



Saving Gateway Accounts Act 2009

2009 CHAPTER 8

An Act to make provision about Saving Gateway accounts; and for connected purposes. [2nd July 2009]

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

PROSPECTIVE

^{F1}Introductory

Textual Amendments

- F1** [Act repealed \(16.2.2011\) by Savings Accounts and Health in Pregnancy Grant Act 2010 \(c. 36\), s. 2\(1\)](#)

^{F1}1 Saving Gateway accounts

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PROSPECTIVE

^{F1}Eligibility

^{F1}2 Notices of eligibility

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Status: Point in time view as at 01/01/2010. This version of this Act contains provisions that are prospective.
Changes to legislation: Saving Gateway Accounts Act 2009 (repealed) is up to date with all changes known to be in force on or before 24 January 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

F13 Eligible persons

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Requirements for accounts and account providers

4 Requirements relating to accounts

- (1) A Saving Gateway account may be held only with a person (an “approved account provider”) who has been approved by the Commissioners in accordance with regulations.
- (2) An account is not a Saving Gateway account unless—
 - (a) under its terms, if the account is held for a period prescribed by regulations (the “maturity period”), at the end of that period the account holder becomes entitled to a payment by the account provider calculated in accordance with section 8 (a “maturity payment”),
 - (b) under its terms, if the account holder dies before the end of the maturity period, the personal representatives of the account holder become entitled to a payment by the account provider calculated in accordance with regulations and payable within a period prescribed by regulations (a “death payment”), and
 - (c) the account complies with any other requirements imposed by regulations.
- (3) Regulations under subsection (2)(a) may not prescribe a period of less than 12 months.
- (4) Regulations under subsection (2)(c) may, in particular, impose a limit on the amount which may be paid into a Saving Gateway account in a month (excluding any interest or other sums paid by the account provider under the terms of the account).
- (5) In this section, “month” means a calendar month beginning with the 1st of the month and ending with the last day of the month (and when a person opens an account, the period beginning with the day on which the account is opened and ending with the last day of the month is treated for the purposes of this Act as the first month of the account's operation).

Commencement Information

II [S. 4\(1\)](#) in force at 1.1.2010 by [S.I. 2009/3332](#), [art. 2\(a\)](#)

5 Approvals

- (1) Regulations under section 4(1) may include provision enabling the Commissioners—
 - (a) to impose conditions on an approved account provider, and
 - (b) to withdraw approval of an account provider.
- (2) Regulations may require an account provider whose approval has been or is to be withdrawn to provide prescribed information to prescribed account holders.

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Commencement Information

I2 S. 5(1) in force at 1.1.2010 by S.I. 2009/3332, art. 2(b)

| PROSPECTIVE | |
|-------------------------|-----------------|
| F1Opening and transfers | |
| F16 | Account opening |
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| F17 | Transfers |
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| PROSPECTIVE | |
|-------------------------|--|
| F1Operation of accounts | |
| F18 | Maturity payments |
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| F19 | Statements etc. |
| | |
| F110 | Account ceasing to be Saving Gateway account |
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| PROSPECTIVE | |
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| F1Returns, claims, repayments and interest | |
| F111 | Returns of information to HMRC |
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| F112 | Recovery of payments by HMRC |
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13

Interest

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PROSPECTIVE

F1

Tax

F1

14

Relief from income tax and capital gains tax

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15

Alternative finance arrangements

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PROSPECTIVE

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Transfer of funds on account ceasing to be Saving Gateway Account

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16

Transfer of funds on account ceasing to be Saving Gateway account

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Information

PROSPECTIVE

F1

17

Information to be supplied by relevant persons

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Textual Amendments

F1 Act repealed (16.2.2011) by [Savings Accounts and Health in Pregnancy Grant Act 2010 \(c. 36\), s. 2\(1\)](#)

18 Disclosure of information

- (1) In section 121F(2) of the Social Security Administration Act 1992 (c. 5) (supply of information to Her Majesty's Revenue and Customs), after “health in pregnancy grant,” insert “ Saving Gateway accounts, ”.
- (2) In section 115E(2) of the Social Security Administration (Northern Ireland) Act 1992 (c. 8) (supply of information to Her Majesty's Revenue and Customs), after “health in pregnancy grant,” insert “ Saving Gateway accounts, ”.

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Commencement Information

I3 S. 18 in force at 1.1.2010 by S.I. 2009/3332, art. 2(c)

| PROSPECTIVE | |
|---------------------|---|
| <i>F1</i> Penalties | |
| F119 | Penalties: incorrect information |
| F120 | Penalties: failure to submit return etc. |
| F121 | Penalties: non-compliance by account provider |
| F122 | Decisions and notices |

Appeals

23 Rights of appeal

- (1) A person may appeal against a decision by the Commissioners—

(a) not to approve the person under section 4(1) as an approved account provider;

(b) to withdraw the person's approval;

(c) not to pay to the person an amount claimed under regulations made under section 11(3);

(d) not to issue a notice of eligibility to the person under section 2;

(e) that an account held by the person is not a Saving Gateway account.
- (2) A person who is required, under regulations made under section 12 or 14, to account for an amount may appeal against the decision to impose the requirement.
- (3) A person on whom a penalty under section 19, 20 or 21 is imposed may appeal against the decision to impose the penalty.
- (4) A person on whom a penalty under section 19(2), 20 or 21 is imposed may appeal against the amount of the penalty.

