

*Changes to legislation: There are currently no known outstanding effects
for the Finance Act 2001, Part 2. (See end of Document for details)*

SCHEDULES

SCHEDULE 33

REPEALS

Commencement Information

II Sch. 33 in force at Royal Assent but for coming into force of individual repeals, see appropriate notes

PART 2

INCOME TAX, CORPORATION TAX AND CAPITAL GAINS TAX

(1) MILEAGE ALLOWANCES

<i>Short title and chapter</i>	<i>Extent of repeal</i>
Income and Corporation Taxes Act 1988 (c. 1)	Sections 197B to 197F. Section 578A(1)(c) and the word “or” immediately preceding it.
Finance Act 1990 (c. 29)	Section 23 and Schedule 4.
Capital Allowances Act 2001 (c. 2)	Section 80.

These repeals have effect for the year 2002-03 and subsequent years of assessment.

(2) EMPLOYEE SHARE OWNERSHIP PLANS

<i>Short title and chapter</i>	<i>Extent of repeal</i>
Finance Act 2000 (c. 17)	In Schedule 8, paragraph 82(2).

This repeal shall be deemed always to have had effect.

(3) ENTERPRISE INCENTIVES

<i>Short title and chapter</i>	<i>Extent of repeal</i>
Income and Corporation Taxes Act 1988 (c. 1)	In section 289— (a) in subsection (1), the word “and” at the end of paragraph (ba);

*Changes to legislation: There are currently no known outstanding effects
for the Finance Act 2001, Part 2. (See end of Document for details)*

(b) in subsection (2), paragraph (c) and the word “or” immediately preceding it;

(c) subsections (4) and (5).

In section 289A(7), paragraph (c) and the word “and” immediately preceding it.

Section 289A(9).

Section 291(6).

In section 293(2), the words “be an unquoted company and”.

In section 293(3B)(b), the words “and oil exploration”.

Section 297(2)(d) and (9).

In section 303—

(a) subsections (3) to (7);

(b) in subsection (9A), the words “or, as the case may be, the receipt of value in question”.

Section 303A(8).

In section 312(1), the definitions of—

“appraisal licence”;

“the designated period”;

“development licence”;

“exploration licence”;

“modified appraisal licence”, “modified development licence” and “modified exploration licence”;

“Northern Ireland licence” (and in relation to such a licence “the initial term”, “the 30 year renewal term” and “the five year renewal term”);

“oil” and “oil extraction activities”;

“oil exploration”; and

“the 1984 Regulations” and the word “and” immediately preceding the definition of “the 1984 Regulations”.

Section 312(7) and (8).

In section 576—

(a) in subsection (4), the words from “at all times” to “and which”;

Changes to legislation: There are currently no known outstanding effects for the Finance Act 2001, Part 2. (See end of Document for details)

	(b) in subsection (4B)(a), the words “, the words “an unquoted company and be” in subsection (2),”.
	In Schedule 15B, paragraph 1(7).
Taxation of Chargeable Gains Act 1992 (c. 12)	In Schedule 5B—
	(a) in paragraph 1(2), the word “and” at the end of paragraph (f);
	(b) paragraph 13(4);
	(c) paragraph 14A(7);
	(d) in paragraph 19(1), the definition of “the designated period”.
Finance Act 1994 (c. 9)	In Schedule 15, paragraphs 10(d), 17(b) and (c) and 21(a)(i).
Finance Act 1998 (c. 36)	In Schedule 13, paragraphs 6(1), 7(1), 15(2), 20(1)(a) and 30(1)(a).
Finance Act 2000 (c. 17)	In Schedule 17, paragraphs 2, 3(2), 4, 5(2) and (5), 6(2) and 7.

1 The repeal of section 289A(9) of the Taxes Act 1988 has effect in accordance with paragraph 9(2) of Schedule 15 to this Act.

2 The repeals in the following provisions have effect in accordance with paragraph 40(3) of Schedule 15 to this Act—

3 The repeals in section 576 of the Taxes Act 1988 have effect in accordance with paragraph 38(5) of Schedule 15 to this Act.

4 The repeal in Schedule 15B to the Taxes Act 1988 has effect in accordance with paragraph 3(2) of Schedule 16 to this Act.

