



Finance Act 1975

1975 CHAPTER 7

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. [13th March 1975]

Editorial Information

- X1** The text of ss 5–18, 52(1)(2), 54, 57, 59(1)(2)(3)(b)(4)(5), Schs. 1–30, 6, para 12, Sch. 12 paras 1, 2, 16, 19, Sch. 13 was taken from SIF Group 63:1 (Income, Corporation and Capital Gains Taxes: Income and Corporation Taxes), ss. 19, 49(2), 59(1)(4), Sch 4 para 38 Sch 8 Pt II from SIF Group 65 (Inheritance Tax) and ss. 55, 56, 59(1)(4)(5), Sch 13 from SIF Group 99:3 (Public Finance and Economic Controls: National Debt); 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** **EDITORIAL NOTE**1984 (C) = Capital Transfer Tax Act 1984/[Inheritance Tax Act 1984 \(c.51, SIF 65\)](#)

Commencement Information

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

PART I

VALUE ADDED TAX

Status: Point in time view as at 01/02/1991.
Changes to legislation: There are currently no known outstanding effects for the Finance Act 1975. (See end of Document for details)

Textual Amendments

F1 S. 1 repealed by Finance (No. 2) Act 1979 (c. 47, SIF 63:1), s. 25(5), **sch. 5 pt. I**

2 **F2**

Textual Amendments

F2 S. 2 repealed by Finance (No. 2) Act 1975 (c. 45, SIF 63:1), ss. 17(7), 75(5), **sch. 14 pt. IV**

3 **F3**

Textual Amendments

F3 S. 3 repealed by Value Added Tax Act 1983 (c. 55, SIF 40:2), s. 50(2), **sch. 11**

4 **F4**

Textual Amendments

F4 S. 4 repealed by Customs and Excise Management Act 1979 (c. 2, SIF 40:1), s. 177(3), **sch. 6 pt. I**

PART II

INCOME TAX AND CORPORATION TAX

5—12 **F5**

Textual Amendments

F5 Ss. 5—12, 16, 17 repealed by Income and Corporation Taxes Act 1988 (c. 1, SIF 63:1), s. 844, **Sch. 31**

13— **F6**
15.

Textual Amendments

F6 Ss. 13—15 repealed by Capital Allowances Act (c. 1, SIF 63:1), s. 164(4), Sch. 2

16,17 **F7**

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Finance Act 1975. (See end of Document for details)

Textual Amendments

F7 Ss. 5–12, 16, 17 repealed by [Income and Corporation Taxes Act 1988](#) (c. 1, SIF 63:1), s. 844, **Sch. 31**

18 **F8**

Textual Amendments

F8 [S. 18](#) repealed by [Finance Act 1981](#) (c. 35, SIF 63:1) s. 139(6), Sch. 19 Pt. VII, in relation to any period of account ending on or after 14 November 1980; [See Finance Act 1981](#) (c. 35, SIF 63:1) s. 35, Schs. 9, 10 (transitional)

PART III

CAPITAL TRANSFER TAX

Modifications etc. (not altering text)

C2 [Pt. III](#) (ss. 19–52) modified by [Finance Act 1977](#) (c. 36, SIF 63:1), s. 49(2)(5)

C3 [Pt. III](#) (ss. 19–52) applied by [Finance Act 1978](#) (c. 42, SIF 63:1), s. 68

Main charging provisions

19 **Capital transfer tax.**

(1) **F9**

(2) Schedule 4 to this Act shall have effect with respect to the administration and collection of the tax.

Textual Amendments

F9 [S. 19\(1\)](#) repealed by [Capital Transfer Tax Act 1984](#) (c. 51, SIF 18), **Sch. 9**

20—47 **F10**

Textual Amendments

F10 Ss. 20–47, 49(3)(5), 51 repealed by [Capital Transfer Tax Act 1984](#) (c. 51, SIF 65) ss. 274, 277, schs. 7, 9

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

Changes to legislation: There are currently no known outstanding effects for the Finance Act 1975. (See end of Document for details)

Estate duty and obsolete death duties

48 Interest on repayment of estate duty and on instalments of duty.

- (1) In relation to any period falling after 12th November 1974 any sums repayable as sums paid in excess of estate duty or interest on estate duty shall carry interest at the same rate as that at which the the duty, if outstanding, would have carried interest.
- (2) Interest paid to any person under this section shall not be income of that person for any tax purposes.
- (3) Subject to the following provisions of this section, where estate duty charged on a death occurring after 12th November 1974 is payable by instalments under section 62 of the ^{M1}Finance Act 1971 or section 3 of the ^{M2}Finance Act (Northern Ireland) 1971—
 - (a) as being charged in respect of property falling within paragraph (a) or (b) of subsection (2) of that section ; or
 - (b) as being attributable to the net value of a business or an interest in a business ;
 it shall, for the purpose of any interest to be added to each instalment, be treated as carrying interest from the date at which the instalment is payable.
- (4) Subsection (3) above does not apply to estate duty payable in respect of shares or securities of a company falling within paragraph (a) of subsection (5) below unless it also falls within paragraph (b) or (c) of that subsection.
- (5) The companies referred to in subsection (4) above are—
 - (a) any company whose business consists wholly or mainly of one or more of the following, that is to say, dealing in securities, stocks or shares, land or buildings, or making or holding investments ;
 - (b) any company whose business consists wholly or mainly in being a holding company (within the meaning of section 154 of the ^{M3}Companies Act 1948) of one or more companies not falling within paragraph (a) above ; and
 - (c) any company whose business is that of a jobber (as defined in section 477 of the Taxes Act) or discount house, and is carried on in the United Kingdom.
- (6) Subsection (3) above does not apply to estate duty charged in respect of property which, by reason of an interest which came to an end, or a gift which was made, before 13th November 1974, passes on death by virtue of section 2(1)(b)(i) or section 2(1)(c) of the ^{M4}Finance Act 1894.
- (7) Subsection (3) above applies only to the extent that the principal value in respect of which the duty is payable as mentioned therein does not exceed £250,000 ; and any excess shall be attributed to duty in respect of the shares, securities, business or interest concerned in proportion to their respective values.

Modifications etc. (not altering text)

- C4** The text of s. 48 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.
- C5** [S. 48](#) amended by [Companies Consolidation \(Consequential Provisions\) Act 1985 \(c. 9, SIF 27\)](#), [sch. 2](#), and (*retrosp.*) by [Finance Act 1989 \(c. 26, SIF 63:1\)](#), [s. 180\(1\)\(4\)](#)

Marginal Citations

- M1** [1971 c. 68](#).

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

Changes to legislation: There are currently no known outstanding effects for the Finance Act 1975. (See end of Document for details)

- M2** 1971 c. 27 (N.I.).
M3 1948 c. 38.
M4 1894 c. 30.

49 Abolition of estate duty and transitional provisions.

- (1) Estate duty shall not be levied on the principal value of any property passing on a death occurring after the passing of this Act ; and the enactments relating to estate duty shall have effect in relation to a death occurring before the passing of this Act but after 12th November 1974 subject to the amendments specified in Schedule 11 to this Act.
- (2) Part II of Schedule 8 to this Act shall have effect for making, in relation to deaths occurring after 12th November 1974, provisions with respect to estate duty similar to those made with respect to capital transfer tax by Part I of that Schedule.
- (3) ^{F11}
- (4) Where estate duty is under section 61(5) of the ^{M5}Finance (1909-10) Act 1910 payable on the net moneys received from the sale of timber, trees or wood when felled or cut during the period referred to therein and that period has not ended before the passing of this Act, that period shall end immediately after the first transfer of value made after the passing of this Act in which the value transferred is, or is determined by reference to, the value of the land concerned, other than a transfer exempt by virtue of paragraph 1 of Schedule 6 to this Act.
- (5) ^{F11}

Textual Amendments

- F11** Ss. 20–47, 49(3)(5), 51 repealed by Capital Transfer Tax Act 1984 (c. 51, SIF 65) ss. 274, 277, schs. 7, 9

Modifications etc. (not altering text)

- C6** S. 49 amended by Capital Transfer Tax Act 1984 (c. 51, SIF 65), s. 276, sch. 8 para. 4

Marginal Citations

- M5** 1910 c. 8

50 Final abolition of obsolete death duties.

- (1) After the passing of this Act no person shall in any case be required to account for or pay, and the Board shall not in any case charge, levy, recover or collect—
- (a) any duty described in Schedule 1 to the ^{M6}Finance Act 1894 ;
- (b) any duty imposed on a representation or inventory by any Act in force before the ^{M7}Customs and Inland Revenue Act 1881 ;
- (c) any legacy duty, succession duty or settlement estate duty ;
- (including in each case any duty which is then outstanding).
- (2) This section does not affect any right to repayment of or to any allowance in respect of any sum paid before the passing of this Act on account of any such duty.

