STATUTORY INSTRUMENTS

1988 No. 1620

NORTHERN IRELAND

The Estate Duty (Northern Ireland) (Interest on Unpaid Duty) (No. 2) Order 1988

Made - - - -	*20th September 1988*
Laid before Parliament	*22nd September 1988*
Coming into force	*6th October 1988*

The Treasury, in exercise of the powers conferred by section 1(2) of the Finance Act (Northern Ireland) 1970**(a)** now vested in them**(b)**, hereby make the following Order:

1. This Order may be cited as the Estate Duty (Northern Ireland) (Interest on Unpaid Duty) (No. 2) Order 1988 and shall come into force on 6th October 1988.

2. The rate of interest payable under the following enactments, namely–

(a) section 18 of the Finance Act 1896**(c)**; and

(b) section 61(5) of the Finance (1909–10) Act 1910**(d)**,

shall, as regards interest accruing on or after 6th October 1988, be 9 per cent. per annum.

3. Section 8(9) of the Finance Act 1894**(e)** shall, as regards interest accruing on or after 6th October 1988, have effect with the substitution of the word "nine" for the word "eight".

Alan Howarth
Nigel Lawson

20th September 1988 Two of the Lords Commissioners of Her Majesty's Treasury

(a) 1970 c.21 (N.I.). **(b)** The Northern Ireland (Modification of Enactments—No. 1) Order 1973 (S.I. 1973/2163), article 5(3) and Schedule 3, transferred this function from the Ministry of Finance to the Treasury. Article 9 of the same Order provides that the powers conferred by section 1(2) of the 1970 Act shall be exercisable by statutory instrument. **(c)** 1896 c.28. **(d)** 1910 c.8; section 61(5) was amended by section 9 of the Finance Act 1912 (c.8). **(e)** 1894 c.30.

EXPLANATORY NOTE

(This note is not part of the Order)

Estate Duty is chargeable in relation to deaths before 13th March 1975; it was replaced for deaths on or after that date by capital transfer tax, now known as inheritance tax. Article 2 of this Order provides that interest on unpaid estate duty will run at 9 per cent. (instead of at the previous rate of 8 per cent. as imposed by S.I. 1988/1277) under the various provisions which impose a fixed rate of interest. By Article 3 the limit on the discretionary rate of interest which may be charged where payment of estate duty is postponed on grounds of hardship is correspondingly altered by substituting 9 per cent. for 8 per cent. The effect of this Order in conjunction with section 48(1) of the Finance Act 1975 (c.7) is that from 6th October 1988 interest will also run at 9 per cent. when overpaid estate duty is repaid.

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