place, office or employment under His Majesty of equal or greater amount in salary, profits or emolument than the amount of the annuity.

Short title.

2. This Act may be cited as Mr. Speaker's Retirement Act, 1928.

CHAPTER 17.

An Act to grant certain duties of Customs and Inland Revenue (including Excise), to alter other duties, and to amend the law relating to Customs and Inland Revenue (including Excise) and the National Debt, and to make further provision in connection with finance.

[3rd August 1928.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal subjects the Commons of the United Kingdom of Great Britain and Northern 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 hereinafter mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted, and be it enacted by the King'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 customs duty at the rate of fourpence per pound which is payable on tea until the first day of August, nineteen hundred and twenty-eight, shall (subject to the provisions contained in section eight of the Finance Act, 1919, with respect to imperial preferential rates of duty), continue to be charged until the first day of August, nineteen hundred and twenty-nine.

9 & 10 Geo. 5. c. 32.

Duties on hydro-carbon oils.

2.—(1) A customs duty at the rate of fourpence per gallon shall be payable on all hydrocarbon oils imported into the United Kingdom on or after the twenty-fifth day of April, nineteen hundred and twenty-eight, and on all hydrocarbon oils so imported before that date and landed therein on or after that date.

(2) An excise duty at the rate of fourpence per gallon shall be payable on all petroleum oils which on the twenty-fifth day of April, nineteen hundred and twenty-eight, were in the United Kingdom and in the ownership or possession of any person who on that date held more than ten thousand gallons thereof.

(3) There shall be allowed from the duties a rebate at the rate of fourpence per gallon on the delivery for home consumption of any goods other than light oils.

For the purposes of this subsection the expression "light oils" means hydrocarbon oils of which not less than fifty per cent. by volume distils at a temperature not exceeding one hundred and eighty-five degrees centigrade, or of which not less than ninety-five per cent. by volume distils at a temperature not exceeding two hundred and forty degrees centigrade, or which give off an inflammable vapour at a temperature of less than 22·8 degrees centigrade when tested in manner prescribed by the Acts relating to petroleum.

The method of testing oils for the purpose of ascertaining whether they comply with the foregoing provisions relating to the distillation of a certain volume thereof at a certain temperature shall be such as the Commissioners may prescribe.

(4) The excise duty shall not be payable—

(*a*) in respect of any petroleum oils which are shown to the satisfaction of the Commissioners to have been used before the eighth day of May, nineteen hundred and twenty-eight, by the person in whose ownership or possession they were, or to have been owned on the said twenty-fifth day of April by a person whose stocks of such oils (excluding any oils used by him as aforesaid) were on that date in the aggregate not more than ten thousand gallons; or

(*b*) in respect of any hydrocarbon oils which are shown to the satisfaction of the Commissioners to have been already charged with the customs duty or the excise duty.

(5) In the case of hydrocarbon oils in or removed to a refinery the duties shall be charged on the delivery of any goods from the refinery and shall be the same as those which would be payable on the importation of like goods, and there shall be allowed the same rebate as would be allowed on importation.

(6) A drawback equal to the amount of the duty shown to the satisfaction of the Commissioners to have been paid in respect of the goods in question shall be allowed on the exportation from the United Kingdom or the shipment or deposit in a bonded warehouse for use as ships' stores of any hydrocarbon oils, or of any article in which there is contained any hydrocarbon oil which was used as an ingredient in the manufacture or preparation thereof, and on the loading into any aircraft of any such oils or articles for use on a voyage to a place outside the United Kingdom.

(7) The provisions contained in the First Schedule to this Act shall have effect with respect to the duties and to the drawbacks.

(8) If, on an application made for the purposes of this subsection by the owner of a fishing boat entered in the fishing boat register, it appears to the satisfaction of the Commissioners that the applicant has at any time within the period of six months preceding the date of his application, or within such longer period preceding that date as the Commissioners may in any special case allow, used any quantity of hydrocarbon oil on board the boat, he shall be entitled to obtain from the Commissioners repayment of any duty which has been paid in respect of the oil so used:

Provided that—

(*a*) an application for the purposes of this subsection must be made in such manner as the Commissioners may prescribe; and

(*b*) no person who has previously made an application under this subsection for repayment of duty shall be entitled to make a further application until the expiration of at least three months from the date on which the last preceding application was made.

In this subsection the expression "fishing boat" means a boat used for the purposes of fishing by a person gaining a substantial part of his livelihood thereby.

(9) In this Act the expression "hydrocarbon oils" means petroleum oils, coal tar, and oils produced from coal, shale, peat or any other bituminous substance, and all liquid hydrocarbons.

(10) In this section and the next following section of this Act and in the First Schedule to this Act—

The expressions "the customs duty" and "the excise duty" mean respectively the customs duty and the excise duty payable under this section:

The expression "the duties" means the customs duty and the excise duty:

The expression "the drawbacks" means the drawbacks to be allowed under this section:

The expression "refinery" means any premises approved by the Commissioners for the treatment of hydrocarbon oils.

Supplementary provisions in connection with the duties on hydrocarbon oils.

3.—(1) The Commissioners may by regulations under this section—

(*a*) regulate the removal to a refinery without payment of duty of imported hydrocarbon oils;

(*b*) regulate or prohibit the removal to a refinery of hydrocarbon oils which are not chargeable with duty or in respect of which any rebate of duty has been allowed;

(*c*) prohibit the refining of hydrocarbon oils elsewhere than in a refinery;

(*d*) make provision for securing payment of the duty on any imported hydrocarbon oils received into a refinery, and regulate the manufacture and storage of hydrocarbon oils in a refinery and their removal therefrom;

(*e*) regulate the warehousing of hydrocarbon oils;

(*f*) apply to the duties or drawbacks any of the provisions of the laws of customs or of excise.

(2) If any person acts in contravention of or fails to comply with any regulations made under this section,

he shall be liable, at the option of the Commissioners, either to a customs penalty equal to three times the value of the goods (including duty) in respect of which the offence was committed, or to a customs penalty of one hundred pounds, and the goods in respect of which the offence was committed shall be forfeited.

Duties, drawbacks and allowances on sugar.

4.—(1) As from the commencement of this section the customs duties in respect of sugar, molasses, glucose and saccharin which are chargeable with duty at the full rate shall, subject to the provisions of this section, be at the rates specified in the second column of Part I. of the Second Schedule to this Act instead of at the rates theretofore in force, and section eight of the Finance Act, 1925 (which makes provision with respect to the preferential rates to be charged on sugar, molasses, glucose and saccharin which are Empire products) shall have effect as if the amounts specified in the third column of Part I. of the Second Schedule to this Act were substituted for the amounts specified in the second column of Part I. of the Third Schedule to that Act.

15 & 16 Geo. 5. c. 36.

(2) As from the commencement of this section drawbacks shall be paid and allowances shall be made in respect of sugar, molasses, glucose and saccharin in accordance with the provisions set out in Part II. of the Second Schedule to this Act:

Provided that any reduction effected by this subsection in the rates of any drawbacks and allowances shall not have effect in relation to any goods as respects which it is shown to the satisfaction of the Commissioners that duty was paid at the rates in force before the commencement of this section.

(3) The provisions contained in Part III. of the Second Schedule to this Act shall have effect with respect to the duties and drawbacks to be paid and allowances to be made under this section.

(4) This section shall be deemed to have had effect as from the twenty-fifth day of April, nineteen hundred and twenty-eight:

Provided that in the application of this section to any duty charged on manufactured or prepared goods

under section seven of the Finance Act, 1901, the first day of July shall be substituted for the twenty-fifth day of April. 1 Edw. 7. c. 7.

Increased excise duty on sweets. 17 & 18 Geo. 5. c. 10.

5. The excise duty on sweets imposed by section six of the Finance Act, 1927, shall, as from the twenty-fifth day of April, nineteen hundred and twenty-eight, be at the rate of one shilling and sixpence instead of one shilling for every gallon.

Duties on mechanical lighters.

