Finance Act 1959

1959 CHAPTER 58 7 and 8 Eliz 2

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. [29th July 1959]

Extent Information

E1 For the application of this Act to Northern Ireland see s. 37(4)

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

CUSTOMS AND EXCISE

1 . . . . . F1

Textual Amendments

F1 S. 1 repealed by Finance Act 1964 (c. 49), **Sch. 9**

2 Liquor licences: alteration of amounts of duty.

(1) F2

(2) F3

(5) F4

Textual Amendments

F2 S. 2 (1) repealed by Alcoholic Duties Act 1979 (c. 4), **Sch. 4 Pt. I**

F3 Ss. 2 (2)–(4) repealed by Finance Act 1967 (c. 54), **Sch. 16 Pt. I**

F4 S. 2 (5) repealed by Alcoholic Duties Act 1979 (c. 4), **Sch. 4 Pt. I**

3

(1) **F5**

(2) **F6**

(6) In consequence of the repeal of the Fourth Schedule to the [M1]Customs and Excise Act 1952, the enactments mentioned in the Second Schedule to this Act (which contain references to the said Fourth Schedule) shall have effect subject to the modifications contained in the said Second Schedule.

Textual Amendments

F5 S. 3 (1) repealed by Finance Act 1967 (c. 54), **Sch. 16 Pt. I**

F6 Ss. 3 (2)–(5) repealed by Alcoholic Duties Act 1979 (c. 4), **Sch. 4 Pt. I**

Marginal Citations

M1 1952 C. 44.

4 . . . . . **F7**

Textual Amendments

F7 S. 4 repealed by Finance Act 1967 (c. 54), **Sch. 16 Pt. I**

5 . . . . . **F8**

Textual Amendments

F8 S. 5 repealed by Licensing Act 1961 (c. 61), **Sch. 9 Pt. I**

6 . . . . . **F9**

Textual Amendments

F9 S. 6 repealed by Finance Act 1960 (c. 44), **Sch. 8 Pt. I**

7, 8. . . . . . **F10**

Textual Amendments

F10 Ss. 7, 8 repealed by Finance Act 1962 (c. 44), s. 34(7), **Sch. 11 Pt. I**

9 . . . . . F11

Textual Amendments

F11 S. 9 repealed (1.7.1979) by Finance Act 1977 (c. 36), **Sch. 9 Pt. I**

10.–14. . . . . . F12

Textual Amendments

F12 Ss. 10–14 repealed by Vehicles (Excise) Act 1962 (c. 13), **Sch. 8**

PARTS II, III

15, 16. . . . . . F13

Textual Amendments

F13 Ss. 15, 16 repealed by Purchase Tax Act 1963 (c. 9), **Sch. 4 Pt. I**

17–29 . . . . . F14

Textual Amendments

F14 Ss. 17–29 repealed by Income and Corporation Taxes Act 1970 (c. 10), s. 539, **Sch.16**

PART IV

STAMP DUTIES

30 Stamp duty on policies of insurance.

(1) F15

(4) F16

(a) F17

(c) F18

. . . . . F16

(5) F19

(6) Notwithstanding the repeal of section ninety-three of the [M2]Stamp Act 1891 a contract for such insurance as is mentioned in section five hundred and six of the [M3]Merchant Shipping Act 1894 shall continue to be admissible in evidence although not embodied in a marine policy as required by section twenty-two of the [M4]Marine Insurance Act 1906.

(7) This section shall apply in relation to instruments made or executed after the beginning of August, nineteen hundred and fifty-nine.

Textual Amendments

F15 S. 30 (1)–(3) repealed by Finance Act 1970 (c. 24), **Sch. 8 Pt. IV**

F16 Words repealed by Finance Act 1989 (c. 26, SIF 114), s. 187(1), **Sch. 17 Pt. IX**

F17 S. 30(4)(a)(b) repealed by Statute Law (Repeals) Act 1976 (c. 16), **Sch. 1 Pt. XVIII**

F18 S. 30(4)(c) repealed by Finance Act 1970 (c. 24), **Sch. 8 Pt. IV**

F19 S. 30 (5) repealed by Statute Law (Repeals) Act 1976 (c. 16), **Sch. 1 Pt. XVIII**

Marginal Citations

M2 1891 c. 39.

M3 1894 c. 60.

M4 1906 c. 41.

31 . . . . . F20

Textual Amendments

F20 S. 31 repealed by Finance Act 1963 (c. 25), **Sch. 14 Pt. IV**

32 . . . . . F21

Textual Amendments

F21 S. 32 repealed by Statute Law (Repeals) Act 1976 (c. 16), **Sch. 1 Pt. XVIII**

PART V

MISCELLANEOUS

33 . . . . . F22

Textual Amendments

F22 S. 33 repealed by Finance Act 1965 (c. 25), s. 97(5), **Sch. 22 Pt. V**

34, 35. . . . . . [F23]

Textual Amendments

F23 Ss. 34, 35 repealed by Finance Act 1975 (c. 7), ss. 50, 52(2)(3), 59(5), **Sch. 13 Pt. I**

36 . . . . . [F24]

Textual Amendments

F24 S. 36 repealed by Finance Act 1960 (c. 44), **Sch. 8 Pt. I**

37 Short title, construction, extent and repeal.

(1) This Act may be cited as the Finance Act 1959.

