2. The Treasury may issue out of the Consolidated Fund of the United Kingdom and apply towards making good the supply granted to Her Majesty for the service of the year ending on 31st March 1964, the sum of £2,388,393,100. Issue of £2,388,393,100 out of the Consolidated Fund for the service of the year ending 31st March 1964.

3.—(1) The Treasury may borrow from any person by the issue of Treasury Bills or otherwise, and the Bank of England and the Bank of Ireland may advance to the Treasury on the credit of the said sums, any sum or sums not exceeding in the whole £2,503,694,130. Power for the Treasury to borrow.

(2) The date of payment of any Treasury Bills issued under this section shall be a date not later than 31st March 1964, and section six of the Treasury Bills Act 1877 (which relates to the renewal of bills) shall not apply with respect to those bills. 40 & 41 Vict. c. 2.

(3) Any money borrowed otherwise than on Treasury Bills shall be repaid, with any interest payable thereon, out of the Consolidated Fund, at any period not later than the next succeeding quarter to that in which the money was borrowed.

(4) Any money borrowed under this section shall be placed to the credit of the account of the Exchequer, and shall form part of the said Consolidated Fund, and be available in any manner in which such Fund is available.

4. This Act may be cited as the Consolidated Fund (No. 2) Act 1963. Short title.

1963 CHAPTER 9

Purchase Tax Act 1963

ARRANGEMENT OF SECTIONS

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Section.
1. Charge and management of purchase tax.
2. Chargeable goods and rates of tax.
3. Wholesale value.

Registration

4. Registration of wholesalers and manufacturers.
5. Applications for registration.
6. Duties of Commissioners with regard to registration.
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8. Cases in which registration may be withheld.

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Section.
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13. Representations as to the purpose of a purchase or importation.

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14. Tax on goods resulting from chargeable processes.
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Supplemental

35. Effects on contracts etc., of changes in tax.
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37. Reservation of the tax in Northern Ireland.
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39. Treasury orders.
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42. Short title and commencement.

SCHEDULES:
Schedule 1—Chargeable goods and provisions relating thereto.
Schedule 2—Determination of wholesale value.
Schedule 3—Chargeable processes: relevant classes of goods.
Schedule 4—Repeals and revocations.
Schedule 5—Saving and transitional provisions.

An Act to consolidate the enactments relating to purchase tax. [28th March 1963]

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Preliminary

Charge and management of purchase tax.

1.—(1) Purchase tax shall be charged under the following provisions of this Act on or in respect of the wholesale value of chargeable goods which are purchased from or appropriated or applied by persons required by this Act to be registered, or which result from the application by such persons of chargeable processes, or are imported or otherwise dealt with as mentioned in those provisions.

(2) The tax shall be under the care and management of the Commissioners of Customs and Excise, who 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 for or on account of the tax shall—

(*a*) if collected or received in Great Britain, be placed to the general account of the Commissioners kept at the Bank of England under section 11 of the Customs and Excise Act 1952;

(*b*) if collected or received in Northern Ireland, be paid into the Exchequer in such manner as the Treasury may direct.

Chargeable goods and rates of tax.

2.—(1) Subject to the provisions of this section, the goods which are chargeable goods are those comprised in the Groups listed in Part I of Schedule 1 to this Act, other than goods which are exempt from all charge to tax under the said Part I; and the rates of tax chargeable in respect of chargeable goods of any class are those prescribed by the said Part I.

(2) The list of Groups in the said Part I shall be interpreted in accordance with the rules set out at the beginning of the said Part I.

(3) The Treasury may by order made by statutory instrument—

(*a*) make any change in the classes of goods which are chargeable goods;

(*b*) substitute for the rate of tax chargeable in respect of goods of any class either—

(i) any lower rate, or

(ii) a higher rate at which tax is for the time being chargeable in respect of goods of another class;

(*c*) amend Part I of Schedule 1 to this Act.

(4) Subsection (3) of section 39 of this Act applies to any order under this section which extends the incidence or increases the rate of tax; and subsection (4) of that section applies to any other order under this section.

Wholesale value.

3.—(1) Subject to the provisions of this section, 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 Schedule 2 to this Act.

(2) Where the goods to be valued are goods bought by a retail trader under a chargeable purchase (whether from a wholesale merchant or from the manufacturer of the goods), or imported in pursuance of a purchase by such a trader, then, unless it appears to the Commissioners—

(*a*) that by reason of the quantity of goods comprised in the purchase, the price payable thereunder is lower than the price which would be paid by retail traders in general for goods of the like description; or

(*b*) that the retail trader, in carrying on his business in respect of such goods—

(i) performs any of the functions usually performed by wholesale merchants, or

(ii) otherwise enjoys any purchasing advantage over retail traders in general; or

(*c*) that the seller mainly sells to persons whose purchases are substantially greater than those made by the majority of retail traders,

the wholesale value of the goods as determined under this section shall not exceed a sum equal to the price payable under the purchase, exclusive of tax and properly adjusted so as to take account of any circumstances differentiating the purchase from a sale made in the circumstances specified in Schedule 2 to this Act and of any difference between the actual state of the goods and the state in which they are to be assumed to be for the purposes of valuation.

(3) Where the goods to be valued are not goods bought or imported as mentioned in subsection (2) of this section or, being such goods, are excluded from the operation of that subsection under paragraph (*a*), (*b*) or (*c*) thereof, the Commissioners shall, in determining the price which the goods would fetch on a sale made as mentioned in subsection (1) of this section, have regard to the extent to which goods of the like description are sold to retail traders in general by manufacturers as well as by wholesale merchants.

Registration

Registration of wholesalers and manufacturers.

4.—(1) Subject to the provisions of this section and of section 8 of this Act, the following persons shall be registered under this Act, that is to say:—

(*a*) every wholesale merchant or manufacturer whose business includes the selling of any chargeable goods;

(*b*) every manufacturer whose business includes the letting out on hire of chargeable goods manufactured by him;

(*c*) every manufacturer who appropriates or applies to use in or in connection with a business carried on by him chargeable goods manufactured by him in the United Kingdom for that purpose; and

(*d*) every person who, in the course of or for the purposes of his business, applies a chargeable process.

(2) Unless he falls within paragraph (*d*) of subsection (1) of this section, a person shall not be registered by virtue of that subsection if the following amount or, as the case may be, the aggregate of the following amounts, that is to say—

(*a*) the gross takings from his sales of chargeable goods (excluding in the case of a manufacturer who is not also a wholesale merchant any sales by retail of goods not made by him); and

(*b*) the wholesale value of all chargeable goods in respect of which he is, or but for this subsection would be,

accountable for tax by virtue of an appropriation to such a business as is mentioned in paragraph (*b*), or by virtue of any such appropriation or application as is mentioned in paragraph (*c*), of the said subsection (1),

has not on the average exceeded five hundred pounds per annum or, in the case of a business recently commenced, is unlikely to do so.

(3) A manufacturer who is not required by subsection (1) of this section to be registered shall be registered if he satisfies the Commissioners in the prescribed manner that he uses chargeable goods in substantial quantities as materials.

(4) The Treasury may by order made by statutory instrument direct—

(*a*) that subsection (2) of this section shall have effect with the substitution for the amount of five hundred pounds therein mentioned of such larger or smaller amount as may be specified in the order; or

(*b*) that the said subsection (2) shall be suspended during the continuance in force of the order.

(5) Section 39 (2) of this Act applies to any order of the Treasury under this section.

Applications for registration.

5.—(1) Every person carrying on business in such circumstances that he is required under section 4 (1) of this Act to be registered shall, before the expiration of fourteen days from the relevant date, make an application for registration in the prescribed form to the Commissioners.

(2) In the foregoing subsection "the relevant date", in relation to any person to whom the subsection applies, means the date on which that person begins to carry on business in such circumstances as aforesaid, or on which the circumstances become such as aforesaid (whether by reason of a change in the circumstances of his business or otherwise), as the case may be.

(3) Where a wholesale merchant or manufacturer who is by virtue of section 4 (2) of this Act 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 render that subsection no longer applicable to him, he shall forthwith give information to the Commissioners of the change.

Duties of Commissioners with regard to registration.

6.—(1) The Commissioners shall, subject to the provisions of section 8 of this Act, register every person who is required by this Act to be registered, and on registering any such person shall, subject to the provisions of this section, issue to him a certificate of registration.

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

(3) 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 (otherwise than with his assent under subsection (1) of the said section 8), the Commissioners shall serve notice on him of their intention to register him or to cancel the registration, as the case may be.