Status: Point in time view as at 01/02/1991.
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Modifications etc. (not altering text)

- C7** The text of ss. 50, 52(3), 54(1), 57(1)(a)(b), (2)(in part), 58, Sch. 4 para. 38(2), Sch. 8 Pt. II (ss. 12–16), Sch. 11, Sch. 13 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

- M6** 1894 c. 30.
M7 1881 c. 12.

Supplemental

51 **F12**

Textual Amendments

- F12** Ss. 20–47, 49(3)(5), 51 repealed by [Capital Transfer Tax Act 1984 \(c. 51, SIF 65\)](#) ss. 274, 277, schs. 7, 9

52 Consequential amendments and repeals.

- (1) In consequence of the preceding provisions of this Part of this Act the enactments mentioned in Schedule 12 to this Act shall have effect subject to the amendments specified therein.
- (2) The enactments mentioned in Part I of Schedule 13 to this Act are hereby repealed, to the extent specified in the third column of that Part—
 - (a) in relation to deaths occurring after the passing of this Act; and
 - (b) so far as they relate to the duties mentioned in section 50 of this Act, in relation to any death.
- (3) The repeal by this section of any enactment relating to a duty mentioned in section 50 of this Act shall not affect its operation for the purposes of any such right to repayment or allowance as is referred to in subsection (2) of that section.

Modifications etc. (not altering text)

- C8** The text of ss. 50, 52(3), 54(1), 57(1)(a)(b), (2)(in part), 58, Sch. 4 para. 38(2), Sch. 8 Pt. II (ss. 12–16), Sch. 11, Sch. 13 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 IV

MISCELLANEOUS AND GENERAL

53 **F13**

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

Changes to legislation: There are currently no known outstanding effects for the Finance Act 1975. (See end of Document for details)

Textual Amendments

F13 [S. 53](#) repealed with savings by [Capital Gains Tax Act 1979 \(c. 14, SIF 63:2\)](#), s. 158, [Sch. 8](#)

54 Appeals on questions of value of unquoted shares or securities.

- (1) In section 47(3) of the Taxes Management Act 1970 for the words from “by the General Commissioners” to “section 44(4) of this Act” there shall be substituted the words “ by the Special Commissioners. ”
- (2) Where at the time this Act is passed any such appeal as is mentioned in section 47(3) of the Taxes Management Act 1970 is pending before any General Commissioners, the Special Commissioners may, if they think fit, on an application made by the parties, arrange with the General Commissioners for the transfer of the proceedings to the Special Commissioners, and the proceedings may be so transferred accordingly.

Modifications etc. (not altering text)

C9 The text of ss. 50, 52(3), 54(1), 57(1)(a)(b), (2)(in part), 58, Sch. 4 para. 38(2), Sch. 8 Pt. II (ss. 12–16), Sch. 11, Sch. 13 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.

55 **F14**

Textual Amendments

F14 [S. 55](#) repealed by [Finance Act 1984 \(c. 43, SIF 99:3\)](#), s. 128(6), [Sch. 23 Pt. XIV](#)

56 Signature of certain requisitions and requests of the Treasury.

Without prejudice to the ^{M8}Treasury Instruments (Signature) Act 1849, any requisition or request for a credit under section 13 or 15 of the ^{M9}Exchequer and Audit Departments Act 1866 or section 1(3) of the ^{M10}National Loans Act 1968 may be signed by any two of the following persons, namely the Secretaries of the Treasury and such officers as the Treasury may from time to time appoint to that duty.

Marginal Citations

M8 [1849 c. 89.](#)
M9 [1866 c. 39.](#)
M10 [1968 c. 13.](#)

57 Appointment of General Commissioners in Scotland, and amendment of declaration to be made by certain officers.

- (1) As from 16th May 1975 subsection (3) of section 2 of the Taxes Management Act 1970 (appointment of General Commissioners for divisions in Scotland) shall be amended as follows, that is to say—

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

Changes to legislation: There are currently no known outstanding effects for the Finance Act 1975. (See end of Document for details)

- (a) for the words “the appropriate local authority” there shall be substituted the words “ the Secretary of State ”; and
 - (b) the words from “but” to the end of the subsection shall be omitted;
- and any appointment made under that subsection before that date shall have effect on and after it as if made under that subsection as so amended.
- (2) In the form of declaration set out in Part I of Schedule 1 to the Taxes Management Act 1970 (declarations by General and Special Commissioners and others), for the words from “my duties” to “gains” (where that word first occurs) there shall be substituted the words “ the duties of my office ”, for the words “my duties” where occurring elsewhere in that form there shall be substituted the words “ those duties ”, and for the words “income tax or any tax on company profits or capital gains” there shall be substituted the words “ inland revenue ”.
- (3) Nothing in subsection (2) above shall invalidate any declaration made before the passing of this Act.

Modifications etc. (not altering text)

C10 The text of ss. 50, 52(3), 54(1), 57(1)(a)(b), (2)(in part), 58, Sch. 4 para. 38(2), Sch. 8 Pt. II (ss. 12–16), Sch. 11, Sch. 13 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.

58 Amendments of Vehicles (Excise) Act (Northern Ireland) 1972.

- (1) In section 7 of the ^{M11}Vehicles (Excise) Act (Northern Ireland) of 1972 (that is to say 1972 c. 10 of Northern Ireland) as amended by Article 15 of the ^{M12}Finance (Northern Ireland) Order 1972, subsection (2A) (vehicles adapted for use by disabled persons exempt from duty under that Act) shall be amended as follows—
- (a) for the words “specifically and extensively adapted” there shall be substituted the word “ suitable ”, and
 - (b) paragraph (a) shall be omitted
- This subsection shall be deemed to have come into force on 31st July 1974 (when corresponding amendments took effect in Great Britain).
- (2) Section 38(1) of that Act shall have effect, and be deemed always to have had effect, with the substitution for “ 1971 ” (enacted in error for “ 1972 ”) of “1972”.

Modifications etc. (not altering text)

C11 The text of ss. 50, 52(3), 54(1), 57(1)(a)(b), (2)(in part), 58, Sch. 4 para. 38(2), Sch. 8 Pt. II (ss. 12–16), Sch. 11, Sch. 13 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 1972 c. 10 (N.I.).

M12 S.I. 1972 No. 1100.

59 Citation, interpretation, construction and repeals.

- (1) This Act may be cited as the Finance Act 1975.

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

Changes to legislation: There are currently no known outstanding effects for the Finance Act 1975. (See end of Document for details)

- (2) In this Act “the Taxes Act” means the Income and Corporation Tax Act 1970.
- (3) In this Act—
- (a) ^{F15}
- (b) Part II, so far as it relates to income tax, shall be construed as one with the Income Tax Acts and, so far as it relates to corporation tax, shall be construed as one with the Corporation Tax Acts.
- (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) The enactments mentioned in Schedule 13 to this Act are hereby repealed to the extent specified in the third column of that Schedule, but subject to any provision at the end of any Part of that Schedule.

Textual Amendments

F15 S. 59(3)(a) repealed by Value Added Tax Act 1983 (c. 55, SIF 40:2), s. 50(2), **sch. 11**

Status: Point in time view as at 01/02/1991.
Changes to legislation: There are currently no known outstanding effects for the Finance Act 1975. (See end of Document for details)

SCHEDULES

SCHEDULE 1

... F16

Textual Amendments

F16 Schs. 1, 2 repealed by [Income and Corporation Taxes Act 1988 \(c. 1, SIF 63:1\)](#) s. 844, Sch. 31

SCHEDULE 2

... F17

Textual Amendments

F17 Schs. 1, 2 repealed by [Income and Corporation Taxes Act 1988 \(c. 1, SIF 63:1\)](#) s. 844, Sch. 31

SCHEDULE 3

... F18

Textual Amendments

F18 Sch. 3 repealed with savings by [Finance Act 1981 \(c. 35, SIF 63:2\)](#), s. 139, [Sch. 19 Pt. VII](#)

SCHEDULE 4

Section 19.

