CHAPTER 48.

An Act to increase certain duties of customs and excise; to increase the standard rate of income tax for the year 1940–41 and the higher rates of income tax for the year 1939–40; to make certain amendments in the enactments relating to income tax, national defence contribution and excess profits tax; to increase the rates of estate duty; to impose a purchase tax; and for purposes connected with the matters aforesaid.

[22nd August 1940.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal subjects the Commons of the United Kingdom 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.

Beer. 2 & 3 Geo. 6. c. 109.

1.—(1) Section one of the Finance (No. 2) Act, 1939, (which imposes duties of excise and customs in respect of beer) shall have effect as if Parts I, III and IV of the

PART I. —*cont.*

First Schedule to this Act were respectively substituted for Parts I, III and IV of the First Schedule to that Act.

(2) In the case of beer in respect of which it is shown to the satisfaction of the Commissioners that the increased duty chargeable by virtue of this section has been paid, the provisions of the said section one relating to drawback shall have effect as if Parts II, V and VI of the First Schedule to this Act were respectively substituted for Parts II, V and VI of the First Schedule to the Finance (No. 2) Act, 1939.

43 & 44 Vict. c. 20.

(3) The proviso to section sixteen of the Inland Revenue Act, 1880 (which provides that the time for payment of the excise duty on beer shall not be later than the fifteenth day of the month succeeding the month in which the duty was charged) shall have effect as if the words "twenty-fifth day" were substituted for the words "fifteenth day".

(4) This section shall be deemed to have had effect as from the twenty-fourth day of July, nineteen hundred and forty.

Wines.

2.—(1) Section three of the Finance (No. 2) Act, 1939, (which imposes duties of customs on wines) shall have effect as if Part I and Part II of the Second Schedule to this Act were respectively substituted for Part I and Part II of the Third Schedule to that Act.

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

Sweets. 17 & 18 Geo. 5. c. 10.

3.—(1) The duty of excise on sweets charged under section six of the Finance Act, 1927, shall—

(*a*) in the case of sparkling sweets, be at the rate of eleven shillings and sixpence instead of nine shillings and sixpence per gallon; and

(*b*) in the case of other sweets, be at the rate of five shillings and sixpence instead of three shillings and sixpence per gallon.

(2) Where duty becomes chargeable on any sweets at the rate applicable to sparkling sweets, and it is shown to the satisfaction of the Commissioners that duty has already been paid thereon at the rate applicable to other sweets, the duty so chargeable shall be reduced by the amount of the duty so paid.

PART I. —*cont.*

(3) This section shall be deemed to have had effect as from the twenty-fourth day of July, nineteen hundred and forty.

Tobacco. 3 & 4 Geo. 6. c. 29. 9 & 10 Geo. 5. c. 32.

4.—(1) In lieu of the duties of customs charged on tobacco under section three of the Finance Act, 1940, there shall, subject to the provisions of section eight of the Finance Act, 1919, be charged on tobacco imported into the United Kingdom of the descriptions set out in the first column of Part I of the Third Schedule to this Act duties of customs at the rates respectively specified in the second column of that Part of that Schedule.

(2) In lieu of the duties of excise charged on tobacco under the said section three, there shall be charged on tobacco grown in the United Kingdom of the descriptions set out in the first column of Part II of the Third Schedule to this Act duties of excise at the rates respectively specified in the second column of that Part of that Schedule.

(3) The drawback allowed under section one of the Manufactured Tobacco Act, 1863, on tobacco exported from the United Kingdom or deposited in a bonded or King's warehouse shall, in cases where it is shown that the duties charged under this section have been paid, be allowed at the rates set out in Part III of the Third Schedule to this Act instead of at the rates set out in Part III of the Third Schedule to the Finance Act, 1940, but subject to the provisions affecting allowance of drawback contained in the Schedule to the Finance Act, 1904. 26 & 27 Vict. c. 7. 4 Edw. 7. c. 7.

(4) This section shall be deemed to have had effect as from the twenty-fourth day of July, nineteen hundred and forty.

Entertainments. 6 & 7 Geo. 5. c. 11.

5. As respects payments for admission to entertainments held on or after the sixth day of October, nineteen hundred and forty, entertainments duty within the meaning of the Finance (New Duties) Act, 1916, shall be charged—

(*a*) in the case of entertainments chargeable at reduced rates by virtue of subsection (3) of section one of the Finance Act, 1935 (which relates to stage plays, &c.), at the rates set out in Part I of the Fourth Schedule to this Act; and 25 & 26 Geo. 5. c. 24.

(*b*) in the case of other entertainments, at the rates set out in Part II of that Schedule.

PART II.

INCOME TAX.

Increase in standard rate.

6.—(1) The standard rate of income tax for the year 1940–41 shall be eight shillings and sixpence in the pound, instead of seven shillings and sixpence in the pound as provided by subsection (1) of section eleven of the Finance Act, 1940.

(2) It is hereby declared that any deductions of tax made before the passing of this Act by reference to a rate of eight shillings and sixpence in the pound are to be treated for all purposes (including all the purposes of any legal proceedings instituted before the passing of this Act) as having been made by reference to the proper rate; but this section shall not invalidate anything done before the passing of this Act or render improper any deduction in respect of income tax made before the first day of September, nineteen hundred and forty, which would have been a proper deduction if this Act had not passed.

(3) The provisions of the Fifth Schedule to this Act shall have effect for the purposes of and in connection with the change of the standard rate of income tax made by this section.

Sur-tax (increased rates).

7.—(1) Income tax for the year 1939–40 in respect of the excess of the total income of an individual over two thousand pounds shall, instead of being charged at the rates mentioned in section twelve of the Finance Act, 1940, be charged at rates in the pound which respectively exceed the standard rate by the amounts specified in the second column of the following Table :—

TABLE.

For every pound of—	*s.*	*d.*
the first five hundred pounds of the excess	2	0
the next five hundred pounds of the excess	2	3
the next one thousand pounds of the excess	3	3
the next one thousand pounds of the excess	4	3
the next one thousand pounds of the excess	5	0
the next two thousand pounds of the excess	5	9
the next two thousand pounds of the excess	7	0
the next five thousand pounds of the excess	8	3
the next five thousand pounds of the excess	9	0
the remainder of the excess - - -	9	6

PART II. —*cont.*

(2) The amount payable by virtue of any assessment in respect of surtax for the year 1939–40 made before the passing of this Act shall, by virtue of this Act and without more, be treated as varied so as to accord with the provisions of subsection (1) of this section.

Alteration of certain reliefs.

8.—(1) Subsection (2) of section forty of the Finance Act, 1927 (which, as amended by section nine of the Finance (No. 2) Act, 1939, provides for the reduction of the tax remaining chargeable after the allowance of other reliefs by a sum equal to one half the amount so remaining chargeable or one half the tax on one hundred and sixty-five pounds, whichever is the less) shall have effect as if for the words " one half ", in both places where they occur, there were substituted the words " seven seventeenths ".

15 & 16 Geo. 5. c. 36.

(2) Subsection (2) of section fifteen of the Finance Act, 1925 (which, as amended by the said section nine, provides that where an individual or his wife is of the age of sixty-five years or upwards and his total income exceeds five hundred pounds, the tax payable by him shall not exceed a sum equal to the aggregate of the amount of tax which would have been payable if his total income had amounted to but had not exceeded five hundred pounds and one half of the amount by which his total income exceeds five hundred pounds) shall have effect as if for the words " one half " there were substituted the words " three quarters ".

(3) Subsection (2) of section nineteen of the Finance Act, 1935 (which, as amended by the said section nine, provides that the tax payable by an individual whose total income is less than one hundred and forty pounds shall not exceed three eighths of the amount by which his total income exceeds one hundred and twenty pounds) shall have effect as if for the words " three eighths " there were substituted the words " one half ".

(4) The amendments made by this section shall have effect as respects the year 1940–41 and subsequent years.

Provisions as respects life insurance. 8 & 9 Geo. 5. c. 40.

9.—(1) As respects the year 1940–41, and any subsequent year for which the standard rate of income tax exceeds seven shillings in the pound, section thirty-two of the Income Tax Act, 1918 (which relates to relief in respect of life insurance premiums) shall have effect,

PART II. —*cont.*
22 & 23 Geo. 5. c. 25.

in relation to premiums paid for any such insurance or contract as is mentioned in paragraph (*a*) of subsection (1) of that section or section twenty of the Finance Act, 1932, as if the standard rate were seven shillings in the pound.

(2) As respects the year 1940–41 and subsequent years, no allowance shall be made under the said section thirty-two in respect of the amount, if any, by which the premiums or other sums in respect of which relief is claimed exceed the claimant's taxable income, that is to say, his total income less any amount on which he is, by virtue of subsection (1) of section forty of the Finance Act, 1927, entitled to relief by way of a deduction of tax.

(3) Where an assurance company carrying on life assurance business claims and proves to the satisfaction of the Commissioners of Inland Revenue that it has for the year 1940–41, or any subsequent year for which the standard rate of income tax exceeds seven shillings and sixpence in the pound, borne tax by deduction or otherwise in respect of income from investments held in connection with its life assurance business, the company shall be entitled to repayment of so much of the tax borne by it for the year in question as is equal to the amount by which—

(*a*) the tax borne by the company for that year in respect of such part of that income as, in the opinion of those Commissioners, belongs to, or is allocated to or reserved for, or expended on behalf of, policy holders;

exceeds—

(*b*) the tax which would have been so borne in respect of that part of that income if the standard rate of income tax for that year had been seven shillings and sixpence in the pound.