(4) The Commissioners may, where it appears to them to be requisite for the security of the revenue to do so, impose as a condition of issuing a certificate of registration to a registered person or of the continuance in effect of such a certificate issued to such a person—

(*a*) a requirement that he shall give security up to an amount and in a manner approved by the Commissioners for the payment of tax for which he may be or become accountable; or

(*b*) a requirement that he shall make representations as being the holder of a certificate of registration only in such circumstances or as respects such classes of goods as the Commissioners may from time to time direct,

or both of those requirements.

(5) Without prejudice to subsection (4) of this section, the Commissioners shall not be required in any case to issue a certificate of registration to a person who is registered, if he is required to be registered by virtue only of paragraph (*d*) of section 4 (1) of this Act.

(6) The fact that a person who is required to be registered is by virtue of any provision of this section not for the time being entitled to a certificate of registration shall not be treated as derogating in any respect from the effect of that requirement.

Registration of retailer purchasing on wholesale scale.

7. 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; and this Act (except sections 4 (1), 4 (2) and 5) 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 Act to a wholesale merchant shall be construed accordingly.

Cases in which registration may be withheld.

8.—(1) If, in the case of any wholesale merchant or manufacturer who, apart from any exercise of the power conferred on the Commissioners by this subsection, is required by section 4 (1) of this Act to be registered, the Commissioners are satisfied, on a comparative estimate of—

(*a*) the amount of the tax which, apart from any exercise of the said power, will become chargeable by virtue of purchases from him as being a person required by this Act to be registered, and of appropriations and applications such as are mentioned in section 10 of this Act made by him as being a person so required; and

(*b*) the amount of the tax which, if he is not registered, will become chargeable by reason of the fact that the provisions of this Act relating to the tax as to purchases by or sales to or importations for a registered person as stock for his business or as materials will not in that event apply to him,

that the latter amount will on the average be not less than the former, they may, if he is not already registered, refrain from registering him so long as they are so satisfied, or, if he is already registered, cancel his registration and thereafter refrain from registering him so long as they are so satisfied.

(2) Any estimate of the amount of tax chargeable in any circumstances to be made by the Commissioners for the purposes of subsection (1) of this section shall be made by reference to section 3 of this Act as that section would have effect if subsections (2) and (3) were omitted.

(3) If, in the case of a person who is required to be registered by virtue only of section 4 (1) (*d*) of this Act, the Commissioners think fit to do so, they may, if he is not already registered, refrain from registering him, or if he is already registered, cancel his registration and thereafter refrain from registering him.

(4) As respects any period during which the Commissioners refrain under this section from registering a person who would otherwise be required by subsection (1) of section 4 of this Act to be registered, that person shall be treated for the purposes of this Act (other than subsection (3) of the said section 4) as being a person not required to be registered.

General provisions as to charge of tax

Tax on wholesale purchases.

9.—(1) Tax shall be charged, subject to and in accordance with the provisions of this Act, on the wholesale value of all chargeable goods bought under chargeable purchases.

(2) A chargeable purchase is a purchase made from a wholesale merchant or manufacturer who is required by this Act to be registered, selling by wholesale, not being—

(*a*) a purchase of goods by a registered wholesale merchant as stock for his business; or

(*b*) a purchase of goods by a registered manufacturer as materials.

(3) A purchase is a chargeable purchase only so far as it relates to goods in the United Kingdom, that is to say—

(*a*) in the case of a purchase of ascertained goods, goods bought under the purchase which are in the United Kingdom at the time of the purchase;

(*b*) in the case of a purchase of unascertained goods, goods appropriated to the purchase which are in the United Kingdom at the time of the appropriation.

(4) Tax chargeable in respect of any goods by virtue of a purchase becomes due on the delivery of the goods under the purchase, and the seller under the purchase is accountable for it.

Tax on goods appropriated or applied by wholesalers and manufacturers.

10.—(1) Tax shall be charged, subject to and in accordance with the provisions of this Act, on the wholesale value of chargeable goods which, being in the ownership of a wholesale merchant or manufacturer who is required by this Act to be registered and being goods to which this section applies, are appropriated or applied by him to any of the following purposes:—

(*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

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

(*c*) in the case of chargeable goods being beverages or products for the preparation of beverages, to the production of beverages which are not purchase tax goods (other than spirits, beer or British wine produced under the authority of the appropriate excise licence); or

(*d*) 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.

(2) The goods of a wholesale merchant or manufacturer to which this section applies are:—

(*a*) goods the property in which he acquired under a purchase of goods as stock for his business or as materials;

(*b*) goods imported for him as stock for his business or as materials; and

(*c*) goods made by him or resulting from a process applied by him.

(3) Tax chargeable in respect of any goods by virtue of an appropriation or application becomes due at the time of the appropriation or application, and the person who appropriates or applies the goods is accountable for it.

(4) The references in subsection (1) (*c*) of this section to spirits, beer and British wine shall be construed as if they were contained in the Customs and Excise Act 1952.

Tax on goods imported.

11. Tax shall be charged, subject to and in accordance with the provisions of this Act, on the wholesale value of all chargeable goods imported into the United Kingdom except goods imported for a registered wholesale merchant as stock for his business or imported for a registered manufacturer as materials.

Tax on goods of persons ceasing to be registered.

12.—(1) Subject to the provisions of this section, when a person ceases to be required by this Act to be registered, tax shall become chargeable in respect of any chargeable goods then in his ownership, being goods to which section 10 of this Act applies and in respect of which tax has not become chargeable under that section on any appropriation or application by him, as if they had been delivered by him under a chargeable purchase from him while he was required by this Act to be registered.

(2) Payment of tax due by virtue of this section shall, subject to any conditions the Commissioners may impose for the purpose of protecting the revenue, be deferred for such period as the Commissioners may allow having regard to the said purpose and to the time when tax in respect of the goods might have been expected to become payable if the person accountable for the tax had continued to be required to be registered; and if that person satisfies the Commissioners that any of the goods have been sold to a registered person as stock or as materials or exported by him within the period so allowed, or within any further period which the Commissioners may allow, the tax chargeable under this section in respect of the goods so sold or exported shall be remitted or, if it has been paid, shall be repaid.

(3) While any tax for which a person is accountable by virtue of this section remains unpaid, any regulations for the time being in force under section 31 (1) of this Act shall apply to him as if he were a registered person.

Representations as to the purpose of a purchase or importation.

13.—(1) Subject to subsection (2) of this section, a purchase shall be deemed for the purposes of this Act 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 Act, and that he intends to sell the goods or to use them as materials, and not otherwise.

(2) A purchase made by a registered person otherwise than in the United Kingdom or made by a person required by this Act to be registered before the date on which he is registered shall be deemed for the purposes of this Act 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 so made and that the buyer intended to sell the goods or to use them as materials.

(3) Imported goods shall be deemed for the purposes of this Act to be imported for a registered wholesale merchant as stock for his business, or for a registered manufacturer as materials, if the Commissioners are satisfied, on a representation to that effect made to them in the prescribed manner and at the prescribed time by a person claiming to be the holder of a certificate of registration, that he is the holder of such a certificate and that he intends to sell the goods or to use them as materials.

(4) Where under subsection (3) of this section any imported chargeable goods are, in consequence of such a representation as is mentioned in that subsection, deemed to be imported as therein mentioned, the Commissioners may from time to time require the person by whom the representation was made to account for the goods; and in any such case, unless that person proves—

(*a*) that he has sold the goods under a chargeable purchase, or to a registered wholesale merchant as stock for his business, or to a registered manufacturer as materials; or

(*b*) that he has used the goods as materials; or

(*c*) that he has appropriated or applied the goods as mentioned in section 10 of this Act,

or the goods are otherwise accounted for to the satisfaction of the Commissioners, the tax which, if the goods had not been deemed to be imported as aforesaid, would have been payable under section 11 of this Act by virtue of their importation shall be deemed to have become payable on the making of the requirement and shall be recoverable as a debt due to Her Majesty from the person by whom the representation was made.

(5) The Commissioners may, where it appears to them to be necessary for the security of the revenue to do so, impose upon any person, as a condition of his having the benefit of subsection (2) of this section, either or both of the requirements which they are authorised by section 6 (4) of this Act to impose as a condition of issuing a certificate of registration.