(2) Parts I to IV of this Act shall be construed as one with the enactments mentioned in this subsection respectively, that is to say—

(a) . . . . . [F25]

(d) Part IV with the Stamp Act 1891.

(3) Any reference in this Act to any other enactment shall, except so far as the context otherwise requires, be construed as a reference to that enactment as amended or applied by or under any other enactment including this Act.

(4) Such of the provisions of this Act as relate to matters in respect of which the Parliament of Northern Ireland has power to make laws shall not extend to Northern Ireland.

(5) The enactments specified in the Eighth Schedule to this Act are hereby repealed to the extent mentioned in the third column of that Schedule, and, except as otherwise provided in that column, the said repeals shall have effect—

(a) in the case of the enactments specified in Part I of that Schedule, as from the eighth day of April, nineteen hundred and fifty-nine;

(b) in the case of the enactments specified in Part II thereof, in relation to instruments made or executed after the beginning of August, nineteen hundred and fifty-nine;

(c) in the case of the enactments specified in Part III thereof, in relation to any yearly period beginning after the fifth day of April, nineteen hundred and fifty-nine; and

(d) in the case of the enactments specified in Part IV thereof, in relation to persons dying after the seventh day of April, nineteen hundred and fifty-nine.

Textual Amendments

F25 S. 37(2)(a)–(c) repealed by Purchase Tax Act 1963 (c. 9), Sch. 4 Pt. I, **I**ncome and Corporation Taxes Act 1970 (c. 10), **Sch. 16** and Customs and Excise Management Act 1979 (c. 2), **Sch. 6 Pt. I**

Status: *Point in time view as at 02/02/1991.*
Changes to legislation: *There are currently no known outstanding effects for the Finance Act 1959. (See end of Document for details)*

[F26][F26]SCHEDULES 1.

Textual Amendments

F26 Sch. 1 repealed by Finance Act 1964 (c. 49), **Sch. 9**

. . . . . [F26]

SCHEDULE 2.

1&2 . . . . . [F27]

Textual Amendments

F27 Sch. 2 paras. 1, 2 repealed by Statute Law Revision Act 1960 (c. 56)

3&4 . . . . . [F28]

Textual Amendments

F28 Sch. 2 paras. 3, 4 repealed by Licensing Act 1964 (c. 26), **Sch. 15**

5 . . . . . [F29]

Textual Amendments

F29 Sch. 2 para. 5 repealed with saving by Landlord and Tenant (Licensed Premises) Act 1990 (c.39, SIF 75:1), **ss. 1(1)(2)**, 2(2)(b)

6&7 . . . . . [F30]

Textual Amendments

F30 Sch. 2 paras. 6, 7 repealed by Licensing (Scotland) Act 1962 (c. 51), **Sch. 3**

Status: *Point in time view as at 02/02/1991.*
Changes to legislation: *There are currently no known outstanding effects for the Finance Act 1959. (See end of Document for details)*

F31F31SCHEDULE 3.

Textual Amendments

F31 Sch. 3 repealed by Vehicles (Excise) Act 1962 (c. 13), **Sch. 8**

. . . . . **F31**

F32F32SCHEDULES 4–7.

Textual Amendments

F32 Schs. 4–7 repealed by Income and Corporation Taxes Act 1970 (c. 10), s. 539, **Sch.16**

. . . . . **F32**

SCHEDULE 8.

Section 37.

ENACTMENTS REPEALED

Modifications etc. (not altering text)

C1 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

CUSTOMS, EXCISE AND PURCHASE TAX REPEALS

Session and Chapter	Short Title	Extent of Repeal
2 & 3 Geo. 6. c. 109.	The Finance (No. 2) Act, 1939.	Section one. The First Schedule.
5 & 6 Geo. 6. c. 21.	The Finance Act, 1942 ...	Sections thirteen to fifteen.
9 & 10 Geo. 6. c. 64.	The Finance Act, 1946 ...	Section ten.
12, 13 & 14 Geo. 6. c. 89.	The Vehicles (Excise) Act, 1949.	From the beginning of October, nineteen hundred and fifty-nine, the words " not exceeding five hundredweight in weight " and the word " untreated " in paragraph (a) of subsection (5) of section five. In the Second Schedule, paragraph 2.
14 Geo. 6. c. 15	The Finance Act, 1950 ...	Section six. In section eighteen, subsections (2) and (3), in subsection (4) the words from " and for the purpose " to the end, and subsection (5). The Second Schedule. In the Fifth Schedule, paragraphs 1 to 3 of Part I, and Part II.
15 & 16 Geo. 6 & 1 Eliz. 2. c. 44.	The Customs and Excise Act, 1952.	Section one hundred and thirty-six. In section one hundred and forty-six, subsection (2). In section one hundred and forty-eight, in subsection (2) the words from " or treble the amount " to the end. In section one hundred and fifty-one, in subsection (3) the words from " for each day " to the end. Subject to the provisions of subsection (9) of section four of this Act, section one hundred and fifty-six. In section one hundred and sixty-eight, the words " dealer or retailer ".

