

## SCHEDULE

Article 2

### Taxes Management Act

1. The Taxes Management Act 1970(1) is amended as follows.
2. In section 59C(4)(2) (surcharges on unpaid income tax and capital gains tax) for “section 7 or 93(5) of this Act or Schedule 24 to the Finance Act 2007” substitute “section 93(5) of this Act, Schedule 24 to the Finance Act 2007 or Schedule 41 to the Finance Act 2008”.
3. In section 107A(2)(a)(3) (relevant trustees)—
  - (a) omit “7,” and
  - (b) after “Schedule 24 to the Finance Act 2007” insert “or Schedule 41 to the Finance Act 2008”.

### Finance Act 1994

4. In Schedule 7 to the Finance Act 1994(4) (insurance premium tax), in paragraph 20 omit “14(3),”.

### Value Added Tax Act 1994

5. In section 74(4) of the Value Added Tax Act 1994(5) (interest on VAT recovered or recoverable by assessment), for “section 67(2)” substitute “paragraph 2(3) of Schedule 41 to the Finance Act 2008”.

### Finance Act 1996

6. In Schedule 5 to the Finance Act 1996(6) (landfill tax)—
  - (a) in paragraph 27(9)(a) after “Part V of this Schedule” insert “or under Schedule 41 to the Finance Act 2008”;
  - (b) in paragraphs 22(4)(b) and 23(2)(b), after “Schedule 24 to the Finance Act 2007 (penalties for errors)” insert “or a penalty under Schedule 41 to the Finance Act 2008 (penalties: failure to notify and certain VAT and excise wrongdoing)”.

### Income Tax (Trading and Other Income) Act 2005

7. The Income Tax (Trading and Other Income) Act 2005(7) is amended as follows.
8. In section 54(2) (no deduction allowed for penalties, interest and VAT surcharges), at the end of the table add—

“Penalty under Schedule 41 to FA 2008

Various taxes and excise duties”

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- (1) 1970 c. 9. Sections 95 and 95A were omitted by paragraph 29(a) of Schedule 24 to the Finance Act 2007 (c. 11). Section 7(8) was omitted by paragraph 25(a)(i) of Schedule 41 to the Finance Act 2008.
- (2) Section 59C was inserted by sections 194 and 199(1) and (2)(a) of the Finance Act 1994 (c. 9). Subsection (4) was amended by section 109(1) of the Finance Act 1995 (c. 4). The reference to “95 or 95A” was omitted by S.I. 2009/571 (C. 39); the reference to “Schedule 24 to the Finance Act 2007” was inserted by S.I. 2009/571 (C. 39).
- (3) Section 107A was inserted by section 103(5) of the Finance Act 1995 (c. 4); subsection (2) was amended by paragraph 4 of Schedule 1 to S. I. 2009/571 (c. 39).
- (4) 1994 c. 9.
- (5) 1994 c. 23.
- (6) 1996 c. 8.
- (7) 2005 c. 5.

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

**9.** In section 869(4) (no deduction allowed for penalties, interest and VAT surcharges), at the end of the table add—

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“Penalty under Schedule 41 to FA 2008	Various taxes and excise duties”
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**Corporation Tax Act 2009**

**10.** In section 1303(2) Corporation Tax Act 2009<sup>(8)</sup> (no deduction allowed for penalties, interest and VAT surcharges), at the end of the table add—

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“Penalty under Schedule 24 to FA 2007	Various taxes and excise duties
Penalty under Schedule 41 to FA 2008	Various taxes and excise duties”

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<sup>(8)</sup> 2009 c. 4.