) insert—

“(1A) Any notice or direction requiring any return to be made under the Taxes Acts to an inspector or other officer of the Board may be issued or given in the name of that officer, or as the case may be in the name of the Board, by any

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officer of the Board, and so as to require the return to be made to the first-mentioned officer.

(1B) Where the Board or an inspector or other officer of the Board have in accordance with section 29 of this Act, or any other provision of the Taxes Acts, decided to make an assessment to tax, and have taken all other decisions needed for arriving at the amount of the assessment, they may entrust to some other officer of the Board responsibility for completing the assessing procedure, whether by means involving the use of a computer or otherwise, including responsibility for serving notice of the assessment on the person liable for tax.”

**Modifications etc. (not altering text)**

**C2** Part of the text of Sch. 4 Pt. II para. 10 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

11 ..... **F19**

**Textual Amendments**

**F19** Sch. 4 Pt. II paras. 6, 8, 9(6), 11 repealed by [Income and Corporation Taxes Act 1988 \(c. 1, SIF 63:1\)](#), [s. 844](#) and Sch. 31

SCHEDULE

5. ....

**F20**

**Textual Amendments**

**F20** Sch. 5 repealed by [Income and Corporation Taxes Act 1988 \(c. 1, SIF 63:1\)](#), [s. 844](#) and Sch. 31. (See Sch. 30 para. 17 of that Act which preserves the definition of “pension business” in para. 11(3) in certain circumstances.)

SCHEDULE 6

Section 29.

TAXATION OF CAPITAL ELEMENT IN MINERAL ROYALTIES

**PART I**

1, 2 ..... **F21**

*Status: Point in time view as at 01/02/1991.*

*Changes to legislation: There are currently no known outstanding effects for the Finance Act 1970. (See end of Document for details)*

### Textual Amendments

**F21** Sch. 6 Pt. I paras. 1, 2 repealed, as regards disposals after 22nd July 1970, by Finance Act 1971 (c. 68), ss. 55, 69(7) and Sch. 14 Pt. III subject to s. 55 and Sch. 9, and Sch. 6 repealed (6.4.1992 with effect as mentioned in s. 289(1) of 1992 c. 12) by Taxation of Chargeable Gains Act 1992 (c. 12), s. 290, Sch.12 (with Sch. 11 paras. 22, 26(2), 27)

## PART II

### TERMINAL LOSS RELIEF

- 3 (1) The provisions of this Part of this Schedule apply in a case where, at the time of the occurrence of a relevant event in relation to a mineral lease or agreement, the person who immediately before that event occurred was entitled to receive mineral royalties under the lease or agreement (in this Part of this Schedule referred to as “the taxpayer”) has an interest in the land to which the mineral lease or agreement relates (in this Part of this Schedule referred to, in relation to the lease or agreement, as “the relevant interest”).
- (2) For the purposes of this Part of this Schedule a relevant event occurs in relation to a mineral lease or agreement—
- (a) on the expiry or termination of the mineral lease or agreement;
  - (b) if the relevant interest is disposed of, or is treated as having been disposed of by virtue of any provision of [<sup>F22</sup>the Capital Gains Tax Act 1979].

### Textual Amendments

**F22** Sch. 6 para. 3(2)(b) words substituted by Capital Gains Tax Act 1979 (c. 14, SIF 63:2), s. 157(2)(3), Sch. 7 para. 8(b)

- 4 (1) Subject to sub-paragraph (2) below, on the expiry or termination of a mineral lease or agreement the taxpayer shall, if he makes a claim in that behalf, be treated for purposes of capital gains tax, or as the case may be corporation tax on chargeable gains, as if he had disposed of and immediately re-acquired the relevant interest for a consideration equal to its market value . . . <sup>F23</sup>
- (2) A claim may not be made under this paragraph—
- (a) if the expiry or termination of the mineral lease or agreement is also a relevant event falling within paragraph 3(2)(b) above; nor
  - (b) unless, on the notional disposal referred to in sub-paragraph (1) above, an allowable loss would accrue to the taxpayer.
- (3) In the following provisions of this Part of this Schedule “the terminal loss”, in relation to a relevant event in respect of which a claim is made under this paragraph, means the allowable loss which accrues to the taxpayer by virtue of the notional disposal occurring on that relevant event by virtue of sub-paragraph (1) above.