6.—(1) As from the twenty-eighth day of April, nineteen hundred and twenty-eight, the following duties shall be payable on mechanical lighters:—

(*a*) a customs duty of sixpence on any mechanical lighter imported into the United Kingdom and on any component part of a mechanical lighter, other than a flint;

(*b*) an excise duty of sixpence on every mechanical lighter manufactured in the United Kingdom which is complete or which could be made complete by the addition of a flint, and on every mechanical lighter sent out in an incomplete state from the premises of a manufacturer of mechanical lighters:

Provided that the Commissioners may, subject to such conditions (if any) as they think fit to impose, exempt from duty under this section any mechanical lighters which are shown to their satisfaction to be intended to be used as parts of miners' lamps, and the component parts of any such mechanical lighters.

(2) In this section the expression "mechanical lighter" means any mechanical or chemical contrivance which is portable and is intended for producing a spark or flame, whether by itself or when brought into contact with gas.

(3) The Commissioners may make regulations—

(*a*) prohibiting the manufacture of mechanical lighters (including the assembling of parts of mechanical lighters, whether to form complete mechanical lighters or not) except by persons holding a licence and having made entry for the purpose;

(*b*) for fixing the date of the expiration of licences granted under the regulations;

(*c*) for regulating (with a view to the securing and collection of the excise duty imposed by this section) the manufacture of mechanical lighters and the removal thereof from a manufactory;

(*d*) providing for the receipt by licensed manufacturers of mechanical lighters in an incomplete state and of parts of mechanical lighters without payment of duty;

(*e*) for authorising the removal of mechanical lighters or component parts thereof from the premises of a licensed manufacturer for export or for shipment as stores without payment of duty.

(4) Provision may be made by regulations under this section for applying to the excise duty on mechanical lighters and to manufacturers of mechanical lighters any enactments relating to any duty of excise or customs and to persons carrying on any trade subject to the laws of excise.

(5) If any person—

(*a*) manufactures for sale a mechanical lighter without paying duty in accordance with this section; or

(*b*) being a manufacturer of mechanical lighters, sends out from his premises without payment of duty any mechanical lighters, whether complete or incomplete; or

(*c*) acts in contravention of or fails to comply with any regulation made under this section,

he shall be liable in respect of each offence to an excise penalty of fifty pounds, and any article in respect of which the offence was committed shall be forfeited.

Reduction of duty on certain negative cinematograph films. 17 & 18 Geo. 5. c. 29.

7.—(1) Subject to compliance with such conditions as the Commissioners may by regulations prescribe, any negative cinematograph films which are certified by the Board of Trade to satisfy the requirements of subsection (3) of section twenty-seven of the Cinematograph Films Act, 1927 (which prescribes what films shall be deemed to be British films for the purposes of that Act) and parts of

any films so certified shall, for the purpose of the customs duties charged on cinematograph films by section three of the Finance Act, 1925, be treated as if they were blank film.

(2) This section shall be deemed to have had effect as from the twenty-eighth day of April, nineteen hundred and twenty-eight.

Exemption of scientific films from duty.

8.—(1) The customs duties imposed by subsection (1) of section three of the Finance Act, 1925, on negative and positive cinematograph films shall cease to be payable in the case of a film which is certified by the Royal Society of London for promoting Natural Knowledge to be solely an illustration of scientific investigation for exhibition before members of a recognised scientific body and which is imported only for the purpose of such exhibition free of charge.

(2) If any person exhibits, otherwise than as aforesaid, any film which has been exempted from duty under this section, he shall on summary conviction be liable in respect of each offence to a fine not exceeding fifty pounds.

Customs duties on buttons and enamelled hollow-ware.

9.—(1) During a period of five years beginning on the twenty-eighth day of April, nineteen hundred and twenty-eight, a customs duty of an amount equal to thirty-three and one-third per cent. of the value of the goods shall be payable on buttons imported into the United Kingdom.

(2) During a period of five years beginning on the thirteenth day of June, nineteen hundred and twenty-eight, a customs duty of an amount equal to twenty-five per cent. of the value of the goods shall be payable on wrought enamelled hollow-ware imported into the United Kingdom.

(3) In this section the expression "buttons" means buttons made of any material, and whether finished or unfinished, of a description commonly used for the fastening or decorating of wearing apparel or household linen, not being buttons forming part of any other article, and the expression "wrought enamelled hollow-ware" means wrought enamelled hollow-ware, whether

of iron or steel, of a description commonly used for domestic purposes.

15 & 16 Geo. 5. c. 79.

(4) Subsections (2), (3) and (4) of section one of the Safeguarding of Industries (Customs Duties) Act, 1925, shall apply to the goods chargeable with duty under this section and to the duties imposed by this section as they apply to the goods chargeable with duty under that Act and to the duties imposed by that Act.

Power to make regulations with respect to removal of spirits from certain premises or from warehouses. 43 & 44 Vict. c. 24.

10.—(1) The Commissioners may direct that, subject to compliance with such conditions for the protection of the revenue in respect of proof or security or otherwise as they may think proper to impose, whether by regulations or otherwise, any of the provisions of the Spirits Act, 1880, relating to the removal of spirits from the premises of a distiller, or rectifier of, or dealer in or retailer of spirits, or from a bonded warehouse, shall not apply in the case of any specified persons or classes of persons, or shall apply only subject to any specified modifications.

(2) If any person in whose case a direction is given by the Commissioners under this section acts in contravention of or fails to comply with any regulations made under this section which are applicable in his case, or with any conditions imposed under this section in his case, he shall for each offence be liable to an excise penalty of one hundred pounds, and the spirits in respect of which the offence is committed shall be forfeited.

Deposit in warehouse of beer for exportation.

11.—(1) Subject to such regulations as the Commissioners may prescribe, a brewer of beer for sale or a dealer in beer shall be entitled to deposit any beer on which duty has been charged in a warehouse approved by the Commissioners for the purpose of the beer being exported or shipped as stores, and to add to the beer in the warehouse finings for clarification or any other substance sanctioned by the Commissioners for the purpose of preparing the beer for exportation or use as ships' stores.

(2) Where the duty charged in respect of any beer deposited in a warehouse under this section has been paid, drawback shall be allowed and paid as if the deposit of the beer in the warehouse were the exportation thereof or the shipment thereof as stores.

12. As from the first day of January, nineteen hundred and twenty-nine, section thirteen of the Finance Act, 1920 (which imposes duties of excise on mechanically propelled vehicles), shall have effect as if the rates of duties set out in the Third Schedule to this Act were substituted for the rates set out in paragraphs 3 and 5 of the Second Schedule to the Finance Act, 1920.

Alteration of duties on licences for certain classes of mechanically propelled vehicles. 10 & 11 Geo. 5. c. 18.

13.—(1) Where a mechanically propelled vehicle used for drawing a trailer has the trailer attached to it by partial super-imposition, the vehicle and trailer shall, for the purpose of determining the rate of the licence duty chargeable under the Second Schedule to the Finance Act, 1920, be treated as if they together formed a single vehicle and that vehicle were a vehicle used for drawing a trailer.

Licence duty on articulated motor vehicles.

(2) This section shall come into operation on the first day of January, nineteen hundred and twenty-nine.

14. On and after the first day of October, nineteen hundred and twenty-eight, the betting duty chargeable under Part II of the Finance Act, 1926, as amended by section eighteen of the Finance Act, 1927, shall be reduced as follows, that is to say :—

Reduction of betting duty. 16 & 17 Geo. 5. c. 22.

Where at the commencement of this Act duty is chargeable at a rate equal to three-and-a-half per centum of the amount paid, or offered, or promised to be paid to, or to the order or for the use of the bookmaker, the rate shall be reduced to two per centum of that amount, and where at the commencement of this Act duty is chargeable at a rate equal to two per centum of that amount the rate shall be reduced to one per centum of that amount.

PART II.

INCOME TAX.

Charge of Tax and Miscellaneous.

15.—(1) Income tax for the year 1928–29 shall be charged—

Income tax and super-tax for 1928–29.

