

STATUTORY INSTRUMENTS

1993 No. 2004

The Income Tax (Manufactured Overseas Dividends) Regulations 1993

PROSPECTIVE

Retention and record of notices given under regulations 4 and 5

6.—(1) A notice given under regulation 4(4)(c) or regulation 5(2)(b)(iii) shall be in the form provided, or in a form authorised, by the Board.

(2) A recipient of such a notice—

- (a) shall retain the notice for a period of six years and, whenever required to do so within that period, shall make it available for inspection by an officer of the Board, and
- (b) if he receives more than one such notice during any chargeable period, shall in addition maintain a record showing—
 - (i) the date of each such notice received in that period, and
 - (ii) a description and the amount of the manufactured overseas dividend referred to in each such notice received in that period.

(3) A person who issues such a notice—

- (a) shall retain a copy of it for a period of six years and, whenever required to do so within that period, shall make that copy available for inspection by an officer of the Board, and
- (b) if he issues more than one such notice during any chargeable period, shall in addition maintain a record showing—
 - (i) the date of each such notice issued in that period, and
 - (ii) a description and the amount of the manufactured overseas dividend referred to in each such notice issued in that period.

(4) Any record required to be maintained by the recipient of a notice under paragraph (2)(b), or by the issuer of a notice under paragraph (3)(b), shall be retained by that person for a period of six years from the end of the chargeable period to which the record relates.

(5) Where the issuer of a notice fails to retain a copy of it for the period specified in paragraph (3)(a), or fails to maintain any such record as is specified in paragraph (3)(b) or to retain any such record for the period specified in paragraph (4), the Board may require that person to carry out, at his own expense, an audit of manufactured overseas dividends received by that person in order to ascertain the amount of tax, if any, liable to be deducted under paragraph 4(2) of Schedule 23A which was not deducted.

(6) The scope and method of the audit referred to in paragraph (5) shall be agreed between the Board and the issuer of the notice or, in the absence of agreement, determined by the Board, and the issuer of the notice shall account for and pay any tax which on the basis of the findings of the audit was liable to be deducted but which was not deducted from manufactured overseas dividends received by him.

Status: This version of this provision is prospective.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Income Tax (Manufactured Overseas Dividends) Regulations 1993. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

Commencement Information

II Reg. 6 in force at 1.10.1993, see [reg. 1](#)

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Changes and effects yet to be applied to :

- reg 6 am by [S.I. 2003/2582](#) regs 27
- reg. 6 coming into force by [S.I. 1993/2004](#) reg. 1
- reg. 6 heading words substituted by [S.I. 2011/2503](#) reg. 6(2)
- reg. 6(1) words substituted by [S.I. 2011/2503](#) reg. 6(3)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- reg. 2(1) reg. 2 renumbered as reg. 2(1) by [S.I. 1996/2643](#) reg. 3(1)
- reg. 2(1) words inserted by [S.I. 1996/2643](#) reg. 3(2)(b)
- reg. 2(1) words inserted by [S.I. 2010/925](#) reg. 3
- reg. 2(1) words inserted by [S.I. 2011/1787](#) reg. 3(2)
- reg. 2(1) words omitted by [S.I. 1996/2643](#) reg. 3(2)(a)
- reg. 2(1) words substituted by [S.I. 2001/403](#) reg. 2(2)
- reg. 2(1) words substituted by [S.I. 2011/1787](#) reg. 3(3)
- reg. 2(2) inserted by [S.I. 1996/2643](#) reg. 3(3)
- reg. 2A inserted by [S.I. 1995/1324](#) reg. 4
- reg. 2A(1)(b) words substituted by [S.I. 1997/988](#) reg. 3(a)(i)
- reg. 2A(1)(c) words substituted by [S.I. 1997/988](#) reg. 3(a)(ii)
- reg. 2A(3) omitted by [S.I. 1997/988](#) reg. 3(b)
- reg. 2B inserted by [S.I. 1996/2643](#) reg. 4
- reg. 2B(1) words omitted by [S.I. 1997/987](#) reg. 8(2)
- reg. 3(5)(6) added by [S.I. 2007/2487](#) reg. 3(3)
- reg. 4(2)(c) and word inserted by [S.I. 2011/1787](#) reg. 4(b)
- reg. 4(4)(aa) inserted by [S.I. 1996/2643](#) reg. 5
- reg. 5(1A) words inserted by [S.I. 2004/2310](#) Sch. para. 73(3)
- reg. 5(2)(b)(iv) and word inserted by [S.I. 2011/1787](#) reg. 5(b)
- reg. 5A inserted by [S.I. 2007/2487](#) reg. 4
- reg. 5A(1)(b) word substituted by [S.I. 2011/1787](#) reg. 6(2)
- reg. 5A(5) words inserted by [S.I. 2011/2503](#) reg. 4(2)
- reg. 5A(5A) inserted by [S.I. 2011/1787](#) reg. 6(3)
- reg. 5A(6) words inserted by [S.I. 2011/2503](#) reg. 4(3)
- reg. 5B inserted by [S.I. 2011/2503](#) reg. 5
- reg. 5B(6) words inserted by [S.I. 2013/504](#) reg. 31(2)(a)
- reg. 5B(6) words inserted by [S.I. 2013/504](#) reg. 31(2)(c)
- reg. 5B(6) words omitted by [S.I. 2019/662](#) reg. 23(a)
- reg. 5B(6) words omitted by [S.I. 2019/662](#) reg. 23(b)
- reg. 5B(6) words substituted by [S.I. 2013/504](#) reg. 31(2)(b)
- reg. 5B(6) words substituted by [S.I. 2017/701](#) Sch. 5 para. 1
- reg. 6(4A) inserted by [S.I. 2003/3143](#) reg. 5(2)
- reg. 6A inserted by [S.I. 1996/2643](#) reg. 7
- reg. 6A(6) words omitted by [S.I. 2010/925](#) reg. 4
- reg. 7(2)(e) and word inserted by [S.I. 1996/2643](#) reg. 8(a)