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### Textual Amendments

**F23** Words repealed, as regards disposals after 22 July 1970, by [Finance Act 1971 \(c. 68\)](#), [ss. 55, 69\(7\)](#) and Sch. 14 Part III subject to s. 55 and Sch. 9

- 5 (1) On making a claim under paragraph 4 above, the taxpayer shall specify whether he requires the terminal loss to be dealt with in accordance with this paragraph or with paragraph 7 below.
- (2) Where the taxpayer requires the loss to be dealt with in accordance with this paragraph it shall be treated as an allowable loss accruing to him in the year of assessment or accounting period in which the mineral lease or agreement expires.
- 6 (1) If on the occurrence of a relevant event falling within paragraph 3(2)(b) above, an allowable loss accrues to the taxpayer on the disposal or notional disposal which constitutes that relevant event, the taxpayer may make a claim under this paragraph requiring the loss to be dealt with in accordance with paragraph 7 below and not in any other way.
- (2) In the following provisions of this part of this Schedule “the terminal loss” in relation to a relevant event in respect of which a claim is made under this paragraph means the allowable loss which accrues to the taxpayer as mentioned in sub-paragraph (1) above.
- 7 (1) Where, as a result of a claim under paragraph 4 or paragraph 6 above, the terminal loss is to be dealt with in accordance with this paragraph, then, subject to sub-paragraph (2) below, it shall be deducted from or set off against the amount on which the taxpayer was chargeable to capital gains tax, or as the case may be corporation tax, for years of assessment or accounting periods preceding the year of assessment or accounting period in which occurred the relevant event giving rise to the terminal loss and falling wholly or partly within the period of fifteen years ending with the date of that event.
- (2) The amount of the terminal loss which, by virtue of sub-paragraph (1) above, is to be deducted from or set off against the amount on which the taxpayer was chargeable to capital gains tax, or as the case may be corporation tax, for any year of assessment or accounting period shall not exceed the amount of the gain which in that year or period was treated, by virtue of subsection (1)(b) of section [F<sup>24</sup>122 of the Income and Corporation Taxes Act 1988], as accruing to the taxpayer in respect of mineral royalties under the mineral lease or agreement in question; and subject to this limit any relief given to the taxpayer by virtue of sub-paragraph (1) above shall be given as far as possible for a later rather than an earlier year of assessment or accounting period.
- (3) If in any case where relief has been given to the taxpayer in accordance with sub-paragraphs (1) and (2) above there remains an unexpended balance of the terminal loss which cannot be applied in accordance with those sub-paragraphs, there shall be treated as accruing to the taxpayer in the year of assessment or accounting period in which the relevant event occurs an allowable loss equal to that unexpended balance.

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#### Textual Amendments

- F24** S. 29(6), Sch. 6 para. 7(2) words substituted by [Income and Corporation Taxes Act 1988 \(c. 1, SIF 63:1\)](#), s. 844(2), [Sch. 29 para. 32](#)

- 8 (1) No claim under paragraph 4 or paragraph 6 above shall be allowed unless it is made within six years from the date of the relevant event by virtue of which the taxpayer is entitled to make the claim.
- (2) All such repayments of tax shall be made as may be necessary to give effect to any such claim.
- 9 This Part of this Schedule shall be construed as one with [<sup>F25</sup>the Capital Gains Tax Act 1979].

#### Textual Amendments

- F25** [Sch. 6 para. 9](#) words substituted by [Capital Gains Tax Act 1979 \(c. 14, SIF 63:2\)](#), s. 157(2)(3), [Sch. 7 para. 8\(a\)](#)

## SCHEDULE 7

Section 32.

### STAMP DUTIES

#### PART I

#### ABOLITION OF CERTAIN DUTIES

##### *Duties abolished as from 1st August 1970*

- 1 (1) This paragraph has effect as from 1st August 1970.
- (2) The following stamp duties are hereby abolished—
- (a) the duty of 6d. specified in Schedule 1 to the <sup>M2</sup>Stamp Act 1891 under the heading beginning “Agreement or any Memorandum of an Agreement” (the provisions consequential on this abolition being those contained in subparagraph (3) below);
  - (b) the duty of 6d. specified in that Schedule under the heading “Policy of Insurance other than Life Insurance” inserted by section 30(1) of the <sup>M3</sup>Finance Act 1959 (and so that a policy of insurance other than life insurance shall be exempt from all stamp duties);
  - (c) the duty of £10 or £6 imposed on a certificate of registration for an alkali or other works by section 9(6) of the <sup>M4</sup>Alkali, &c. Works Regulation Act 1906 as amended by section 47 of the <sup>M5</sup>Finance Act 1922; and