(6) If any person for the purposes of subsection (1), subsection (2) or subsection (3) of this section falsely represents that he is

a holder of a certificate of registration or that he is, or is by this Act required to be, registered, the amount of any tax which would have been chargeable in respect of the purchase or importation 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 for it, without prejudice to any punishment to which he is liable under section 33 of this Act.

Special classes of chargeable goods

Tax on goods resulting from chargeable processes.

14.—(1) For the purposes of this Act a person shall be deemed to apply a chargeable process if he applies any process of manufacture which results in chargeable goods of any of the classes specified in Schedule 3 to this Act, whether or not the goods to which the process was applied were, before it was applied, goods of the same class or any other class specified in that Schedule.

In this subsection " process of manufacture " means a process applied so as to make goods or in the course of making goods.

(2) Subject to the provisions of this section, where any person required by this Act to be registered applies a chargeable process, tax shall be charged on the wholesale value of the resulting chargeable goods.

(3) Tax under this section becomes due on the completion of the chargeable process, and the person who applies the process is accountable for it.

(4) A person is not accountable for tax under this section in respect of goods resulting from the application of a chargeable process where those goods are his property at the time of the completion of the process, but nothing in this subsection shall prejudice the application to him of section 10 of this Act in relation to those goods.

(5) Where a chargeable process is applied to any goods under a contract and the person to whose order the process is applied under the contract makes, at such time and in such manner as the Commissioners may direct, a representation to the other party to the contract that he is a registered person and undertakes to account for any tax payable, then—

(*a*) that other party shall not become accountable for tax under this section by reason of the application of the process; and

(*b*) if at the time of the completion of the process the person making the representation is not registered he shall (without prejudice to any liability to punishment in respect of any false statement in the representation)

be accountable for the tax chargeable by reason of the application of the process if he is not otherwise accountable for it.

(6) Where in respect of the application of a chargeable process to chargeable goods it is shown to the satisfaction of the Commissioners—

(*a*) that those goods were at the time of the application of the process the property of the person to whose order the process was applied and were last acquired by him more than two years, or such shorter period as the Commissioners may allow, before that time, or were acquired by him under any testamentary disposition or intestacy; and

(*b*) that the goods were not held by him at any time as stock for the purposes of any trade carried on by him,

any tax chargeable by virtue of the application of the process shall, instead of being chargeable on the wholesale value of the resulting goods, be chargeable on the amount by which that value exceeds the wholesale value of so much of the chargeable goods to which the process was applied as is incorporated in the resulting goods.

(7) If the person referred to in paragraph (*a*) of subsection (6) of this section, in furnishing any information for the purpose of, or in connection with, the obtaining of any relief under the said subsection (6), 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, without prejudice to any liability to punishment in respect thereof, be accountable for the tax which would be chargeable by virtue of the application of the process apart from the said subsection (6).

(8) The Treasury may by order made by statutory instrument vary Schedule 3 to this Act either by the addition or by the omission of any class of goods or by the alteration of the description of any class of goods.

(9) Subsection (3) of section 39 of this Act applies to any order under this section which extends the incidence of tax; and subsection (4) of that section applies to any other order under this section.

Vehicles and other goods chargeable as finished and complete.

15.—(1) Any tax chargeable in respect of goods to which this section applies shall be chargeable on the wholesale value of the goods finished and complete; and for the purposes of section 3 of this Act any goods to which this section applies in respect of which tax is chargeable shall be assumed to be in that state.

(2) This section applies to mechanically propelled vehicles and goods of such other classes as the Treasury may by order made by statutory instrument direct; and the power to make orders under this subsection includes power—

(*a*) to direct that for the purposes of this Act goods without a specified part or accessory shall fall within the same class as goods complete with that part or accessory, being a class or part of a class of goods to which this section applies; and

(*b*) to vary or revoke subsection (5) of this section as if it were contained in an order under this section.

(3) Subsection (3) of section 39 of this Act applies to any order under this section which has the effect of increasing the tax chargeable in respect of any goods or which extends the incidence of tax; and subsection (4) of that section applies to any other order under this section.

(4) It shall be for the Commissioners to determine for any class of goods to which this section applies, or for any type of goods of any such class—

(*a*) what process those goods, or goods of that type, must have undergone if they are to be regarded for the purposes of this section as finished;

(*b*) what parts and accessories are for those purposes to be deemed to belong to such goods when complete; and

(*c*) what type of any part or accessory deemed to belong to such goods when complete, goods lacking that part or accessory are to be treated for those purposes as having;

and in exercising their powers under this subsection the Commissioners shall wherever practicable have regard to any standard specification for the type of goods in question and to the common practice of users of such goods.

(5) For the purposes of this Act a vehicle designed to be mechanically propelled shall be deemed to be mechanically propelled, whether or not complete with an engine and other parts and accessories required for the purpose.

Vehicles converted into passenger vehicles or the like.

16.—(1) In this section and elsewhere in this Act "car" means (subject to subsection (7) of this section) any mechanically propelled vehicle which is comprised in paragraph (*a*) or paragraph (*b*) of Group 27 in Part I of Schedule 1 to this Act and is chargeable goods, other than a bicycle or a bicycle and sidecar combination.

(2) Where a person, whether registered or required by this Act to be registered or not, converts a vehicle which is not a car into a car, tax shall be charged on the wholesale value of the car unless he does so in the course of a business which ordinarily includes the manufacture of cars.

(3) Tax chargeable under this section in respect of a car becomes due—

(*a*) when the process in respect of which the tax is chargeable is completed; or

(*b*) when the car is first used on a public road or elsewhere, or registered under the Vehicles (Excise) Act 1962 or any corresponding enactment for the time being in force in Northern Ireland, after the process was begun,

whichever is the earlier; and (subject to subsection (5) of this section) any such tax shall be payable within seven days from demand or such longer period as the Commissioners may in any case allow.

(4) The following persons are each accountable for tax chargeable under this section in respect of a car, that is to say—

(*a*) the person who is the owner of the car when the tax becomes due; and

(*b*) any person who converts another vehicle into the car under a contract to the order of the owner;

but any person accountable as having converted another vehicle into the car shall be entitled to recover any tax paid by him from the person accountable as the owner:

Provided that if, when the tax becomes due, some person other than the owner is entitled to possession of the car under a hire-purchase agreement, this subsection shall apply as if references to that person were substituted for references to the owner.

(5) There shall be set off against the tax chargeable under this section in respect of a car the amount of any tax which is shown to have been paid in respect of the chassis of the car and which has not been repaid or become repayable.

(6) Where tax is chargeable in respect of the same operation both under this section and under section 14 of this Act, payment of the tax chargeable under either shall satisfy the charge under both.

(7) An order under section 2 of this Act which amends Part I of Schedule 1 to this Act in relation to road vehicles may, in connection therewith, amend subsection (1), subsection (5) or subsection (6) of this section, and for the purposes of this section may contain savings and other transitional provisions consequential on any such amendments of the said Part I or of those subsections.

Drugs and medicines.

17.—(1) The provisions of Part II of Schedule 1 to this Act shall have effect for the purposes of any exemption of goods comprised in Group 33 in Part I of that Schedule (or any Group substituted for that Group by an order made under section 2 of this Act) which is conferred by reference to the said Part II.

(2) An order under section 2 of this Act relating to drugs or medicines may—

(*a*) define any class of drugs or medicines by reference (either inclusive or exclusive) to any kind of get-up of the goods;

(*b*) amend Part II of the said Schedule 1.

In this subsection, the reference to get-up includes a reference to marking, labelling, packing or any other treatment adopted for identifying goods or presenting goods to the user or consumer.

(3) Any drug or medicine comprised in Group 33 in Part I of the said Schedule 1 (or any Group substituted for that Group by an order made under section 2 of this Act) shall be exempt from all charge to tax, if so directed by the Commissioners; but the Commissioners shall not give such a direction except on the recommendation of the Minister of Health or of the Minister of Agriculture, Fisheries and Food.

(4) Any direction under subsection (3) of this section shall cease to have effect, if not previously revoked, on the expiration of fifteen months from the giving of the direction or on the coming into force of an order under the said section 2 with respect to the exemption from tax of drugs and medicines comprised as aforesaid, not being an order made before or within six weeks after the giving of the direction.

Reliefs from tax

Relief for exported goods.