(*a*) at the standard rate of four shillings in the pound, and

(*b*) in the case of an individual whose total income from all sources exceeds two thousand pounds,

at the following higher rates in respect of the excess over two thousand pounds :—

For every pound of the first five hundred pounds of the excess.	Four shillings and ninepence.
For every pound of the next five hundred pounds of the excess.	Five shillings.
For every pound of the next one thousand pounds of the excess.	Five shillings and sixpence.
For every pound of the next one thousand pounds of the excess.	Six shillings and threepence.
For every pound of the next one thousand pounds of the excess.	Seven shillings.
For every pound of the next two thousand pounds of the excess.	Seven shillings and sixpence.
For every pound of the next two thousand pounds of the excess.	Eight shillings.
For every pound of the next five thousand pounds of the excess.	Eight shillings and sixpence.
For every pound of the next five thousand pounds of the excess.	Nine shillings.
For every pound of the next ten thousand pounds of the excess.	Nine shillings and sixpence.
For every pound of the remainder of the excess.	Ten shillings.

(2) The rates of super-tax for the year 1928–29 shall, for the purposes of section four of the Income Tax Act, 1918, be the same as those for the year 1927–28.

8 & 9 Geo. 5. c. 40.

(3) All such enactments as had effect with respect to the income tax and super-tax charged for the year 1927–28, shall, subject to the provisions of any enactments which were expressed to come into operation on the sixth day of April, nineteen hundred and twenty-eight, or to apply in relation to income tax or super-tax for the year beginning on that day, have effect with respect to the income tax and super-tax charged for the year 1928–29.

(4) The annual value of any property which has been adopted for the purpose of income tax under Schedules A and B for the year 1927–28 shall be taken as the annual value of that property for the same purpose for the year 1928–29:

Provided that this subsection shall not apply to lands, tenements, and hereditaments in the administrative county of London with respect to which the valuation list under the Valuation (Metropolis) Act, 1869, is by that Act made conclusive for the purposes of income tax. 32 & 33 Vict. c. 67.

16. Section twenty-one of the Finance Act, 1920, (which provides for deductions in respect of children), shall be amended as follows:— Deductions in respect of children.

(1) In subsection (1)—

(*a*) for the words "living at the commencement of the year of assessment" there shall be substituted the words "living at any time within the year of assessment";

(*b*) for the words "thirty-six pounds" and "twenty-seven pounds" there shall be substituted respectively the words "sixty pounds" and "fifty pounds":

(2) In subsection (3) for the words "forty pounds" there shall be substituted the words "sixty pounds."

17.—(1) An individual who for any year of assessment is chargeable to sur-tax may, by giving notice in writing to the Special Commissioners not later than the first day of May next following the end of that year of his desire so to do, elect to make a return of his total income to those Commissioners, and any such election shall have effect not only as respects that year, but also as respects all subsequent years for which he remains chargeable to sur-tax: Option of making return of total income to Special Commissioners.

Provided that any individual who has so elected may at any time in any subsequent year of assessment give notice in writing to the Commissioners of his desire to revoke the election and thereupon the election shall cease to have effect except as respects any year preceding the year in which notice is so given.

(2) Where for any year of assessment an election made by an individual under this section is in force—

(*a*) the Special Commissioners may serve upon that individual a notice requiring him to make a return of his total income, and that individual shall make such a return in the form and within the time required by the notice, and subsections (3) and (4) of section forty-four of the Finance Act, 1927, shall apply in relation to any such return; and

(*b*) the return required to be made by that individual under subsection (1) of section forty-three of the Finance Act, 1927, of all the sources of his income and of the amount derived from each source for that year shall be limited to a return of any income which is assessable under either Schedule D or Schedule E.

Amendment of s. 21 of 12 & 13 Geo. 5. c. 17.

18.—(1) Any company to which section twenty-one of the Finance Act, 1922, applies, may at any time after the general meeting at which the accounts of the company made up for any year or other period are adopted, forward to the Special Commissioners for their consideration a copy of the said accounts, together with a copy of the report, if any, of the directors for that year or period, and such further information, if any, as it may think fit, and the Special Commissioners shall, subject to the provisions of this section, on receiving the said accounts and other documents, if any, proceed to consider the position of the company in relation to the said section twenty-one.

(2) The Special Commissioners may as soon as reasonably may be, but not later than twenty-eight days after the receipt of the said accounts and other documents, if any, call upon the company to furnish to them within twenty-eight days, or such extended period as they may subsequently allow, such further particulars as they may reasonably require:

Provided that if the particulars so required are not furnished to the Commissioners within the period or extended period allowed for the purpose they may proceed under this section upon the information before them.

(3) Where a company has under subsection (1) of this section forwarded to the Special Commissioners

the accounts of the company for any year or other period, whether with or without any other documents, the following provisions shall have effect:—

(*a*) unless within three months after the receipt of the said accounts and other documents, or, if further particulars have been required as aforesaid, within three months after the receipt of those particulars, or the expiration of the period within which those particulars are to be furnished, as the case may be, the Special Commissioners intimate to the company their intention to take further action in the case of the company under the said section twenty-one in respect of that year or other period, the power of the Commissioners to take any such further action in respect of that year or other period shall absolutely cease and determine; and

(*b*) notwithstanding that the Special Commissioners have given such an intimation as aforesaid, they shall not after the expiration of six months from the date of the intimation have power in relation to that company to issue a notice under paragraph (4) of the First Schedule to the Finance Act, 1922, with respect to that year or period, or, unless such a notice has been issued before the expiration of the said period of six months, to give a direction in relation to the company under subsection (1) of section twenty-one of the said Act.

Amount of assessment under Rule 21 to be allowed as a loss for certain purposes.

19. Where a person has been assessed to tax for any year of assessment, not being a year prior to the year 1927–28, under Rule 21 of the General Rules, in respect of a payment made wholly and exclusively for the purposes of a trade, profession, or vocation (not being a payment of or on account of copyright royalties to which section twenty-five of the Finance Act, 1927, applies) the amount on which tax has been paid under that assessment shall, for the purposes of section thirty-three of the Finance Act, 1926, be treated as though it were a loss sustained in that trade, profession, or vocation, and, subject to the provisions of that section, relief in respect thereof shall be allowed in computing that person's liability to tax in respect of the profits or

gains of that trade, profession, or vocation for the six years following the said year of assessment:

Provided that no relief shall be allowed under this section in respect of any such payment or any part of any such payment which is not ultimately borne by the person assessed or which is charged to capital.

Continuance of allowance for repairs under s. 28 of 13 & 14 Geo. 5. c. 14.

20.—(1) Section twenty-eight of the Finance Act, 1923 (which relates to the allowance for repairs), shall continue in force until the fifth day of April, nineteen hundred and thirty-three.

(2) This section shall be deemed to have had effect as from the sixth day of April, nineteen hundred and twenty-eight.

Relief from double taxation in respect of British income tax and Irish Free State income tax.

21. The Agreement made the twenty-fifth day of April, nineteen hundred and twenty-eight, between the British Government and the Government of the Irish Free State amending the Agreement made on the fourteenth day of April, nineteen hundred and twenty-six, between the said Governments in respect of double income tax (which first mentioned Agreement is set out in the Fourth Schedule to this Act) is hereby confirmed, and shall have effect, with respect to exemption or relief to be granted from British tax, for the year 1928–29 and any subsequent year, provided that, with respect to exemption or relief to be granted from Irish Free State tax, it has effect for that year by virtue of an Act of the Legislature of the Irish Free State.

Summary recovery of income tax in Northern Ireland. 22 Vict. c. 14.

22. Notwithstanding anything in section five of the Small Debts (Ireland) Act, 1859, any such amount of income tax as is under the provisions of the Income Tax Acts recoverable summarily as a civil debt may, without prejudice to any other remedy, be recovered summarily in Northern Ireland, and in any summary proceedings in Northern Ireland for the recovery of income tax any order for the payment of money may be enforced in like manner as an order for the payment of a sum recoverable summarily as a civil debt is enforceable in England, and for the purpose of an order made in any such proceedings section thirty-five of the Summary Jurisdiction Act, 1879, shall apply to Northern Ireland with the substitution of a reference to the Debtors (Ireland) Act, 1872, for the reference therein to the Debtors Act, 1869.