(4) For the purpose of the last foregoing subsection, the amount of tax which has been or would be borne by a company shall be taken to be the amount of tax which has been or would be so borne after the allowance of any relief to which the company is or would be entitled otherwise than under that subsection.

Consequential provisions

10. Where relief from income tax for the year 1940–41 has been given to any individual and the amount thereof is incorrect by reason of any amendment of the

Income Tax Acts made by the foregoing provisions of this Part of this Act then— PART II. —*cont.* as respects reliefs.

(*a*) if the relief was given by reduction of the amount of tax payable under an assessment made on that individual before the passing of this Act, the amount of tax payable shall, by virtue of this Act and without more, be treated as varied so as to give effect to that amendment; and

(*b*) if the relief was given otherwise than as aforesaid, any amount of relief so given in excess may, if not otherwise made good, be assessed under Case VI of Schedule D and recovered from that individual accordingly.

Assessment and collection of tax under Schedule E.

11.—(1) The Commissioners of Inland Revenue may by regulations make provision for the assessment and collection of tax chargeable under Schedule E, including in particular provision for requiring employers and other persons to deduct any tax so chargeable from any payments made by them (being payments of or on account of income which is chargeable with tax under that Schedule), and for making them accountable for any tax which they are so required to deduct; and any such regulations shall have effect notwithstanding anything in the Income Tax Acts:

Provided that the said regulations shall not affect the powers or duties of the general or other commissioners as respects the signing, allowance or rectification of assessments or determination of appeals.

(2) If any person fails to comply with any provision of the said regulations requiring him to furnish a return or other information, he shall be liable to a penalty not exceeding fifty pounds and, after judgment has been given for that penalty, to a further penalty of the like amount for every day during which the failure continues.

(3) Proceedings in England for the summary recovery as a civil debt of any tax charged under Schedule E may be brought at any time within one year from the time when the matter complained of arose.

Disallowance of certain payments in respect of war risks for

12.—(1) In computing the amount of the profits or gains of any person for any purpose of the Income Tax Acts for the year 1940–41 or any subsequent year, no sum shall be deducted in respect of any payment made by him to which this section applies.

PART II. —*cont.* income tax purposes.

(2) No payment to which this section applies shall be included in computing—

(*a*) the expenses of management in respect of which relief may be claimed for any such year under section thirty-three of the Income Tax Act, 1918, (which relates to life assurance companies and others); or

(*b*) the cost of maintenance, repairs, insurance and management in respect of which relief may be claimed for any such year under Rule 8 of No. V of Schedule A.

(3) This section applies to any payment made by any person under any contract or arrangement under which that person is, in the event of war damage, entitled or eligible, either absolutely or conditionally, to or for any form of indemnification, whether total or partial, and whether by way of a money payment or not, in respect of that war damage:

Provided that—

(*a*) where the payment is made in respect of the right or eligibility aforesaid and also in respect of other matters, the deduction or inclusion of so much of the payment as is properly attributable to the other matters shall not be disallowed by virtue only of subsection (1) or subsection (2) of this section; and

(*b*) this section shall not apply to any payment made under—

2 & 3 Geo. 6. c. 57.

(i) any policy of insurance issued under Part II of the War Risks Insurance Act, 1939, or any similar enactment in force in any country outside the United Kingdom; or

(ii) any contract of marine insurance, or any contract of insurance of an aircraft, or any contract of insurance of goods in transit.

(4) In this section the expression "war damage" means loss or damage arising from action taken by an enemy of His Majesty, or action taken in combating such an enemy or in repelling an imagined attack by such

an enemy, or action taken in anticipation or in consequence of an attack by such an enemy. PART II. —*cont.*

PART III.

EXCESS PROFITS TAX AND NATIONAL DEFENCE CONTRIBUTION.

Special provisions as to mines, oil wells, &c.

13.—(1) Upon an application made with respect to any class of trades or businesses consisting in the getting of minerals or oil from any mine, oil well or similar natural source of a wasting nature, the Board of Referees may by order direct that in relation to trades or businesses of that class the references in section twenty-seven of the Finance Act, 1940, to six per cent. and eight per cent. and the references in subsection (9) of section thirteen of the Finance (No. 2) Act, 1939, to eight per cent. and ten per cent. shall be construed as if they were references to six, eight, or ten per cent., as the case may be, increased to such extent as may be specified in the order:

Provided that the Board—

(*a*) shall increase the said percentages only so far as they think necessary to allow for the consideration that, by reason of the wasting nature of the natural source in question, the benefit of capital expenditure incurred by the persons carrying on such trades or businesses may be exhausted at a greater rate than in the case of other classes of trades or businesses;

(*b*) shall not in any case increase the said percentages by more than a further four per cent.

(2) Where any such order has been made with respect to trades or businesses of any class, then, in the case of a trade or business part only of which falls within that class, the increased percentages shall be applicable to such extent as may be just, having regard to the extent to which the trade or business falls within that class.

(3) The powers of the Commissioners and the Board of Referees under section twenty-seven of the Finance Act, 1940, as applied by the Fifth Schedule to that Act,

PART III. —*cont.*

shall, in relation to any trade or business falling wholly or partly within any class with respect to which such an order as aforesaid has been made, include power to proceed as if the provisions of the said Fifth Schedule so applying the said section twenty-seven were adapted and modified to such extent, if any, as they may think necessary in order to enable effect to be given to the provisions of this section.

(4) This section shall apply to any sub-division of a class of trades or businesses based either on any special feature of the trades or businesses within that sub-division or on locality as it applies to a class of trades or businesses, in any case where the Board of Referees are of opinion that the sub-division can properly be dealt with separately.

(5) The provisions of this section shall have effect with respect to all chargeable accounting periods, whether before or after the passing of this Act.

Restriction on deduction of interest, annuities and annual payments in computing profits. 1 Edw. 8. & 1 Geo. 6. c. 54.

14.—(1) No deduction in respect of any interest, annuity or other annual payment shall, by virtue of paragraph 4 of Part I of the Seventh Schedule to the Finance (No. 2) Act, 1939, or paragraph 4 of the Fourth Schedule to the Finance Act, 1937, be allowed in computing the profits of a trade or business for the purposes of excess profits tax or the national defence contribution unless the interest, annuity or other annual payment would, on income tax principles, be an allowable deduction in computing profits but for the express provision contained in paragraph (*l*) of Rule 3 of the Rules applicable to Cases I and II of Schedule D that no deduction is to be made in respect of any annual interest or any annuity or other annual payment payable out of the profits or gains.

In this subsection, the expression "income tax principles" has the same meaning as it has for the purposes of subsection (1) of section fourteen of the Finance (No. 2) Act, 1939, and subsection (1) of section twenty of the Finance Act, 1937.

(2) The provisions of this section shall, as respects excess profits tax, have effect with respect to tax for all chargeable accounting periods, whether before or after the passing of this Act, and, as respects the national defence contribution, have effect with respect to all accounting

periods beginning on or after the first day of April, nineteen hundred and thirty-nine, and so much of any accounting period beginning before that date as falls on or after that date.

PART III. —*cont.*

15. Section twelve of this Act (which, in relation to the computation of profits for income tax purposes for the year 1940–41 and subsequent years, forbids deductions for payments under certain contracts and arrangements for indemnification in respect of war damage) shall apply also to the computation of profits—

Disallowance of certain payments in respect of war risks.

(*a*) for the purposes of excess profits tax for all chargeable accounting periods (whether before or after the passing of this Act); and

(*b*) for the purposes of the national defence contribution for all accounting periods beginning on or after the first day of April, nineteen hundred and thirty-nine, and so much of any accounting period beginning before that date as falls on or after that date.

PART IV.

ESTATE DUTY.

16. In the case of persons dying after the twenty-third day of July, nineteen hundred and forty, the scale set out in the Sixth Schedule to this Act shall be substituted for the scale set out in the Second Schedule to the Finance Act, 1930, as the scale of rates of estate duty, and section twenty-three of the Finance (No. 2) Act, 1939, shall not apply.

Increased rates of estate duty.

20 & 21 Geo. 5. c. 28.

17.—(1) Subject to the provisions of subsection (2) of this section, where an interest in expectancy in any property has, whether before or after the passing of this Act, been bona fide sold or mortgaged for full consideration in money or money's worth, and the rates of estate duty in force in the case of a person dying when the interest falls into possession are higher than the rates in force in the case of a person dying at the time of the sale or mortgage, then—

Effect of increase of rates on certain sales and mortgages.

(*a*) no other duty on that property shall be payable by the purchaser or mortgagee when the interest

PART IV. —*cont.*

falls into possession than would have been payable if the rates of estate duty applicable had been the rates in force in the case of a person dying at the time of the sale or mortgage; and

(*b*) in the case of a mortgage, any higher duty payable by the mortgagor shall rank as a charge subsequent to that of the mortgagee.

(2) Subsection (1) of section fifty-six of the Finance Act, 1940 (which restricts the operation of the provisions of section three of the Finance Act, 1894, relating to transactions for full consideration, in the case of such transactions with companies to which the said section fifty-six applies) shall apply for the purposes of the foregoing subsection as it applies for the purposes of the said section three.

57 & 58 Vict. c. 30.

(3) This section shall apply in the case of interests in expectancy falling into possession after the twenty-third day of July, nineteen hundred and forty.

PART V.

PURCHASE TAX.

General Provisions as to Purchase Tax.

Charge and commencement of purchase tax.

18.—(1) A tax, to be called purchase tax, shall be charged, subject to and in accordance with the provisions of this Part of this Act, on the wholesale value of all chargeable goods bought under chargeable purchases.