Status: *Point in time view as at 02/02/1991.*
Changes to legislation: *There are currently no known outstanding effects for the Finance Act 1959. (See end of Document for details)*

Session and Chapter	Short Title	Extent of Repeal
15 & 16 Geo. 6. & 1 Eliz. 2. c. 44—*cont.*	The Customs and Excise Act, 1952—*cont.*	In section one hundred and sixty-nine, subsection (6). The Fourth Schedule. In the Tenth Schedule, paragraph 26.
1 & 2 Eliz. 2. c. 34.	The Finance Act, 1953 ...	Section ten.
1 & 2 Eliz. 2. c. 46.	The Licensing Act, 1953	In section six, subsections (1), (6) and (11). Section seven. In section nine, in subsection (2), the words from " and, on proceedings " to the end. Section sixteen. In section twenty-five, in subsection (6), the words from " except " to " value ". In section one hundred and thirteen, paragraph (*a*) of subsection (1) and subsections (2), (3), (4) and (6). In section one hundred and eighteen, paragraphs (*b*) and (*c*) of subsection (2). In section one hundred and nineteen, subsection (3). In the Fourth Schedule, Part I.
6 & 7 Eliz. 2. c. 56.	The Finance Act, 1958 ...	In the Second Schedule, in Part I the parenthesis in rule 2, and Group 28, and in Part II sub-paragraph (1) of paragraph 1.

PART II
REPEALS RELATING TO STAMP DUTY ON INSURANCE POLICIES

Session and Chapter	Short Title	Extent of Repeal
54 & 55 Vict. c. 39.	The Stamp Act, 1891 ...	Sections ninety-two to ninety-seven. In section ninety-eight, in subsection (1), the words from " against accident; and" to "a policy of insurance " and from " or as compensation " to the end, and subsection (2). In section ninety-nine, the words " sea insurance or ". In section one hundred, the words " other than a sea insurance " and the words " other than a policy of sea insurance ".

Session and Chapter	Short Title	Extent of Repeal
54 & 55 Vict. c. 39—*cont.*	The Stamp Act, 1891 —*cont.*	In the First Schedule, the head of charge " Policy of Sea Insurance " and the head of charge beginning " Policy of Insurance against Accident ".
58 & 59 Vict. c. 16.	The Finance Act, 1895 ...	Section thirteen.
59 & 60 Vict. c. 28.	The Finance Act, 1896 ...	Section thirteen.
62 & 63 Vict. c. 9.	The Finance Act, 1899 ...	Section eleven.
1 Edw. 7. c. 7.	The Finance Act, 1901 ...	Section eleven.
3 Edw. 7. c. 46.	The Revenue Act, 1903...	Section eight.
6 Edw. 7. c. 41.	The Marine Insurance Act, 1906.	In section twenty-one, the words " although it be unstamped ". In section twenty-three, paragraphs (2) to (5). In section twenty-five, subsection (2).
7 Edw. 7. c. 13.	The Finance Act, 1907 ...	Section eight.
2 & 3 Geo. 5. c. 8.	The Finance Act, 1912 ...	Section eight.
10 & 11 Geo. 5. c. 18.	The Finance Act, 1920 ...	In section forty, subsection (1), and in subsection (2) the words " ninety-eight ". Section forty-one.
21 & 22 Geo. 5. c. 2.	The Cunard (Insurance) Agreement Act, 1930.	In section three, in subsection (1) the words from " be invalid " to " sea insurance, or ", and subsection (3).
12, 13 & 14 Geo. 6. c. 47.	The Finance Act, 1949 ...	In section thirty-five, subsection (3).
15 & 16 Geo. 6 & 1 Eliz. 2. c. 57.	The Marine and Aviation Insurance (War Risks) Act, 1952.	In section seven, in subsection (1), the words from " be invalid " to " sea insurance, or ", and in subsection (3) the words " ninety-seven or " and the words from " or be liable " to the end.

PART III
REPEALS RELATING TO CORPORATION DUTY

Session and Chapter	Short Title	Extent of Repeal
48 & 49 Vict. c. 51.	The Customs and Inland Revenue Act, 1885.	The whole Act.
26 Geo. 5 & 1 Edw. 8. c. c. 34.	The Finance Act. 1936 ...	Section twenty-nine.
12, 13 & 14 Geo. 6. c. 47.	The Finance Act, 1949 ...	Section thirty.

PART IV
REPEALS RELATING TO ESTATE DUTY

Session and Chapter	Short Title	Extent of Repeal
52 & 53 Vict. c. 7.	The Customs and Inland Revenue Act, 1889.	In section eleven, in subsection (1) the words from " The charge under the said section" to the end.
11 & 12 Geo. 6. c. 49.	The Finance Act, 1948 ...	Section seventy-six.

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

Changes to legislation:
There are currently no known outstanding effects for the Finance Act 1959.