5 The repeal in paragraph 21 of Schedule 15 to the Finance Act 1994 has effect in accordance with paragraph 22(2) of Schedule 15 to this Act.

6 The remaining repeals have effect in accordance with paragraph 40(2) of Schedule 15 to this Act.

These repeals have effect in accordance with section 65 of this Act.

(4) CAPITAL ALLOWANCES: ENERGY-SAVING PLANT AND MACHINERY

<i>Short title and chapter</i>	<i>Extent of repeal</i>
Capital Allowances Act 2001 (c. 2)	In section 39, the word “or” immediately preceding the words “section 45”.
	In section 46(1), the word “or” immediately preceding the words “section 45”.

Changes to legislation: There are currently no known outstanding effects for the Finance Act 2001, Part 2. (See end of Document for details)

(5) CAPITAL ALLOWANCES: OFFSHORE OIL INFRASTRUCTURE

<i>Short title and chapter</i>	<i>Extent of repeal</i>
Capital Allowances Act 2001 (c. 2)	In section 164(4)(a), the words “, of an amount equal to the net abandonment cost,”. In section 165(1)(b), the words “on the demolition of plant or machinery”.

1 The repeal in section 164 of the Capital Allowances Act 2001 has effect in accordance with paragraph 9(1), (5) and (8) of Schedule 20 to this Act.

2 The repeal in section 165 of that Act shall be deemed always to have had effect.

These repeals have effect in accordance with section 71(3) of this Act.

This repeal has effect in accordance with section 78 of this Act.

This repeal has effect in accordance with paragraph 6(3) of Schedule 27 to this Act.

This repeal has effect in accordance with section 83(2) of this Act.

These repeals apply in relation to payments made after the day on which this Act is passed.

This repeal applies for the purposes of accounting periods ending on or after 1st April 2001.

With the exception of the repeals of paragraph 12(2) of Schedule 3 to the Finance (No. 2) Act 1997 and section 90(3) of the Finance Act 1998 (which come into force on the passing of this Act), these repeals have effect in accordance with section 87 of this Act.

These repeals have effect in accordance with section 88 of, and Schedule 29 to, this Act.

(6) CREATIVE ARTISTS: RELIEF FOR FLUCTUATING PROFITS

<i>Short title and chapter</i>	<i>Extent of repeal</i>
Taxes Management Act 1970 (c. 9)	In Schedule 1B, paragraph 6.
Income and Corporation Taxes Act 1988 (c. 1)	Sections 534, 535, 537A and 538.
Finance Act 1996 (c. 8)	Section 128(5) to (10).

(7) CAPITAL GAINS TAX: TAPER RELIEF: BUSINESS ASSETS

<i>Short title and chapter</i>	<i>Extent of repeal</i>
Taxation of Chargeable Gains Act 1992 (c. 12)	In Schedule A1, paragraph 23(8).

Changes to legislation: There are currently no known outstanding effects for the Finance Act 2001, Part 2. (See end of Document for details)

(8) DOUBLE TAXATION RELIEF

<i>Short title and chapter</i>	<i>Extent of repeal</i>
Income and Corporation Taxes Act 1988 (c.1)	In section 811(2), the word “and” immediately preceding paragraph (b).

(9) LIFE POLICIES, LIFE ANNUITY CONTRACTS
AND CAPITAL REDEMPTION, POLICIES

<i>Short title and chapter</i>	<i>Extent of repeal</i>
Income and Corporation Taxes Act 1988 (c. 1)	Section 541(4).

(10) DIVIDENDS PAID TO GROUP MEMBERS

<i>Short title and chapter</i>	<i>Extent of repeal</i>
Income and Corporation Taxes Act 1988 (c. 1)	In section 6(4), the words “, 247”.
	In section 231(1), the words “, 247”.
	Sections 247 and 248.
	In Schedule 24, paragraph 6.
Finance Act 1989 (c. 26)	Section 99.
Finance Act 1996 (c. 8)	In Schedule 14, paragraph 13.
Finance Act 1998 (c. 36)	In Schedule 3, paragraph 19(3) and (4) (a).

(11) SMALL COMPANIES’ RELIEF

<i>Short title and chapter</i>	<i>Extent of repeal</i>
Income and Corporation Taxes Act 1988 (c. 1)	In section 13(7)(a), the words “resident in the United Kingdom”.