- reg. 7(2)(ca) inserted by S.I. 2011/1787 reg. 7(b)
- reg. 7(3A) inserted by S.I. 1996/2643 reg. 8(b)
- reg. 7(3A)-(3E) omitted by S.I. 2009/2811 reg. 2
- reg. 7(3A)-(3E) substituted for reg. 7(3A) by S.I. 2007/2487 reg. 5
- reg. 7(3A) words inserted by S.I. 1997/988 reg. 5
- reg. 7(4A) inserted by S.I. 2003/3143 reg. 5(3)
- reg. 7A inserted by S.I. 1996/2643 reg. 9
- reg. 7A omitted by S.I. 1997/987 reg. 8(3)
- reg. 9(1)-(1B) substituted for reg. 9(1) by S.I. 1996/2643 reg. 10(a)
- reg. 9(1A)(a) words inserted by S.I. 2011/1787 reg. 8(a)
- reg. 9(1A)(b) words inserted by S.I. 2011/1787 reg. 8(b)
- reg. 9(2)(aa) inserted by S.I. 1995/1324 reg. 5(a)
- reg. 9(2)(aa) omitted by S.I. 1996/2643 reg. 10(b)(i)
- reg. 9(2A) words substituted by S.I. 2007/2487 reg. 7
- reg. 9(4A) inserted by S.I. 1995/1324 reg. 5(b)
- reg. 9(4A)-(4C) substituted for reg. 9(4A) by S.I. 1997/988 reg. 6
- reg. 9(4A) words substituted by S.I. 1996/2643 reg. 10(e)(ii)
- reg. 9(4A)(b) words inserted by S.I. 1996/2643 reg. 10(e)(i)
- reg. 9(4B) substituted by S.I. 2010/925 reg. 5(3)
- reg. 9(4B) words substituted by S.I. 2007/2487 reg. 6
- reg 9A am by S.I. 2003/2582 regs 210
- reg. 9A inserted by S.I. 1997/988 reg. 7
- reg. 9A(1) words inserted by S.I. 2011/1787 reg. 9
- reg. 9A(2C) inserted by S.I. 2010/925 reg. 7
- reg. 9ZA inserted by S.I. 2010/925 reg. 6
- reg. 10(1A) inserted by S.I. 2011/1787 reg. 10
- reg. 12(3) inserted by S.I. 1996/2643 reg. 12(c)
- reg. 12(3) omitted by S.I. 1997/2706 reg. 2(b)
- reg. 14(3A) inserted by S.I. 2003/3143 reg. 5(4)