ADMINISTRATION AND COLLECTION OF CAPITAL TRANSFER TAX

1—37 F19

Textual Amendments

F19 Sch. 4, except para. 38, repealed by [Capital Transfer Tax Act 1984 \(c. 51\)](#), s. 277, [Sch. 9](#)

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

Changes to legislation: There are currently no known outstanding effects for the Finance Act 1975. (See end of Document for details)

Refusal of probate or administration where tax unpaid

- 38 (1) F20
- (2) In section 42 of the ^{M13}Probate and Legacy Duties Act 1808 after the words “as aforesaid”, where they first occur, there shall be inserted the words “ nor unless that inventory shows by means of such receipt or certification as may be prescribed by the Commissioners of Inland Revenue either that the capital transfer tax payable on the delivery of the inventory has been paid or that no capital transfer tax is so payable ” ; and at the end there shall be inserted the following words—
 “Provided that arrangements may be made between the Court of Session and the said Commissioners providing for the purposes of this section in such cases as may be specified that the said inventory shall be effective without such receipt or certification as aforesaid, or that some other document may be substituted for the inventory ”.
- (3) F21
- (4) [^{F22}The sections inserted by sub-paragraphs (1) . . . ^{F23} and] the amendments made by sub-paragraph (2) above have effect in relation to grants and confirmations in respect of the estates of persons dying after the passing of this Act.

Textual Amendments

- F20** Sch. 4 para. 38(1) repealed by [Supreme Court Act 1981 \(c. 54, SIF\)](#), [Sch. 7](#)
- F21** Sch. 4 para. 38(3) repealed by [S.I. 1979/1575 \(N.I. 14\)](#), [Sch. 3](#)
- F22** Words repealed by virtue of [Supreme Court Act 1981 \(c. 54, SIF 37\)](#), [Sch. 7](#)
- F23** Words repealed by [S.I. 1979/1575 \(N.I. 14\)](#), [Sch. 3](#)

Modifications etc. (not altering text)

- C12** The text of ss. 50, 52(3), 54(1), 57(1)(a)(b), (2)(in part), 58, Sch. 4 para. 38(2), Sch. 8 Pt. II (ss. 12–16), Sch. 11, Sch. 13 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

- M13** [1808 c. 149](#).

39—44 F24

Textual Amendments

- F24** [Sch. 4](#), except para. 38, repealed by [Capital Transfer Tax Act 1984 \(c. 51\)](#), s. 277, [Sch. 9](#)

SCHEDULES 5—7

. . . F25

Textual Amendments

- F25** [Schs. 5–7](#) repealed by [Capital Transfer Tax Act 1984 \(c. 51, SIF 65\)](#), ss. 274, 277, [schs. 7, 9](#)

Status: Point in time view as at 01/02/1991.
Changes to legislation: There are currently no known outstanding effects for the Finance Act 1975. (See end of Document for details)

SCHEDULE 8

Section 49(2).

RELIEF FOR AGRICULTURAL PROPERTY

Modifications etc. (not altering text)

C13 [Sch. 8](#) applied by Capital Gains Tax Act 1979 (c. 14 SIF 63:2), s. 126, Sch. 4 paras. 1(1)(a), 3(1)(a)

PART I

1–11 **F26**

Textual Amendments

F26 [Sch. 8 Pt. I](#) repealed by [Finance Act 1981 \(c. 35, SIF 63:1\)](#), [Sch. 19 Pt. IX](#) in relation to transfers of value, distribution payments and capital distributions made on or after 10.3.1981

PART II

ESTATE DUTY

Modifications etc. (not altering text)

C14 The text of ss. 50, 52(3), 54(1), 57(1)(a)(b), (2)(in part), 58, Sch. 4 para. 38(2), Sch. 8 Pt. II (ss. 12–16), Sch. 11, Sch. 13 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.

Nature of relief

- 12 Where the estate chargeable with estate duty on the death of a person dying after 12th November 1974 comprises agricultural property, other than agricultural property included (under section 2(1)(b)(i) or 2(1)(c) of the ^{M14}Finance Act 1894) by reason of an interest which came to an end or a gift which was made before 13th November 1974, then, if the conditions stated in paragraph 3 above (as modified by paragraph 16 below) are satisfied and—
- (a) the principal value of the agricultural property would be reduced if computed in accordance with paragraph 13 below ; and
 - (b) the person accountable for estate duty in respect of the agricultural property makes a claim in that behalf to the Board within six months of the passing of this Act or such longer time as the Board may allow ;
 the principal value of that property shall be so computed and estate duty charged accordingly, but subject to the limit imposed by paragraph 15 below.

Marginal Citations

M14 [1894 c. 30](#)

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

Changes to legislation: There are currently no known outstanding effects for the Finance Act 1975. (See end of Document for details)

- 13 (1) Where the principal value of any agricultural property is to be computed in accordance with this paragraph it shall be computed, subject to sub-paragraph (2) below, as if the agricultural value of the property were equal to its multiplied rental value.
- (2) Where paragraph 3(5) above (as modified by paragraph 16 below) applies the principal value of the agricultural property shall be computed as if it were reduced by such proportion of the difference between it and the multiplied rental value of the property as is equal to the fraction mentioned in that paragraph.

Companies

- 14 Where an estate comprises shares in or debentures of a company the principal value of which falls to be estimated in accordance with section 55 of the ^{M15}Finance Act 1940 or section 15 of the ^{M16}Finance (No. 2) Act (Northern Ireland) 1946, and the conditions stated in sub-paragraphs (a), (c) and (d) of paragraph 4 above (as modified by paragraph 16 below) are satisfied with respect to the company, any agricultural property and the shares or debentures, paragraphs 12 and 13 above shall apply, with the necessary modifications, in relation to the principal value of the shares or debentures, and estate duty chargeable in respect thereof.

Marginal Citations

M15 1940 c. 29.

M16 1946 c. 17 (N.I.).

Limitation of relief

- 15 Relief under this Part of this Schedule shall be given only to the extent that either—
- (a) the agricultural value of the agricultural property does not exceed £250,000 or
 - (b) the area of the agricultural property does not exceed one thousand acres.

Supplementary

- 16 (1) For the purposes of relief under this Part of this Schedule—
- (a) paragraphs 3, 4 and 5(2) above shall apply as if for references to the transferor and the transfer there were substituted references to the deceased and his death ;
 - (b) paragraph 3(5) above shall apply with the further modification specified in sub-paragraph (2) below ;
 - (c) paragraph 5(2) above shall apply for the purposes of paragraph 15 above ; and
 - (d) paragraph 9(5) above shall apply as if for the reference to tax there were substituted a reference to estate duty.
- (2) For the purposes of relief under this Part of this Schedule paragraph 3(5) above shall apply as if it required the principal value of the agricultural property to be computed in accordance with paragraph 13(2) above.

Status: Point in time view as at 01/02/1991.
Changes to legislation: There are currently no known outstanding effects for the Finance Act 1975. (See end of Document for details)

SCHEDULES 9,10

. . . F27

Textual Amendments

F27 Schs. 9, 10 repealed by Capital Transfer Tax Act 1984 (c. 51, SIF 65), ss. 274, 277, schs, 7, 9

SCHEDULE 11

Section 49.

AMENDMENT OF ESTATE DUTY ENACTMENTS

Modifications etc. (not altering text)

C15 The text of ss. 50, 52(3), 54(1), 57(1)(a)(b), (2)(in part), 58, Sch. 4 para. 38(2), Sch. 8 Pt. II (ss. 12–16), Sch. 11, Sch. 13 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—GREAT BRITAIN

1 In Part I of Schedule 17 to the ^{M17}Finance Act 1969 (determination of amount of estate duty on estate) for paragraph (b) there shall be substituted the following paragraph:

“(b) in any other case shall be the same amount as the amount of capital transfer tax which would, under section 37 of the Finance Act 1975, be charged on that aggregate principal value if it were the value transferred by a chargeable transfer made on death and the transferor had made no previous chargeable transfer”.

Marginal Citations

M17 1969 c. 32.

2 (1) In section 121(1)(c) of the ^{M18}Finance Act 1972 (which gives relief for a surviving spouse up to a limit of £15,000) the words “up to a limit of £15,000” shall be omitted.

(2) In Schedule 26 to that Act (provisions supplementary to section 121)—

(a) in paragraph 15—

(i) in sub-paragraph (a) after the words “paragraph (a)” there shall be inserted the words “or (c)”; and

(ii) in sub-paragraph (b) the words “or (c)” shall be omitted;

(b) in paragraph 17—

(i) in sub-paragraph (a) after the words “paragraph (a)” there shall be inserted the words “or (c)”; and

(ii) in sub-paragraph (b) the words “or (c)” (in each place where those words appear) shall be omitted;

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- (c) in paragraph 19, in sub-paragraph (a) the words “or (c)” shall be omitted ; and
 - (d) in paragraph 20, the words “or (c)” shall be omitted.
- (3) Where one party to a marriage dies after 12th November 1974 and subsequently (but before the passing of this Act) the other party dies, section 32(2) of the ^{M19}Finance Act 1954 shall have effect in relation to the death of that other party with the omission of the words inserted by paragraph 26 of Schedule 26 to the Finance Act 1972.
- (4) The preceding provisions of this paragraph do not apply where, immediately before the death, the deceased but not his spouse was domiciled in the United Kingdom.