42 & 43 Vict. c. 49.
35 & 36 Vict. c. 57.
32 & 33 Vict. c. 62.

PART III.

MISCELLANEOUS.

Permanent annual charge for National Debt.

23.—(1) The provisions contained in section thirty-two of the Finance Act, 1923, which relate to the New Sinking Fund (1923) and the annual charges for the National Debt, shall cease to have effect and in lieu thereof the following provisions of this section shall have effect.

(2) There shall be issued out of the Consolidated Fund of the United Kingdom or the growing produce thereof at such times and in such manner as the Treasury may from time to time direct, so, however, that the whole amount to be issued in respect of any financial year shall be issued in that year, the sums following, that is to say:—

In the financial year ending on the thirty-first day of March, nineteen hundred and twenty-nine, the sum of three hundred and sixty-nine million pounds:

In the financial year ending on the thirty-first day of March, nineteen hundred and thirty, and in every subsequent year, the sum of three hundred and fifty-five million pounds.

(3) The sum to be issued as aforesaid in each financial year (in this section referred to as "the permanent annual charge for the National Debt") shall be applied in the first place in meeting the annual charges in respect of that year for the National Debt in respect of interest and management (including expenses incurred in connection with the raising of money or the issue or exchange of securities).

For the purposes of this subsection the expression "interest" includes such part as represents interest of the terminable annuities which would, if the Finance Act, 1923, had not passed, have been payable out of the permanent annual charge under the Sinking Fund Act, 1875, but does not include any interest payable in respect of savings certificates or the interest on any loans raised under any Act passed after the commencement of this Act which does not direct that interest to be paid out of the permanent annual charge for the National Debt.

38 & 39 Vict. c. 45.

(4) The balance in each financial year of the permanent annual charge for the National Debt after meeting the annual charges mentioned in the last preceding subsection shall be issued for the following purposes and in the following order:—

(*a*) In paying such part of the said terminable annuities as represents capital:

(*b*) For providing such sums as are required—

(i) for the purposes of the sinking funds established in pursuance of section two of the War Loan Act, 1919, in connection with the four per cent. Victory Bonds and four per cent. Funding Loan, 1960–1990;

9 & 10 Geo. 5. c. 37.

(ii) for the purposes of the sinking fund established under section forty-five of the Finance Act, 1921, in connection with the three and one-half per cent. Conversion Loan;

11 & 12 Geo. 5. c. 32.

(iii) for the purpose of any undertaking contained in any prospectus to purchase and cancel four per cent. Consolidated Loan;

(iv) for meeting such part of the annual payments due to the Government of the United States of America in respect of the American Loan as represents capital;

(v) for making any payments required to be made to the National Debt Commissioners in pursuance of section three of the War Loan Act, 1919, in respect of Victory Bonds or Funding Loan, 1960–1990, accepted by the Commissioners of Inland Revenue in payment of death duties:

(*c*) In meeting the interest payable in respect of savings certificates:

(*d*) In providing the sums required for the purposes of the Depreciation Fund established under section thirty-two of the Finance Act, 1917:

7 & 8 Geo. 5. c. 31.

(*e*) In the purchasing, redeeming or paying off of any other description of debt charged on the Consolidated Fund, other than advances made by the Bank of England or the Bank of Ireland under section twelve of the Exchequer and Audit Departments Act, 1866, or loans raised under any Act to meet ways and means.

29 & 30 Vict. c. 39.

(5) The balance aforesaid (except such part thereof as may be applied in meeting the interest payable in respect of saving certificates) is in this section referred to as "the New Sinking Fund (1928)" and shall be applied for the purposes specified in subsection (4) of this section within nine months after the date of the issue thereof.

(6) The New Sinking Fund (1928) except such part thereof as, in the opinion of the Treasury, is from time to time required for meeting charges in connection with the redemption of loans repayable outside the United Kingdom, shall be issued to the National Debt Commissioners for the purpose of being applied by them in manner provided by the foregoing provisions of this section, and the provisions of section seven of the Sinking Fund Act, 1875 (which relates to accounts of the new and old sinking funds) shall apply in relation to the new sinking fund established by this section as they apply in relation to the new sinking fund established by that Act, and all securities purchased or redeemed in pursuance of this section, except four pounds per cent. Victory Bonds and four pounds per cent. Funding Loan, 1960–90, purchased by the National Debt Commissioners, and held by them on the account opened under the regulations made in pursuance of subsection (2) of section three of the War Loan Act, 1919, shall be cancelled forthwith in such manner as the Treasury may from time to time direct.

Suspense account.

24.—(1) The Old Sinking Fund for the years ending respectively on the thirty-first day of March, nineteen hundred and twenty-eight, and the thirty-first day of March, nineteen hundred and twenty-nine, shall, instead of being issued to the National Debt Commissioners in accordance with the provisions of section five of the Sinking Fund Act, 1875, be issued from the Consolidated Fund of the United Kingdom or the growing produce thereof at such times as the Treasury direct and carried to an account to be established for the purposes of this section and to be known as "the Rating Relief Suspense Account."

(2) The Treasury may out of revenue during the current financial year pay to the Rating Relief Suspense Account such sums as they think fit, and any amount so

paid shall be deemed to be expenditure within the meaning of sections four and five of the Sinking Fund Act, 1875.

(3) All sums carried to the Rating Relief Suspense Account in accordance with the provisions of this section shall be applied in such manner as Parliament may hereafter determine.

Payment to Exchequer out of unclaimed dividends' account. 33 & 34 Vict. c. 71.

25. The National Debt Commissioners shall, as and when the Treasury request, pay into the Exchequer out of their account of unclaimed dividends under Part VII of the National Debt Act, 1870, sums not exceeding in the whole one million pounds, and may for that purpose sell any stock standing to the credit of that account.

Interest on Victory Bonds or Funding Loan held by National Debt Commissioners not to be paid.

26. The interest from time to time payable to the National Debt Commissioners in respect of any 4 per cent. Victory Bonds or 4 per cent. Funding Loan (1960–1990) held by them on the account opened in pursuance of the regulations made by the Treasury under subsection (2) of section three of the War Loan Act, 1919, shall not be paid, and the sum which under section two of the said Act is required to be set aside at the close of each half-year shall be reduced by an amount equal to the amount of the interest which would but for this section have been payable to the National Debt Commissioners.

Power to make temporary advances to Road Fund.

27.—(1) The Treasury may at any time within any financial year temporarily advance to the Road Fund out of the Consolidated Fund of the United Kingdom or the growing produce thereof such sums, not exceeding in the aggregate the estimated income of the Road Fund for the said year, as may from time to time be required for the purpose of making any payments properly falling to be made out of the Road Fund.

(2) Any sums advanced under this section shall be charged on the Road Fund and repaid thereout to the Exchequer before the end of the said year.

Fines under 17 & 18 Geo. 5. c. 37. to be paid

28. All fines imposed in respect of offences under the Road Transport Lighting Act, 1927, or the regulations made thereunder shall be paid into the Exchequer in the same manner as penalties and forfeitures recovered

under or in pursuance of the Roads Act, 1920, and in accordance with such directions as may be contained with respect to such penalties and forfeitures in any Order in Council for the time being in force under that Act, and any sums paid into the Exchequer under this section shall, for the purposes of section two of the Roads Act, 1920 (which provides for payment out of the Consolidated Fund to the local taxation accounts and to the Road Fund), be deemed to have been paid into the Exchequer under that Act.

into the Exchequer. 10 & 11 Geo. 5. c. 72.

29.—(1) It shall be lawful for the Treasury to borrow, in accordance with the provisions of this section, any sums required for meeting any interest which may from time to time become payable in respect of savings certificates and is not otherwise provided for under this Act.

Power to borrow sums required for meeting interest on savings certificates.

(2) Any sums which the Treasury have power to borrow under this section may be raised in such manner as the Treasury think fit, and for that purpose they may create and issue any securities by means of which any loan has been or may be raised, or such other securities bearing such rate of interest and subject to such conditions as to repayment, redemption or otherwise as they think fit.

