CHAPTER 16.

An Act to grant certain Duties of Customs and Inland Revenue, to repeal and alter other Duties, and to amend the Law relating to Customs and Inland Revenue and to make Provision for the Financial Arrangements of the Year. [30th May 1895.]

A.D. 1895.

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal subjects, the Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled, towards raising the necessary supplies to defray Your Majesty's public expenses, and making an addition to the public revenue, have freely and voluntarily resolved to give and grant unto Your Majesty the several duties herein-after mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted, and be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

PART I.

CUSTOMS AND EXCISE.

Duty on tea.

1. The duty of customs now payable on tea shall continue to be charged, levied, and paid, on and after the first day of August one thousand eight hundred and ninety-five until the first day of August one thousand eight hundred and ninety-six, on the importation thereof into Great Britain or Ireland (that is to say):—

Tea, the pound - - - Fourpence.

Addition to customs duties on special kinds of beer.

2.—(1.) In addition to the duties of customs payable on and after the first day of July one thousand eight hundred and ninety-five, on beer of the descriptions called mum, spruce, or black beer, imported into Great Britain or Ireland, there shall be charged, levied, and paid, on and after the said first day of July until the first day of July one thousand eight hundred and ninety-six, the duties following (that is to say):—

	£	s.	d.
For every thirty-six gallons of beer where the worts thereof are or were before fermentation of a specific gravity—			
Not exceeding one thousand two hundred and fifteen degrees - - - - -	0	2	0
Exceeding one thousand two hundred and fifteen degrees - - - - - -	0	2	4
	3		

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(2.) This section shall extend to Berlin white beer, and other preparations, whether fermented or not fermented, of a character similar to mum, spruce, or black beer.

Addition to customs duty on all other beer.

3. In addition to the duties of customs payable on and after the first day of July one thousand eight hundred and ninety-five, on every description of beer (other than is specified in the last preceding section) imported into Great Britain or Ireland, there shall be charged, levied, and paid, on and after the said first day of July until the first day of July one thousand eight hundred and ninety-six, the duty following (that is to say) :—

	£	s.	d.
For every thirty-six gallons where the worts thereof were before fermentation of a specific gravity of one thousand and fifty-five degrees - -	0	0	6

and there shall be allowed and paid in and for the same period in respect of all such beer a similar addition to the drawback granted on exportation, shipment for use as stores, or removal to the Isle of Man, by section four of the Customs and Inland Revenue Act, 1881. And so, as to both duty and drawback, in proportion for any difference in gravity.

44 & 45 Vict. c. 12.

Addition to excise duty on beer.

4. In addition to the duty of excise payable on and after the first day of July one thousand eight hundred and ninety-five in respect of beer brewed in the United Kingdom, there shall be charged, levied, and paid, on and after that day until the first day of July one thousand eight hundred and ninety-six—

For every thirty-six gallons of worts of a specific gravity of one thousand and fifty-five degrees, the duty of sixpence,

and so in proportion for any difference in quantity or gravity.

Addition to excise drawback on beer.

5. In addition to the drawback of excise otherwise payable in respect of beer exported from the United Kingdom as merchandise or shipped for use as ship's stores, there shall be allowed and paid in respect of beer brewed in the United Kingdom between the thirtieth day of June one thousand eight hundred and ninety-five and the first day of July one thousand eight hundred and ninety-six—

For every thirty-six gallons of beer of an original gravity of one thousand and fifty-five degrees, the drawback of sixpence,

and so in proportion for any difference in quantity or gravity.

Regulations for and allowance on exportation of methylated spirits.

43 & 44 Vict. c. 24.

48 & 49 Vict. c. 51.

6. Regulations of the Commissioners of Inland Revenue, under section one hundred and fifty-nine of the Spirits Act, 1880, may regulate the removal for exportation of methylated spirits, and where spirits used for methylation are removed from a place of methylation and exported in accordance with those regulations, there shall be paid to the exporter an allowance of twopence for every gallon of such spirits, computed at hydrometer proof, and subsection three of section three of the Customs and Inland Revenue Act, 1885, shall apply, as if the spirits were exported and the allowance made in pursuance of that section.