Commencement Information

I4 S. 23(1)(a) in force at 1.1.2010 by S.I. 2009/3332, art. 2(d)

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24 Exercise of rights of appeal

- (1) Notice of an appeal under section 23 must be given to the Commissioners within 30 days after the date on which notice of the decision was given.
- (2) Notice of a tax appeal or a Northern Ireland appeal must—
 - (a) specify the grounds of appeal;
 - (b) be given in writing;
 - (c) contain sufficient information to identify the appellant and the decision against which the appeal is being made; and
 - (d) be signed, or authenticated in another way approved by the Commissioners, by or on behalf of the appellant.
- (3) In subsection (2)—

“tax appeal” means an appeal in any part of the United Kingdom against a requirement to account for an amount under regulations made under section 14;

“Northern Ireland appeal” means an appeal in Northern Ireland against any other requirement or decision.
- (4) Regulations may apply any provision of an enactment specified in subsection (5), with or without modifications, to an appeal under section 23.
- (5) Those enactments are—
 - (a) Part 5 of the Taxes Management Act 1970 (c. 9) (tax appeals);
 - (b) the Social Security Act 1998 (c. 14) (social security appeals: Great Britain);
 - (c) the Social Security (Northern Ireland) Order 1998 (S.I. 1998/1506 (N.I. 10)) (social security appeals: Northern Ireland);
 - (d) the Tribunals, Courts and Enforcement Act 2007 (c. 15).
- (6) An order may add an enactment to the list in subsection (5), remove an enactment from the list or amend an entry in the list.

Commencement Information

I5 [S. 24](#) in force at 1.1.2010 for specified purposes by [S.I. 2009/3332](#), [art. 2\(e\)](#)

25 Appeals: jurisdiction and powers

- (1) In this section “the tribunal” means—
 - (a) in relation to appeals in England and Wales or Scotland, and in relation to appeals in Northern Ireland against a requirement to account for an amount under regulations made under section 14, the First-tier Tribunal, or where determined by or under Tribunal Procedure Rules, the Upper Tribunal, and
 - (b) in relation to other appeals in Northern Ireland, an appeal tribunal constituted under Chapter 1 of Part 2 of the Social Security (Northern Ireland) Order 1998 (S.I. 1998/1506 (N.I. 10)) (“the 1998 Order”).
- (2) On an appeal under section 23(1) or (2), the tribunal may—
 - (a) confirm the decision of the Commissioners,
 - (b) set aside the decision of the Commissioners, or
 - (c) allow the appeal in part.

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- (3) On an appeal under section 23(3) or (4), the tribunal may—
- (a) if it appears that no penalty has been incurred, set the decision to impose the penalty aside;
 - (b) if the amount of the penalty appears to be appropriate, confirm the decision to impose it and its amount;
 - (c) if the amount set appears to be excessive, reduce it to such other amount (including nil) as they consider appropriate;
 - (d) if the amount set appears to be insufficient, increase it to such amount not exceeding the permitted maximum as they consider appropriate.
- (4) In addition to any right of appeal on a point of law under section 11(2) of the Tribunals, Courts and Enforcement Act 2007 (c. 15), a person who is found liable to a penalty by the First-tier Tribunal has a right of appeal to the Upper Tribunal, and on such an appeal the Upper Tribunal has a similar jurisdiction to that conferred on the tribunal by subsection (3).
- (5) For the purposes of Article 15 of the 1998 Order, a decision of an appeal tribunal constituted under Chapter 1 of Part 2 of the 1998 Order (a “Northern Ireland tribunal”) on an appeal under this Act is to be treated as if it were a decision under Article 13 or 14 of the 1998 Order.
- (6) In addition to any right of appeal on a point of law under Article 15 of the 1998 Order, a person who is found liable to a penalty by a Northern Ireland tribunal has a right of appeal to the Northern Ireland Social Security Commissioner, and on such an appeal the Commissioner has a similar jurisdiction to that conferred on the tribunal by subsection (3).
- (7) In subsection (6), “Northern Ireland Social Security Commissioner” means—
- (a) the Chief Social Security Commissioner or any other Social Security Commissioner appointed under the Social Security Administration (Northern Ireland) Act 1992 (c. 8), or
 - (b) a tribunal of two or more Commissioners constituted under Article 16(7) of the 1998 Order.

Commencement Information

I6 S. 25 in force at 1.1.2010 for specified purposes by S.I. 2009/3332, art. 2(e)

PROSPECTIVE

^{F1}Review

^{F1}26 **Review and report to Parliament**

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General

PROSPECTIVE

^{F1}27

Northern Ireland

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Textual Amendments

F1

Act repealed (16.2.2011) by [Savings Accounts and Health in Pregnancy Grant Act 2010 \(c. 36\), s. 2\(1\)](#)

PROSPECTIVE

^{F1}28

Orders and regulations

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Textual Amendments

F1

Act repealed (16.2.2011) by [Savings Accounts and Health in Pregnancy Grant Act 2010 \(c. 36\), s. 2\(1\)](#)

29

Money

Any expenditure incurred by the Commissioners by virtue of this Act is to be paid out of money provided by Parliament.

PROSPECTIVE

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Interpretation

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Textual Amendments

F1

Act repealed (16.2.2011) by [Savings Accounts and Health in Pregnancy Grant Act 2010 \(c. 36\), s. 2\(1\)](#)

31

Commencement

This Act (apart from this section and sections 29, 32 and 33) comes into force on such day as the Treasury may by order appoint, and different days may be appointed for different purposes.

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32 Extent

This Act extends to England and Wales, Scotland and Northern Ireland.

33 Short title

This Act may be cited as the Saving Gateway Accounts Act 2009.

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