18.—(1) Where goods bought under a chargeable purchase, goods appropriated or applied as mentioned in section 10 of this Act, or goods resulting from the application of a chargeable process, are shown to the satisfaction of the Commissioners to have been exported from the United Kingdom by the seller under the purchase, or by a person by whom the goods were so appropriated or applied, or by the person who, apart from this subsection, would be accountable for the tax chargeable under section 14 of this Act by reason of the application of the process, 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 made by statutory instrument 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, 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 in making the goods exported, where it is shown to the satisfaction of the Commissioners—

(*a*) that tax has become chargeable, by virtue of a purchase or of an importation, in respect of the goods exported

or of goods of the specified class used by the exporter in making the goods exported, and has been or will be paid;

(*b*) that the exporter was the buyer under the purchase by virtue of which tax has become chargeable, or the importer on the importation by virtue of which it has become chargeable, as the case may be; and

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

(3) The amount of an allowance to be paid under subsection (2) of this section shall be either (as may be provided by the order)—

(*a*) the amount of the tax referred to in paragraph (*a*) 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) In this section references to the exportation of goods from the United Kingdom include references to the shipment of goods as ships' stores.

Relief against double charge of tax.

19.—(1) If a wholesale merchant or a manufacturer proves to the satisfaction of the Commissioners, in the case of any goods in respect of which tax has become chargeable by virtue of a purchase made from him or by virtue of such an appropriation or application as is mentioned in section 10 of this Act, made by him, that tax also became chargeable in respect of those goods on a previous occasion—

(*a*) by virtue of a purchase of them or of such an appropriation or application of them, made by him, or

(*b*) by virtue of an importation of them effected by him,

at a time when he was not the holder of a certificate of registration, the Commissioners may remit payment of the first-mentioned tax, or if it has been paid may repay it, up to an an amount not exceeding the amount of the last-mentioned tax.

(2) If a manufacturer proves to the satisfaction of the Commissioners that he has used as materials for goods in respect of which tax has become chargeable by virtue of a purchase made from him or by virtue of such an appropriation or application as is mentioned in section 10 of this Act, made by him, goods in respect of which tax became chargeable on a previous occasion—

(*a*) by virtue of a purchase of them or of such an appropriation or application of them, made by him, or

(*b*) by virtue of an importation of them effected by him,

at a time when he was not the holder of a certificate of registration, the Commissioners may remit payment of the first-mentioned tax, or if it has been paid may repay it, up to an amount not exceeding the amount of the last-mentioned tax.

(3) In the foregoing provisions of this section the references to cases where a person was not the holder of a certificate of registration include references to cases where, in pursuance of a requirement imposed on him under section 6 (4) of this Act, a person refrained from making a representation to obtain goods without payment of tax.

Relief for goods applied to charitable and other purposes.

20.—(1) The Commissioners may, subject to such conditions as they may impose for the protection of the revenue, remit the tax chargeable under section 10 of this Act, on the appropriation or application of any goods by a wholesale merchant or manufacturer, if they are satisfied—

(*a*) that the goods were appropriated or applied by way of a gift to a body of persons or trust established for charitable purposes; and

(*b*) that the goods were so appropriated or applied for the purpose of relieving distress and will be kept or distributed, or have been distributed, by the body or trust for that purpose.

(2) The Commissioners may, subject to such conditions as aforesaid, remit the tax chargeable in respect of a wireless receiving set, by virtue either of a purchase of the set or of such an appropriation or application of it as is mentioned in section 10 of this Act, if they are satisfied, by a certificate to that effect given to them on behalf of a charity registered in accordance with section 41 of the National Assistance Act 1948 or any corresponding enactment of the Parliament of Northern Ireland, that the purchase, appropriation or application was made for the purpose of making the set available for the use of the blind, to the exclusion of use otherwise, and that the property in it will be retained by the charity for that purpose.

(3) Subject to such conditions as aforesaid, the Commissioners may, upon an application made to them in that behalf, remit the tax chargeable in respect of an article of furniture, plate or textile material or an ornament, if they are satisfied that the purchase, importation or other act by virtue of which the tax is chargeable was made or done for the purpose of placing the article or ornament in a place of religious worship as a war memorial and that it will be retained therein.

(4) Subject to such conditions as aforesaid, the Commissioners, upon an application in writing made to them in that behalf, may

if they think fit remit the tax chargeable in respect of any article if they are satisfied that the purchase, importation or other act by virtue of which the tax is chargeable was made or done for the purpose of enabling the article to be used as an exhibit or specimen in a gallery, museum or similar institution, being an institution approved by the Treasury for the purposes of this subsection, and that the article is not intended for subsequent sale.

Relief for certain imported goods.

21.—(1) If an importer into the United Kingdom of any goods to which this section applies makes application to be relieved of tax payable on the importation of the goods, the Treasury, if in all the circumstances of the case, and having regard to the fact that tax is payable on the like goods on chargeable transactions in the United Kingdom, they think fit to do so, may direct that tax shall not be payable on the importation of the goods or, if it has been paid thereon, shall be repaid.

(2) Any application under subsection (1) of this section must be in writing and must, except in a case where the Commissioners otherwise allow, be made before the goods have been released from customs control.

(3) In giving a direction under this section the Treasury may impose conditions (including conditions prohibiting or restricting the disposal of or dealing with the goods), and if any condition subject to which such a direction is given is not observed the importer shall become liable to pay the tax of which he was relieved by the direction; and the Commissioners may, if they see fit, require the importer to give security by bond or otherwise for the observance of the conditions and the payment of any tax becoming due by reason of any breach of the conditions or in accordance with the terms of any consent given under the conditions to a disposal of or dealing with the goods.

(4) This section applies—

(*a*) to any goods as to which it appears to the Treasury that relief from tax on the importation thereof is necessary or expedient with a view to conforming with an international agreement relating to matters other than commercial relations;

(*b*) to articles intended, and reasonably required, for the purpose of subjecting the articles, or any material or component in the articles, to examination or tests with a view to promoting or improving the manufacture in the United Kingdom of goods similar to those articles or to that material or component, as the case may be, or for the purpose of subjecting goods capable of use with those or similar articles (including goods which might be used as materials or components in such

articles or in which such articles might be used as materials or components) to examination or tests with a view to promoting or improving the manufacture in the United Kingdom of those or similar goods;

(*c*) to articles intended to be used in scientific research, or for a purpose connected with the advancement of any branch of learning or art or with the promotion of any sport, and not intended to be sold, or to be used for any purpose which is substantially a commercial purpose;

(*d*) to any goods as to which the Treasury are satisfied that it is intended to re-export them or goods incorporating them or manufactured or produced from them, that there are special reasons why, with a view to promoting the interests of the export trade or similar interests, purchase tax should not be charged on their importation and that it is in the national interest that it should not be.

Relief for re-imported goods.

22. Tax shall not be chargeable by virtue of an importation into the United Kingdom of chargeable goods in any case where it is shown to the satisfaction of the Commissioners that the goods had been previously exported from the United Kingdom and are in substantially the same state as they were in at the time of their exportation, and—

(*a*) that before their exportation the goods—

(i) had been the subject of a chargeable purchase, or

(ii) had been the subject of such an appropriation or application as is mentioned in section 10 of this Act, or

(iii) had been the subject of an importation by virtue of which tax became chargeable under section 11 of this Act (not being an importation effected before 13th July 1944), or

(iv) had resulted from the application of a chargeable process in such circumstances that tax became chargeable in respect of them under section 14 of this Act; and

(*b*) that any tax which was chargeable in respect of the goods—

(i) by virtue of their being the subject of that purchase, appropriation or application or importation, or

(ii) by virtue of their resulting from the application of that process,

and which has become payable, has been duly paid; and

(*c*) that section 18 (1) of this Act did not have effect in relation to the exportation, and that no right to the payment of an allowance for any tax payable arose on the exportation; and

(*d*) in the case of goods in respect of which tax was chargeable under the said section 11, that the goods whilst in the United Kingdom before their exportation were not there in any such circumstances as to render that tax not payable.

Remission of tax on exported vehicles.

23.—(1) Where it is shown to the satisfaction of the Commissioners that a person who acquires a mechanically propelled vehicle from the manufacturer of that vehicle (the manufacturer being a person who is registered) is only temporarily in the United Kingdom and is or is about to be resident outside the United Kingdom, the Commissioners may, subject to such conditions as they may think necessary for the protection of the revenue, remit any tax which would otherwise be payable in respect of the vehicle by the manufacturer.

(2) If the manufacturer does not, within such period as the Commissioners may direct, show to their satisfaction that he has exported the vehicle, or if any of the conditions imposed by the Commissioners (including conditions as to the manner of exportation) are not complied with, the tax which, apart from the provisions of this section, would have been payable shall be deemed to have become payable and shall be recoverable as a debt due to Her Majesty.