Marginal Citations

M18 1972 c. 41

M19 1954 c. 44.

- 3 Section 23 of the ^{M20}Finance Act 1925 and section 28 of the Finance Act 1954 (reduced rates on agricultural property and certain business assets) shall not have effect except in relation to property which, by reason of an interest which came to an end or a gift which was made before 13th November 1974, passes on death by virtue of section 2(1)(b)(i) or section 2(1)(c) of the ^{M21}Finance Act 1894.

Marginal Citations

M20 1925 c. 36.

M21 1894 c. 30.

PART II—NORTHERN IRELAND

- 4 In Part I of Schedule 1 to the ^{M22}(determination of amount of estate duty payable on estate) for paragraph (b) there shall be substituted the following paragraph:
- “(b) in any other case shall be the same amount as the amount of capital transfer tax which would, under section 37 of the Finance Act 1975, be charged on that aggregate principal value if it were the value transferred by a chargeable transfer made on death and the transferor had made no previous chargeable transfer”.

Marginal Citations

M22 1969 c. 18 (N.I.).Finance Act (Northern Ireland) 1969

- 5 (1) In Article 5(1)(c) of the ^{M23}Finance (Northern Ireland) Order 1972 (which gives relief for a surviving spouse up to a limit of £15,000) the words “up to a limit of £15,000” shall be omitted.
- (2) In Schedule 2 to that Order (provisions supplementary to Article 5)—
- (a) in paragraph 15—
 - (i) in sub-paragraph (a) after the words “sub-paragraph (a)” there shall be inserted the words “ or (c) ” ; and
 - (ii) in sub-paragraph (b) the words “or (c)” shall be omitted ;

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

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- (b) in paragraph 17—
 - (i) in sub-paragraph (a) after the words “sub-paragraph (a)” there shall be inserted the words “ or (c) ” ; and
 - (ii) in sub-paragraph (b) the words “or (c)” (in each place where those words appear) shall be omitted ;
 - (c) in paragraph 19, in sub-paragraph (a) the words “or (c)” shall be omitted ; and
 - (d) in paragraph 20, the words “or (c)” shall be omitted.
- (3) Where one party to a marriage dies after 12th November 1974 and subsequently (but before the passing of this Act) the other party dies, section 2(1) of the ^{M24}(N.I.).Finance Act (Northern Ireland) 1954 shall have effect in relation to the death of that other party with the omission of the words inserted by paragraph 26 of Schedule 2 to the ^{M25}Finance (Northern Ireland) Order 1972.
- (4) The preceding provisions of this paragraph do not apply where, immediately before the death, the deceased but not his spouse was domiciled in the United Kingdom.

Marginal Citations

M23 [S.I. 1972 No. 1100.](#)

M24 [1954 c. 23](#)

M25 [S.I. 1972. No. 1100.](#)

- 6 Section 3 of the ^{M26}(N.I.).Finance (No. 2) Act (Northern Ireland) 1947 and section 3 of the Finance Act (Northern Ireland) 1954 (reduced rates on agricultural property and certain business assets) shall not have effect except in relation to property which, by reason of an interest which came to an end or a gift which was made before 13th November 1974, passes on death by virtue of section 2(1)(b)(i) or section 2(1)(c) of the ^{M27}Finance Act 1894.

Marginal Citations

M26 [1947 c. 22](#)

M27 [1894 c. 30.](#)

SCHEDULE 12

Section 52.

CONSEQUENTIAL AMENDMENTS

Modifications etc. (not altering text)

C16 [Sch. 12](#) applied (S.) by Consumer Arbitration Agreements Act 1988 (c. 21 SIF 5) s. 8(1)

C17 The text of Sch. 12 paras. 3–15, 18, 20, 21 is in the form in which it was originally enacted: it was not 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. Parts of this provision have been repealed by [S.I. 1979/924](#) (N.I. 8)

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

Changes to legislation: There are currently no known outstanding effects for the Finance Act 1975. (See end of Document for details)

General

1 F28

Textual Amendments

F28 Repealed by [Capital Transfer Tax Act 1984 \(c. 51, SIF 65\)](#) s. 277, Sch.9 with effect from 1 January 1985.
See now [Capital Transfer Tax Act 1984 \(c. 51, SIF 65\)](#) s. 25(1), Sch.3, Sch.6 para.1

- 2 The amendments made by the following paragraphs—
- (a) so far as they relate to estate duty, have effect in relation to deaths occurring after the passing of this Act, and
 - (b) so far as they relate to capital transfer tax, have effect in relation to transfers of values whenever made.

The Local Registration of Title (Ireland) Act 1891

- 3 (1) In the ^{M28}Local Registration of Title (Ireland) Act 1891, the following subsection shall be added at the end of section 45—

“(5) The registering authority may, upon the application of the Board of Inland Revenue and without the concurrence of the registered owner, register an Inland Revenue charge (within the meaning of Part III of the Finance Act 1975) as a burden under this section affecting the land or any interest therein subject to that charge.”.

(2) F29

Textual Amendments

F29 [Sch. 12 para. 3\(2\)](#) repealed by Finance Act 1975 (c. 7 SIF 63:1), s. 52 Sch. 12 para. 3(2)

Modifications etc. (not altering text)

C18 The text of Sch. 12 paras. 3–15, 18, 20, 21 is in the form in which it was originally enacted: it was not 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. Parts of this provision have been repealed by [S.I. 1979/924 \(N.I. 8\)](#)

Marginal Citations

M28 [1891 c. 66.](#)

The Colonial Probates Act 1892

- 4 In section 2(1) of the ^{M29}Colonial Probates Act 1892 after the words “deceased person” there shall be inserted the words “ then (subject to section 156A of the ^{M30}Supreme Court of Judicature (Consolidation) Act 1925, section 42 of the ^{M31}Probate and Legacy Duties Act 1808 and section 99A of the ^{M32}Probates and Letters of Administration Act (Ireland) 1857) ”.

Status: Point in time view as at 01/02/1991.
Changes to legislation: There are currently no known outstanding effects for the Finance Act 1975. (See end of Document for details)

Marginal Citations

- M29** 1892 c. 6.
M30 1808 c. 149.
M31 1808 c. 149.
M32 1857 c. 79.

The Land Registration Act 1925

- 5 (1) The ^{M33}Land Registration Act 1925 shall be amended as follows.
- (2) In section 20(1)(a), after the word “register” there shall be inserted the words “ and any charge for capital transfer tax subject to which the disposition takes effect under section 73 of this Act ”.
- (3) In section 23(1)(b), after the word “register” there shall be inserted the words “ and any charge for capital transfer tax subject to which the disposition takes effect under section 73 of this Act ”.
- (4) In section 59(6), after the word “interest” there shall be inserted the words “ or a charge for capital transfer tax subject to which the disposition takes effect under section 73 of this Act ”.
- (5) In section 64(1), at the end of paragraph (c) there shall be added the words “ or a notice of a charge for capital transfer tax ”.
- (6) For section 73 there shall be substituted the following section—

“73 Inland Revenue charge for capital transfer tax.

A disposition shall take effect subject to any subsisting Inland Revenue charge under Part III of the Finance Act 1975 unless—

- (a) the disposition is in favour of a purchaser within the meaning of that Part ;
 and
- (b) the charge is not, at the time of registration of the disposition, protected by notice on the register.”

Marginal Citations

- M33** 1925 c. 21.

The Inheritance (Family Provision) Act 1938

- 6 **F30**

Textual Amendments

- F30** Sch. 12 para. 6 repealed by Inheritance (Provision for Family and Dependents) 1975 (c. 63 SIF 116:1), s. 26(2)(3), Sch.

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Changes to legislation: There are currently no known outstanding effects for the Finance Act 1975. (See end of Document for details)

The Finance Act 1946

7 F31

Textual Amendments

F31 Sch. 12 para. 7 repealed by National Heritage Act 1980 (c. 17 SIF 3), s. 18(5), Sch. 2

The ^{M34}Crown Proceedings Act 1947

Marginal Citations

M34 1947 c. 44.