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- (d) the duty of 10s. imposed on the memorandum and on the articles of association of a company by virtue of section 3 and section 9(c) respectively of the <sup>M6</sup>Companies Act 1948 (which provide that each of those documents is to be stamped as if it were a deed).
- (3) In consequence of sub-paragraph (2)(a) above—
- (a) ..... <sup>F26</sup>
- (b) in section 59 of that Act (certain contracts for sale to be chargeable ad valorem as conveyances)—
- (i) in subsection (2) (sub-contracts under which the consideration does not exceed that for the original sale to be charged only as deeds or agreements), for “and in any other case with the fixed duty of ten shillings or of sixpence, as the case may require” substitute “but shall not otherwise be chargeable except where appropriate with the fixed duty of 10s.”, and
- (ii) in subsection (5) (stamping of conveyances made in conformity with contracts not stamped ad valorem but stamped with the fixed duty of 10s. or 6d.), for the words from the beginning to “the said fixed duty” substitute “Provided that where any such contract or agreement is stamped with the fixed duty of 10s. or would, apart from this section, not be chargeable with any duty”, . . . <sup>F27</sup>
- (c) ..... <sup>F28</sup>

#### Textual Amendments

**F26** Sch. 7 para. 1(3)(a) repealed by Finance Act 1971 (c. 68), **Sch. 14 Pt. VI**

**F27** Word repealed by Finance Act 1985 (c. 54, SIF 114), s. 98(6), **Sch. 27 Pt. IX(2)**

**F28** Sch. 7 para. 1(3)(c) and Sch. 7 para. 4 repealed by Finance Act 1985 (c. 54, SIF 114), s. 98(6), **Sch. 27 Pt. IX(2)**

#### Modifications etc. (not altering text)

**C3** The text of Sch. 7 paras. 1(3)(b), 7, 12, 13(1), 14, 16(1)–(3)(5) 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

**M2** 1891 c. 39.

**M3** 1959 c. 58.

**M4** 1906 c. 14.

**M5** 1922 c. 17.

**M6** 1948 c. 38.

### *Duties abolished as from 1st February 1971*

- 2 (1) This paragraph has effect as from 1st February 1971.
- (2) The following stamp duties are hereby abolished—

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- (a) the duty of 2d. specified in Schedule 1 to the <sup>M7</sup>Stamp Act 1891 under the heading beginning "Bill of Exchange or Promissory Note" inserted by section 33(1) of the <sup>M8</sup>Finance Act 1961; and
  - (b) the duty of 2d. specified in that Schedule under the heading beginning "Receipt".
- (3) No application for relief in respect of the duty referred to in sub-paragraph (2)(a) above may be made under any of sections 9 to 12 of the <sup>M9</sup>Stamp Duties Management Act 1891 (spoiled, misused and unwanted stamps); and no repayment shall be made under any agreement entered into under section 39 of the <sup>M10</sup>Finance Act 1956 (composition for the said duty by bankers) in respect of any form supplied by a banker to a customer and returned to the banker unused or spoiled on or after the said 1st February.

**Marginal Citations**

**M7** 1891 c. 39.  
**M8** 1961 c. 36.  
**M9** 1891 c. 38.  
**M10** 1956 c. 54.

**PART II**  
 GENERAL AMENDMENTS

3 This Part of this Schedule, except paragraph 5, has effect as from 1st August 1970.

*F29* .....

4

**Textual Amendments**

**F29** Sch. 7 para. 1(3)(c) and Sch. 7 para. 4 repealed by Finance Act 1985 (c. 54, SIF 114), s. 98(6), **Sch. 27 Pt. IX(2)**

*F30* .....

5

**Textual Amendments**

**F30** Sch. 7 para. 5 repealed by Finance Act 1972 (c. 41), **Sch. 28 Pt. XI**

*F31* .....

6

*Status: Point in time view as at 01/02/1991.*  
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**Textual Amendments**

**F31** Sch. 7 para. 6 repealed by Finance Act 1990 (c. 29, SIF 114), s. 132, Sch. 19 Pt. VI

*Bond, covenant, etc.*

- 7 (1) The heading beginning “Bond, Covenant” in Schedule 1 to the Stamp Act 1891 shall be amended as follows.
- (2) In paragraph (1) (only or principal security for annuity or other periodic payment; duty of 2s. 6d. for every £5 or part if for an indefinite period), for the reference to 2s. 6d. substitute a reference to 2s.
- (3) In paragraph (2) (collateral etc. security for annuity or other periodic payment; duty of 6d. for every £5 or part if total amount payable cannot be ascertained), for the reference to 6d. substitute a reference to 1s., and for each reference to £5 substitute a reference to £10.
- (4) ..... <sup>F32</sup>

**Textual Amendments**

**F32** Sch. 7 para. 7(4) repealed by Finance Act 1989 (c. 26, SIF 114), s. 187(1), Sch. 17 Pt. IX

**Modifications etc. (not altering text)**

**C4** The text of Sch. 7 paras. 1(3)(b), 7, 12, 13(1), 14, 16(1)–(3)(5) 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

<sup>F33</sup> .....

