then be apportioned between the constituent authorities in like manner as the expenses mentioned in paragraph 6 (3) of the Third Schedule to the Act are apportioned.

Hector McNeil,
One of His Majesty's Principal Secretaries of State.

20th February, 1951.

St. Andrew's House,
Edinburgh 1.

We consent.

H. W. Bowden,
Charles Royle,
Two of the Lords Commissioners of His Majesty's Treasury.

23rd February, 1951.

PROFITS TAX

The Profits Tax Regulations, 1951

1951 No. 1589

Made - - - - 28th August, 1951

The Commissioners of Inland Revenue, in exercise of the powers conferred upon them by Section 32 of the Finance Act, 1951(a), and Parts I and II of the Fifth Schedule to the Finance Act, 1937(b), hereby make the following Regulations:—

Citation

1. These Regulations may be cited as the Profits Tax Regulations, 1951.

Interpretation

2.—(1) In these Regulations—

"Direction" means a direction of the Commissioners of Inland Revenue against which an appeal lies to the Special Commissioners.

"The Principal Regulations" means the Regulations dated 5th August, 1937(c), made by the Commissioners of Inland Revenue under Parts I and II of the Fifth Schedule to the Finance Act, 1937.

(2) The Interpretation Act, 1889(d), shall apply for the interpretation of these Regulations as it applies for the interpretation of an Act of Parliament.

Notice of direction

3. Notice of a direction shall be served on every person whom the direction renders chargeable to the Profits Tax, or chargeable in an amount greater than that in which, but for the direction, he would have been chargeable.

(a) 14 & 15 Geo. 6. c. 43.
(b) 1 Edw. 8 & 1 Geo. 6. c. 54.
(c) S.R. & O. 1937 (No. 731) p. 1724.
(d) 52 & 53 Vict. c. 63.

Service of notices of direction

4. A notice of a direction given by the Commissioners of Inland Revenue to any person may be delivered to the person on whom it is intended to be served, or served upon him by post.

Right of, and procedure on, appeal

5. Any person aggrieved by a direction may at any time within 30 days from the date of service of the notice of direction, or within such further time as the Commissioners of Inland Revenue may allow, give notice to the surveyor named in the notice of direction of his intention to appeal against the direction, and every such notice shall specify the grounds of appeal. Provided that if on the hearing of the appeal the appellant desires to go into any ground of appeal which was not specified in the notice and the omission of that ground from the notice was, in the opinion of the Commissioners hearing the appeal, not wilful or unreasonable, those Commissioners shall not be precluded from allowing the appellant to go into that ground or taking it into their consideration.

Appeals

6. The provisions of Regulations 5 to 11 of the Principal Regulations shall, with any necessary modifications, apply in relation to any notice of appeal and to the hearing of an appeal against a direction as they apply to a notice of appeal and to the hearing of an appeal against an assessment.

By Order of the Commissioners of Inland Revenue.

E. W. Verity,
Secretary.

28th August, 1951.

EXPLANATORY NOTE

(This Note is not part of the Regulations, but is intended to indicate their general purport.)

These Regulations provide for notices of directions under Section 32 of the Finance Act, 1951, to be issued to persons affected, and provide also for appeals.

The power to make Regulations, which is preserved in Section 32 (7) of the Finance Act, 1951, is derived from Parts I and II of the Fifth Schedule to the Finance Act, 1937. That Schedule made provision, *inter alia*, for appeals against assessments to Profits Tax (which, until the enactment of Section 44, Finance Act, 1946, was known as National Defence Contribution) and it also included provisions enabling the Commissioners to make Regulations. Regulations were made in 1937 (S.R. & O. No. 731) which applied to Profits Tax, with modifications, certain Income Tax provisions regarding assessment, collection and appeals.