(3) The principal and interest of any securities issued under this section and any sums required for defraying any expenses incurred in connection with the raising of those sums shall be charged on the Consolidated Fund of the United Kingdom or the growing produce thereof.

(4) In this Act the expression "savings certificates" means war savings certificates and national savings certificates.

30.—(1) Where any property is held upon trust in accordance with directions which are valid and effective under section nine of the Superannuation and other Trust Funds (Validation) Act, 1927 (which provides for the validation of trust funds for the reduction of the National Debt), any income arising from that property or from any accumulations of any such income and any profits of any description otherwise accruing to the

Exemption from income tax, estate duty and stamp duties in case of trust funds and gifts for reduction of

National Debt. 17 & 18 Geo. 5. c. 41.

property and liable to be accumulated under the trust shall be exempt from income tax.

(2) Where any person gives such directions as are mentioned in the said section nine by any instrument, and the directions take effect during his life and immediately after the making of the instrument, the property directed to be held in accordance with those directions shall be exempt from estate duty, unless the Treasury, within three months after they receive notice of the taking effect of the instrument, disclaim the interest of the National Debt Commissioners under the said directions.

(3) Where an absolute gift of any property is made during the lifetime of the donor to the National Debt Commissioners to be applied by them in reduction of the National Debt, the property shall be exempt from estate duty as from the date when it is transferred to the Commissioners.

(4) Any instrument by which any property is transferred to trustees to be held upon trust in accordance with directions which are valid and effective under the said section nine or by which any property is conveyed by way of absolute gift to the National Debt Commissioners to be applied by them in reduction of the National Debt shall be exempt from stamp duty.

Amendment of s. 55 of 17 & 18 Geo. 5. c. 10.

31. Subsection (1) of section fifty-five of the Finance Act, 1927 (which relates to relief from capital and transfer stamp duty in the case of reconstructions or amalgamations of companies), shall be amended as follows:—

(1) The following shall be substituted for paragraph (A) (ii):—

> (ii) the amount to be credited as paid up on the shares to be issued as such consideration as aforesaid and on the shares, if any, to be issued to creditors of the existing company in consideration of the release of debts (whether secured or unsecured) due or accruing due to them from the existing company or of the assignment of such debts to the transferee company.

(2) In paragraph (B) there shall be inserted after the words "transfer of the undertaking or shares" the words "or on any instrument "made for the purposes of or in connection "with the assignment to the transferee company of any debts, secured or unsecured, "of the existing company."

(3) At the end there shall be inserted the following additional proviso:—

"; and

(c) the foregoing provision with respect to the release and assignment of debts of the existing company shall not, except in the case of debts due to banks or to trade creditors, apply to debts which were incurred less than two years before the proper time for making a claim for exemption under this section."

Extension of s. 114 of Stamp Act, 1891, to stock of certain guaranteed loans. 54 & 55 Vict. c. 39.

32.—(1) Section one hundred and fourteen of the Stamp Act, 1891 (which provides for the payment of a composition for the stamp duty chargeable on transfers of certain colonial stocks), shall extend to any guaranteed stock issued by the Government of any part of His Majesty's dominions outside the United Kingdom or of any territory which is under His Majesty's protection or in respect of which a mandate on behalf of the League of Nations has been accepted by His Majesty.

(2) This section shall, in relation to stock guaranteed by the Treasury in pursuance of the Palestine and East Africa Loans Act, 1926, and issued before the commencement of this Act, have effect as if it had been in force on the date of the issue of the stock. 16 & 17 Geo. 5. c. 62.

"(3) For the purposes of this section the expression "guaranteed stock" means stock, the principal of or interest on which is guaranteed by any Act of the Parliament of the United Kingdom or by the Treasury in pursuance of any such Act.

Amendment of s. 73 of Taxes Management Act, 1880. 43 & 44 Vict. c. 19.

33. Where by virtue of subsection (5) or subsection (8) of section seventy-three of the Taxes Management Act, 1880, the Land Tax Commissioners, or the Commissioners of Inland Revenue respectively, have power to appoint a collector of Land Tax for any area, those Commissioners shall appoint a collector for that area to hold office during their will and pleasure, and

subsection (1) of that section shall have effect as if for the words "in the month of April in each year," there were substituted the words "within a month from the occurrence of a vacancy for a collector," and subsection (8) of that section shall have effect as if—

(*a*) for the words "on or before the thirty-first day of May in any year," there were substituted the words "within two months after the date at which a vacancy has occurred"; and

(*b*) the words "for that and for every subsequent year" were omitted.

Amendment of s. 37 of 7 & 8 Geo. 5. c. 31.

34. Section thirty-seven of the Finance Act, 1917, (which contains provisions for facilitating dealings with Government stock), shall be amended by the insertion at the end thereof of the following paragraph:—

"(*i*) for providing that, in the case of Government stock standing in the name of a stockholder (including a joint stockholder) who is an infant and is domiciled in Scotland, any document requiring to be executed for the purpose of a transfer, or in connection with the receipt or accumulation of dividends or the receipt or re-investment of redemption moneys, shall, subject to the provisions of the regulations, be deemed to be sufficiently executed if executed by such persons and in such manner as would be sufficient under the law of Scotland."

Construction, short title, application and repeal.

39 & 40 Vict. c. 36.

35.—(1) Part I of this Act so far as it relates to duties of customs shall be construed together with the Customs (Consolidation) Act, 1876, and any Acts amending that Act (except that the expression "the United Kingdom" in this Act shall not include the Isle of Man), and the said Part I so far as it relates to duties of excise shall be construed together with the Acts which relate to the duties of excise and to the management of those duties, and the expression "the Commissioners" in the said Part I means the Commissioners of Customs and Excise.

(2) This Act so far as it relates to income tax shall be construed together with the Income Tax Acts.

(3) Any reference in this Act to any enactment shall be construed as a reference to that enactment as amended by any subsequent enactment, including this Act.

(4) This Act may be cited as the Finance Act, 1928.

(5) Such of the provisions of this Act as relate to matters with respect to which the Parliament of Northern Ireland has power to make laws shall not extend to Northern Ireland.

(6) The enactments set out in the Fifth Schedule to this Act are hereby repealed to the extent mentioned in the third column of that Schedule.

SCHEDULES.

FIRST SCHEDULE.

Section 2.

PROVISIONS AS TO DUTY AND DRAWBACK IN CASE OF HYDROCARBON OILS.

1. The provisions of section ninety-eight of the Customs (Consolidation) Act, 1876, which relate to the charging of duty on the quantity of goods ascertained by weight, measure or strength at the time of actual delivery thereof, shall apply to hydrocarbon oils when cleared from a warehouse for home use as they apply to the specially excepted goods mentioned in that section.

2. Subject to compliance with such conditions as to security for the re-exportation of the goods as the Commissioners may impose, the customs duty shall not be chargeable in respect of hydrocarbon oils imported for exportation after transit through the United Kingdom or by way of transhipment.

3. The excise duty shall be recoverable from any person who, on the date when the duty became chargeable, was the owner of the hydrocarbon oils or the person in possession thereof.

4. The Commissioners may, in relation to any goods in respect of which the drawback is payable, relax as they may think fit any provisions contained in the Customs (Consolidation) Act, 1876, or in any enactment amending that Act, with respect to the giving of security or entry before shipment.

5. If any person for the purpose of obtaining any repayment of or rebate in respect of the duties, makes or causes to be made any statement or representation which is untrue in any material particular, he shall be liable at the election of the Commissioners either to a customs penalty equal to treble the value of the goods (including duty), or to a customs penalty of one hundred pounds and the goods in respect of which the offence is committed shall be forfeited.

Section 4.

SECOND SCHEDULE.

SUGAR, &c.

PART I.

DUTIES.