8

**Textual Amendments**

**F33** Sch. 7 para. 8 repealed by Finance Act 1971 (c. 68), Sch. 14 Pt. VI

<sup>F34</sup> .....

9

**Textual Amendments**

**F34** Sch. 7 para. 9 repealed by Finance Act 1987 (c. 16, SIF 114), s. 72, Sch. 16 Pt. VIII

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*Conveyance or transfer on sale*

F35 .....

10, 11.

**Textual Amendments**

**F35** Sch. 7 paras. 10, 11 repealed by Finance Act 1974 (c. 30), Sch. 14 Pt. III

- 12 Section 59(4) of the <sup>M11</sup>Stamp Act 1891 (contract for sale not stamped ad valorem but stamped with fixed duty of 10s. or 6d. to be treated as duly stamped for certain purposes) shall cease to have effect.

**Modifications etc. (not altering text)**

**C5** The text of Sch. 7 paras. 1(3)(b), 7, 12, 13(1), 14, 16(1)–(3)(5) 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**

**M11** 1891 c. 39.

- 13 (1) Section 114 of the Stamp Act 1891 (composition for stamp duty on transfers of colonial etc. stock) shall cease to have effect, but transfers of any stock in respect of which payments have been made under that section shall continue to be exempt from stamp duty.

(2) ..... <sup>F36</sup>

**Textual Amendments**

**F36** Sch. 7 para. 13(2) repealed by Finance Act 1974 (c. 30), Sch. 14 Pt. IV

**Modifications etc. (not altering text)**

**C6** The text of Sch. 7 paras. 1(3)(b), 7, 12, 13(1), 14, 16(1)–(3)(5) 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

*Lease or tack*

- 14 In section 75(2) of the Stamp Act 1891 (duty of 6d. on lease or tack if preceded by an agreement duly stamped as an actual lease or tack), for “sixpence” substitute “1s.”.

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**Modifications etc. (not altering text)**

- C7** The text of Sch. 7 paras. 1(3)(b), 7, 12, 13(1), 14, 16(1)–(3)(5) 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

F37

15

**Textual Amendments**

- F37** Sch. 7 para. 15 repealed by Finance Act 1973 (c. 51), s. 59(7), Sch. 22 Pt. V

*Mortgages etc.*

- 16 (1) The heading beginning “Mortgage, Bond, Debenture, Covenant” in Schedule 1 to the <sup>M12</sup>Stamp Act 1891 shall be amended in accordance with sub-paragraphs (2) and (3) below.
- (2) In paragraph (1) of that heading (only, or principal or primary, security), for the words from “Not exceeding £10” to the end substitute—

“Not exceeding £300	1s. for every £50 or part of £50 of the amount secured.
Exceeding £300	2s. for every £100 or part of £100 of the amount secured”.

- (3) In paragraphs (2), (4) and (5) of that heading (collateral etc. securities, transfers etc. and re-conveyances etc.: duty of 6d. for every £100 or part), for each reference to 6d. substitute a reference to 1s., and for each reference to £100 substitute a reference to £200.
- (4) The duty chargeable under paragraph (4) of the said heading on the transfer, assignment, disposition or assignation to any person of, or of the money or stock secured by, any collateral, auxiliary, additional or substituted security (including any instrument by way of further assurance) shall not exceed [F38 50p] if a transfer, assignment, disposition or assignation to the same person of (or, as the case may be, of the money or stock secured by) the principal or primary security has been duly stamped with the duty chargeable under that paragraph.
- (5) Paragraph (5) of the said heading shall also be amended by inserting, after “Renunciation”, the words “in whole or in part” ; and the duty chargeable under that paragraph shall not in any case exceed 10s.

**Textual Amendments**

- F38** Words substituted by virtue of Decimal Currency Act 1969 (c. 19), s. 10(1)

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#### Modifications etc. (not altering text)

- C8** The text of Sch. 7 paras. 1(3)(b), 7, 12, 13(1), 14, 16(1)–(3)(5) 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

- M12** 1891 c. 39.