(2) The following purchases, with the exception of purchases of goods by a registered wholesale merchant as stock for his business or by a registered manufacturer as materials, shall be chargeable purchases, that is to say—

(*a*) any purchase, made from a wholesale merchant or manufacturer (other than one who is not required by this Act to be registered) selling by wholesale, of goods which either—

(i) are in the United Kingdom at the time of the purchase, or

(ii) in the case of a purchase of unascertained goods, are in the United Kingdom at the time when the goods are appropriated to the purchase, or

(iii) having been imported into the United Kingdom are entered for home use by or on behalf of the seller under the purchase;

(*b*) in the case of goods imported into the United Kingdom which are entered for home use by or on behalf of the buyer under a purchase made before the goods are so entered, that purchase; and

(*c*) in the case of goods imported into the United Kingdom and entered for home use and not being the subject of a purchase which is a chargeable purchase under either of the two preceding paragraphs, the earliest purchase thereof made on or after their being so entered:

Provided that a purchase of goods imported into the United Kingdom but not entered for home use shall not be a chargeable purchase under paragraph (*a*) of this subsection.

A purchase which is a chargeable purchase by virtue only of paragraph (*b*) of this subsection is in this Part of this Act referred to as an "importer's purchase."

(3) Tax shall be chargeable in respect of chargeable goods bought under a chargeable purchase notwithstanding that the purchase was made before the passing of this Act, but, except as provided by section thirty-seven of this Act, no tax shall be chargeable in respect of any goods by reason of their being bought under any purchase if the goods—

(*a*) in the case of a purchase other than an importer's purchase, have been delivered thereunder before such date as may be specified as the date for the coming into operation of the tax in an order made by the Treasury and approved (whether before, on, or after that date) by a resolution of the Commons House of Parliament; or

(*b*) in the case of an importer's purchase, have been entered for home use before that date.

Chargeable goods and rate of purchase tax.

19.—(1) Chargeable goods are goods falling within any of the classes specified in the first or second column of the Seventh Schedule to this Act and not falling within any of the classes specified in the third column of that Schedule.

PART V. —*cont.*

(2) The Treasury may from time to time issue lists more particularly defining goods which are to be taken as falling within any class of goods specified in the Seventh Schedule to this Act, and may at any time withdraw a list so issued or issue a new list in substitution therefor, and shall publish any list so issued, and notice of the withdrawal of any such list, in such manner as they think best for informing persons appearing to them to be likely to be affected.

A draft of any list proposed to be issued under this subsection shall be laid before the Commons House of Parliament and, if that House, within twenty-eight days from the date on which the draft is laid before it, by resolution disapproves the draft, the list shall not be issued, but subject as aforesaid it may be issued not earlier than the expiration of that period and shall, from the date of its issue and until withdrawn or superseded by the issue of a substituted list, be conclusive as to the interpretation of the provisions of the said Schedule to which it relates.

(3) The tax shall be charged at the following rate, that is to say,—

(*a*) in the case of goods falling within any of the classes specified in the first column of the Seventh Schedule to this Act and not falling within any of the classes specified in the second column of that Schedule, the basic rate, which shall be one-third of the wholesale value of the goods;

(*b*) in the case of goods falling within any of the classes specified in the second column of the said Schedule, the reduced rate, which shall be one-sixth of the wholesale value of the goods.

Orders as to purchase tax.

20.—(1) The Treasury shall have power from time to time by order—

(*a*) to direct that the tax shall become chargeable, either at the basic rate or at the reduced rate, in respect of goods of any class in respect of which it is not for the time being chargeable, or that the tax shall cease to be chargeable in respect of goods of any class in respect of which it is for the time being chargeable;

(*b*) to direct that the reduced rate shall be substituted for the basic rate, or the basic rate for the reduced rate, as the rate of the tax chargeable in respect of goods of any class in respect of which it is for the time being chargeable;

(*c*) to make such amendments in the Seventh Schedule to this Act as are consequential on a direction given under either of the preceding paragraphs.

(2) Where the Treasury propose to make an order under this section they shall publish, in such manner as they think best for informing persons appearing to them to be likely to be affected, notice of the proposal indicating generally the class of goods proposed to be dealt with by the order and the nature of the direction proposed to be given thereby, and the order shall not be made earlier than the expiration of fourteen days from the first publication of the notice.

(3) An order under this section shall specify a date for its coming into operation and shall have effect, subject as provided in subsection (4) of this section, in respect of goods of the class to which it relates—

(*a*) delivered on or after the specified date, if the purchase under which the goods are bought is other than an importer's purchase, or

(*b*) entered for home use on or after the specified date, if the purchase is an importer's purchase.

(4) An order under this section shall not have effect unless it is approved (either before, on, or after the specified date) by a resolution of the Commons House of Parliament.

Wholesale value.

21.—(1) The wholesale value of any goods in respect of which tax is chargeable shall be taken to be the price which in the opinion of the Commissioners the goods would fetch, on a sale made at the time when the tax in respect of the goods becomes due by a person selling by wholesale in the open market in the United Kingdom to a retail trader carrying on business in the United Kingdom only, if no tax were chargeable in respect of the sale and it were made in the circumstances specified in the Eighth Schedule to this Act.

(2) If, in ascertaining the amount of tax for which any person is accountable, any dispute arises as to the wholesale value of any goods, the question shall be

PART V. —*cont.*

referred to the arbitration of a referee appointed by the Lord Chancellor, who shall not be an official of any Government Department, and the decision of the referee with respect to the matter in dispute shall be final and conclusive:

Provided that this subsection shall not have effect, and tax shall be chargeable on the wholesale value of the goods as fixed by the Commissioners, unless, within the prescribed period from the time when the Commissioners' opinion as to the wholesale value of the goods has been communicated to the person accountable or within such further period as they may allow, notice requiring a reference thereunder has been served on the Commissioners, and that person has deposited with them the amount of the tax appearing on the basis of their opinion to have become due.

(3) If the amount of the tax chargeable on the basis of the wholesale value of any goods as determined on a reference under the last preceding subsection is less than the amount deposited with the Commissioners thereunder the excess shall be repaid.

Ancillary Provisions as to Purchase Tax.

Person accountable for, and accruer of, tax.

22.—(1) The person accountable for tax chargeable shall—

(*a*) where the purchase by virtue of which it is chargeable was made from a wholesale merchant or a manufacturer, be the seller under that purchase;

(*b*) where that purchase was made otherwise than from a wholesale merchant or a manufacturer, and is a chargeable purchase by virtue of paragraph (*b*) or (*c*) of subsection (2) of section eighteen of this Act, be the person by whom or on whose behalf the goods are entered for home use.

(2) Tax chargeable in respect of any goods shall become due—

(*a*) where the purchase by virtue of which it is chargeable is other than an importer's purchase, on the delivery of the goods under the purchase;

(*b*) where the purchase by virtue of which it is chargeable is an importer's purchase, on the goods being entered for home use.

PART V. —*cont.* Registration.

23.—(1) Every wholesale merchant whose business includes the selling of any chargeable goods, and every manufacturer whose business includes the selling of any chargeable goods, shall be registered under this Part of this Act:

Provided that a person shall not be registered by reason of his being such a merchant or such a manufacturer or both if the gross takings from his sales of chargeable goods (excluding in the case of such a manufacturer who is not also such a merchant any sales by retail of goods not made by him) have not on the average exceeded two thousand pounds per annum, or in the case of a business recently commenced are unlikely so to do.

(2) A manufacturer who is not required by the preceding subsection to be registered under this Part of this Act shall be registered thereunder if he satisfies the Commissioners in the prescribed manner that he uses chargeable goods in substantial quantities as materials.

(3) Every person carrying on business in such circumstances that he is required under subsection (1) of this section to be registered shall make an application for registration in the prescribed form to the Commissioners—

(*a*) if he is carrying on business in such circumstances as aforesaid at the passing of this Act, before such date as may be prescribed; or

(*b*) if he begins to carry on business in such circumstances as aforesaid, or if the circumstances of a business carried on by him become such as aforesaid, after the passing of this Act, before the expiration of fourteen days from the date when he begins so to carry on business, or when the circumstances of his business become such as aforesaid, as the case may be.

(4) Where a wholesale merchant or manufacturer who is by virtue of the proviso to subsection (1) of this section not for the time being registered becomes aware, or has reasonable cause for believing, that such a change in the circumstances of his business has occurred as to

PART V. —*cont.*

render that proviso no longer applicable to him, he shall forthwith give information to the Commissioners of the change.

(5) If any person fails to comply with any of the requirements of either of the two last preceding subsections, he shall be liable to a penalty of one hundred pounds and to a further penalty of ten pounds for each day during which the failure continues.

(6) The Commissioners shall register every person who is required by this Part of this Act to be registered and shall, on his registration, issue to him a certificate thereof.

(7) Where a person who is registered ceases to be required by this Part of this Act to be registered the Commissioners shall cancel his registration.

(8) Not less than fourteen days before registering a person, otherwise than in accordance with an application for registration made by him, or cancelling the registration of a registered person, the Commissioners shall serve notice on him of their intention to register him or to cancel the registration, as the case may be.

(9) The Treasury may by order direct that the proviso to subsection (1) of this section shall have effect with the substitution, for the amount of two thousand pounds per annum therein mentioned, of such larger or smaller amount as may be specified in the order, and may from time to time vary an order so made:

Provided that an order made under this subsection shall not have effect until it is approved by a resolution of the Commons House of Parliament.

Purchases that are to be treated as of wholesale merchant's stock or manufacturer's materials.