Article.						Full Rate of Customs Duty.		Amount of Preferential Reduction.	
						s.	*d.*	*s.*	*d.*
Sugar which, when tested by the polariscope indicates a polarisation exceeding ninety-nine degrees - - - -					- the cwt.	11	8	5	10
Sugar of a polarisation exceeding ninety-eight but not exceeding ninety-nine degrees					the cwt.	11	8	6	10·8
Sugar of a polarisation not exceeding seventy-six degrees - - - - -					- the cwt.	4	6	2	$0\frac{2}{3}$
Sugar of a polarisation—									
Exceeding	76	and not exceeding		77	- the cwt.	4	7·5	2	1·5
,,	77	,,	,,	78	,,	4	9·3	2	2·3
,,	78	,,	,,	79	,,	4	11·1	2	3·1
,,	79	,,	,,	80	,,	5	0·9	2	4·0
,,	80	,,	,,	81	,,	5	2·7	2	4·8
,,	81	,,	,,	82	,,	5	4·5	2	5·6
,,	82	,,	,,	83	,,	5	6·3	2	6·4
,,	83	,,	,,	84	,,	5	8·3	2	7·3
,,	84	,,	,,	85	,,	5	10·3	2	8·3
,,	85	,,	,,	86	,,	6	0·3	2	9·2
,,	86	,,	,,	87	,,	6	2·3	2	10·1
,,	87	,,	,,	88	,,	6	4·6	2	11·1
,,	88	,,	,,	89	,,	6	6·8	3	0·2
,,	89	,,	,,	90	,,	6	9·5	3	1·4
,,	90	,,	,,	91	,,	7	0·2	3	2·6
,,	91	,,	,,	92	,,	7	2·9	3	3·9
,,	92	,,	,,	93	,,	7	5·6	3	5·1
,,	93	,,	,,	94	,,	7	8·2	3	6·3
,,	94	,,	,,	95	,,	7	10·9	3	7·6
,,	95	,,	,,	96	,,	8	1·6	3	8·8
,,	96	,,	,,	97	,,	8	4·3	3	10·0
,,	97	,,	,,	98	,,	8	7·0	3	11·3

2ND SCH. —*cont.*

Article.	Full Rate of Customs Duty.		Amount of Preferential Reduction.	
	s.	*d.*	*s.*	*d.*
Molasses (except when delivered to a licensed distiller for use in the manufacture of spirits or yeast, or to a person for use in the manufacture of yeast in premises used solely for that purpose) :—				
If containing 70 per cent. or more of sweetening matter - - - the cwt.	7	5	3	8½
If containing less than 70 per cent. and more than 50 per cent. of sweetening matter - - - - - the cwt.	5	4	2	8
If containing not more than 50 per cent. of sweetening matter - - the cwt.	2	7	1	3½
Glucose :				
Solid - - - - - the cwt.	7	5	3	8½
Liquid - - - - - ,,	5	4	2	8
Saccharin (including substances of a like nature or use) - - - the oz.	3	9	1	10½

PART II.

A.—DRAWBACKS.

Drawback shall be payable in the following cases :—

1. On the export or on the shipment, or deposit in a bonded warehouse, for use as ships' stores of any sugar, molasses, glucose, or saccharin produced in the United Kingdom or on the deposit in a bonded warehouse for export of sugar or molasses produced in the United Kingdom.

2. On the quantity of sugar, molasses or glucose (wherever produced) used in the brewing of beer which is deposited in a bonded warehouse for export.

3. On the quantity of sugar, molasses, glucose, or saccharin (wherever produced) which appears to the satisfaction of the Treasury to have been used in the manufacture or preparation in the United Kingdom of goods (other than beer) exported or shipped or deposited in a bonded warehouse for use as ships' stores.

2ND SCH. — *cont.*

4. On molasses produced in the United Kingdom which is delivered to a licensed distiller for use in the manufacture of spirits or yeast, or to a person for use in the manufacture of yeast in premises used solely for that purpose.

5. On the deposit of sugar or glucose produced in the United Kingdom in a warehouse approved by the Commissioners under section two of the Manufactured Tobacco Act, 1863, for the manufacture of cavendish or negrohead.

26 & 27 Vict. c. 7.

AMOUNT OR RATE OF DRAWBACK.

1. In the case of sugar produced in the United Kingdom from material on which duty has been paid, drawback shall be paid in accordance with the scale set out in Table 1 in this Part of this Schedule..

2. In the case of molasses produced in the United Kingdom from material on which duty has been paid, drawback shall be paid in accordance with the scale set out in Table 2 in this Part of this Schedule.

3. In the case of imported molasses on which duty has been paid, the drawback shall be an amount equal to the duty chargeable on the importation of the like goods.

4. In any other case, the drawback shall be an amount equal to the duty paid.

TABLE 1.

SCALE APPLICABLE IN CASE OF SUGAR.

Nature of Sugar.	Degree of Polarisation.	Rate or Amount of Drawback.
Sugar produced from material on which the full duties of customs have been paid.	Of a polarisation exceeding 98°.	Where the rate of duty paid was 11*s.* 8*d.* the cwt. a drawback at the rate of 11*s.* 8*d.* the cwt. Where a rate of duty less than 11*s.* 8*d.* the cwt. was paid, a drawback at the rate of 9*s.* 4*d.* the cwt.
	Of a polarisation not exceeding 98°.	A drawback equal to the duty chargeable on sugar of the like polarisation.

Nature of Sugar.	Degree of Polarisation.	Rate of Amount of Drawback.
Sugar produced from material on which a preferential rate of customs duty or an excise duty has been paid.	Of a polarisation exceeding 99°.	Where the rate of duty paid was 5*s*. 10*d*. the cwt.; a drawback at the rate of 5*s*. 10*d*. the cwt. Where a rate of duty less than 5*s*. 10*d*. the cwt. was paid, a drawback at the rate of 5*s*. $0\frac{2}{3}$*d*. the cwt.
	Of a polarisation not exceeding 99°.	A drawback equal to the duty chargeable on sugar of the like polarisation.

TABLE 2.

SCALE APPLICABLE IN CASE OF MOLASSES.

Nature of Molasses.	Amount of Drawback.	
	Produced from Material on which the full Customs Duty has been paid.	Produced from Material on which Customs Duty at a Preferential Rate or Excise Duty has been paid.
	s. *d*.	*s* *d*.
If containing not more than 50 per cent. of sweetening matter and weighing not less than fourteen pounds to the gallon - - - the cwt.	2 3	1 $2\frac{1}{2}$
If containing more than 50 per cent. but not more than 60 per cent. of sweetening matter - - - the cwt.	3 $4\frac{1}{2}$	1 $9\frac{1}{2}$
If containing more than 60 per cent. but not more than 70 per cent. of sweetening matter - - - the cwt.	4 6	2 5
If containing more than 70 per cent. but not more than 80 per cent. of sweetening matter - - - the cwt.	6 2	3 4
If containing more than 80 per cent. of sweetening matter the cwt	7 0	3 $9\frac{1}{2}$

2ND SCH. —*cont.*

B. ALLOWANCES ON MOLASSES.

Allowances shall be made in respect of molasses produced in the United Kingdom and used solely for the purpose of food for stock in accordance with the following provisions:—

Nature of Molasses.	*Amount of Allowance.*
(1) Molasses produced from material on which duty has been paid.	An amount equal to the drawback payable on the exportation of the like article.
(2) Molasses on which an excise duty has been paid.	An amount equal to the duty paid.

PART III.

PROVISIONS AS TO DUTIES, DRAWBACKS AND ALLOWANCES.

1. The charge of a specified amount of duty, or the grant of a specified amount of drawback or allowance, in respect of a specific weight of any article includes a proportionately less duty or drawback or allowance, as the case may be, in respect of any less weight of that article.

2. Molasses imported into, or produced in bond in, the United Kingdom shall not be liable to duty if it is used solely for the purpose of food for stock and the prescribed conditions are complied with in respect thereof.

3. No excise duty shall be charged on sugar or molasses made from material on which the proper duty of customs or excise has been paid.

4. The Commissioners may make regulations prohibiting the manufacture of sugar except by persons holding a licence and having made entry for the purpose, and for fixing the date of expiration of the licence, and with a view to securing and collecting the excise duties imposed on sugar and molasses, and to verifying claims for drawback, allowance or subsidy, may make regulations regulating the manufacture of sugar, the use of molasses in a licensed sugar manufactory in the manufacturing of feeding stuffs for stock, and the warehousing and removal from the manufactory of sugar and molasses and may by those regulations apply to the excise duties and drawbacks on sugar and to manufacturers of sugar any enactments relating to any duty or drawback of excise or customs and to persons carrying on any trade subject to the law of excise.