- 8 In section 14(1) of the Crown Proceedings Act 1947—
- (a) in paragraph (a), for the words “death duties” there shall be substituted the words “capital transfer tax ” ; and
- (b) F32

Textual Amendments

F32 Sch. 12 paras. 8(b), 18(3) repealed by Capital Transfer Tax Act 1984 (c. 51 SIF 65), ss. 274, 277, Schs. 7, 9

- 9 In section 14 of the Crown Proceedings Act 1947, as applied to the Crown in right of Her Majesty’s Government in the United Kingdom by the ^{M35}Northern Ireland (Crown Proceedings) Order 1949, in paragraph (c) and (d) after the words “value added tax” there shall be inserted the words “ and capital transfer tax ”.

Marginal Citations

M35 S.I. 1949 No. 1836.

^{M36}Small Estates (Representation) Act 1961

Marginal Citations

M36 1961 c. 37.

- 10 (1) In relation to Scotland section 1 of the Small Estates (Representation) Act 1961 shall be amended as provided by the following sub-paragraphs.
- (2) For subsection (2) there shall be substituted the following subsection—
- “(2) Gross estate in this Act and in the enactments specified in the First Schedule to this Act means the aggregate of the property heritable and moveable included in the deceased’s estate, and for the purposes of this Act and those enactments the value of the net estate shall be taken to be the value of the gross estate less reasonable funeral expenses and the aggregate of

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all liabilities enforceable against the deceased which were incurred for his benefit, and in respect of which he had no right of recourse.”

(3) Subsection (3) shall be omitted.

The ^{M37}Licensing Act 1964

Marginal Citations

M37 1964 c. 26.

11 **F33**

Textual Amendments

F33 Sch. 12 para. 11 repealed by Licensing (Alcohol Education and Research) Act 1981 (c. 28 SIF 68A:1), s. 11, Sch. 2 pt. I

The ^{M38}Finance Act 1965

Marginal Citations

M38 1965 c. 25

12, 13. **F34**

Textual Amendments

F34 Sch. 12 paras. 12, 13 repealed by Capital Gains Tax Act 1979 (c. 14, SIF 63:2), ss. 157(1), 158, Sch. 6 para. 10(2)(b), Sch. 8

14, 15. **F35**

Textual Amendments

F35 Sch. 12 paras. 14, 15 repealed by Finance Act 1976 (c. 40 SIF 63:1) s. 132(5), Sch.15 Pt. III

The Income and Corporation Taxes Act 1970

16 **F36**

Textual Amendments

F36 Sch. 12 paras. 16, 19 repealed by Income and Corporation Taxes Act 1988 (c. 1 SIF 63:1), s. 844, Sch. 31

The Finance Act 1971

17 **F37**

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Changes to legislation: There are currently no known outstanding effects for the Finance Act 1975. (See end of Document for details)

Textual Amendments

F37 Sch. 12 para. 17 repealed by Capital Gains Tax Act 1979 (c. 14, SIF 63:2), s. 158, Sch. 8

The Land Charges Act 1972

- 18 (1) The ^{M39}Land Charges Act 1972 shall be amended as follows.
- (2) In section 2(4)(ii), for the words “the Finance Act 1894 or” there shall be substituted the words “ Part III of the Finance Act 1975 or under ”, and for the words “death duties” there shall be substituted the words “ capital transfer tax ”.
- (3) **F38**
- (4) In section 3(6), for the word “duties” there shall be substituted the word “ tax ”.
- (5) In section 4(6), after the words “money’s worth” there shall be inserted the words “ (or, in the case of an Inland Revenue charge, a purchaser within the meaning of Part III of the Finance Act 1975) ”.
- (6) In section 17(1), for the words “will” and “death duties” there shall be substituted the words “ and will ”.

Textual Amendments

F38 Sch. 12 paras. 8(b), 18(3) repealed by Capital Transfer Tax Act 1984 (c. 51 SIF 65), ss. 274, 277, Schs. 7,9

Modifications etc. (not altering text)

C19 The text of Sch. 12 paras. 3–15, 18, 20, 21 is in the form in which it was originally enacted: it was not 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. Parts of this provision have been repealed by S.I. 1979/924 (N.I. 8)

Marginal Citations

M39 1972 c. 61

The Finance Act 1974

- 19 **F39**

Textual Amendments

F39 Sch. 12 paras. 16, 19 repealed by Income and Corporation Taxes Act 1988 (c. 1 SIF 63:1), s. 844, Sch. 31

^{M40}*The Inheritance (Family Provision) Act (Northern Ireland) 1960*

Marginal Citations

M40 1960 c. 15 (N.I.).

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

Changes to legislation: There are currently no known outstanding effects for the Finance Act 1975. (See end of Document for details)

- 20 (1) In section 5(1) of the Inheritance (Family Provision) Act (Northern Ireland) 1960, for the words “estate duty” there shall be substituted the words “capital transfer tax”.
- (2) In section 9(1) of that Act, in the definition of “net estate”, for the words “estate duty” there shall be substituted the words “capital transfer tax”.

Modifications etc. (not altering text)

C20 The text of Sch. 12 paras. 3–15, 18, 20, 21 is in the form in which it was originally enacted: it was not 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. Parts of this provision have been repealed by [S.I. 1979/924 \(N.I. 8\)](#)

^{M41}The Land Registration Act (Northern Ireland) 1970

Marginal Citations

M41 [1970 c. 18 \(N.I.\)](#).

- 21 In Schedule 6 to the Land Registration Act (Northern Ireland) 1970 the following paragraph shall be added at the end of Part II—

“Registration of Inland Revenue charge

- 7 Notwithstanding anything in paragraph 3 above, the registering authority may, upon the application of the Board of Inland Revenue and without the concurrence of the registered owner or an order of the court, register an Inland Revenue charge (within the meaning of Part III of the Finance Act 1975) as a Schedule 6 burden affecting the land or any interest therein subject to that charge.”.

Modifications etc. (not altering text)

C21 The text of Sch. 12 paras. 3–15, 18, 20, 21 is in the form in which it was originally enacted: it was not 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. Parts of this provision have been repealed by [S.I. 1979/924 \(N.I. 8\)](#)

SCHEDULE 13

Section 59.

REPEALS

Modifications etc. (not altering text)

C22 The text of ss. 50, 52(3), 54(1), 57(1)(a)(b), (2)(in part), 58, Sch. 4 para. 38(2), Sch. 8 Pt. II (ss. 12–16), Sch. 11, Sch. 13 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.

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Changes to legislation: There are currently no known outstanding effects for the Finance Act 1975. (See end of Document for details)

PART I

DEATH DUTIES

| Chapter | Short title | Extent of repeal |
|--|---|--|
| Enactment of the Parliament of Great Britain | | |
| 36 Geo. 3. c. 52. | The Legacy Duty Act 1796. | The Whole Act so far as unrepealed. |
| Enactments of the Parliament of the United Kingdom | | |
| 41 Geo. 3. c. 86. | The Probate Duty Act 1801. | The whole Act so far as unrepealed. |
| 48 Geo. 3. c. 149. | The Probate and Legacy Duties Act 1808. | Sections 35 to 37. In section 38, the words “personal or moveable”, in both places where those words occur, the words “duly stamped as required by this Act” and the words from “and in any case any person or persons hereby required” to the end. |
| 54 Geo. 3. c. 92. | The Probate and Legacy Duties (Ireland) Act 1814. | Section 22. Section 38. The Schedule. |
| 55 Geo. 3. c. 184. | The Stamp Act 1815. | Section 2. In section 37, the word “personal” and the words from “and also a further sum” to the end. Section 38. Sections 42 to 51. Part III of the Schedule. |
| 56 Geo. 3. c. 56. | The Probate Duty (Ireland) Act 1816. | In section 115, the words from the beginning to “in Ireland; and”. Sections 121 to 129. The Schedule. |
| 5 & 6 Vict. c. 79. | The Railway Passenger Duty Act 1842. | The whole Act so far as unrepealed. |
| 5 & 6 Vict. c. 82. | The Stamp Duties (Ireland) Act 1842. | The whole Act except sections 35 and 40. |