24.—(1) A purchase shall be deemed to be a purchase of goods by a registered wholesale merchant as stock for his business, or by a registered manufacturer as materials, if a representation is made to the seller in the prescribed manner and at the prescribed time by the buyer that he is the holder of a certificate of registration issued under this Part of this Act and that he intends to sell the goods or to use them as materials, and not otherwise:

PART V. —*cont.*

Provided that, in the case of a purchase made—

(*a*) by a registered person, otherwise than in the United Kingdom, or

(*b*) by a person required to be registered, before the date on which he is so registered,

the purchase shall be deemed to be such a purchase as aforesaid if the Commissioners are satisfied, on a representation to that effect made to them, that the purchase was made as mentioned in paragraph (*a*) or (*b*) of this proviso and that the buyer intended to sell the goods or to use them as materials.

(2) If any person for the purposes of the preceding subsection makes a false representation as to his intention to sell goods or to use them as materials, he shall be liable to a penalty of five hundred pounds, so however that the court may, if it thinks fit, in lieu of ordering him to pay the said penalty order him to be imprisoned for a term not exceeding two years.

(3) If any person for the purposes of subsection (1) of this section falsely represents that he is the holder of a certificate of registration issued under this Part of this Act or that he is registered thereunder or is required so to be, the amount of any tax which would have been chargeable in respect of the purchase in question if the representation had not been made to the seller, or had not been acted on by the Commissioners, as the case may be, shall be recoverable from that person in like manner as if it had been chargeable and he had been accountable therefor, without prejudice to any punishment to which he is liable under section thirty-five of this Act.

Certain appropriations, &c., to be treated as purchases.

25.—(1) Where a wholesale merchant or manufacturer who is required by this Act to be registered appropriates or applies any chargeable goods in his ownership, the property in which he acquired under a purchase of goods as stock for his business or as materials, or, in the case of a manufacturer, any chargeable goods which have been made by him or which are the result of a process applied by him, either—

(*a*) to the purposes of any business carried on by him of selling chargeable goods by retail (otherwise than to registered manufacturers as materials), or

PART V. —*cont.*

(*b*) to the purposes of any business carried on by him of letting out chargeable goods on hire, or

(*c*) to any other purpose not being a sale of the goods under a purchase which is a chargeable purchase or a sale of the goods to a registered wholesale merchant as stock for his business or to a registered manufacturer as materials,

the appropriation or application shall be treated for the purposes of this Part of this Act as if it were a chargeable purchase, he shall be accountable for the tax chargeable in respect of the goods, and the tax shall become due at the time of the appropriation or application.

(2) A registered wholesale merchant or manufacturer who carries on any business of selling chargeable goods by retail, or of letting out chargeable goods on hire, shall keep such records as the Commissioners may require him to keep and in such form as they may require, and if he fails so to do he shall be guilty of an offence against this Part of this Act.

Retail trader purchasing on wholesale scale to be treated as wholesale merchant.

26.—(1) Where the Commissioners are satisfied that a person makes, for the purposes of a business of selling by retail carried on by him, purchases of chargeable goods which in value and character are such as in the ordinary course of trade are made by wholesale merchants, he shall be registered under this Part of this Act.

(2) This Part of this Act, other than the provisions of subsections (1) to (5) of section twenty-three of this Act, shall have effect in relation to a person required by this section to be registered as it has effect in relation to a wholesale merchant, and references in this Part of this Act to a wholesale merchant shall be construed accordingly.

Sums due for tax to be stated with invoices, &c.

27. The seller of chargeable goods under a chargeable purchase made in the United Kingdom after the date specified for the coming into operation of the tax in an order approved under subsection (3) of section eighteen of this Act shall add to any invoice or similar document delivered by him to the buyer a statement indicating the amount due from the buyer to the seller by reference to tax for which the seller may be accountable in respect of the purchase.

PART V. —*cont.*

Adjustments of rights between seller and buyer on commencement, or variation, of tax.

28.—(1) Where in respect of goods bought under a purchase made before the date on which approval is given by the Commons House of Parliament to an order specifying the date for the coming into operation of the tax, or directing that the tax shall become chargeable in respect of goods of a class within which those goods fall, or that the basic rate shall be substituted for the reduced rate in respect of such goods, any tax which would not have been chargeable if the order had not been approved becomes chargeable, or any tax which would have been chargeable at the reduced rate if the order had not been approved becomes chargeable at the basic rate, the seller may, in the absence of agreement to the contrary, recover, as an addition to the consideration, a sum equal to the amount of the tax chargeable in respect of the goods, or of the excess of that amount over what it would have been if the order had not been approved, as the case may be.

(2) Where in respect of goods bought under a purchase made before the date on which approval is given by the Commons House of Parliament to an order directing that the tax shall cease to be chargeable in respect of goods of a class within which those goods fall, or that the reduced rate shall be substituted for the basic rate in respect of such goods, any tax which would have been chargeable if the order had not been approved does not become chargeable, or any tax which would have been chargeable at the basic rate if the order had not been approved becomes chargeable at the reduced rate, the buyer may, in the absence of agreement to the contrary and if the seller has had in respect of the goods the benefit of the tax not becoming chargeable or becoming chargeable at the reduced rate, deduct from the consideration a sum equal to the amount which would have been the amount of the tax chargeable in respect of the goods if the order had not been approved, or to the amount by which the tax chargeable in respect of the goods is less than it would have been in that event, as the case may be.

Relief for exported goods.

29.—(1) Where goods bought under a purchase which is a chargeable purchase by virtue of paragraph (*a*) of subsection (2) of section eighteen of this Act, or goods appropriated or applied as mentioned in section twenty-five of this Act, are shown to the satisfaction of the Commissioners to have been exported

PART V. —*cont.*

from the United Kingdom by the seller under the purchase, or by the person by whom the goods were so appropriated or applied, as the case may be, the tax which apart from this provision would be chargeable in respect of the goods shall not be chargeable.

(2) The Treasury may by order give such directions as they think proper for the payment, on the exportation from the United Kingdom of goods of any class specified in the order by a person not being a registered wholesale merchant or manufacturer, or by such a wholesale merchant or manufacturer who has bought the goods otherwise than as stock for his business or as materials, of an allowance for tax paid or payable in respect of the goods exported or of goods of any class specified in the order used by that person in making the goods exported, where it is shown to the satisfaction of the Commissioners—

(*a*) that that person bought from such a wholesale merchant or manufacturer selling by wholesale, or imported into the United Kingdom, the exported goods or goods of the specified class used by him in making the exported goods;

(*b*) that there has been a chargeable purchase of the exported goods, or of the goods used in making them, as the case may be, and that the tax chargeable in respect thereof has been, or will be paid; and

(*c*) that the exported goods have not been used.

(3) The amount of an allowance to be paid under the last preceding subsection shall be either (as may be provided by the order)—

(*a*) the amount of the tax referred to in paragraph (*b*) of that subsection; or

(*b*) an amount calculated in accordance with provisions in that behalf of the order, which provisions shall be such as will in the opinion of the Treasury secure that the aggregate of the amounts of allowances paid in respect of goods of any class shall not exceed the aggregate of the amounts chargeable by way of tax in respect of goods of that class.

(4) An order made under this section may be varied or revoked by a subsequent order made by the Treasury.

(5) In this section references to the exportation of goods from the United Kingdom include references to the shipment of goods as ships' stores. PART V. —*cont.*

Administration and collection of the tax.

30.—(1) The tax shall be under the care and management of the Commissioners. Management of the tax.

(2) The Commissioners may do all such acts as may be deemed necessary and expedient for raising, collecting, receiving, and accounting for the tax in the like and as full and ample a manner as they are authorised to do with relation to any duties under their care and management.

(3) All money and securities for money collected or received in Great Britain for or on account of the tax shall be placed to the general account of the Commissioners kept at the Bank of England under section twenty-one of the Customs Consolidation Act, 1876. 39 & 49 Vict. c. 36.

31.—(1) Tax becoming due shall be accounted for and paid in accordance with regulations made under this Part of this Act. Ascertainment and recovery of tax chargeable.

(2) Tax shall be recoverable as a debt due to His Majesty from the person accountable therefor, and, where the aggregate amount of tax payable by a person accountable therefor at the time of the commencement of proceedings for the recovery thereof is less than fifty pounds, that tax may, without prejudice to any other mode of recovery thereof, be recovered by the Commissioners from that person summarily as a civil debt.

(3) On the entry for home use of any chargeable goods imported into the United Kingdom, the Commissioners may require security to be given to them for any tax which may become chargeable in respect thereof by reason of their being bought under a purchase which is a chargeable purchase by virtue of paragraph (*c*) of subsection (2) of section eighteen of this Act.

(4) On the entry for home use of any goods in respect of which tax then becomes due, or in respect of which the Commissioners require security to be given under the last preceding subsection, the entry shall not be signed by the proper officer of customs and excise

PART V. —*cont.*

unless the proper tax is paid, or the security required is given, as the case may be, in accordance with regulations made under this Part of this Act.

Substitution of agent, &c. for person not resident in the United Kingdom.

32. Where a person who is accountable for any tax, or on whom any duties are imposed by this Part of this Act or regulations made thereunder, is not resident in the United Kingdom, the Commissioners may, by notice in writing served on any agent, manager or factor, who is resident in the United Kingdom and has acted on behalf of that person in the matters by reference to which that person is accountable or those duties are imposed, direct that he shall be substituted for that person as the person accountable for the tax or that he shall be under an obligation to discharge those duties or any of them.

Miscellaneous Provisions as to Purchase Tax.

Commissioners' regulations.