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7. After the thirty-first day of December one thousand eight hundred and ninety-five, section one hundred and nineteen of the Customs Consolidation Act, 1876 (which limits the time for the payment of a drawback on the exportation of goods), shall extend to the payment of any allowance in respect of spirits exported, used, or deposited, which is payable under section three of the Customs and Inland Revenue Act, 1885, as amended by section twenty-one of the Revenue Act, 1889, and to an allowance in respect of methylated spirits exported which is payable under this Act, and to the payment of any drawback of excise which is allowed on the exportation of any goods, in like manner as if it were in terms made applicable thereto, and the date of user or deposit were the date of shipment.

Extension of 39 & 40 Vict. c. 36. s. 119 as to time for payment of drawbacks to other allowances and drawbacks. 48 & 49 Vict. c. 51. 52 & 53 Vict. c. 42.

8. Spirits to which any sweetening or colouring matter or any other ingredient has been added in warehouse, and spirits warehoused by a rectifier of spirits for exportation or ship's stores, and British liqueurs, may, if bottled and packed in cases when delivered from a warehouse, be removed, notwithstanding anything in sections seventy-four and ninety-five of the Spirits Act, 1880, to another warehouse for exportation or ship's stores.

Amendment of 43 & 44 Vict. c. 24. ss. 74 and 95 as to removal of spirits for exportation or ship's stores.

PART II.

STAMPS.

9.—(1.) Exemption numbered eight under the head "Receipt" in the First Schedule to the Stamp Act, 1891, is hereby repealed; and the duty shall be charged as if the exemption had not been contained in that schedule; provided that neither the name of a banker (whether accompanied by words of receipt or not) written in the ordinary course of his business as a banker upon a bill of exchange or promissory note duly stamped, nor the name of the payee written upon a draft or order, if payable to order, shall constitute a receipt chargeable with stamp duty.

Repeal of an exemption from stamp duty on receipts. 54 & 55 Vict. c. 39.

(2.) This section shall take effect as from the first day of July one thousand eight hundred and ninety-five.

10. The duty imposed by the Stamp Act, 1891, upon the admission of any person to the degree of doctor of medicine in either of the universities in Scotland, shall cease to be payable.

Repeal of stamp duty on M.D. degree in Scotland. 54 & 55 Vict. c. 39.

11. The stamp duty on a letter or power of attorney for the sale, transfer, or acceptance of any government or parliamentary stocks or funds shall be—

	s.	*d.*
Where the nominal amount of the stocks or funds does not exceed 100*l.* - - - - - -	2	6

Reduction of stamp duty on powers of attorney for transfer of small sums of Government stock.

12. Where after the passing of this Act, by virtue of any Act, whether passed before or after this Act, either—

(*a*) any property is vested by way of sale in any person; or
(*b*) any person is authorised to purchase property;

Collection of stamp duty in cases of property vested by Act or purchased under

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statutory power.

such person shall within three months after the passing of the Act, or the date of vesting, whichever is later, or after the completion of the purchase, as the case may be, produce to the Commissioners of Inland Revenue a copy of the Act printed by the Queen's printer of Acts of Parliament or some instrument relating to the vesting in the first case, and an instrument of conveyance of the property in the other case, duly stamped with the ad valorem duty payable upon a conveyance on sale of the property; and in default of such production, the duty with interest thereon at the rate of five per cent. per annum from the passing of the Act, date of vesting, or completion of the purchase, as the case may be, shall be a debt to Her Majesty from such person.

Extension of 54 & 55 Vict. c. 39. s. 98 to policies of insurance for sickness.

13. Whereas section ninety-eight of the Stamp Act, 1891, provides that "a policy of insurance against accident" includes a notice or advertisement in a newspaper or other publication which purports to insure the payment of money upon the death of or injury to the holder or bearer of the newspaper or publication from accident, and doubts have arisen as to the like notices or advertisements in other cases, it is hereby for the removal of doubts declared that "a policy of insurance for any payment agreed "to be made during the sickness of any person or his incapacity "from personal injury" within the meaning of the Stamp Act, 1891, includes a notice or advertisement in a newspaper or other publication which purports to insure such payment.