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| | | In section 35, the words from “and also a further sum” to the end. |
| 16 & 17 Vict. c. 51. | The Succession Duty Act 1853. | The whole Act so far as unrepealed. |
| 16 & 17 Vict. c. 59. | The Stamp Act 1853. | Section 8. |
| 20 & 21 Vict. c. 79. | The Probates and Letters of Administration Act (Ireland) 1857. | Section 99. |
| | | In section 100, the words from “and the original affidavit” to “such original affidavit”. |
| 21 & 22 Vict. c. 56. | The Confirmation of Executors (Scotland) Act 1858. | In section 9, the words from “and such inventory” to the end. Sections 15 and 16. |
| | | In section 17, the words from the beginning to “any such statement, and”. |
| 22 & 23 Vict. c. 36. | The Probate Duty Act 1859. | The whole Act so far as unrepealed. |
| 23 & 24 Vict. c. 15. | The Probate Duty Act 1860. | The whole Act so far as unrepealed. |
| 23 & 24 Vict. c. 80. | The Heritable Securities (Scotland) Act 1860. | The whole Act so far as unrepealed. |
| 24 & 25 Vict. c. 92. | The Probate Duty Act 1861. | The whole Act so far as unrepealed. |
| 25 & 26 Vict. c. 22. | The Revenue Act 1862. | The whole Act so far as unrepealed. |
| 27 & 28 Vict. c. 56. | The Revenue (No. 2) Act 1864. | The whole Act so far as unrepealed. |
| 31 & 32 Vict. c. 124. | The Inland Revenue Act 1868. | Section 7. |
| 38 & 39 Vict. c. 41. | The Intestates Widows and Children (Scotland) Act 1875. | In section 3, the words from “Provided always” to “before being recorded”. Section 8. |
| 39 & 40 Vict. c. 24. | The Small Testate Estates (Scotland) Act 1876. | Section 8. |
| 43 Vict. c. 14. | The Customs and Inland Revenue Act 1880. | The whole Act so far as unrepealed. |

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

Changes to legislation: There are currently no known outstanding effects for the Finance Act 1975. (See end of Document for details)

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| 44 & 45 Vict. c. 12. | The Customs and Inland Revenue Act 1881. | Part III except section 34. |
| 52 & 53 Vict. c. 7. | The Customs and Inland Revenue Act 1889. | The whole Act. |
| 53 & 54 Vict. c. 37. | The Foreign Jurisdiction Act 1890. | In Schedule 1, the entry relating to section 20 of the Finance Act 1894. |
| 55 & 56 Vict. c. 6. | The Colonial Probates Act 1892. | In section 2(2), paragraph (a). In section 2(5), the words from “Such rules shall” to the end. In section 6, the definition of “probate duty”. |
| 56 & 57 Vict. c. 5. | The Regimental Debts Act 1893. | In section 3, the words “probate duty, or of” and the word “other”. |
| 57 & 58 Vict. c. 30. | The Finance Act 1894. | The whole Act so far as unrepealed. |
| 59 & 60 Vict. c. 28. | The Finance Act 1896. | Part IV so far as unrepealed. In section 39, the words from “Part Four” to “1894”. |
| 61 & 62 Vict. c. 10. | The Finance Act 1898. | Sections 13 and 14. |
| 63 & 64 Vict. c. 7. | The Finance Act 1900. | Part III so far as unrepealed. |
| 7 Edw. 7. c. 13. | The Finance Act 1907. | Part III so far as unrepealed. In section 30(2), the words from “Part III” to “1894”. |
| 10 Edw. 7. & 1 Geo. 5. c. 8. | The Finance (1909-10) Act 1910. | Part III so far as unrepealed. Section 96(3). |
| 1 & 2 Geo. 5. c. 48. | The Finance Act 1911. | Section 18. |
| 2 & 3 Geo. 5. c. 8. | The Finance Act 1912. | The whole Act so far as unrepealed. |
| 3 & 4 Geo. 5. c. 16. | The Foreign Jurisdiction Act 1913. | In the Schedule, the entry relating to section 20 of the Finance Act 1894. |
| 4 & 5 Geo. 5. c. 10. | The Finance Act 1914. | The whole Act, so far as unrepealed. |
| 4 & 5 Geo. 5. c. 76. | The Death Duties (Killed in War) Act 1914. | The whole Act. |
| 7 & 8 Geo. 5. c. 31. | The Finance Act 1917. | Section 29. |

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Changes to legislation: There are currently no known outstanding effects for the Finance Act 1975. (See end of Document for details)

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| | | In section 38(1), the words from “Part IV” to “1894”. |
| | | Schedule 3. |
| 10 & 11 Geo. 5. c. 67. | The Government of Ireland Act 1920. | Section 28. |
| 11 & 12 Geo. 5. c. 32. | The Finance Act 1921. | Part IV so far as unrepealed. Section 63. |
| | | In section 65(1), the words from “Part IV” to the end. |
| 12 & 13 Geo. 5. c. 17. | The Finance Act 1922. | Section 45. |
| 14 & 15 Geo. 5. c. 21. | The Finance Act 1924. | Section 38. |
| 15 & 16 Geo. 5. c. 20. | The Law of Property Act 1925. | Sections 16 to 18. |
| 15 & 16 Geo. 5. c. 21. | The Land Registration Act 1925. | Section 3(iii). |
| | | In section 59(5), the words “or an Inland Revenue charge”. |
| 15 & 16 Geo. 5. c. 23. | The Administration of Estates Act 1925. | Section 53(3). |
| 15 & 16 Geo. 5. c. 36. | The Finance Act 1925. | Part III so far as unrepealed. Section 28(3). Schedule 4. |
| 15 & 16 Geo. 5. c. 49. | The Supreme Court of Judicature (Consolidation) Act 1925. | In section 157, in paragraph (a) the words “the Inland Revenue affidavit and”, and paragraph (b). In section 175(1), the definition of “Inland Revenue affidavit”. |
| 17 & 18 Geo. 5. c. 10. | The Finance Act 1927. | Section 51. |
| 18 & 19 Geo. 5. c. 17. | The Finance Act 1928. | Section 30(2) and (3). |
| 20 & 21 Geo. 5. c. 28. | The Finance Act 1930. | Part III so far as unrepealed. Section 53(3). Schedule 2. |
| 21 & 22 Geo. 5. c. 28. | The Finance Act 1931. | Sections 40 and 41. |
| 23 & 24 Geo. 5. c. 19. | The Finance Act 1933. | Section 43. |
| 23 & 24 Geo. 5. c. 36. | The Administration of Justice (Miscellaneous Provisions) Act 1933. | Section 3. |

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| 26 Geo. 5 & 1 Edw. 8. c. 2. | The Government of India Act 1935. | Section 273(5). |
| 26 Geo. 5 & 1 Edw. 8. c. 34. | The Finance Act 1936. | Part III so far as unrepealed. |
| 1 Edw. 8. & 1 Geo. 6. c. 54. | The Finance Act 1937. | Section 31. |
| 1 & 2 Geo. 6. c. 45. | The Inheritance (Family Provisions) Act 1938. | In section 5, the definition of “death duties”. |
| 1 & 2 Geo. 6. c. 46. | The Finance Act 1938. | Section 47. Section 55(4). |
| 2 & 3 Geo. 6. c. 41. | The Finance Act 1939. | Part IV so far as unrepealed. Section 38(4). |
| 2 & 3 Geo. 6. c. 109. | The Finance (No. 2) Act 1939. | Section 23 so far as unrepealed. Section 24(4). |
| 3 & 4 Geo. 6. c. 29. | The Finance Act 1940. | Part IV so far as unrepealed. Section 64. Section 65(5). Schedule 7. |
| 3 & 4 Geo. 6. c. 48. | The Finance (No. 2) Act 1940. | Part IV. Section 42(5). Schedule 6. |
| 4 & 5 Geo. 6. c. 30. | The Finance Act 1941. | Sections 45 and 46. |
| 6 & 7 Geo. 6. c. 28. | The Finance Act 1943. | Section 26. |
| 7 & 8 Geo. 6. c. 23. | The Finance Act 1944. | Part VI so far as unrepealed. In section 42, the words “and death duties”. Section 49(6). Schedule 3. Part II of Schedule 4. In part IV of Schedule 4, in paragraph 1(1) the words “or duty” and in paragraph 3 the words from “Part II” to “1894”. |
| 9 & 10 Geo. 6. c. 13. | The Finance (No. 2) Act 1945. | Sections 54 to 57. Section 62(5). |
| 9 & 10 Geo. 6. c. 64. | The Finance Act 1946. | Part V so far as unrepealed. |

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Changes to legislation: There are currently no known outstanding effects for the Finance Act 1975. (See end of Document for details)

