



# Finance (No. 3) Act 2010

## 2010 CHAPTER 33

### PART 3

#### ADMINISTRATION

#### **25 Interest: corporation tax and petroleum revenue tax**

- (1) Schedule 9 contains amendments of FA 2009 relating to late payment interest and repayment interest on amounts of corporation tax and petroleum revenue tax.
- (2) That Schedule comes into force on such day as the Treasury may by order appoint.
- (3) An order under subsection (2)—
  - (a) may commence a provision generally or only for specified purposes, and
  - (b) may appoint different days for different provisions or for different purposes.
- (4) The Treasury may by order make any incidental, supplemental, consequential, transitional, transitory or saving provision which appears appropriate in consequence of, or otherwise in connection with, that Schedule.
- (5) An order under subsection (4) may—
  - (a) make different provision for different purposes, and
  - (b) make provision amending, repealing or revoking any Act or subordinate legislation whenever passed or made (including this Act and any Act amended by it).
- (6) An order under this section is to be made by statutory instrument.
- (7) A statutory instrument containing an order under subsection (4) which includes provision amending or repealing any provision of an Act is subject to annulment in pursuance of a resolution of the House of Commons.

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*Status: Point in time view as at 16/12/2010.*

*Changes to legislation: There are currently no known outstanding effects for the Finance (No. 3) Act 2010, Part 3. (See end of Document for details)*

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## 26 Penalties for failure to make returns etc

- (1) Schedule 10 contains provision amending Schedule 55 to FA 2009 (penalties in respect of failures to make returns and other documents relating to liabilities for tax).
- (2) Schedule 10 comes into force on such day as the Treasury may by order appoint.
- (3) An order under subsection (2)—
  - (a) may commence a provision generally or only for specified purposes, and
  - (b) may appoint different days for different provisions or for different purposes.
- (4) The Treasury may by order make any incidental, supplemental, consequential, transitional, transitory or saving provision which appears appropriate in consequence of, or otherwise in connection with, that Schedule.
- (5) An order under subsection (4) may—
  - (a) make different provision for different purposes, and
  - (b) make provision amending, repealing or revoking any Act or subordinate legislation whenever passed or made (including this Act and any Act amended by it).
- (6) An order under this section is to be made by statutory instrument.
- (7) A statutory instrument containing an order under subsection (4) which includes provision amending or repealing any provision of an Act is subject to annulment in pursuance of a resolution of the House of Commons.

### Subordinate Legislation Made

- P1** S. 26(2)(3) power partly exercised: different dates appointed for specified provisions and purposes by {S.I. 2011/703}, art. 2
- S. 26(2)-(4) power partly exercised: different dates appointed for specified provisions and purposes by {S.I. 2011/2391}, arts. 2(a), 3(1)

## 27 Penalties for failure to pay tax

- (1) Schedule 11 contains provision amending Schedule 56 to FA 2009 (penalties in respect of failures to comply with obligations to pay tax).
- (2) Schedule 11 comes into force on such day as the Treasury may by order appoint.
- (3) An order under subsection (2)—
  - (a) may commence a provision generally or only for specified purposes, and
  - (b) may appoint different days for different provisions or for different purposes.
- (4) The Treasury may by order make any incidental, supplemental, consequential, transitional, transitory or saving provision which appears appropriate in consequence of, or otherwise in connection with, that Schedule.
- (5) An order under subsection (4) may—
  - (a) make different provision for different purposes, and
  - (b) make provision amending, repealing or revoking any Act or subordinate legislation whenever passed or made (including this Act and any Act amended by it).

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- (6) An order under this section is to be made by statutory instrument.
- (7) A statutory instrument containing an order under subsection (4) which includes provision amending or repealing any provision of an Act is subject to annulment in pursuance of a resolution of the House of Commons.

#### **Subordinate Legislation Made**

- P2** S. 27(2)(3) power partly exercised: 25.1.2011 appointed for specified provisions by {S.I. 2011/132}, arts. 2, 3
- P3** S. 27(2)(3) power partly exercised: 6.4.2011 appointed for specified provisions by {S.I. 2011/703}, art. 3

## **28 Recovery of overpaid stamp duty land tax and petroleum revenue tax etc**

- (1) Schedule 12 contains—
  - (a) provision amending Part 4 of FA 2003 (stamp duty land tax) in respect of the recovery of overpaid tax etc, and
  - (b) provision amending Schedule 2 to OTA 1975 (management and collection of petroleum revenue tax) in respect of the recovery of overpaid tax etc.
- (2) The amendments made by Schedule 12 have effect in relation to claims made on or after 1 April 2011.
- (3) The Treasury may by order make any incidental, supplemental, consequential, transitional, transitory or saving provision which appears appropriate in consequence of, or otherwise in connection with, that Schedule.
- (4) An order under this section may—
  - (a) make different provision for different purposes, and
  - (b) make provision amending, repealing or revoking any Act or subordinate legislation whenever passed or made (including this Act and any Act amended by it).
- (5) An order under this section is to be made by statutory instrument.
- (6) A statutory instrument containing an order under this section which includes provision amending or repealing any provision of an Act is subject to annulment in pursuance of a resolution of the House of Commons.

## **29 Excise duties: compliance checks**

- (1) Schedule 13 contains provision about information and inspection powers, record-keeping and time limits for assessments and claims involving excise duties.
- (2) The amendments made by that Schedule come into force on such day as the Treasury may by order made by statutory instrument appoint.
- (3) An order under subsection (2)—
  - (a) may appoint different days for different provisions or for different purposes, and
  - (b) may include transitional provision and savings.

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*Status: Point in time view as at 16/12/2010.*

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**Subordinate Legislation Made**

- P4** [S. 29\(2\)\(3\)](#) power fully exercised: 1.4.2011 appointed for specified provisions by [{S.I. 2011/777}](#), art. 2 (with transitional provisions in arts. 3-8)

**Status:**

Point in time view as at 16/12/2010.

**Changes to legislation:**

There are currently no known outstanding effects for the Finance (No. 3) Act 2010, Part 3.