33.—(1) The Commissioners may make regulations providing for any matter for which provision appears to them to be necessary for the purpose of giving effect to the provisions of this Part of this Act and of enabling them to discharge their functions thereunder, and in particular, but without prejudice to the generality of the preceding words,—

(*a*) for ascertaining all chargeable purchases and all such appropriations and applications as are mentioned in section twenty-five of this Act, and the amounts of tax chargeable by virtue thereof, and for requiring security for the payment of tax;

(*b*) for imposing upon persons who appear to the Commissioners to be carrying on a business which consists of or includes that of a wholesale merchant or manufacturer, or the making of such purchases as are mentioned in section twenty-six of this Act, the duty to furnish to the Commissioners within such period as may be prescribed information in the prescribed form of any facts relevant for determining whether such persons ought to be registered or the matters in respect of which they ought to be registered or of any other facts relating to the business;

PART V. —*cont*

(*c*) for imposing upon registered persons, and upon such other persons as may be prescribed in relation to registered persons who have died or become subject to any incapacity, the duty to furnish to the Commissioners within such period as may be prescribed information in the prescribed form of any facts by virtue of which their registrations ought to be varied or cancelled;

(*d*) for enabling persons to be treated as registered wholesale merchants or manufacturers during a limited period by way of representation of registered wholesale merchants or manufacturers who have died or become subject to any incapacity;

(*e*) as to the form, issue, continuance in effect, variation, custody, use, and surrender, of certificates of registration;

(*f*) for requiring registered persons to keep accounts, and to make returns of purchases made from or by them, and of any appropriations or applications such as are mentioned in section twenty-five of this Act made by them, and of the amounts of tax for which they are accountable, in respect of such periods, in such form and containing particulars with respect to such matters, as may be prescribed, and to pay the amounts of tax appearing by the returns to be due from them at such times as may be prescribed;

(*g*) for authorising distress to be levied on the goods and chattels of a person neglecting or refusing to pay, in accordance with regulations made under the last preceding paragraph, tax which he is thereby required to pay, and for applying and adapting, with or without modification, to the levying of distress under regulations made under this paragraph any of the provisions of subsections (2) to (5) of section one hundred and sixty-two of the Income Tax Act, 1918;

(*h*) for requiring any persons concerned with the purchase or importation of goods or dealings with

PART V. —*cont.*

imported goods to furnish to the Commissioners within such time and in such form as they may require such information relating to the goods or to the purchase or importation thereof or dealings therewith as they may specify, and to produce for inspection any books or accounts or other documents of whatever nature relating thereto;

(*i*) for applying and adapting, with or without modification, to the tax and to repayments and allowances, and to registered persons, any enactment relating to any duty or drawback of excise or customs or to persons carrying on any trade subject to the law of excise;

(*j*) for prescribing anything which by this Part of this Act is required or authorised to be prescribed.

(2) If any person contravenes or fails to comply with any of the requirements of regulations made under this Part of this Act he shall be guilty of an offence against this Part of this Act.

Provisions as to laying before the Commons House of regulations, &c.

34.—(1) Regulations made by the Commissioners under this Part of this Act, and any order made by the Treasury under section twenty-nine of this Act, shall be laid before the Commons House of Parliament as soon as may be after the making thereof, and if that House within twenty-eight days from the date on which any such regulations or order are or is laid before it resolves that the regulations or order be annulled, the regulations or order shall thereupon cease to have effect but without prejudice to anything previously done thereunder or to the making of new regulations or a new order.

(2) In reckoning any period of twenty-eight days specified in this Part of this Act in relation to the laying of orders, regulations or lists, before the Commons House of Parliament, no account shall be taken of any time during which Parliament is dissolved or prorogued or during which the said House is adjourned for more than four days.

Penalties for certain offences.

35.—(1) Any person guilty of an offence against this Part of this Act in respect of which no other penalty is therein specified shall be liable to a penalty of fifty pounds.

PART V. —*cont.*

(2) If, with intent to deceive, any person, for the purposes of this Part of this Act or of regulations made thereunder, produces, furnishes, sends or otherwise makes use of, any book, account, estimate, return, or other document, which is false in a material particular, he shall be liable to a penalty of five hundred pounds.

(3) If, in furnishing any information for the purposes of this Part of this Act or of regulations made thereunder, any person makes any statement which he knows to be false in a material particular, or recklessly makes any statement which is false in a material particular, he shall be liable to a penalty of five hundred pounds.

(4) If, with intent to deceive, any person counterfeits, or uses, or lends to, or allows to be used by, any other person, a certificate of registration issued under this Part of this Act, or makes or has in his possession any document so closely resembling such a certificate as to be calculated to deceive, he shall be liable to a penalty of five hundred pounds.

(5) The court may, if it thinks fit, in lieu of ordering a person who is liable to a penalty under subsection (2) (3) or (4) of this section to pay that penalty, order him to be imprisoned for a term not exceeding two years.

Supplementary provisions as to enforcement.

36. The provisions of the Ninth Schedule to this Act shall have effect in relation to the enforcement of this Part of this Act and in relation to the service of notices thereunder.

Power to treat certain deliveries, &c. made before commencement of tax as made thereafter.

37. If the Commissioners are satisfied that chargeable goods have been delivered, entered for home use, or appropriated or applied as mentioned in section twenty-five of this Act, in the course of any business during the period between the second day of July, nineteen hundred and forty, and the date specified for the coming into operation of the tax in an order approved under subsection (3) of section eighteen of this Act on a scale or in a manner not in accordance with the ordinary practice of the business, the Commissioners, may, as respects all or any of those goods, by notice in writing served on the person who, if they had been delivered, or so entered, appropriated or applied, after the date of the coming into operation of the tax, would have been accountable for the tax chargeable in respect thereof, direct that the tax shall be chargeable as if they had been delivered, or so entered, appropriated or applied, after that date.

PART V. —*cont.*

Application to Scotland.

38. In the application of this Part of this Act to Scotland—

(*a*) for any reference to the levying of distress on goods and chattels there shall be substituted a reference to execution by the poinding of goods and effects; and for any reference to subsections (2) to (5) of section one hundred and sixty-two of the Income Tax Act 1918 there shall be substituted a reference to section one hundred and sixty-six of the said Act;

(*b*) subsection (2) of section twenty-one shall, in any case where the person accountable for the tax has his principal place of business in Scotland, have effect as if for the reference to the Lord Chancellor there were substituted a reference to the Lord President of the Court of Session.

Application to Northern Ireland.

39.—(1) In the application of this Act to Northern Ireland subsection (2) of section twenty-one shall, in any case where the person accountable for the tax has his principal place of business in Northern Ireland, have effect as if for the reference to the Lord Chancellor there were substituted a reference to the Lord Chief Justice of Northern Ireland.

10 & 11 Geo. 5. c. 67.

(2) The Government of Ireland Act, 1920, shall have effect as if the tax were one of the taxes mentioned in subsection (1) of section twenty-two of that Act (which relates to reserved taxes).

(3) Payment into the Exchequer of money and securities for money collected or received in Northern Ireland for or on account of the tax shall be made in such manner as the Treasury may direct.

Provisions as to the Isle of Man.

40.—(1) If an Act of Tynwald is passed making in relation to the Isle of Man provision similar to the provision made by this Part of this Act in relation to the United Kingdom, His Majesty may by Order in Council make provision, in relation to goods removed from or into the Isle of Man into or from the United Kingdom, for securing that, so long as the said Act of Tynwald is in force and the classes of goods in respect of which tax is chargeable thereunder and the rates of tax so chargeable in respect of those classes of goods are the same respectively as the classes of goods in respect of which tax is

chargeable under this Part of this Act and the rates of tax so chargeable in respect of those classes of goods,— PART V. —*cont.*

(*a*) such a removal shall not be treated for the purposes of either enactment as an importation or exportation of the goods;

(*b*) a purchase which would be a chargeable purchase under paragraph (*a*) of subsection (2) of section eighteen of this Act or under the corresponding provision of the said Act of Tynwald if all persons registered under either Act were registered under a single Act extending both to the United Kingdom and to the Isle of Man, and if for references in this Part of this Act to the United Kingdom and for references in the said Act of Tynwald to the Isle of Man there had been substituted references to the United Kingdom and the Isle of Man as a whole, shall be a chargeable purchase under one or other Act but not under both of them; and

(*c*) a purchase which in that case would not be a chargeable purchase as aforesaid shall not be a chargeable purchase under either enactment;

and may direct that this Part of this Act and the said Act of Tynwald shall have effect subject to such modifications as may be requisite for giving effect to the purposes of the Order.

(2) An Order in Council made under this section may be varied or revoked by a subsequent Order in Council.

41.—(1) In this Part of this Act, unless the context otherwise requires, the following expressions have the meanings hereby assigned to them respectively, that is to say— Interpretation.

" the Commissioners " means the Commissioners of Customs and Excise;

" entered for home use " means entered for home consumption or home use in accordance with the enactments relating to the customs, and " entry " has a corresponding meaning;

" goods " has the same meaning as in the Sale of Goods Act, 1893; 56 & 57 Vict. c. 71.