(12) ENDING OF PROVISIONAL REPAYMENT REGIME

<i>Short title and chapter</i>	<i>Extent of repeal</i>
Income and Corporation Taxes Act 1988 (c. 1)	Section 438A.
	Schedule 19AB.
	In Schedule 19AC, paragraph 15.
Finance Act 1991 (c. 31)	Section 49.
	Schedule 8.

*Changes to legislation: There are currently no known outstanding effects
for the Finance Act 2001, Part 2. (See end of Document for details)*

Finance Act 1993 (c. 34)	Section 121.
Finance Act 1995 (c. 4)	In Schedule 8, paragraph 12(1)(b).
Finance Act 1996 (c. 8)	Section 169. Schedule 34.
Finance (No. 2) Act 1997 (c. 58)	In Schedule 3, paragraphs 10 to 12 and 13(13).
Finance Act 1998 (c. 36)	Section 37(2). Section 90(3). Section 91. In Schedule 18, in paragraph 9(3), paragraph (b) and the word “and” preceding it. In Schedule 19, paragraph 51.

(13) AMENDMENTS TO MACHINERY OF SELF-ASSESSMENT

<i>Short title and chapter</i>	<i>Extent of repeal</i>
Taxes Management Act 1970 (c. 9)	<p>In section 9—</p> <p>(a) in subsection (3), the words following the paragraphs;</p> <p>(b) subsections (4) to (6).</p> <p>In section 12AB—</p> <p>(a) subsections (2) to (4);</p> <p>(b) in subsection (5), the definition of “filing date”.</p> <p>In section 12B(1)—</p> <p>(a) in paragraph (b)(i), the words “or any amendment of the return” and “treated as”;</p> <p>(b) in paragraph (b)(ii), the words “or any amendment of the return”.</p> <p>In section 30(5)(b), the words “, or an amendment of such a return,”.</p> <p>In section 50—</p> <p>(a) in subsection (6)(a), the words from “by reason of” to “Finance Act 1998”;</p> <p>(b) in subsection (6)(b), the words from “by reason of” to “this Act”;</p>

Changes to legislation: There are currently no known outstanding effects for the Finance Act 2001, Part 2. (See end of Document for details)

	(c) in subsection (7)(a), the words from “which has been amended” to the end of the paragraph;
	(d) in subsection (7)(b), the words from “which has been amended” to “this Act”.
	In Schedule 1A, in paragraph 2A(2)(a), the words “treated as”.
Finance Act 1984 (c. 43)	In Schedule 22, paragraph 3(1).
Finance Act 1990 (c. 29)	Section 104(2)(b).
Finance Act 1994 (c. 9)	Sections 180, 186, 188 and 189. In Schedule 19, paragraph 7.
Finance Act 1996 (c. 8)	In section 123, subsections (6) and (7). In Schedule 19— (a) in paragraph 2, the words “9A(1),” and “12AC(1), 19A(1), 28A(1) and 28B(1)”; (b) paragraphs 4, 5, 6, 9 and 10(1). In Schedule 22, paragraphs 3 and 4. In Schedule 24, paragraph 5.
Finance Act 1998 (c. 36)	In Schedule 19, paragraphs 4, 5, 8, 10, 14(2), 16(3), 24, 25, 26 and 27(2) and (3).

(14) RECOVERY PROCEEDINGS: MINOR AMENDMENTS

<i>Short title and chapter</i>	<i>Extent of repeal</i>
Taxes Management Act 1970 (c. 9)	In section 66(1), the words “under any assessment”. In section 67(1), the words “under any assessment”.
Finance (No.2) Act 1987 (c. 51)	Section 86(1).
Finance Act 1994 (c. 9)	In Schedule 19, paragraph 20.
Finance Act 1998 (c. 36)	In Schedule 4, paragraph 3(2). In Schedule 19, paragraph 31.

- 1 The repeals in the Taxes Management Act 1970 have effect in relation to proceedings begun after the passing of this Act.
- 2 The other repeals have effect in relation to—
 - (a) proceedings begun (or a counterclaim made) after the passing of this Act, and
 - (b) a set-off first claimed after the passing of this Act.

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