Collection and enforcement

Invoices, accounts, information etc.

24.—(1) The seller of chargeable goods under a chargeable purchase made in the United Kingdom 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.

(2) Where, in pursuance of a contract made in the United Kingdom, a party to the contract applies a chargeable process to the order of another party thereto, he shall add to any invoice or similar document delivered by him to the said other party a statement indicating the amount due from that other party to him by reference to tax for which he may be accountable under section 14 of this Act in respect of the application of the process.

(3) Every person who is required by this Act to be registered shall keep such records and accounts in such form, and shall preserve them for such period, as the Commissioners may require,

and shall produce them for inspection by any officer or other person authorised in that behalf by the Commissioners at such time and at such place as that officer or person may require.

(4) 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.

(5) Every person accepting an order from any other person to apply a chargeable process shall, if required to do so by the proper officer of Customs and Excise, give notice thereof in writing to that officer in a form approved by the Commissioners and, on the completion of the process, produce the goods resulting therefrom to an officer of Customs and Excise or other person authorised in that behalf by the Commissioners at such place and at such time as that officer or person may require, and shall give to that officer or person such information with respect to the goods as he may require.

(6) Every person concerned with the purchase or importation of goods, or with the application to goods of any process of manufacture, or with dealings with imported goods, shall 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 of them, or to the application of any process of manufacture to them, or to dealings with them, as they may specify, and shall, upon demand made by any officer or other person authorised in that behalf by the Commissioners, produce any books or accounts or other documents of whatever nature relating thereto for inspection by that officer or person at such time and place as that officer or person may require.

Application of customs enactments to imported chargeable goods.

25.—(1) Subject to the provisions of this section, the Customs and Excise Act 1952 and, except where the contrary intention appears, any other enactments (including provisions of regulations or other instruments having statutory effect) relating to customs generally, whether passed or made before or after the commencement of this Act, shall have effect, with such exceptions and adaptations as may be prescribed, in relation to chargeable goods imported into the United Kingdom, whether liable to any duty of customs or not, as if all such goods were liable to duties of customs and as if those duties included tax chargeable under section 11 of this Act.

(2) The following provisions of the Customs and Excise Act 1952 that is to say—

(*a*) sections 34 (4), 35 and 36 (re-importation);

(*b*) section 37 (importation of goods from the Channel Islands);

(*c*) section 259 (charge of duty on manufactured or composite articles); and

(*d*) section 272 (supply of goods without payment of duty to Her Majesty's ships),

shall be excepted from the enactments which are to have effect as mentioned in subsection (1) of this section.

(3) Section 3 (1) of this Act shall have effect in relation to tax chargeable under section 11 of this Act to the exclusion of section 258 of the Customs and Excise Act 1952; and subsections (1) to (3) of section 36 of this Act shall have effect in relation to tax chargeable under the said section 11 to the exclusion, so far as regards any question as to the wholesale value of goods and the deposit of tax pending a reference to arbitration, of section 260 of that Act.

(4) Section 46 of the Customs and Excise Act 1952 (which relates to the prevention of smuggling in Northern Ireland) shall have effect, in its application by virtue of subsection (1) of this section, as if references to the importation of goods were references to the importation of them in circumstances such that tax is chargeable on them under section 11 of this Act.

(5) Regulations made or having effect as if made under section 16 of the Post Office Act 1953 (which provides for the application of customs enactments to postal packets) may make special provision in relation to chargeable goods and to tax chargeable under section 11 of this Act.

Payment and recovery of tax chargeable.

26.—(1) Tax becoming due otherwise than by virtue of section 11 of this Act shall be accounted for and paid in accordance with regulations made under this Act.

(2) Tax chargeable otherwise than by virtue of section 11 of this Act shall be recoverable as a debt due to Her Majesty from the person accountable therefor.

(3) 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.

Recovery of tax on basis of Commissioners' estimate.

27.—(1) Where an amount is due from any person on account of tax, but by reason of his failure to keep or to produce or furnish to the proper officer the accounts, records or other documents required by or under this Act, or to take or permit to be taken any other step which he is so required to take or permit to be taken, or by reason of the accounts, records or

other documents kept, produced or furnished being materially incomplete or inaccurate, the Commissioners are unable to ascertain the amount of tax properly due from him, the Commissioners may estimate the amount of tax due.

(2) Where an estimate of the amount of tax due from any person has been made under subsection (1) of this section, then (without prejudice to the recovery of the full amount due or to the making of a further estimate in that behalf) the amount estimated shall be recoverable as tax properly due unless in any action relating thereto the person liable proves the amount properly due, and that amount is less than the amount estimated.

Provisions for securing enforcement of s. 16.

28.—(1) It shall be the duty of any person who converts another vehicle into a car to inform the Commissioners of that fact forthwith, unless he is a registered person and does so in the course of a business which ordinarily includes the manufacture of cars.

(2) It shall be the duty of any person who converts another vehicle into a car, or who is or has been the owner of a car, or in whose name a car is or has been registered, or who is or has been entitled to possession of a car under a hire-purchase agreement, or who has possession of a car, to give to the Commissioners such information (being information which he has or can reasonably be expected to obtain) as they or any officer of Customs and Excise, or other person authorised in that behalf, may require for the purpose of determining whether any, and if so what, tax has become chargeable or is demandable under section 16 of this Act in respect of the car, and (in the case of any person who has or is entitled to possession of the car) to produce it at such place and time as may be so required.

(3) The power to make regulations under the Vehicles (Excise) Act 1962 as to the declaration to be made and particulars to be furnished by a person applying for a licence under that Act shall include power to require the declaration and particulars to extend to any matters relevant for the enforcement of section 16 of this Act and the foregoing provisions of this section; and a council shall accordingly not be required to issue a licence under that Act where the applicant fails to comply with provisions included in the regulations by virtue of this subsection.

(4) In this section "registered", in relation to a vehicle, means registered under the Vehicles (Excise) Act 1962; and references to that Act and to a council include respectively any corresponding enactment for the time being in force in Northern Ireland and a licensing authority under any such enactment.

Substitution of agent etc. for person not resident in the United Kingdom.

29. Where a person who is accountable for any tax, or on whom any duties are imposed by 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.

Priority of tax in bankruptcy.

30.—(1) There shall be included among the debts which, under section 33 of the Bankruptcy Act 1914 are to be paid in priority to all other debts in the distribution of the property of a bankrupt or person dying insolvent, the amount of any tax due from the bankrupt at the date of the receiving order, or from the person so dying at the date of his death, and having become due within twelve months next before that date.

(2) There shall be included among the debts which under section 118 of the Bankruptcy (Scotland) Act 1913 are to be paid in priority to all other debts in the division of a bankrupt's estate, the amount of any tax due from the bankrupt at the date mentioned in subsection (4) of that section, and having become due within twelve months next before that date.

(3) There shall be included among the debts which, under section 1 of the Preferential Payments in Bankruptcy Act (Northern Ireland) 1933 are to be paid in priority to all other debts in the distribution of the property of a bankrupt, arranging debtor or person dying insolvent, the amount of any tax due—

(*a*) from the bankrupt, at the date of the order of adjudication; or

(*b*) from the arranging debtor, at the date of the filing of the petition for arrangement; or

(*c*) from the person so dying, at the date of his death;

and having become due within twelve months next before that date.

(4) For the purposes of section 16 (2) of the Northern Ireland Act 1962, subsection (3) of this section shall be deemed to be a provision of an Act passed before that Act.

Commissioners' regulations.

31.—(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 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, all such appropriations and applications as are mentioned in

section 10 of this Act, and all chargeable processes by virtue of which tax is chargeable under section 14 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 7 of this Act or the application of chargeable processes, 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;

(*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 persons during a limited period by way of representation of registered persons 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 10 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 paragraph (*f*) of this subsection, 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 section 74 (2) to (5) of the Income Tax Act 1952;

(*h*) 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;

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

(2) Without prejudice to the generality of subsection (1) of this section, regulations may be made by the Commissioners for requiring invoices or similar documents to be given, in such cases as may be prescribed, in connection with sales of purchase tax goods, in connection with sales of other goods in the course of a business which includes the selling of purchase tax goods and in connection with contracts for the application by one person to the order of another of a process of manufacture resulting in purchase tax goods, not being goods which at the time of the completion of the process are the property of the person applying the process.