PART V. —*cont.*

"importer's purchase" has the meaning assigned to it by subsection (2) of section eighteen of this Act;

"manufacturer" means a person who carries on in the United Kingdom a business of making goods or of applying any process in the course of the making of goods, so however that for the purposes of this definition the making up of drugs according to a formula prescribed by reference to the needs of a particular patient shall not be regarded as the making of goods;

"materials" means, in relation to a manufacturer, goods to which some process is applied by him by way of business in the course of the making of goods, or which are used by him as aforesaid as parts of or accessories for the goods made;

"prescribed" means prescribed by regulations made under this Part of this Act;

"process" includes, in relation to the making of goods, the assembling of parts of the goods;

"purchase" means any contract which is a contract of sale within the meaning of the Sale of Goods Act, 1893, and also a contract similar to such a contract in other respects but made for a consideration wholly or partly in money's worth and not, or not only, in money, and includes any transaction, in whatsoever form expressed, in so far as its effect is in substance the same as the effect of such a contract as aforesaid, and references to goods being bought include, in relation to a purchase made for a consideration not, or not only, in money, and in relation to any such transaction as aforesaid, references to goods being acquired in any manner;

"selling by retail" means selling goods by way of business otherwise than by wholesale, and "retail trader" means a person who sells by retail and not otherwise;

"selling by wholesale" means selling goods of any class to a person who carries on a business of selling goods of that class;

"selling goods to a manufacturer as materials" means selling goods of any class to a manufacturer who uses goods of that class as materials;

"tax" means tax chargeable by virtue of this Part of this Act;

"wholesale merchant" means a person who carries on in the United Kingdom a business of selling by wholesale goods bought by him, and includes a person who carries on in the United Kingdom a business of selling to manufacturers as materials goods bought by him.

(2) For the purposes of this Part of this Act, if at the time when a purchase is made the buyer is in possession of the goods bought thereunder, or of part thereof, delivery of the goods, or of that part thereof, as the case may be, under the purchase shall be deemed to have taken place on the making of the purchase.

(3) For the purposes of this Part of this Act, a person shall be deemed to make goods, or to apply a process, if the goods are made, or the process is applied, by another person to his order under any form of contract other than a purchase.

PART VI.

GENERAL.

Short title, construction, extent and repeal.

42.—(1) This Act may be cited as the Finance (No. 2) Act, 1940.

(2) Part I of this Act—

(*a*) so far as it relates to duties of customs, shall be construed as one with the Customs Consolidation Act, 1876, except that the expression "United Kingdom" shall not include the Isle of Man; and

(*b*) so far as it relates to duties of excise, shall be construed as one with the Acts which relate to the duties of excise and to the management of those duties;

and in the said Part I the expression "the Commissioners" means the Commissioners of Customs and Excise.

PART VI. —*cont.*

(3) Part II of this Act shall be construed as one with the Income Tax Acts.

(4) Part III of this Act shall, so far as it relates to excess profits tax, be construed as one with Part III of the Finance (No. 2) Act, 1939.

(5) Part IV of this Act shall be construed as one with Part I of the Finance Act, 1894.

(6) Any reference in this Act to any other enactment shall, unless the context otherwise requires, be construed as a reference to that enactment as amended by any subsequent enactment, including this Act.

(7) Such of the provisions of this Act as relate to entertainments duty and estate duty shall not extend to Northern Ireland.

(8) The enactments set out in the Tenth Schedule to this Act are hereby repealed to the extent mentioned in the third column of that Schedule:

Provided that the repeal of any enactment relating to entertainments duty shall not take effect until the sixth day of October, nineteen hundred and forty.

SCHEDULES.

FIRST SCHEDULE.

BEER (RATES OF DUTY AND DRAWBACK). Section 1.

PART I.

Rate of Excise Duty.

	£	s.	d.
For every 36 gallons of worts of a specific gravity of 1,027 degrees or less	4	1	0
For every 36 gallons of worts of a specific gravity exceeding 1,027 degrees—			
For the first 1,027 degrees	4	1	0
For every additional degree in excess of 1,027 degrees	0	3	0

and so in proportion for any less number of gallons.

PART II.

Rate of Excise Drawback.

	£	s.	d.
For every 36 gallons the worts whereof were, before fermentation, of a specific gravity of 1,027 degrees or less	4	1	2
For every 36 gallons the worts whereof were, before fermentation, of a specific gravity exceeding 1,027 degrees—			
For the first 1,027 degrees	4	1	2
For every additional degree in excess of 1,027 degrees	0	3	0

and so in proportion for any less number of gallons.

As respects beer the worts whereof were, before fermentation, of a specific gravity of less than 1,027 degrees, the amount of drawback allowable shall not exceed by more than twopence for every 36 gallons the amount of duty which is shown to the satisfaction of the Commissioners to have been paid.

PART III.

Rate of Customs Duty in case of Beer being an Empire Product.

	£	s.	d.
For every 36 gallons the worts whereof were, before fermentation, of a specific gravity of 1,027 degrees or less	4	1	5

1ST SCH. —*cont.*

	£	*s.*	*d.*
For every 36 gallons the worts whereof were, before fermentation, of a specific gravity exceeding 1,027 degrees—			
For the first 1,027 degrees	4	1	5
For every additional degree in excess of 1,027 degrees	0	3	0

and so in proportion for any less number of gallons.

PART IV.

Rate of Customs Duty in case of Beer not being an Empire Product.

	£	*s.*	*d.*
For every 36 gallons the worts whereof were, before fermentation, of a specific gravity of 1,027 degrees or less	5	1	5
For every 36 gallons the worts whereof were, before fermentation, of a specific gravity exceeding 1,027 degrees—			
For the first 1,027 degrees	5	1	5
For every additional degree in excess of 1,027 degrees	0	3	0

and so in proportion for any less number of gallons.

PART V.

Rate of Customs Drawback in case of Beer being an Empire Product.

	£	*s.*	*d.*
For every 36 gallons the worts whereof were, before fermentation, of a specific gravity of 1,027 degrees or less	4	1	2
For every 36 gallons the worts whereof were, before fermentation, of a specific gravity exceeding 1,027 degrees—			
For the first 1,027 degrees	4	1	2
For every additional degree in excess of 1,027 degrees	0	3	0

and so in proportion for any less number of gallons.

As respects beer the worts whereof were, before fermentation, of a specific gravity of less than 1,027 degrees, the amount of drawback allowable shall not exceed the amount of duty which is shown to the satisfaction of the Commissioners to have been paid, less threepence for every 36 gallons.

PART VI. 1ST SCH. —*cont.*

Rate of Customs Drawback in Case of Beer not being an Empire Product.

	£	*s.*	*d.*
For every 36 gallons the worts whereof were, before fermentation, of a specific gravity of 1,027 degrees or less	5	1	2
For every 36 gallons the worts whereof were, before fermentation, of a specific gravity exceeding 1,027 degrees—			
For the first 1,027 degrees	5	1	2
For every additional degree in excess of 1,027 degrees	0	3	0

and so in proportion for any less number of gallons.

As respects beer the worts whereof were, before fermentation, of a specific gravity of less than 1,027 degrees, the amount of drawback allowable shall not exceed the amount of duty which is shown to the satisfaction of the Commissioners to have been paid, less threepence for every 36 gallons.

SECOND SCHEDULE.

WINES (RATES OF CUSTOMS DUTY). Section 2.

PART I.

Non-Empire Products.

Description of Wine.	Rate of duty per gallon. *s.*	*d.*
Not exceeding 25 degrees proof spirit	8	0
Exceeding 25 degrees proof spirit and not exceeding 42 degrees proof spirit	16	0
For every degree or fraction of a degree above 42 degrees proof spirit, an additional duty	1	4
Sparkling, an additional duty	12	6
Still, in bottle, an additional duty	2	0

2ND SCH. —*cont.*

PART II.

Empire Products.

Description of Wine.	Rate of duty per gallon. s.	d.
Exceeding 27 degrees proof spirit and not exceeding 42 degrees proof spirit	12	0
For every degree or fraction of a degree above 42 degrees proof spirit, an additional duty	1	0
Sparkling, an additional duty	6	3
Still, in bottle, an additional duty	1	0

THIRD SCHEDULE.

Section 4.

TOBACCO (RATES OF DUTY AND DRAWBACK).

PART I.

Customs Duties.

Description of Tobacco.	Rate of duty per pound. £	s.	d.
Tobacco unmanufactured—			
containing 10 lbs. or more of moisture in every 100 lbs. weight thereof—			
unstripped	0	19	6
stripped	0	19	6½
containing less than 10 lbs. of moisture in every 100 lbs. weight thereof—			
unstripped	1	0	6
stripped	1	0	6½
Tobacco manufactured, viz.:—			
Cigars	1	8	1
Cigarettes	1	4	7
Cavendish or Negrohead	1	3	9
Cavendish or Negrohead manufactured in bond	1	2	0
Other manufactured tobacco	1	2	0
Snuff—			
containing more than 13 lbs. of moisture in every 100 lbs. weight thereof	1	1	4
containing not more than 13 lbs. of moisture in every 100 lbs. weight thereof	1	3	9

and so in proportion for any less quantity.

3RD SCH. —*cont.*

PART II.

Excise Duties.

Description of Tobacco.	Rate of duty per pound.
	s. *d.*
Tobacco unmanufactured—	
containing 10 lbs. or more of moisture in every 100 lbs. weight thereof	17 $3\frac{1}{2}$
containing less than 10 lbs. of moisture in every 100 lbs. weight thereof	18 $0\frac{7}{8}$
Tobacco manufactured, viz. :—	
Cavendish or Negrohead manufactured in bond	19 $4\frac{7}{8}$

and so in proportion for any less quantity.

PART III.

Drawback.

Description of Tobacco.	Rate per pound.	
	In respect of tobacco on which full customs duty has been paid.	In respect of tobacco on which customs duty at a preferential rate or excise duty has been paid.
	£ *s.* *d.*	*s.* *d.*
Cigars	1 0 9	18 7
Cigarettes	1 0 6	18 4
Cut, roll, cake or other manufactured tobacco	1 0 3	18 $1\frac{1}{2}$
Snuff (not being offal snuff)	1 0 0	17 11
Stalks, shorts, or other refuse of tobacco, including offal snuff	0 19 9	17 8

FOURTH SCHEDULE.