The powers given to the Commissioners by this provision shall be in addition to and not in derogation of any powers given to them under the Finance Act, 1901, or any other Act.

5. The regulations made under paragraph 4 of this Part of this Schedule shall not require a person who holds a licence under section five of the Finance Act, 1901, to take out a licence under the regulations as a manufacturer of sugar, nor shall a licence under that section be required for the manufacture of invert sugar so far as that manufacture is incidental to, and carried on on the same premises as, the manufacture of sugar by a person licensed to manufacture sugar in pursuance of regulations made under this Part of this Schedule.

6. The drawback in respect of sugar, molasses and glucose used in the brewing of beer, the drawback in respect of sugar or glucose deposited in an approved warehouse, the drawback on molasses for use in the manufacture of spirits or yeast, and the allowances on molasses shall only be allowed and paid subject to compliance with the prescribed conditions.

7. The Commissioners in allowing drawback in respect of any manufactured or prepared goods may relax, as they think fit, any requirements of the Customs Consolidation Act, 1876, as to the giving of security or entry before shipment.

8. If any person acts in contravention of or fails to comply with any regulations made by the Commissioners or any prescribed condition, or any condition imposed by the Commissioners under the provisions of any previous Act in relation to the use of molasses solely as food for stock, he shall, for each offence, be liable to a customs penalty or an excise penalty, as the case may be, of fifty pounds, and the article in respect of which the offence is committed shall be forfeited.

9.—(1) In this Schedule, unless the context otherwise requires—

The expression "duty" means the duty of customs or the duty of excise, as the case may be, chargeable in respect of sugar, molasses, glucose or saccharin, as the case may be;

The expression "duty-paid" in relation to any goods means goods in respect of which the Commissioners have been satisfied that duty has been paid;

The expression "prescribed conditions" means such conditions for the protection of the revenue in respect of proof or security or otherwise as the Commissioners may prescribe;

The expression "molasses" includes invert sugar and all other sugar and extracts from sugar which cannot be completely tested by the polariscope and on which duty is not specifically charged by reference to the provisions of Part I of this Schedule as to sugar or glucose.

2ND SCH. —*cont.*

(2) For the purposes of this Schedule the amount of sweetening matter in molasses shall be taken to be the total amount of cane, invert and other sugar contained therein as determined by analysis in manner prescribed by the Commissioners.

Section 12.

THIRD SCHEDULE.

AMENDED RATES OF DUTY IN THE CASE OF CERTAIN MECHANICALLY PROPELLED VEHICLES.

Paragraph to be substituted for paragraph 3 of the Second Schedule to the Finance Act, 1920.

3. Vehicles, being hackney carriages as defined in section four of the Customs and Inland Revenue Act, 1888 :—

Tramcars	£0 15 0

Other vehicles having a seating capacity for—	Vehicles fitted entirely with pneumatic tyres. £	s.	d.	Other Vehicles. £	s.	d.
Not more than 4 persons	10	0	0	10	0	0
More than 4 but not more than 8 persons	12	0	0	12	0	0
do. 8 do. 14	24	0	0	30	0	0
do. 14 do. 20	36	0	0	45	0	0
do. 20 do. 26	48	0	0	60	0	0
do. 26 do. 32	57	12	0	72	0	0
do. 32 do. 40	67	4	0	84	0	0
do. 40 do. 48	76	16	0	96	0	0
do. 48 do. 56	86	8	0	108	0	0
do. 56 do. 64	96	0	0	120	0	0
do. 64 persons	96	0	0	120	0	0
With an additional duty for each person in excess of 64 persons	1	4	0	1	10	0

For the purposes of this paragraph the number of persons mentioned does not include the driver of the vehicle and the seating capacity of a vehicle shall be determined in accordance with provisions made by regulations under section twelve of the Roads Act, 1920.

In this paragraph and paragraph five of this schedule, the expression "pneumatic tyres" means such tyres as may be declared by regulations made under the said section twelve to be pneumatic tyres within the meaning of this paragraph and the said paragraph five.

3RD SCH. —*cont.*

Paragraph to be substituted for paragraph 5 of the Second Schedule to the Finance Act, 1920.

5. Vehicles, including tricycles weighing more than 8 cwt. unladen, constructed or adapted for use and used for the conveyance of goods or burden of any description, whether in the course of trade or otherwise—

	Vehicles fitted entirely with pneumatic tyres.			Other Vehicles.		
	£	*s.*	*d.*	£	*s.*	*d.*
(*a*) Being vehicles which are electrically-propelled—						
Not exceeding 25 cwt. in weight unladen -	6	0	0	6	0	0
Exceeding 25 cwt. but not exceeding 2 tons in weight unladen - - - - - -	13	0	0	13	0	0
Exceeding 2 tons but not exceeding 3 tons in weight unladen - - - - - -	16	0	0	20	0	0
Exceeding 3 tons but not exceeding 4 tons in weight unladen - - - - - -	19	4	0	24	0	0
Exceeding 4 tons but not exceeding 5 tons in weight unladen - - - - - -	21	12	0	27	0	0
Exceeding 5 tons in weight unladen - -	24	0	0	30	0	0
With an additional duty, in any case, if used for drawing a trailer, of - - - - -	6	0	0	6	0	0
(*b*) Being vehicles registered under the Roads Act, 1920, in the name of a person following the business of a travelling showman, which are permanently fitted with a living van or some other special type of body or superstructure, forming part of the equipment of his show, and used solely by him for the purpose of his business, and for no other purpose—						
Not exceeding 12 cwt. in weight unladen -	10	0	0	10	0	0
Exceeding 12 cwt. but not exceeding 1 ton in weight unladen - - - - - -	15	0	0	15	0	0
Exceeding 1 ton but not exceeding 2 tons in weight unladen - - - - - -	20	0	0	20	0	0
Exceeding 2 tons but not exceeding 3 tons in weight unladen - - - - - -	20	0	0	25	0	0
Exceeding 3 tons but not exceeding 4 tons in weight unladen - - - - - -	22	8	0	28	0	0
Exceeding 4 tons in weight unladen - -	24	0	0	30	0	0
With an additional duty, in any case, if used for drawing a trailer, of - - - - -	6	0	0	6	0	0

3RD SCH. —*cont.*

	Vehicles fitted entirely with pneumatic tyres.			Other Vehicles.		
	£	*s.*	*d.*	£	*s.*	*d.*
(*c*) Being vehicles registered under the Roads Act, 1920, in the name of a person engaged in agriculture and used solely by that person for the purpose of the conveyance of the produce of, or of articles required for the purposes of, the agricultural land which he occupies, and for no other purpose :—						
Not exceeding 12 cwt. in weight unladen -	10	0	0	10	0	0
Exceeding 12 cwt. but not exceeding 1 ton in weight unladen - - - - - -	15	0	0	15	0	0
Exceeding 1 ton but not exceeding 2 tons in weight unladen - - - - - - -	20	0	0	20	0	0
Exceeding 2 tons in weight unladen - -	20	0	0	25	0	0
(*d*) Being vehicles other than vehicles chargeable with duty under the foregoing provisions of this paragraph :—						
Not exceeding 12 cwt. in weight unladen -	10	0	0	10	0	0
Exceeding 12 cwt. but not exceeding 1 ton in weight unladen - - - - - -	15	0	0	15	0	0
Exceeding 1 ton but not exceeding 1½ tons in weight unladen - - - - - -	20	0	0	20	0	0
Exceeding 1½ tons but not exceeding 2 tons in weight unladen - - - - - -	25	0	0	25	0	0
Exceeding 2 tons but not exceeding 3 tons in weight unladen - - - - - - -	32	0	0	40	0	0
Exceeding 3 tons but not exceeding 4 tons in weight unladen - - - - - - -	38	8	0	48	0	0
Exceeding 4 tons but not exceeding 5 tons in weight unladen - - - - - - -	43	4	0	54	0	0
Exceeding 5 tons in weight unladen - -	48	0	0	60	0	0
With an additional duty, in any case, if used for drawing a trailer, of - - - - -	6	0	0	6	0	0

For the purposes of the foregoing paragraph (*c*), a vehicle registered under the Roads Act, 1920, in the name of a person engaged in agriculture shall not be deemed to be used otherwise than solely by that person for the purpose of the conveyance of the produce of, or of articles required for the purposes of, the agricultural land which he occupies by reason only that on an occasion when the vehicle is being used by that person for that purpose it is also used for the conveyance for some other person engaged in agriculture of the produce of, or articles required for

the purposes of, agricultural land occupied by that other person if it is shown— 3RD SCH. —*cont.*

(*a*) that the vehicle is so used only occasionally;

(*b*) that the goods conveyed for that other person represent only a small proportion of the total amount of goods which the vehicle is conveying on that occasion;

(*c*) that no payment or reward of any kind is, or is agreed to be, made or given for the conveyance of the goods of that other person.