F39

17

#### Textual Amendments

- F39** Sch. 7 para. 17 repealed by Finance Act 1989 (c. 26, SIF 114), s. 187(1), Sch. 17 Pt. IX

### PART III

#### SPECIAL PROVISIONS CONNECTED WITH THE NEW CURRENCY

F40

18

#### Textual Amendments

- F40** Sch. 7 para. 18 repealed by Finance Act 1972 (c. 41), Sch. 28 Pt. XI

*Late stamping etc.*

- 19 (1) Where immediately before 15th February 1971 any instrument chargeable with stamp duty is either not stamped or overstamped or insufficiently stamped, the amount of duty then chargeable, or properly chargeable, on the instrument, or, in the case of an insufficiently stamped instrument, the amount of additional duty then chargeable thereon, shall thereafter become, for all the purposes of the enactments relating to stamp duties—
- (a) the equivalent of that amount in the new currency, reduced where that equivalent is not a multiple of 5p. to the nearest such multiple, or
  - (b) 5p. if the said equivalent is less than 10p.
- (2) In sub-paragraph (1) above, “the new currency” means the new currency of the United Kingdom provided for by the<sup>M13</sup>Decimal Currency Act 1967.

#### Marginal Citations

- M13** 1967 c. 47.

*Status: Point in time view as at 01/02/1991.*

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## SCHEDULE 8

Section 36(8)

### REPEALS

#### **Modifications etc. (not altering text)**

- C9** The text of Sch. 8 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 I

#### GAMING LICENCE DUTY

<b>Chapter</b>	<b>Short Title</b>	<b>Extent of Repeal</b>
1966 c. 18.	The Finance Act 1966.	Section 13.  In section 15, in subsections (4) and (6) as amended by section 5(16) of the Finance Act 1969 the words “and 13” and in subsection (6) the definitions of “gaming”, “hereditament”, and all other definitions from that of “premises” onwards.  In Schedule 3, Part II, and in paragraph 18(1) the words “or the duty on gaming licenses”, in paragraph 19(c) the word “14”, paragraph 19(d) and paragraph 21.
1968 c. 65.	The Gaming Act 1968.	In Part III of Schedule 11 the amendments of section 13(4) of the Finance Act 1966 and in the amendment of section 15(6) of that Act the words from “the definitions of “gaming”” to the end.
1969 c. 32.	The Finance Act 1969.	Section 4.  In section 5(16) the words “and 13”.  Schedule 10.

The repeals in this Part of this Schedule do not apply as respects any gaming before 1st October 1970.

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*Status: Point in time view as at 01/02/1991.*

*Changes to legislation: There are currently no known outstanding effects for the Finance Act 1970. (See end of Document for details)*

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## PART II

### OTHER CUSTOMS AND EXCISE REPEALS

<b>Chapter</b>	<b>Short Title</b>	<b>Extent of Repeal</b>
10 & 11 Eliz. 2. c. 13.	The Vehicles (Excise) Act 1962.	Section 9(3).
1966 c. 18.	The Finance Act 1966.	Section 12(2)(b) as respects bets made on or after 27th April 1970.
1968 c. 44.	The Finance Act 1968.	Section 4(1) as respects bets made on or after 27th April 1970.
1969 c. 27.	The Vehicle and Driving Licences Act 1969.	In section 8(3), the words from “and in making” to “disregarded”.
1969 c. 32.	The Finance Act 1969.	Section 1(1)(b). Section 2 and Schedule 8 except as respects any period before 27th April 1970.

The repeals in the Vehicles (Excise) Act 1962 and the Vehicle and Driving Licences Act 1969 have effect as from 15th February 1971.

## PART III

### OCCUPATIONAL PENSION SCHEMES

<b>Chapter</b>	<b>Short Title</b>	<b>Extent of Repeal</b>
1965 c. 11.	The Ministerial Salaries and Members’ Pensions Act 1965.	Section 13(1)(a).
1970 c. 10.	The Income and Corporation Taxes Act 1970.	Section 208 from the date appointed under section 21 of this Act. Section 209 from the coming into force of section 22 of this Act. Chapter II of Part IX from the coming into force of section 23 of this Act.
Act of the Parliament of Northern Ireland		
1965 c. 18.	The Ministerial Salaries and Members’ Pensions Act (Northern Ireland) 1965.	Section 12(1)(a).