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| | | Section 49. |
| | | Section 67(6). |
| | | Schedule 10. |
| 10 & 11 Geo. 6. c. 35. | The Finance Act 1947. | Part V so far as unrepealed. |
| | | Section 74(6). |
| 11 & 12 Geo. 6. c. 38. | The Companies Act 1948. | In section 459(9)(c), the words from “subsection (4)” to “Act) of” and the word “other”. |
| 11 & 12 Geo. 6. c. 49. | The Finance Act 1948. | Section 82(7). |
| 12, 13 & 14 Geo. 6. c. 47. | The Finance Act 1949. | Sections 27 to 29. |
| | | Sections 31 to 33. |
| | | Section 52(4). |
| | | Schedule 7. |
| | | The saving at the end of Part IV of Schedule 11. |
| 14 Geo. 6. c. 15. | The Finance Act 1950. | Part IV. |
| | | Section 50(5). |
| 14 & 15 Geo. 6. c. 43. | The Finance Act 1951. | Sections 33 to 35. |
| | | Section 44(5). |
| 15 & 16 Geo. 6. & 1 Eliz. 2. c. 33. | The Finance Act 1952. | Sections 71 and 72. |
| | | Schedule 13. |
| 1 & 2 Eliz. 2. c. 34. | The Finance Act 1953. | Section 30. |
| 2 & 3 Eliz. 2. c. 44. | The Finance Act 1954. | Part IV so far as unrepealed. |
| | | Section 35(5). |
| 4 & 5 Eliz. 2. c. 54. | The Finance Act 1956. | Sections 33 and 34. |
| | | Section 36. |
| | | Sections 40 and 41. |
| | | Section 44(5). |
| 5 & 6 Eliz. 2. c. 49. | The Finance Act 1957. | Part V so far as unrepealed. |
| | | Section 42(2)(e). |
| 6 & 7 Eliz. 2. c. 56. | The Finance Act 1958. | Part V so far as unrepealed. |
| | | Section 37. |
| | | Section 40(2)(e). |
| | | Schedule 8. |
| 7 & 8 Eliz. 2. c. 58. | The Finance Act 1959. | Sections 34 and 35. |

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Changes to legislation: There are currently no known outstanding effects for the Finance Act 1975. (See end of Document for details)

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| 8 & 9 Eliz. 2. c. 44. | The Finance Act 1960. | Part IV. Section 73. Section 79(3)(d). |
| 9 & 10 Eliz. 2. c. 37. | The Small Estates (Representation) Act 1961. | Section 1(1)(a). Section 1(2) except as respects Scotland. Section 1(3). Section 2. Section 3(5). In Schedule 1, paragraphs 3 and 6. |
| 9 & 10 Eliz. 2. c. 45. | The Rating and Valuation Act 1961. | Section 29(3). |
| 10 & 11 Eliz. 2. c. 44. | The Finance Act 1962. | Section 28. Section 29. In section 34, in subsection (2) the words from “Part III shall” to “1894” and in subsection (4) the words from the beginning to “twenty-nine”. |
| 1963 c. 25. | The Finance Act 1963. | Part III. In section 73(4) the words from “Part III” to “1894”. |
| 1964 c. 41. | The Succession (Scotland) Act 1964. | Section 19. Section 22(4). |
| 1965 c. 25. | The Finance Act 1965. | Section 25(4A). Section 31(9). Section 32(3). Section 88. |
| 1965 c. 32. | The Administration of Estates (Small Payments) Act 1965. | Section 4(2) and (3). |
| 1965 c. 74. | The Superannuation Act 1965. | Section 93(3). |
| 1966 c. 18. | The Finance Act 1966. | Sections 41 and 42. In section 53(2), the words from “Part V” to “1894”. |
| 1967 c. 54. | The Finance Act 1967. | Section 38. |

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

Changes to legislation: There are currently no known outstanding effects for the Finance Act 1975. (See end of Document for details)

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| 1968 c. 44. | The Finance Act 1968. | Sections 35 to 37. Section 61(6). Schedule 14. |
| 1969 c. 32. | The Finance Act 1969. | Part III. Section 61(3)(d). Schedule 17. |
| 1970 c.10. | The Income and Corporation Taxes Act 1970. | In section 427(2), the proviso. In section 430, subsection (3), in subsection (5) the words “or, as the case may be, that Ministry”, and subsection (7). Section 432(10). In Schedule 15, paragraphs 8 and 9. |
| 1970 c. 24. | The Finance Act 1970. | Sections 30 and 31. In Schedule 5, paragraph 14. |
| 1971 c.68. | The Finance Act 1971. | Sections 61 and 62. In Schedule 6, paragraphs 53(a) and 58(b). In Schedule 12, paragraphs 12, 14, 15 and 18. |
| 1972 c. 41. | The Finance Act 1972. | Sections 120 and 121. Section 134(3)(d). Schedule 25, so far as it relates to estate duty. Schedule 26. |
| 1973 c.51. | The Finance Act 1973. | Sections 45 and 46. In section 50(1)(a), the words “other than estate duty”. In section 51, paragraph (a) of subsection (1) and paragraph (a) of subsection (5). In section 53, in subsection (2) the words “and the reference” to the end, subsections (6) to (8), and in subsection (9) the words “and subsection (6) above”. |

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

Changes to legislation: There are currently no known outstanding effects for the Finance Act 1975. (See end of Document for details)

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| | | In section 54, in subsection (1) the words “estate duty”. |
| | | Section 59(3)(d). |
| | | Schedule 18. |
| | | In Schedule 20, paragraphs 2 and 8. |
| | | In Schedule 21, paragraph 2. |
| 1974 c.30. | The Finance Act 1974. | Section 51, so far as it relates to estate duty. |
| | | In section 52, in subsection (1) the words “or estate duty”. |
| | | In Schedule 1, paragraphs 19 and 22. |
| | | In Schedule 12, paragraphs 1 to 5 and paragraph 12. |

Enactments of the Parliament of Northern Ireland

| | | |
|-------------------------------------|---|--------------------------|
| 12 & 13 Geo. 5. c. 18 (N.I.). | The Finance Act (Northern Ireland) 1922. | Section 8. |
| 13 & 14 Geo. 5 c. 14 (N.I.). | The Double Taxation Relief Act (Northern Ireland) 1923. | Part II of the Schedule. |
| 14 & 15 Geo. 5. c. 19. (N.I.). | The Finance Act (Northern Ireland) 1924. | Section 9. |
| 15 & 16 Geo. 5. c. 9. (N.I.). | The Finance (Estate Duty) Act (Northern Ireland) 1925. | The whole Act. |
| 17 & 18 Geo. 5. c. 11. (N.I.). | The Finance Act (Northern Ireland) 1927. | The whole Act. |
| 20 & 21 Geo. 5. c. 11. (N.I.). | The Finance Act (Northern Ireland) 1930. | The whole Act. |
| 21 & 22 Geo. 5. c. 24 (N.I.). | The Finance Act (Northern Ireland) 1931. | Section 2. |
| 23 & 24 Geo. 5. c. 28 (N.I.). | The Finance Act (Northern Ireland) 1933. | Section 5. |
| 26 Geo. 5 & 1 Edw. 8. c. 33 (N.I.). | The Finance Act (Northern Ireland) 1936. | Sections 4, 6, 7 and 8. |
| 2 & 3 Geo. 6. c. 8 (N.I.). | The Finance Act (Northern Ireland) 1939. | Section 2. |
| 2 & 3 Geo. 6. c. 26 (N.I.). | The Finance (No. 2) Act (Northern Ireland) 1939. | The whole Act. |

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

Changes to legislation: There are currently no known outstanding effects for the Finance Act 1975. (See end of Document for details)

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|------------------------------|--|--|
| 4 & 5 Geo. 6. c. 20 (N.I.). | The Finance Act (Northern Ireland) 1940. | The whole Act. |
| 4 & 5 Geo. 6. c. 22. (N.I.). | The Finance (No. 2) Act (Northern Ireland) 1940. | The whole Act. |
| 5 & 6 Geo. 6. c. 11 (N.I.). | The Finance Act (Northern Ireland) 1941. | The whole Act. |
| 1943 c. 5 (N.I.). | The Finance Act (Northern Ireland) 1943. | The whole Act. |
| 1944 c. 22 (N.I.). | The Finance Act (Northern Ireland) 1944. | Sections 1 and 2. Section 9(1). The Schedule. |
| 1946 c. 1 (N.I.). | The Finance Act (Northern Ireland) 1946. | Sections 2, 3 and 5(1). |
| 1946 c. 17 (N.I.). | The Finance (No. 2) Act (Northern Ireland) 1946. | Part I. Section 34(2). Schedules 1, 3 and 4. |
| 1947 c. 15 (N.I.). | The Finance Act (Northern Ireland) 1947. | Part I. Section 12(2). |
| 1947 c. 22 (N.I.). | The Finance (No. 2) Act (Northern Ireland) 1947. | The whole Act. |
| 1948 c. 15. (N.I.). | The Finance Act (Northern Ireland) 1948. | Section 15(1). Section 18(2). |
| 1949 c. 15 (N.I.). | The Finance Act (Northern Ireland) 1949. | Part I. Section 17(2). Schedule 1. The saving at the end of Part I of Schedule 4. |
| 1951 c. 12 (N.I.). | The Finance Act (Northern Ireland) 1948 (Amendment) Act (Northern Ireland) 1951. | The whole Act. |
| 1951 c. 17 (N.I.). | The Finance Act (Northern Ireland) 1951. | Part I. Section 19(2). |
| 1952 c. 13 (N.I.). | The Finance Act (Northern Ireland) 1952. | Part I. |