Section 5.

ENTERTAINMENTS (RATES OF DUTY).

PART I.

Reduced Rates.

Amount of Payment.	Rate of Duty.
Where the amount of the payment, excluding the amount of duty—	*d.*
exceeds 3*d.* and does not exceed 11½*d.*	½
exceeds 11½*d.* and does not exceed 1*s.* 2*d.*	1
exceeds 1*s.* 2*d.* and does not exceed 1*s.* 7*d.*	2
exceeds 1*s.* 7*d.* and does not exceed 1*s.* 9½*d.*	2½
exceeds 1*s.* 9½*d.* and does not exceed 2*s.* 0*d.*	3
exceeds 2*s.* 0*d.* and does not exceed 2*s.* 2*d.*	4
exceeds 2*s.* 2*d.*	4*d.* for the first 2*s.* 2*d.* and 1*d.* for every 5*d.* or part of 5*d.* over 2*s.* 2*d.*

PART II.

Full Rates.

Amount of Payment.	Rate of Duty.
Where the amount of the payment, excluding the amount of duty—	*d.*
exceeds 3*d.* and does not exceed 5*d.*	½
exceeds 5*d.* and does not exceed 6½*d.*	¾
exceeds 6½*d.* and does not exceed 7*d.*	1
exceeds 7*d.* and does not exceed 7¾*d.*	1¼
exceeds 7¾*d.* and does not exceed 8¾*d.*	2
exceeds 8¾*d.* and does not exceed 11*d.*	3
exceeds 11*d.* and does not exceed 1*s.* 2*d.*	4
exceeds 1*s.* 2*d.* and does not exceed 1*s.* 5*d.*	5
exceeds 1*s.* 5*d.*	5*d.* for the first 1*s.* 5*d.* and 2*d.* for every 6*d.* or part of 6*d.* over 1*s.* 5*d.*

FIFTH SCHEDULE.

PROVISIONS FOR GIVING EFFECT TO THE CHANGE IN THE STANDARD RATE OF INCOME TAX. Section 6.

1. The amount of tax payable by virtue of any assessment made before the passing of this Act shall, by virtue of this Act and without more, be treated as varied to such extent as is necessary to give effect to the change in the standard rate:

Provided that this paragraph shall not apply in the case of income chargeable under Schedule C, under Rule 6 or Rule 7 of the Miscellaneous Rules applicable to Schedule D, or under Rule 21 of the General Rules.

2. In the case of such income as is mentioned in the proviso to paragraph 1 of this Schedule—

(*a*) any deficiency in the amount of tax deducted from any payment made before the first day of September, nineteen hundred and forty (being a deficiency arising by reason of the change in the standard rate made by this Act) shall, so far as possible, be made good by increasing the deduction required or authorised by law to be made from the next payment and, if necessary, the deductions required or authorised by law to be made from subsequent payments (being a payment or payments made after the passing of this Act and before the first day of September, nineteen hundred and forty-one), by an amount equal to the amount of the deficiency;

(*b*) the deficiency so made good shall be accounted for and assessed in the same manner as the tax deducted from the original payment;

(*c*) if and in so far as the deficiency is not so made good—

(i) the deficiency shall be charged under Case VI of Schedule D; and

(ii) the agent entrusted with the making of the payment, or the person by or through whom the payment was made, as the case may be, shall furnish to the Commissioners of Inland Revenue the name and address of the person to whom the payment was made and the amount of the payment upon a requisition made by those Commissioners in that behalf.

3. Subject, in any case where paragraph 2 of this Schedule applies, to the provisions of that paragraph, subsection (2) of section two hundred and eleven of the Income Tax Act, 1918

5TH SCH. —*cont.*

(which relates to the deduction of tax not deducted before the passing of the annual Act) shall apply as if—

(*a*) this Act were the Act imposing the tax for the year; and

(*b*) a reference to the first day of September, nineteen hundred and forty were, so far as relates to any deficiency in the amount of tax deducted from any payment made after the passing of this Act but before the date aforesaid, substituted for any reference to the passing of the Act imposing the tax for the year.

SIXTH SCHEDULE.

Section 16.

SCALE OF RATES OF ESTATE DUTY.

Principal Value of Estate.					Rate per cent. of Duty.
	£			£	
Exceeding	100	and not exceeding		500	1
,,	500	,,	,,	1,000	2
,,	1,000	,,	,,	5,000	3
,,	5,000	,,	,,	10,000	4
,,	10,000	,,	,,	12,500	6
,,	12,500	,,	,,	15,000	7·2
,,	15,000	,,	,,	18,000	8·4
,,	18,000	,,	,,	21,000	9·6
,,	21,000	,,	,,	25,000	10·8
,,	25,000	,,	,,	30,000	12
,,	30,000	,,	,,	35,000	13·2
,,	35,000	,,	,,	40,000	14·4
,,	40,000	,,	,,	45,000	15·6
,,	45,000	,,	,,	50,000	16·8
,,	50,000	,,	,,	55,000	19·5
,,	55,000	,,	,,	65,000	20·8
,,	65,000	,,	,,	75,000	22·1
,,	75,000	,,	,,	85,000	23·4
,,	85,000	,,	,,	100,000	24·7
,,	100,000	,,	,,	120,000	26
,,	120,000	,,	,,	150,000	28·6
,,	150,000	,,	,,	200,000	31·2
,,	200,000	,,	,,	250,000	33·8
,,	250,000	,,	,,	300,000	36·4
,,	300,000	,,	,,	400,000	39
,,	400,000	,,	,,	500,000	41·6
,,	500,000	,,	,,	600,000	44·2
,,	600,000	,,	,,	800,000	46·8
,,	800,000	,,	,,	1,000,000	49·4
,,	1,000,000	,,	,,	1,250,000	52
,,	1,250,000	,,	,,	1,500,000	54·6
,,	1,500,000	,,	,,	2,000,000	58·5
,,	2,000,000				65

SEVENTH SCHEDULE.

Sections 19, 20.

PURCHASE TAX (CHARGEABLE GOODS).

Goods chargeable at the basic rate.	Goods chargeable at the reduced rate.	Goods mentioned in the first or second column but not chargeable.
1. Garments or footwear made wholly or partly of fur skin (including any skin with fur, hair or wool attached) or silk (except silk used for the stitching of seams and buttonholes).	Garments or footwear, except as specified in the first or third column.	Garments or footwear of a kind suitable for young children's wear, except as specified in the first column. Protective boots designed for use by miners or quarrymen or moulders. Clogs. Protective helmets designed for use by miners or quarrymen. Sewing thread and mending and knitting wool.
Headgear, gloves and haberdashery, except protective helmets as specified in the third column.		
Patterns for making apparel. Umbrellas, sunshades, walking sticks and canes.		
2. Tissues and fabrics (other than jute fabric), whether in the piece, shaped or partly made up, except as specified in the third column. Oil baize, oil cloth, leather cloth. Textile articles of a kind used for domestic purposes, soft furnishings and bedding, and travelling rugs. Kapok, feathers and down, and other upholstery stuffing materials. Carpets, rugs, mats, linoleum, and other floor coverings.		Felt, bolting cloth, machinery belting, and heavy industrial canvas.
3. Fur skins (including any skin with fur, hair or wool attached), dressed.		
4. Articles of china, porcelain, earthenware, stoneware or other pottery ware of a kind used for domestic purposes, except as specified in the second or third column.	Articles of china, porcelain, earthenware, stoneware or other pottery ware, of a kind used in the preparation or serving of food or drink.	Sanitary ware.

7TH SCH. —*cont.*

Goods chargeable at the basic rate.	Goods chargeable at the reduced rate.	Goods mentioned in the first or second column but not chargeable.
5. Glassware of a kind used for domestic purposes, except as specified in the second column.	Glassware of a kind used in the preparation or serving of food or drink, not being cut glass.	
Glass articles, the following: mirrors (whether framed or not), shelves, finger plates, table tops and advertisement tablets (whether backed with other materials or not).		
Vacuum flasks and vacuum jars of a kind used for domestic purposes.		
6. Domestic and office furniture of all kinds (including wire and spring mattresses).		
7. Fittings of a kind used for interior domestic or office lighting, the following: Brackets, pendants, candelabra and electroliers, Lanterns, Shades, bowls, and reflectors, Lamp chimneys and other illuminating glassware, Table and floor standards (whether complete or not).		
Domestic cooking and heating appliances, and other appliances and apparatus of a kind used for domestic purposes.		
Portable lamps and hand torches of all descriptions, except as specified in the third column.		Hurricane lamps, ships' lanterns and miners' safety lamps.
Electric filament lamps (not exceeding 250 watts) and incandescent mantles; electric dry batteries of all kinds.		
Hair waving and hair drying machines.		
8. Cutlery suitable for domestic or personal use, and spoons, forks and similar articles suitable for domestic use.		
9. Articles of hardware and ironmongery of kinds used for domestic or office purposes, except as specified in the second column.	Enamelled hollow-ware and other iron and steel hollow-ware of a kind used for domestic purposes.	
Turnery of a kind used for domestic or office purposes, except as specified in the third column.		Household brooms and brushes.
Lawn mowers and garden rollers, garden furniture and garden ornaments.		
10. Trunks, bags, wallets, jewel cases, pouches, purses, suitcases, and baskets, and similar receptacles of a kind used for personal or domestic purposes (whether fitted or not).		