*Status: Point in time view as at 01/02/1991.*

*Changes to legislation: There are currently no known outstanding effects for the Finance Act 1970. (See end of Document for details)*

## PART IV

### STAMP DUTY REPEALS HAVING EFFECT FROM 1ST AUGUST 1970

<b>Chapter</b>	<b>Short Title</b>	<b>Extent of Repeal</b>
54 & 55 Vict. c. 39.	The Stamp Act 1891.	Sections 22, 59(4), 99, 114 and 116.  In Schedule 1, the heading beginning "Agreement or any Memorandum" (including the word "Exemptions" and all that follows); the heading "Contract"; in the heading "Defeazance", the words "Agreement, and"; in the heading beginning "Mortgage of Stock". the words "Agreement, and"; and the heading "Policy of Insurance other than Life Insurance".  In Schedule 2, the Second Part.
57 & 58 Vict. c. 30.	The Finance Act 1894.	Section 39.
61 & 62 Vict. c. 10.	The Finance Act 1898.	Section 5.
6 Edw. 7. c. 14.	The Alkali, &c. Works Regulation Act 1906.	Section 9(6).
9 Edw. 7. c. 34.	The Electric Lighting Act 1909.	In section 19, the words from "and also" to the end.
10 & 11 Geo. 5. c. 18.	The Finance Act 1920.	Section 37(1).
12 & 13 Geo. 5. c. 17.	The Finance Act 1922.	Sections 46 and 47.
18 & 19 Geo. 5. c. 17.	The Finance Act 1928.	Section 32.
2 & 3 Geo. 6. c. 41.	The Finance Act 1939.	Section 37(4).
10 & 11 Geo. 6. c. 35.	The Finance Act 1947.	Section 52.
11 & 12 Geo. 6. c. 38.	The Companies Act 1948.	In section 3, the words "must bear the same stamp as if it were a deed, and"; and section 9(c).
12 & 13 Geo. 6. c. 47.	The Finance Act 1949.	In Part I of Schedule 8, in paragraph 17 the words "under the heading Agreement or any Memorandum of an Agreement or" and the words from "and no other" to the end; and, in paragraph 27, the

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*Changes to legislation: There are currently no known outstanding effects for the Finance Act 1970. (See end of Document for details)*

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		words from "(a warrant" to the end.
15 & 16 Geo. 6 and 1 Eliz. 2. c. 57.	The Marine and Aviation Insurance (War Risks) Act 1952.	In section 7, subsections (2) and (3).
6 & 7 Eliz. 2. c. 56.	The Finance Act 1958.	In section 35, the words "and the heading 'Agreement or any Memorandum of an Agreement'" in subsection (1)(a), and the whole of subsection (1)(b).
7 & 8 Eliz. 2. c. 58.	The Finance Act 1959.	In section 30, subsections (1) to (3) and (4)(c).
10 & 11 Eliz. 2. c. 44.	The Finance Act 1962.	Section 31.
1963 c. 25.	The Finance Act 1963.	In section 57(1), the words "114 and". and the words "Finance Act 1939, section 37"; and section 57(2).
1967 c. 54.	The Finance Act 1967.	In section 27(1), the words "and Part I of Schedule 11 to".
1967 c. 81.	The Companies Act 1967.	In section 43(2)(b), the words "bearing the same stamp as if they were contained in a deed".

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This Part of this Schedule has effect as from 1st August 1970.

## PART V

### STAMP DUTY REPEALS HAVING EFFECT FROM 1ST FEBRUARY 1971

Chapter	Short Title	Extent of Repeal
7 Geo. 4. c. 6.	The Bank Notes Act 1826.	Section 7.
7 Geo. 4. c. 16.	The Chelsea and Kilmainham Hospitals Act 1826.	Section 39.
3 & 4 Vict. c. 110.	The Loan Societies Act 1840.	In section 14, the words from "nor any receipt" to "or order".
27 & 28 Vict. c. 24.	The Naval Agency and Distribution Act 1864.	In section 16, the words "bills, orders, receipts and other".
28 & 29 Vict. c. 73.	The Naval and Marine Pay and Pensions Act 1865.	In section 6, the words "bills, orders, receipts and other".

