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SCHEDULES

SCHEDULE 8

EMPLOYEES' BENEFITS AND INTEREST RELIEF: CONSEQUENTIAL AMENDMENTS

PART I

EMPLOYEES' BENEFITS

Taxes Management Act 1970 (c. 9)

- 1 In section 15(7) of the Taxes Management Act 1970 (employers required to state whether employees have received benefits) for the words " or sections 61 to 68 of the Finance Act 1976 " there shall be substituted the words " sections 61 to 68 of the Finance Act 1976 or section 33 of the Finance Act 1977 ".

Income and Corporation Taxes Act 1970 (c. 10)

- 2 Section 185 of the Taxes Act (accommodation occupied by holder of office or employment) is repealed.
- 3 (1) Section 194 of that Act (expenditure and houses of ministers of religion) shall be amended as follows.
- (2) For subsection (1) (occupation by clergymen treated as representative occupation) there shall be substituted the following subsection—
- “(1) This section applies where an interest in any premises belongs to a charity or any ecclesiastical corporation and (in right of that interest)—
- (a) the persons from time to time holding any full-time office as clergyman or minister of any religious denomination, or
- (b) any particular person holding such an office,
- have or has a residence in those premises from which to perform the duties of the office.”.
- (3) In subsection (2) (exemptions for expenditure connected with such occupation), for the words from the beginning to " then " there shall be substituted the words " In the case of such a clergyman or minister ";
- and at the beginning of paragraph (c) there shall be inserted the words " unless he is in director's or higher paid employment (as denned in Chapter II of Part III of the Finance Act 1976). "

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Finance Act 1973 (c. 51)

- 4 In section 43 of the Finance Act 1973 (occupation of Chevening House), for the words " section 185 of the Taxes Act" there shall be substituted the words " section 33 of the Finance Act 1977 ".

Finance Act 1976 (c. 40)

- 5 In section 61 of the Finance Act 1976, at the beginning of subsection (1) (provision charging benefits) there shall be inserted " Subject to section 63A " ; and in subsection (2) (benefits subject to charge under the section), for the words "living or other accommodation " there shall be substituted " accommodation (other than living accommodation) ".
- 6 In section 62 of that Act, for subsections (4) and (5) (exclusion of certain representative living accommodation from treatment as taxable benefit) there shall be substituted the following subsection:—
- “(4) Where living accommodation is provided by reason of a person's employment—
- (a) alterations and additions to the premises concerned which are of a structural nature, and
 - (b) repairs to the premises of a kind which, if the premises were let under a lease to which section 32 of the Housing Act 1961 (repairing obligations) applies, would be the obligation of the lessor under the covenants implied by subsection (1) of that section,
- are not benefits to which section 61 applies”.
- 7 In section 63 of that Act (cash equivalent of benefits charged under section 61), subsection (7) shall be omitted.