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

Changes to legislation: There are currently no known outstanding effects for the Finance Act 1975. (See end of Document for details)

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| | | In section 21, in subsection (1), the words from “but subject” to the end of the subsection. |
| | | Section 22(2). |
| | | Schedules 1 and 2. |
| 1953 c. 23 (N.I.). | The Finance Act (Northern Ireland) 1953. | Section 1. |
| 1954 c. 3 (N.I.). | The Finance (Miscellaneous Provisions) Act (Northern Ireland) 1954. | Section 1. |
| | | Section 14(2). |
| 1954 c. 23 (N.I.). | The Finance Act (Northern Ireland) 1954. | Part I. |
| | | Section 17(2). |
| | | Schedule 1. |
| 1955 c. 24 (N.I.). | The Administration of Estates Act (Northern Ireland) 1955. | Section 47(2)(a). |
| 1956 c. 11 (N.I.). | The Finance Act (Northern Ireland) 1956. | Part I. |
| | | Section 10(2). |
| 1957 c. 15 (N.I.). | The Finance Act (Northern Ireland) 1957. | Part I. |
| | | Section 10(2). |
| 1957 c. 24 (N.I.). | The Finance (No. 2) Act (Northern Ireland) 1957. | Sections 1 and 2. |
| | | The Schedule. |
| 1958 c. 14 (N.I.). | The Finance Act (Northern Ireland) 1958. | Part I. |
| | | Section 15(2). |
| | | Schedule 1. |
| | | In Schedule 2, Part I. |
| 1959 c. 9 (N.I.). | The Finance Act (Northern Ireland) 1959. | Part I. |
| | | Section 18(2). |
| 1960 c. 7 (N.I.). | The Finance Act (Northern Ireland) 1960. | Part I. |
| | | Section 13(2)(a). |
| 1960 c. 22 (N.I.). | The Companies Act (Northern Ireland) 1960. | In section 403(9)(b), the words from “subsection (4)” |

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

Changes to legislation: There are currently no known outstanding effects for the Finance Act 1975. (See end of Document for details)

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| | | to “Act) of” and the word “other”. |
| 1961 c. 10 (N.I.). | The Finance Act (Northern Ireland) 1961. | Part I. |
| | | Section 15(2). |
| 1962 c. 17 (N.I.). | The Finance Act (Northern Ireland) 1962. | Part I. |
| | | Section 9(2). |
| 1963 c. 22 (N.I.). | The Finance Act (Northern Ireland) 1963. | Part I. |
| | | Section 22(3). |
| 1965 c. 16 (N.I.). | The Finance Act (Northern Ireland) 1965. | Part I. |
| | | Section 11(2). |
| | | In Schedule 2, Part I. |
| 1966 c. 21 (N.I.). | The Finance Act (Northern Ireland) 1966. | Part I. |
| | | Section 17(2). |
| | | In Schedule 3, Part I. |
| 1967 c. 5 (N.I.). | The Administration of Estates (Small Payments) Act (Northern Ireland) 1967. | Section 4(2). |
| 1967 c. 20 (N.I.). | The Finance Act (Northern Ireland) 1967. | Part I. |
| | | Section 21(2). |
| 1968 c. 17 (N.I.). | The Finance Act (Northern Ireland) 1968. | Part I. |
| | | Section 24(2). |
| | | Schedule 1. |
| | | In Schedule 6, Part I. |
| 1969 c. 18 (N.I.). | The Finance Act (Northern Ireland) 1969. | Part I. |
| | | Section 20(2). |
| | | Schedule 1. |
| | | In Schedule 5, Part I. |
| 1970 c. 18 (N.I.). | The Land Registration Act (Northern Ireland) 1970. | In Part I of Schedule 5, in paragraph 1 the words “death duties and”. |
| 1970 c. 21 (N.I.). | The Finance Act (Northern Ireland) 1970. | Part I. |

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

Changes to legislation: There are currently no known outstanding effects for the Finance Act 1975. (See end of Document for details)

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| | | Section 20(2). |
| | | Schedule 1. |
| | | In Schedule 3, Part I. |
| 1971 c. 27 (N.I.). | The Finance Act (Northern Ireland) 1971. | Part I. |
| | | Section 10(2). |
| | | Schedule 1. |
| Instruments | | |
| S.R. & O. 1922 No. 80. | The Government of Ireland (Adaptation of the Taxing Acts) Order 1922. | Part III. |
| S.R. & O. 1923 No. 406. | The Relief in respect of Double Taxation (Irish Free State) Declaration 1923. | Part II of the Schedule. |
| S.I. 1957 No. 1534. | The Federation of Malaya (Adaptation of Enactments) Order in Council 1957. | The whole Order. |
| S.I. 1972 No. 1100. | The Finance (Northern Ireland) Order 1972. | Article 1(2). |
| | | Part II |
| | | Schedules 1 and 2. |
| | | In Schedule 4, Part I. |
| S.I. 1973 No. 1323. | The Finance (Miscellaneous Provisions) (Northern Ireland) Order 1973. | Article 2(2). |
| | | Part II. |
| | | In Article 12, in paragraph 1 the words “estate duty or”. |
| | | Schedule 1. |
| | | In Schedule 3, paragraph 2. |

These repeals have effect—

- (a) in relation to deaths occurring after the passing of this Act; and
- (b) so far as they relate to any duty mentioned in section 50 of this Act, in relation to any death, but subject to section 52(3) of this Act.

PART II

MISCELLANEOUS

| Chapter | Short title | Extent of repeal |
|---------|-------------|------------------|
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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 1975. (See end of Document for details)

Enactments of the Parliament of the United Kingdom

| | | |
|---|--|--|
| 26 Geo. 5 & 1 Edw. 8. c. 34. | The Finance Act 1936. | Section 34. |
| 1968 c. 13. | The National Loans Act 1968. | Section 1(4). |
| 1970 c.9. | The Taxes Management Act 1970. | In section 2, in subsection (3), the words from "but" to the end of the subsection. |
| 1970 c.10. | The Income and Corporation Taxes Act 1970. | In section 21, subsection (2), and, in subsection (5), the words "or of 7 per cent." In section 394, in subsection (1), in paragraph (a)(iii) the words "or in part", in paragraph (a)(iv) the words "or of any share therein", and in subsection (5) the words from "and references" to the end. In section 395, in subsection (1)(b) the words "or in part" and, in subsection (4), the words from "and any sum paid" to "under the policy". In section 396(1) the words "or in part" where they first occur, and the words "or of any share therein". In section 397(1)(a) the words "or in part". In section 398(1) the words "or in part" and the words "or of any share therein". |
| 1972 c.41. | The Finance Act 1972. | Section 9(2). Schedule 25, except so far as it relates to estate duty. |
| 1974 c.30. | The Finance Act 1974. | Section 51, except so far as it relates to estate duty. |
| Enactment of the Parliament of Northern Ireland | | |
| 1972 c. 10 (N.I.). | The Vehicles (Excise) Act (Northern Ireland) 1972. | Section 7(2A)(a). |

¹ The repeal in the ^{M42}Taxes Management Act 1970 takes effect on 16th May 1975.

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

Changes to legislation: There are currently no known outstanding effects for the Finance Act 1975. (See end of Document for details)

Marginal Citations

M42 1970 c. 9

- 2 The repeals in section 21 of the ^{M43} Income and Corporation Taxes Act 1970 have effect for the year 1976-77 and subsequent years of assessment.

Marginal Citations

M43 1970 c. 10

- 3 The repeals in sections 394 to 398 of the Income and Corporation Taxes Act 1970 have effect in relation to the events mentioned in paragraph 8 of Schedule 2 to this Act.
- 4 The repeal in the ^{M44} Vehicles (Excise) Act (Northern Ireland) 1972 has effect as from 31st July 1974.

Marginal Citations

M44 1972 c. 10 (N.I.).

- 5 The repeals of Schedule 25 to the ^{M45} Finance Act 1972 and section 51 of the ^{M46} Finance Act 1974 have effect in relation to disposals made after 26th March 1974.

Marginal Citations

M45 1972 c. 41

M46 1974 c. 30

Status:

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

Changes to legislation:

There are currently no known outstanding effects for the Finance Act 1975.