7TH SCH. —*cont.*

Goods chargeable at the basic rate.	Goods chargeable at the reduced rate.	Goods mentioned in the first or second column but not chargeable.
11. Photographic cameras, except as specified in the third column.		Cinematograph cameras for film of standard width, and X-ray and other cameras suitable only for industrial, scientific or military use.
Photographic enlargers. Projectors for sub-standard film or for slides. Lenses and other parts of, and accessories to, such cameras, enlargers or projectors as are mentioned in this column.		
Unexposed sensitised photographic paper, cloth, plates and film, except as specified in the third column.		X-ray plates, film and paper; cinematograph film of standard width; ferro-prussiate, ferro-gallic and dye-line paper and cloth.
12. Musical instruments, including gramophones, pianolas and other similar instruments, and accessories to, and parts of, musical instruments.		
Gramophone records, except as specified in the third column. Pianola records. Wireless receiving sets of the domestic or portable type, radio gramophones, and valves, batteries and accumulators suitable for use therewith.		Gramophone records for the reproduction of speech, specially adapted for the use of the blind.
13. Clocks and watches, movements and cases for, and accessories to, clocks and watches, and watch chains, wristlet watch straps and similar articles.		
14. Toys and games (including coin or disc operated machines). Appliances, apparatus, accessories, and requisites, for sports, games, gymnastics or athletics (other than garments and footwear).		
15. Jewellery and imitation jewellery and other goldsmiths' and silversmiths' wares. Articles of all kinds made wholly or partly of ivory, amber, jet, coral, mother of pearl, natural shells, or tortoiseshell, or of jade, onyx, lapis lazuli or other semi-precious stones.		

7TH SCH. —*cont.*

Goods chargeable at the basic rate.	Goods chargeable at the reduced rate.	Goods mentioned in the first or second column but not chargeable.
16. Fancy or household goods made wholly or partly of celluloid, bakelite or other plastic material derived from cellulose, casein, papier maché or synthetic resin. Other fancy or ornamental articles of a kind suitable for personal or domestic use (including artificial flowers, photograph frames and paper weights). Ash trays, tobacco pipes, and other smokers' requisites, but not including matches and mechanical lighters.		
17. Toilet requisites of all kinds (including toilet brushes).		
18. Perfumery and toilet preparations (whether medicated or not) and soap made up for sale as toilet soap.		
19.	Drugs and medicines, manufactured or prepared, except as specified in the third column.	Essential drugs, of an exceptionally costly character (including insulin, liver extract and Active Principles of liver).
20. Typewriters, dictaphones, calculating machines, and other office machinery. Cash registers.		
21. Paper manufactures, the following : Diaries, calendars, greeting cards, picture postcards, and similar articles, Notepaper, and other stationery, Handkerchiefs, face and hand towels, paper serviettes, and other articles of table or kitchen use, Wallpaper. Pencils, pens, fountain pens, ink, drawing pins, and other stationery and office requisites.		Account books and plain books (whether ruled or not).
22. Pictures, prints, engravings, photographs, figures, busts, reliefs, vases, and similar articles, if produced in quantity for general sale.		

7TH SCH. —*cont.*

Goods chargeable at the basic rate.	Goods chargeable at the reduced rate.	Goods mentioned in the first or second column but not chargeable.
23. Road vehicles and cycles (whether mechanically propelled or not) being vehicles and cycles constructed or adapted solely or mainly for the carriage of passengers, except as specified in the third column.		Tramcars, trolley vehicles, omnibuses, and char-a-bancs. Ambulances, invalid carriages, and perambulators.
Tyres, except as specified in the third column.		Pneumatic tyres of a sectional width of not less than five inches, being tyres not suitable for use on vehicles of the class mentioned in column one.

EIGHTH SCHEDULE.

Section 21.

PURCHASE TAX (DETERMINATION OF WHOLESALE VALUE).

1. For the purpose of computing the price which goods to be valued would fetch on such a sale as is mentioned in section twenty-one of this Act, the following circumstances shall be assumed.

2. It shall be assumed—

(*a*) that any commission or other costs, charges or expenses incidental to the making of the contract of sale are to be paid by the seller;

(*b*) that the price is to include the cost of delivery to the buyer at his place of business, and of insurance and other costs, charges and expenses incidental to such delivery;

(*c*) that the price is the sole consideration for the sale;

(*d*) that neither the seller nor any person associated in business with him has any interest, direct or indirect, in the subsequent re-sale or disposal of the goods; and

(*e*) that there has not been and will not be any commercial relationship between the seller and the buyer, whether created by contract or otherwise, other than that created by the sale.

8TH SCH. —*cont.*

3. Where the goods to be valued are goods made in accordance with a patented invention or are goods to which a registered design has been applied, it shall also be assumed for the purpose of computing the price aforesaid that the buyer under the sale mentioned in section twenty-one of this Act is not the patentee or the proprietor of the design and has not paid any sum or given any consideration by way of royalty or otherwise in respect of the patent or design and, on payment of the price, will be entitled to deal with the goods free from any restriction as regards the patent or design.

4. Where the seller under the purchase in relation to which the valuation is to be made is, or is associated in business with, the proprietor or a registered user of a trade mark registered in respect of the goods to be valued, or could have sold them under such a trade mark without infringing the right to the use of the trade mark given by the registration thereof, it shall also be assumed for the purpose of computing the price aforesaid that the sale mentioned in section twenty-one of this Act is a sale under that trade mark, unless it is shown to the satisfaction of the Commissioners that the goods to be valued have not at any time been, and security is given to the satisfaction of the Commissioners that they will not be, so sold by or on behalf of the seller under the said purchase or any person associated in business with him.

5. Where a particular form of get-up is used in the United Kingdom by any person in relation to goods of the class to which the goods to be valued belong, and the goods to be valued are the goods of that person, it shall also be assumed for the purpose of computing the price aforesaid that the sale mentioned in section twenty-one of this Act is a sale of the goods got-up in that form, unless it is shown to the satisfaction of the Commissioners that the goods to be valued have not at any time been, and security is given to the satisfaction of the Commissioners that they will not be, so sold by or on behalf of the seller under the purchase in relation to which the valuation is to be made or any person associated in business with him.

6. For the purposes of this Schedule two persons shall be deemed to be associated in business with one another if, whether directly or indirectly, either of them has any interest in the business or property of the other or both have a common interest in any business or property, or some third person has an interest in the business or property of both of them.

NINTH SCHEDULE.

Section 36.

PURCHASE TAX (ENFORCEMENT AND SERVICE OF NOTICES).

1. Subject to the provisions of the next succeeding paragraph, any enactment which has effect in relation to penalties imposed by or incurred under any of the enactments relating to the revenue of excise shall have effect in relation to a penalty imposed by Part V of this Act as if it had been imposed by an enactment relating to the said revenue, and section thirty-two of the Inland Revenue Regulation Act, 1890, shall have effect in relation to an offence against Part V of this Act as it has effect in relation to an offence against an Act relating to the said revenue. 53 & 54 Vict. c. 21.

2. All suits, indictments, informations, or complaints, brought or exhibited for any offence against Part V of this Act in any court, or before any justice of the peace, or for the recovery summarily as a civil debt of tax chargeable thereunder, shall be brought or exhibited within three years next after the date of the offence committed, or on which the tax became due, as the case may be, and may be brought or exhibited within that period notwithstanding anything in any enactment.

3. If any person, by himself or by any person in his employ obstructs, molests or hinders—

(*a*) an officer or other official of the customs and excise acting for the purposes of Part V of this Act in the execution of any duty of his, or of any power or authority by law given to him, or

(*b*) any person acting in the aid of any such officer or other official acting as aforesaid,

he shall be liable to a penalty of one hundred pounds.

4. Any person authorised in writing by the Commissioners for the purpose shall have a right, on production if so required of his authority, to enter on and inspect at all reasonable times any premises which there is reasonable cause to believe to be used in connection with the carrying on of the business of a wholesale merchant or of a manufacturer, or of a business in the course of which such purchases as are mentioned in section twenty-six of this Act are made, and to inspect goods found thereon.

5. A notice to be served on any person for any of the purposes of Part V of this Act or of regulations made thereunder may be served by sending it by post in a letter addressed to that person at his last or usual place of abode or place of business.

TENTH SCHEDULE.

ENACTMENTS REPEALED.

Session and Chapter.	Short Title.	Extent of Repeal.
10 Edw. 7. & 1 Geo. 5. c. 8.	The Finance (1909–10) Act, 1910.	Section sixty-four, in so far as it relates to section fifty-four.
4 & 5 Geo. 5. c. 10.	The Finance Act, 1914.	Section sixteen, in so far as it relates to section twelve.
9 & 10 Geo. 5. c. 32.	The Finance Act, 1919.	The proviso to section twenty-nine.
15&16Geo.5. c. 36.	The Finance Act, 1925.	The proviso to section twenty-two.
20&21Geo.5. c. 28.	The Finance Act, 1930.	The proviso to section thirty-three.
21&22Geo.5. c. 49.	The Finance (No. 2) Act, 1931.	Section five and the Second Schedule.
23&24Geo.5. c. 19.	The Finance Act, 1933.	Subsection (2) of section eight.
25&26Geo.5. c. 24.	The Finance Act, 1935.	Subsection (2) of section one and the First Schedule.
2 & 3 Geo. 6. c. 41.	The Finance Act, 1939.	Section six, the proviso to section twenty-nine and the Fifth Schedule.
2 & 3 Geo. 6. c. 109.	The Finance (No. 2) Act, 1939.	Section four, the proviso to section twenty-three and the Third Schedule.
3 & 4 Geo. 6. c. 29.	The Finance Act, 1940.	Subsections (1) and (3) of section one, subsections (1) and (2) of section three, Parts I, III and IV of the First Schedule and Parts I and II of the Third Schedule.

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