FOURTH SCHEDULE.

Section 21.

AGREEMENT MADE THE 25TH DAY OF APRIL, 1928, BETWEEN THE BRITISH GOVERNMENT AND THE GOVERNMENT OF THE IRISH FREE STATE AMENDING THE AGREEMENT MADE ON THE 14TH DAY OF APRIL, 1926, BETWEEN THE SAID GOVERNMENTS IN RESPECT OF DOUBLE INCOME TAX.

With a view to making such alterations in the Agreement made the 14th April 1926, between the British Government and the Government of the Irish Free State in respect of Double Income Tax as may be necessary in consequence of the alterations in the British Income Tax Acts effected by the British Finance Act, 1927, and of the alterations contemplated in the Irish Free State Income Tax Acts, it is hereby agreed between the said Governments that the said Agreement shall be amended as follows:—

1.—(*a*) In Article 1 (*a*) of the said Agreement the words "British income tax" shall as respects the year 1928–29 and any subsequent year be construed as meaning British income tax charged or chargeable at the standard rate and the expression "British super-tax" shall for the year 1928–29 include British sur-tax and shall for subsequent years mean British sur-tax.

(*b*) In Article 1 (*b*) of the said Agreement the expression "Irish Free State super-tax" shall for the year 1928–29 include Irish Free State sur-tax and shall for subsequent years mean Irish Free State sur-tax.

2. The following Article shall be substituted for Article 2 of the said Agreement:—

2.—(1) Relief from double taxation in respect of income tax (including sur-tax) in the case of any person who is resident both in Great Britain or Northern Ireland and in the Irish Free State

4TH SCH. —*cont.*

shall be allowed from British income tax and Irish Free State tax respectively in accordance with and under the provisions of Section 27 of the Finance Act, 1920, provided that

(*a*) the rate of relief to be allowed from British income tax shall be one half of that person's appropriate rate of British income tax or one half of his appropriate rate of Irish Free State tax, whichever is the lower,

(*b*) the rate of relief to be allowed from Irish Free State tax shall be one half of that person's appropriate rate of British income tax or one half of his appropriate rate of Irish Free State tax, whichever is the lower,

(*c*) the appropriate rate of British income tax for any year shall in the case of a person whose income is chargeable to British income tax at the standard rate only be a rate ascertained by dividing the amount of tax payable by him for that year in respect of his total income (before deduction of any relief granted in respect of life assurance premiums or any relief granted under the provisions of Section 27 of the Finance Act, 1920, as amended by this Article) by the amount of his total income, and shall in the case of a person part of whose total income is chargeable to British income tax at a rate or rates in excess of the standard rate be the sum of the following rates :—

(i) the rate which would have been the appropriate rate in the case of that person if his income had been chargeable at the standard rate only, and

(ii) the rate ascertained by dividing the amount of the British sur-tax payable by that person for that year by the amount of his total income for that year,

(*d*) the appropriate rate of Irish Free State tax for any year shall in the case of a person whose income is chargeable in the Irish Free State to income tax only be a rate ascertained by dividing the amount of tax payable by him for that year in respect of his total income (before deduction of any relief granted in respect of life assurance premiums or any relief granted under the provisions of Section 27 of the Finance Act, 1920, as amended by this Article) by the amount of his total income, and shall in the case of a person whose income is chargeable to Irish Free State sur-tax be the sum of the following rates :—

(i) the rate which would have been the appropriate rate in the case of that person if his income had been chargeable to income tax only, and

4TH SCH. —*cont.*

(ii) the rate ascertained by dividing the amount of the Irish Free State sur-tax payable by that person for that year by the amount of his total income for that year;

(*e*) relief under this Article from British income tax allowable to any person for any year shall be given as to such an amount as would be due if his income for the year were chargeable to British income tax at the standard rate only and to Irish Free State income tax only by repayment of or set off against the tax at the standard rate payable by him for that year, and as to any balance by repayment of or set off against any British sur-tax payable by him for that year;

(*f*) relief under this Article from Irish Free State tax allowable to any person for any year shall be given as to such an amount as would be due if his income for the year were chargeable to British income tax at the standard rate only and to Irish Free State income tax only by repayment of or set off against the income tax payable by him for that year, and as to any balance by repayment of or set off against any Irish Free State sur-tax payable by him for that year.

(2) Relief from double taxation to super-tax for the year 1928–29 in the case of any person who is resident both in Great Britain or Northern Ireland and in the Irish Free State shall be allowed, in accordance with and under the provisions of Section 27 of the Finance Act, 1920, so far as applicable, from British super-tax for that year and Irish Free State super-tax for that year respectively at one half of the lower of the two following rates:—

(*a*) that person's rate of British super-tax for the year 1928–29 ascertained by dividing the amount of the super-tax payable by him for that year by the amount of his total income from all sources for that year as estimated for super-tax purposes,

(*b*) that person's rate of Irish Free State super-tax for the year 1928–29 ascertained by dividing the amount of the super-tax payable by him for that year by the amount of his total income from all sources for that year as estimated for super-tax purposes.

(3) For the purposes of this Article references to Section 27 of the Finance Act, 1920, shall in relation to British taxation be construed as references to that section subject to the amendments thereof effected by the British Finance Act, 1927, other than the amendment of the said section numbered (iv) in Part II of the Fifth Schedule to the said Act of 1927.

3. This Agreement shall be subject to confirmation by the British Parliament and by the Oireachtas of the Irish Free State

4TH SCH. —*cont.*

and shall have effect only if and so long as legislation confirming the Agreement is in force both in Great Britain and Northern Ireland and in the Irish Free State.

Dated this 25th day of April, nineteen hundred and twenty-eight.

EARNÁN DE BLAGHD,
Minister for Finance, Saorstat Eireann.

WINSTON S. CHURCHILL,
Chancellor of the Exchequer.

Section 35.

FIFTH SCHEDULE.

ENACTMENTS REPEALED.

Session and Chapter.	Short Title.	Extent of Repeal.
43 & 44 Vict. c. 19.	The Taxes Management Act, 1880.	Subsections (9) and (10) of section seventy-three.
9 Edw. 7. c. 43 -	The Revenue Act, 1909.	Section six.
5 & 6 Geo. 5. c. 7	The Finance Act, 1914 (Session 2).	Section six.
5 & 6 Geo. 5. c. 89	The Finance (No. 2) Act, 1915.	Part III. of the First Schedule.
13 & 14 Geo. 5. c. 14.	The Finance Act, 1923.	Section ten; subsection (5) of section twenty-eight; section thirty-two.
14 & 15 Geo. 5. c. 21.	The Finance Act, 1924.	Section fifteen.
16 & 17 Geo. 5. c. 22.	The Finance Act, 1926.	In the First Schedule the words from "3. Vehicles" to "Roads Act, 1920," and the words from "5. Vehicles" to the end of the Schedule.
17 & 18 Geo. 5. c. 10.	The Finance Act, 1927.	In the Fourth Schedule the words from "Amendments to be made in paragraph 5" to the end of the Schedule.
17 & 18 Geo. 5. c. 37.	The Road Transport Lighting Act, 1927.	Section thirteen.