(3) Regulations made for the purposes of subsection (2) of this section may include provision—

(*a*) for prescribing the form of any document to be given under the regulations and the particulars to be stated in it, and for requiring it to be given within such time as may be fixed by or under the regulations;

(*b*) for imposing on a person to whom any document is required to be given in connection with a transaction entered into in the course of his business an obligation to ask for it in the event of any failure to give it, and if the failure continues to report that fact to the prescribed person;

(*c*) for requiring a person to whom any document is given as aforesaid in accordance with the regulations to keep it for the prescribed time, and for requiring a person giving any document as aforesaid in accordance with the regulations to keep a copy of it for the prescribed time;

(*d*) for any incidental or supplementary matters.

(4) The power of the Commissioners to make regulations under this section shall be exercisable by statutory instrument; and any statutory instrument under this section shall be subject to annulment in pursuance of a resolution of the Commons House of Parliament.

(5) For the purposes of subsection (2) of this section the question whether any goods are purchase tax goods shall be determined—

(*a*) in relation to the giving of an invoice or similar document in connection with a sale of those goods, as at the time when they are delivered in pursuance of the sale;

(*b*) in relation to the giving of an invoice or similar document in connection with a contract for the application of a process of manufacture resulting in those goods, as at the time when the process is completed.

(6) In the application of this section to Scotland—

(*a*) for the reference in paragraph (*g*) of subsection (1) 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

(*b*) for the reference in that paragraph to section 74 (2) to (5) of the Income Tax Act 1952 there shall be substituted a reference to section 76 of that Act.

Power to take samples.

32.—(1) An officer of Customs and Excise, if it appears to him necessary for the protection of the revenue against mistake or fraud, may at any time take, from the goods in the possession of any person in the course of a business which includes the manufacture or sale of purchase tax goods, such samples as the officer may require with a view to determining how the goods or the materials of which they are made ought to be or to have been treated for purposes of purchase tax.

(2) Any sample taken under this section shall be disposed of and accounted for in such manner as the Commissioners may direct.

(3) Where a sample is taken under this section from the goods in any person's possession and is not returned to him within a reasonable time and in good condition, the Commissioners shall pay him by way of compensation a sum equal to the cost of the article to him or such larger sum as they may determine.

(4) The expenses of the Commissioners under subsection (3) of this section shall be defrayed out of moneys provided by Parliament.

Offences.

33.—(1) If any person is knowingly concerned in, or in the taking of steps with a view to, the fraudulent evasion, by him or any other person, of tax in respect of any goods, he shall be liable to a penalty of five hundred pounds or three times the amount of the tax, whichever is the greater or to imprisonment for a term not exceeding two years, or to both such a penalty and such imprisonment.

(2) If any person—

(*a*) with intent to deceive, for the purposes 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; or

(*b*) in furnishing any information for the purposes of this Act or of regulations made thereunder, 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; or

(*c*) with intent to deceive, counterfeits, or uses, or lends to, or allows to be used by, any other person, a certificate of registration issued under this Act, or makes or has in his possession any document so closely resembling such a certificate as to be calculated to deceive; or

(*d*) for the purposes of subsection (1), subsection (2) or subsection (3) of section 13 of this Act 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 or to imprisonment for a term not exceeding two years, or to both.

(3) Notwithstanding anything in the Vehicles (Excise) Act 1962 or any corresponding enactment for the time being in force in Northern Ireland, subsection (2) of this section shall have effect in relation to any provisions included in regulations made under that Act or enactment by virtue of section 28 (3) of this Act as if those provisions were contained in regulations made under this Act.

(4) If any person acquires possession of or deals with any goods, having reason to believe that tax chargeable in respect of them has been or will be evaded, he shall be liable to a penalty of five hundred pounds or three times the amount of the tax, whichever is the greater.

(5) If any person fails to comply with—

(*a*) any of the requirements of subsection (1) or subsection (3) of section 5 of this Act; or

(*b*) any requirement imposed by or under subsection (3), subsection (5) or subsection (6) of section 24 of this Act; or

(*c*) any requirement imposed by or under regulations made under section 31 of this Act,

he shall be liable to a penalty of one hundred pounds, together, in the case of a failure to comply with a requirement so imposed that any act shall be done at a specified time, or within a specified period, or forthwith in specified conditions, with a further penalty of ten pounds for each day after that time, or

after the end of that period, or otherwise after the proper time for complying with the requirement, during which failure to do the act in question continues.

(6) If any person who converts another vehicle into a car fails to comply with the requirements of section 28 (1) of this Act he shall be liable to a penalty of one hundred pounds or three times the tax chargeable, whichever is the greater.

In this subsection " the tax chargeable " means the amount of the tax chargeable under section 16 of this Act by reason of the conversion of another vehicle into the car, after deducting from that tax any amount to be set off against it under subsection (5) of the said section 16.

(7) If any person fails to comply with any requirement imposed by or under section 28 (2) of this Act he shall be liable to a penalty of one hundred pounds.

(8) If any person—

(*a*) fails to comply with any requirement imposed by or under section 24 (4) of this Act ; or

(*b*) contravenes any requirement imposed by or under regulations made under section 31 of this Act, the contravention being one in respect of which no other penalty is specified in this section,

he shall be liable to a penalty of fifty pounds.

Supplementary provisions as to enforcement and notices.

34.—(1) Subject to the provisions of subsection (4) of this section, any enactment which has effect in relation to penalties imposed by or incurred under—

(*a*) the Customs and Excise Act 1952 ; or

(*b*) any enactment relating to the revenue of excise which was passed before 22nd August 1940,

shall have effect in relation to a penalty imposed by this Act as if it had been imposed by the said Act of 1952 or such an enactment as is mentioned in (*b*) above.

(2) Sections 290 (2) and 301 (2) of the Customs and Excise Act 1952 (which relate respectively to the burden of proof in certain proceedings relating to customs or excise and to the recovery of duty unpaid by reason of an untrue declaration or document), as applied by subsection (1) of this section, shall have effect as if purchase tax were a duty of excise.

(3) Section 33 of the Finance Act 1953 (by which it is declared that any act or omission in respect of which a pecuniary penalty is imposed by the customs or excise Acts is an offence under those Acts) shall apply to this Act as it applies to the customs or excise Acts ; and references in that section to the Customs and Excise Act 1952 include references to the said Act of 1952 as applied in relation to penalties under this Act by subsection (1) of this section.

(4) Notwithstanding anything in any other enactment, any proceedings for an offence under this Act or for the recovery of tax summarily as a civil debt may be commenced at any time within, and shall not be commenced later than, three years from the date of the commission of the offence or the date on which the tax became due, as the case may be.

(5) 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 7 of this Act are made, and to inspect goods found thereon.

(6) A notice to be served on any person for any of the purposes 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.

Supplemental

Effects on contracts etc., of changes in tax.

35.—(1) Where under this Act, or by or under any future Act, any change is made in the classes of goods which are chargeable goods, or which may be the subject of a chargeable process, or in the rate at which tax is chargeable in respect of any goods, that change shall have effect, and shall be deemed to have had effect,—

(*a*) in relation to a purchase of goods delivered under the purchase after the time as from which the change takes effect, notwithstanding that the purchase was made before that time;

(*b*) in relation to the application of a chargeable process completed after that time, notwithstanding that the process was applied in pursuance of a contract made before that time.

(2) Section 10 (1) and (2) of the Finance Act 1901 (adjustments between buyer and seller under contracts affected by a change in customs or excise duties) shall apply as respects such changes as are mentioned in the foregoing subsection as those subsections apply to duties of customs or excise, but subject to the modification that, in relation to the application of a chargeable process under any contract not being a purchase,—

(*a*) the contract shall be treated as a contract of sale;

(*b*) the goods resulting from the application of the process shall be treated as having been bought under the contract; and

(*c*) the party to whose order the process is applied and the party who applies the process to his order shall be treated respectively as the buyer and the seller.

(3) The foregoing provisions of this section shall apply to any change made under section 15 of this Act in the amount of tax chargeable in respect of any goods as they apply to changes in the rate at which tax is chargeable in respect of any goods.

Determination of disputes as to wholesale value etc.

36.—(1) If, in ascertaining the amount of tax for which any person is accountable, any dispute arises as to the wholesale value of any goods, then, subject to the provisions of the next following subsection, the question shall be 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.

(2) The foregoing 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 this section is less than the amount deposited with the Commissioners thereunder, the excess shall be repaid.