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*Status: Point in time view as at 01/02/1991.*

*Changes to legislation: There are currently no known outstanding effects for the Finance Act 1970. (See end of Document for details)*

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35 & 36 Vict. c. 93.	The Pawnbrokers Act 1872.	In section 15, the words from “and such a receipt” to the end.
38 & 39 Vict. c. 83.	The Local Loans Act 1875.	Section 19.
45 & 46 Vict. c. 61.	The Bills of Exchange Act 1882.	In section 20(1), the word “stamped”, and the words “the stamp will cover”.
47 & 48 Vict. c. 55.	The Pensions and Yeomanry Pay Act 1884.	In section 5, the words “order, receipt and”.
54 & 55 Vict. c. 39.	The Stamp Act 1891.	In section 23, in subsections (1) and (2), the words “(not being a promissory note or bill of exchange)”.  Sections 32, 33, 35 to 39, and 101 to 103.  In Schedule 1, the heading beginning “Bill of Exchange or Promissory Note” (including the word “Exemptions” and all that follows); the headings “Cheque”, “Draft for money”, “Letter of Credit”, “Order for the payment of money”, and “Promissory Note”, and the heading beginning “Receipt” (including the word “Exemptions” and all that follows).
57 & 58 Vict. c. 30.	The Finance Act 1894.	Section 40.
57 & 58 Vict. c. 60.	The Merchant Shipping Act 1894.	In section 196(1), the words “and the bill shall be exempt from stamp duty”.
58 & 59 Vict. c. 16.	The Finance Act 1895.	Section 9.
59 & 60 Vict. c. 25.	The Friendly Societies Act 1896.	Section 33(a).
60 & 61 Vict. c. 38.	The Public Health (Scotland) Act 1897.	In section 168, the word “receipts”.
61 & 62 Vict. c. 46.	The Revenue Act 1898.	Section 8.
10 & 11 Geo. 5. c. 18.	The Finance Act 1920.	Section 34.
10 & 11 Geo. 5. c. 23.	The War Pensions Act 1920.	In In section 10, the words “order, receipt, or other”.
11 & 12 Geo. 5. c. 32.	The Finance Act 1921.	In Schedule 3, paragraph 5.
14 & 15 Geo. 5. c. 21.	The Finance Act 1924.	Section 36.

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*Changes to legislation: There are currently no known outstanding effects for the Finance Act 1970. (See end of Document for details)*

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15 & 16 Geo. 5. c. 87.	The Tithe Act 1925.	Section 15.
19 & 20 Geo. 5. c. 29.	The Government Annuities Act 1929.	Section 22(1)(e); and, in section 58(d), the words “or any receipt for the payment”, and the words from “or for the payment” to the end.
20 & 21 Geo. 5. c. 28.	The Finance Act 1930.	Section 44.
1 Edw. 8 and 1 Geo. 6. c. 14.	The East India Loans Act 1937.	Section 2(7).
9 & 10 Geo. 6. c. 42.	The Water (Scotland) Act 1946.	In section 46, the word “receipt”.
9 & 10 Geo. 6. c. 81.	The National Health Service Act 1946.	In section 73, the words from “on any draft” to “in pursuance of this Act, or”.
10 & 11 Geo. 6. c. 27.	The National Health Service (Scotland) Act 1947.	In section 71, the words from “on any draft” to “in pursuance of this Act, or”.
14 & 15 Geo. 6. c. 31.	The National Health Service Act 1951.	Section 4(1).
15 & 16 Geo. 6. and 1 Eliz. 2. c. 25.	The National Health Service Act 1952.	Section 7(1).
1 & 2 Eliz. 2. c. 34.	The Finance Act 1953.	In section 31(1), paragraph (a), and paragraph (b) from the beginning to “such a person, and”.
4 & 5 Eliz. 2. c. 54.	The Finance Act 1956.	Section 39.
6 & 7 Eliz. 2. c. 56.	The Finance Act 1958.	Section 34(8).
8 & 9 Eliz. 2. c. 44.	The Finance Act 1960.	In section 74, subsections (3) and (4).
9 & 10 Eliz. 2. c. 36.	The Finance Act 1961.	Sections 33 and 37(6)(a).
10 & 11 Eliz. 2. c. 37.	The Building Societies Act 1962.	In section 117, paragraphs (c), (d) and (g).
1963 c. 25.	The Finance Act 1963.	Section 55(4).
1965 c. 51.	The National Insurance Act 1965.	In Schedule 9, paragraphs 1 and 5.
1965 c. 52.	The National Insurance (Industrial Injuries) Act 1965.	In Schedule 6, paragraphs 1 and 5.
1965 c. 53.	The Family Allowances Act 1965.	Section 15.
1966 c. 20.	The Ministry of Social Security Act 1966.	Section 19.