Amendment of 54 & 55 Vict. c. 39. as to the payment of stamp duty on certain foreign securities.

14. Where foreign securities within the meaning of sections eighty-two and eighty-three of the Stamp Act, 1891, are issued in the United Kingdom, and the interest thereon is not payable in the United Kingdom, and such evidence of the amount of the securities as the Commissioners of Inland Revenue require is produced to them, then the Commissioners, if in their discretion they consider it expedient to do so, may accept payment of the amount of stamp duty which would be payable if all the said securities were duly stamped, and on such payment may dispense with the necessity of the securities being stamped. The Commissioners shall give notice in the London Gazette of any such dispensation.

Abolition of limit of time for mitigating penalties under 54 & 55 Vict. c. 39. s. 15.

15. So much of section fifteen of the Stamp Act, 1891, as limits the time within which the Commissioners of Inland Revenue may mitigate or remit any penalty payable on stamping shall be repealed.

Extension to companies of 46 & 47 Vict. c. 52. s. 144 as to exemption from stamp duty. 53 & 54 Vict. c. 63.

16. Section one hundred and forty-four of the Bankruptcy Act, 1883 (which exempts from stamp duty certain documents relating to the estates of bankrupts and to bankruptcies), shall apply to the estates of companies wound up by order of the Court under the Companies Winding-up Act, 1890, and to such winding up, in like manner as if the company were a bankrupt and the winding up were a bankruptcy; and proceedings under section fifteen of the latter Act shall for this purpose be part of the proceedings in the winding up.

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PART III.

INCOME TAX.

Grant of duty of income tax, and application of Acts. 16 & 17 Vict. c. 34.

17.—(1.) There shall be charged, levied, and paid for the year which began on the sixth day of April one thousand eight hundred and ninety-five, in respect of all property profits and gains respectively described or comprised in the several Schedules A., B., C., D., and E. in the Income Tax Act, 1853, the following duties of income tax (that is to say):—

For every twenty shillings of the annual value or amount of property profits and gains chargeable under the said Schedules A., C., D., or E., the duty of eightpence; and

For every twenty shillings of the annual value of the occupation of lands tenements hereditaments and heritages chargeable under the said Schedule B., the duty of threepence.

(2.) All such enactments relating to income tax as were in force on the fifth day of April one thousand eight hundred and ninety-five shall have full force and effect with respect to the duties of income tax hereby granted, so far as those enactments are consistent with this Act.

Assessment of income tax under Schedules A. and B., and of the inhabited house duty for the year 1895-6. 16 & 17 Vict. c. 34.

18.—(1.) The annual value of any property which has been adopted for the purpose of income tax under Schedules A. and B. in the Income Tax Act, 1853, or for the purpose of inhabited house duty during the year which began on the sixth day of April one thousand eight hundred and ninety-four, shall be taken as the annual value of such property for the same purpose during the year which began on the sixth day of April one thousand eight hundred and ninety-five: Provided that this section—

(*a*) so far as respects the duty on inhabited houses in Scotland, shall be construed with the substitution of the twenty-fifth day of May for the sixth day of April; and

(*b*) shall not apply to the metropolis as defined by the Valuation (Metropolis) Act, 1869. 32 & 33 Vict. c. 67.

(2.) The inspectors or surveyors of taxes shall be the assessors of the income tax under the said Schedules A. and B., and of the house duty.

PART IV.

MISCELLANEOUS.

Repeal.

19. The Act mentioned in the schedule to this Act is hereby repealed, to the extent in the third column of that schedule mentioned.

Short title.

20. This Act may be cited as the Finance Act, 1895.

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SCHEDULE.

ENACTMENTS REPEALED.

Session and Chapter.	Short Title.	Extent of Repeal.
54 & 55 Vict. c. 39. -	The Stamp Act, 1891 -	In section fifteen, the words "at any time within three "months after the first "execution of any instru-"ment"; in the Schedule, under the head "Admission" from "admission "of any person to the "degree" down to "sections 18 and 19," where they next occur, and under the head "Receipt" from "receipt written upon a bill "of exchange" down to "Accountant-General of the "Navy."

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