(4) If, in ascertaining the amount of tax for which any person is accountable, any dispute arises as to the amount which is to be taken for the purposes of Part I of Schedule 1 to this Act to be the cost of any component of a garment to the manufacturer of the garment, subsections (1) to (3) of this section shall apply with the necessary modification of any reference to the wholesale value of the goods.

(5) Subsection (1) of this section shall have effect, in any case where the person accountable for the tax has his principal place of business in Scotland or Northern Ireland, as if for the reference to the Lord Chancellor there were substituted a reference to the Lord President of the Court of Session or to the Lord Chief Justice of Northern Ireland, as the case may be.

Reservation of the tax in Northern Ireland.

37. The Government of Ireland Act 1920 shall have effect as if purchase tax were one of the taxes mentioned in section 22 (1) of that Act (which relates to reserved taxes).

Isle of Man.

38.—(1) At any time when an Act of Tynwald is in force making in relation to the Isle of Man provision similar to the provision made by this Act in relation to the United Kingdom,

Her Majesty may by Order in Council make provision, in relation to goods removed from the United Kingdom into the Isle of Man or from the Isle of Man into 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 Act and the rates of tax so chargeable in respect of those classes of goods,—

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

(*b*) a purchase which would be a chargeable purchase under this Act or under the said Act of Tynwald if—

(i) 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

(ii) for references in this Act to the United Kingdom and for references in the said Act of Tynwald to the Isle of Man there were 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 shall not be a chargeable purchase under either of the said Acts;

and may direct that 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) In subsection (1) of this section—

(*a*) the references to a purchase shall be construed as including references—

(i) to such an appropriation or application as is mentioned in section 10 of this Act, and

(ii) to the application of a chargeable process;

(*b*) the references to a chargeable purchase shall be construed as including references—

(i) to such an appropriation or application as is mentioned in the said section 10, made in circumstances such that tax becomes chargeable under that section in respect of the goods appropriated or applied; and

(ii) to the application of a chargeable process in circumstances such that tax becomes chargeable under section 14 of this Act in respect of the resulting goods.

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

Treasury orders.

39.—(1) Any order made by the Treasury under this Act may be varied or revoked by a subsequent order so made.

(2) An order of the Treasury under section 4 of this Act shall be of no effect until it is approved by a resolution of the Commons House of Parliament.

(3) Any statutory instrument containing—

(*a*) an order of the Treasury under section 2 or section 14 of this Act, being an order which extends the incidence or increases the rate of tax; or

(*b*) an order of the Treasury under section 15 of this Act which has the effect of increasing the tax chargeable in respect of any goods or which extends the incidence of tax; or

(*c*) an order of the Treasury under section 40 (6) of this Act,

shall be laid before the Commons House of Parliament after being made, and the order shall cease to have effect on the expiration of a period of twenty-eight days from the date on which it is made, unless at some time before the expiration of that period it has been approved by the Commons House of Parliament, but without prejudice to anything previously done thereunder or to the making of a new order.

In reckoning any such period of twenty-eight days as aforesaid no account shall be taken of any time during which Parliament is dissolved or prorogued or during which the Commons House is adjourned for more than four days.

(4) In any case not falling within subsection (2) or subsection (3) of this section, any statutory instrument containing an order of the Treasury under this Act shall be subject to annulment in pursuance of a resolution of the Commons House of Parliament.

Interpretation.

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

"applying a chargeable process" has the meaning assigned by section 14 (1) of this Act;

"car" has the meaning assigned by section 16 (1) of this Act;

"chargeable purchase" has the meaning assigned by section 9 (2) of this Act;

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

" goods " has the same meaning as in the Sale of Goods Act 1893 ;

" manufacturer " means a person who carries on in the United Kingdom a business of manufacturing goods, and includes—

(*a*) a person who, in the course of or for the purposes of his business, applies a chargeable process, and

(*b*) a person who in the United Kingdom manufactures goods for use in or in connection with a business carried on by him ;

but for the purposes of this definition the making up of drugs to a formula prescribed by reference to the needs of a particular patient shall not be regarded as the manufacture of goods ;

" manufacturing goods " means making goods or applying any process in the course of making 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 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 ;

" purchase tax goods " means goods of any description from time to time comprised in any of the Groups listed in Part I of Schedule 1 to this Act, whether chargeable goods or not ;

"registered" means registered under this Act, "registration" has a corresponding meaning, and "holder of a certificate of registration" means the holder of a certificate of registration which is in effect for the time being;

"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 purchase tax chargeable by virtue 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*) a person who carries on in the United Kingdom a business of selling to manufacturers as materials goods bought by him; and

(*b*) except for the purposes of sections 4 (1), 4 (2) and 5 of this Act, a person required by section 7 of this Act to be registered.

(2) Without prejudice to the generality of any definition in this Act, any treatment of goods which affects the goods or their get-up and which results in the goods becoming chargeable goods or becoming goods in respect of which tax is chargeable at a higher rate shall be deemed for all the purposes of this Act to be the application of a process in the course of making the goods.

In this subsection the reference to get-up includes a reference to marking, labelling, packing or any other treatment adopted for identifying goods or presenting goods to the user or consumer.

(3) For the purposes of this Act, and in particular of section 4 (1) (*d*) thereof, the performance by a local authority of the functions of the authority and the carrying out by any other body of persons, whether incorporated or not, of the objects of that body shall be deemed to constitute a business of the authority or body.

(4) For the purposes 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 of them, delivery of the goods, or of that part of them (as the case may be) under the purchase shall be deemed to have taken place on the making of the purchase.

(5) For the purposes 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.

(6) If it appears to the Treasury necessary for the protection of the revenue that for any class of goods the difference should be defined for the purposes of tax between cases where the carrying out of an operation amounts to a process of manufacture and cases where it constitutes no more than the repair, maintenance or alteration of the goods to which it is applied, they may by order specify as respects any class of goods the cases in which specified kinds of operations are to be treated for those purposes as processes applied in the course of making goods.

Section 39 (3) of this Act applies to any order under this subsection.

(7) Any reference in this Act or in any enactment or order (whether passed or made before or after the passing of this Act) to a rate of tax expressed as a percentage shall, unless the context otherwise requires, be construed as a reference to a rate amounting to that percentage of the wholesale value of the goods in question.

(8) 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.

Repeals, revocations, savings and transitional provisions.

41.—(1) The enactments described in Part I of Schedule 4 to this Act are hereby repealed to the extent specified in the third column of that Part of that Schedule, and the orders described in Part II of that Schedule are hereby revoked to the extent specified in the third column of that Part of that Schedule.

(2) The saving and transitionall provisions contained in Schedule 5 to this Act shall have effect.

Short title and commencement.

42.—(1) This Act may be cited as the Purchase Tax Act 1963.

(2) This Act shall come into operation on 1st April 1963.

SCHEDULES

Sections 2 and 17.

SCHEDULE 1

CHARGEABLE GOODS AND PROVISIONS RELATING THERETO

PART I

LIST OF CHARGEABLE AND EXEMPT GOODS, AND RATES OF TAX

NOTE:—The list in this Part of this Schedule is to be interpreted in accordance with the following rules.

1. Where a Group begins with a general description of the goods comprised in the Group, the goods mentioned below in the Group (including those mentioned under a heading "Exempt") comprise only goods falling within the general description.

2. Goods comprised in a heading "Exempt" are exempt from all charge to tax.

3. A heading "Not chargeable under this Group" is to be taken as excluding the goods referred to from any charge to tax under that Group (but not other Groups), and not as restricting or extending the descriptions of goods to be treated as comprised in the Group.

4. Where any goods are chargeable at more than one rate, tax is to be chargeable in respect of them at the higher or highest of those rates.

5.—(1) "Fur skin" includes any skin with fur, hair or wool attached.

(2) Any reference in Group 1 to the cost of any component of a garment to the manufacturer of the garment is to be taken as referring to the total cost to him of that component ready for assembling into the garment, or, where the Commissioners are not satisfied both that the whole of the cost of the component is actually borne by the manufacturer of the garment and as to the amount thereof, the cost which in their opinion would be incurred by the manufacturer of a similar garment who did bear the whole of the said cost.

GROUP 1

comprising Garments, headgear, footwear and gloves.