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*Changes to legislation: There are currently no known outstanding effects for the Finance Act 1970. (See end of Document for details)*

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1967 c. 54.	The Finance Act 1967.	In section 27(1), the words from “and “£5,500” to the end; and section 31.
1968 c. 44.	The Finance Act 1968.	Section 57.
1968 c. 47.	The Sewerage (Scotland) Act 1968.	In section 52, the word “receipt”.
1969 c. 48.	The Post Office Act 1969.	Section 115(1) and sections 124 to 126.
1969 c. 50.	The Trustee Savings Bank Act 1969.	In section 89, paragraph (b), and, in paragraph (c), the words “a draft or order”.
1970 c. 9.	The Taxes Management Act 1970.	Section 116.

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This Part of this Schedule has effect as from 1st February 1971.

## PART VI

### MISCELLANEOUS REPEALS

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<b>Chapter</b>	<b>Short Title</b>	<b>Extent of Repeal</b>
57 & 58 Vict. c. 30.	The Finance Act 1894.	In section 6(8), the words “with interest at the rate of three per cent. per annum from the date at which the first instalment is due”.
6 & 7 Geo. 6. c. 28.	The Finance Act 1943.	Section 27 so far as it relates to interest accruing after the passing of this Act.
14 Geo. 6. c. 21.	The Miscellaneous Financial Provisions Act 1950.	In section 2, subsections (1) and (5).
15 & 16 Geo. 6 and 1 Eliz. 2. c. 10.	The Income Tax Act 1952.	In section 2(1), the words “in excess of that amount”.
1964 c. 9.	The Public Works Loans Act 1964.	Sections 7(2) and 9(3).
1967 c. 54.	The Finance Act 1967.	Section 44.
1969 c. 32.	The Finance Act 1969.	In section 41(2), the word “registered” in both places where it occurs. Section 57. In Schedule 17, in Part II paragraph 7(1), the words “subsisting at the date of the earlier death”.

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*Status: Point in time view as at 01/02/1991.*

*Changes to legislation: There are currently no known outstanding effects for the Finance Act 1970. (See end of Document for details)*

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		In Schedule 18, in Part I, the word “registered” in the first italic cross-heading.
1969 c. 50.	The Trustee Savings Banks Act 1969.	In section 34(2) the words “and not exceeding £3 13s. 0d. per cent. per annum”.
1970 c. 10.	The Income and Corporation Taxes Act 1970.	In section 3(1), the words “in excess of that amount”.  In section 14(1)(a), the words from “except” to “infirmity”.  In section 19(8), the words “(and, in particular, in section 22 below)”  Section 22.  In section 37, subsection (3) (c) and the preceding “and”.  In section 63(5) the words from “and, where part only” to the end of the subsection.  Section 240(6) from the beginning of the first year of assessment for which company tax regulations have effect.  In section 513, subsection (4).  In Schedule 3, in paragraph 6, the words from “and shall apply” to the end.  Schedule 9 from the beginning of the first year of assessment for which company tax regulations have effect.

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The repeal in Part II of Schedule 17 to the Finance Act 1969 has effect in accordance with section 31(6) of this Act.

## PART VII

### OBSOLETE OR UNNECESSARY PROVISIONS IN TAXES ACTS

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<b>Chapter</b>	<b>Short Title</b>	<b>Extent of Repeal</b>
1968 c.3.	The Capital Allowances Act 1968.	In section 15(4) (as inserted by paragraph 5(4) of

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		Schedule 15 to the Income and Corporation Taxes Act 1970) the words from “for relief” to the end of the subsection.
1970 c.9.	The Taxes Management Act 1970.	In section 9(3), the words from the beginning to “partnership, but”.
		In section 13(1), the words “in the prescribed form”. In section 118(2), the proviso.
1970 c.10.	The Income and Corporation Taxes Act 1970.	In section 25, the words “sections 5 to 19 and 22 of”.
		In section 26, the words “sections 5 to 19 and 22 of”.
		In section 163(2) proviso, the words “in relation to disposals of assets after 5th April 1969”.
		In subsections (2) and (3) of section 310, the words “to the satisfaction of the Board”.
		In section 311(1), the words “to the satisfaction of the Board” and “in the opinion of the Board”.
		In section 380(1), the words from “References in this subsection” to the end of the subsection.
		In section 515(5), the words from “and the reference” to the end of the subsection.
		In Schedule 14, paragraph 29.
		In Schedule 15, paragraph 13.

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**Status:**

Point in time view as at 01/02/1991.

**Changes to legislation:**

There are currently no known outstanding effects for the Finance Act 1970.