(*a*) Articles not comprised below in this Group ...	10%
(*b*) Fur garments and fur headgear, that is to say, garments and headgear made wholly or partly of fur skin (other than rabbit skin or woolled sheep or lamb skin) but excluding articles merely trimmed with such fur skin unless, in the case of a garment, the trimming represents a cost to the manufacturer of the garment greater than the cost to him of the other components or has an area greater than one-fifth of the area of the outside material.	25%

SCH. 1

Not chargeable under this Group

Helmets designed to protect the head from injury.

Exempt

(1) Garments and footwear of a kind suitable for young children's wear, but not including fur garments as described above.

(2) Headgear and gloves suitable only for babies' wear, but not including fur headgear as described above.

(3) Protective boots designed for use by miners or quarrymen or moulders, and protective helmets designed for use by miners or quarrymen.

(4) Clogs and other wooden-soled footwear, other than articles made wholly or partly of fur skin.

(5) Surgical appliances.

(6) Wigs.

(7) Articles knitted or crocheted by hand without mechanical aid, including such articles embroidered by hand-needlework.

GROUP 2

comprising Haberdashery and minor articles of apparel.

(*a*) Articles not comprised below in this Group ... 10%

(*b*) Articles made wholly or partly of fur skin (other than rabbit skin or woolled sheep or lamb skin). 25%

Not chargeable under this Group

Tissues and fabrics, whether in the piece, shaped or partly made up.

Exempt

(1) Sewing thread, and mending and knitting wool.

(2) Sewing and darning needles, knitting needles, bodkins, crochet hooks, pins of base metal (except hairpins, hat-pins, and tie-pins), thimbles, finger shields for needlework and tape measures.

(3) Paper patterns.

(4) Articles knitted or crocheted by hand without mechanical aid, including such articles embroidered by hand-needlework.

GROUP 3

(*a*) Beads, sequins and similar articles 25%

(*b*) Cuff links and studs 25%

(*c*) Hat-pins 25%

(*d*) Tie-pins, tie-retainers, scarf rings, scarf holders and similar articles. 25%

(*e*) Hairpins, hair grips, hair curlers, dress combs, hair slides and similar articles. 25%

SCH. 1

GROUP 4

(*a*) Jewellery and imitation jewellery being articles consisting wholly or partly of stones (precious, semi-precious or imitation) or of pearls (real, cultured or imitation) or of beads. 25%

(*b*) Articles of personal adornment and other articles of a kind worn on the person, being articles made wholly or partly of gold, silver or other precious metal (not including base metal which is coated or plated with precious metal). 25%

(*c*) Trophy cups, bowls and similar articles of a kind awarded as prizes. 10%

Exempt

Miniatures or reproductions of the insignia of orders, decorations and medals granted by the Sovereign or conferred by or in the gift of a foreign Sovereign State or the Head of a foreign Sovereign State, and ribbons, bars and clasps designed to wear with, or with miniatures or reproductions of, such orders, decorations and medals (including made-up ribbon bars).

GROUP 5

Paper serviettes, paper doyleys, paper table covers, paper table decorations, shelf paper and similar articles of paper. 10%

GROUP 6

Cushions, cushion pads, pillows, bolsters, overlay mattresses and mattress shapes, being articles of a kind used for domestic purposes. 10%

Exempt

Air pillows, air cushions, water beds, water pillows and water cushions, being articles of a kind used for domestic purposes.

GROUP 7

comprising Tissues and fabrics, whether in the piece, shaped or partly made up, including such tissues or fabrics which have been dyed, printed, coated or otherwise treated.

Tissues and fabrics not exceeding 12 inches in width 10%

Not chargeable under this Group

Tissues and fabrics exceeding 12 inches in width.

Exempt

(1) Fabrics of the following descriptions (not being woven-figured fabrics, pile fabrics, elastic fabrics, braids, fringes, gimps or similar

trimmings, furnishing fabrics, floor coverings, suitings or overcoatings, nor fabrics which have been shaped or partly made-up or have been bleached, printed, embroidered or otherwise decorated), namely:— SCH. 1

(i) jute, felt, glass fibre or asbestos fabrics;

(ii) woven fabrics not containing wool which weigh not less than 12 ounces per square yard;

(iii) woven fabrics containing wool which weigh not less than 18 ounces per square yard;

(iv) woven hemp fabrics and woven hemp and jute fabrics, being fabrics which weigh not less than 6 ounces per square yard but less than 12 ounces per square yard and in which the total number of picks per linear inch together with the number of ends per linear inch does not exceed forty;

(v) bonded fibre fabric, being a structure consisting of a web or mass of fibres held together with a bonding substance.

(2) Knitted cotton cloth, unbleached and uncoloured, made with at least one needle omitted in every fifty needles.

(3) Woven fabrics on which the words "industrial processing", continuously repeated from one edge of the fabric to another, are printed in indelible ink of a contrasting colour and in letters not less than half an inch high in such a way that each side of the material is defaced by a line of the printing appearing at least every six inches or, if the printing is in straight lines running diagonally across the material at an angle of about 45 degrees, every fifteen inches.

(4) Netting of cordage, rope or twine, including fishing net, but not including composite fabrics incorporating such netting and not including sports netting.

(5) Bolting cloth.

(6) Tracing cloth.

(7) Abrasive cloth.

(8) Machinery belting.

(9) Weftless tapes of a width not exceeding one inch made of materials laid side by side and held together by a bonding substance, the following:—

(i) tapes made of cotton threads;

(ii) tapes made of paper yarns or of man-made fibre yarns, being tapes weighing not less than 8 ounces per square yard, not embroidered, embossed, coloured or otherwise decorated (except by the addition of a preservative agent) and having nothing printed thereon except a trade name or other words or symbols for the purpose of trade advertisement or identification.

(10) Adhesive cloth tape in widths not exceeding three inches and in lengths of not less than fifty yards.

SCH. 1

(11) Varnished or bitumenised cloth and varnished or bitumenised tape of the kinds used for the purpose of electrical insulation.

(12) Lamp wick.

(13) Lining socks and seat socks, being shaped pieces of fabric for incorporation in footwear.

(14) Fabrics of a kind suitable for and prepared or put up in special packs as surgical dressings.

(15) Rags.

GROUP 8

comprising Fur skin, dressed.

(*a*) Fur skin not comprised below in this Group ... 25%

(*b*) Rabbit skin and woolled sheep or lamb skin ... 10%

Exempt

Australasian red opossum, undyed, in strips measuring not more than 9 inches in length and not more than one inch in width.

GROUP 9

(*a*) (i) Floor coverings of textile material and (except for tiles, strips and blocks, and except for rugs made of fur skin) other floor coverings. 10%

(ii) Tiles, strips and blocks of a kind suitable for laying on or fixing to floors or sub-floors, not of metal, and of a thickness (excluding any backing) of less than three-eighths of an inch, or, if of cork, of less than five-eighths of an inch. 10%

(*b*) Rugs made of fur skin, whether floor rugs or not:—

(i) rugs not comprised below in this paragraph 25%

(ii) lined floor rugs made of skin of the kind commonly known as sheep skin, but not containing any other fur skin. 10%

GROUP 10

(*a*) Wallpaper 10%

(*b*) Window display papers, being fancy papers coated, stained, printed, embossed, laminated or otherwise decorated, including coated poster papers, but not including papers in the following list. 10%

Goods not comprised in paragraph (*b*)

1. Single-coloured corrugated papers.

2. Single-coloured papers not decorated by printing, embossing or otherwise, being chromo, surface or enamel papers, flint papers, metal-faced papers or coated art papers.

SCH. 1

3. Papers not produced for general sale, being papers decorated with a pattern consisting of or incorporating a trade name and designed for use as box papers or wrapping papers.

4. Papers cut to a size suitable for use as box papers or as printing paper.

GROUP 11

comprising Furniture, hardware, ironmongery, turnery, table-ware, kitchen-ware and toilet-ware, being articles of a kind used for domestic or office purposes.

(*a*) Articles not comprised below in this Group ... 10%

(*b*) Mirrors, whether framed or not 25%

Not chargeable under this Group

Builders' hardware, sanitary ware and other articles of kinds ordinarily installed by builders as fixtures.

Exempt

(1) Babies' high chairs, babies' cradles and stands therefor, cots and playpens.

(2) Invalid chairs, commode chairs, commode stools and over-bed tables.

(3) Sanitary pans, chambers, urinals, commode pans, and lids for any of those articles.

(4) Clothes lockers of a kind installed in cloakrooms other than domestic cloakrooms, being either metal lockers or lockers with doors and frames of metal and sides and backs of hardboard.

(5) Household brushes, brooms and mops.

(6) Hot-water bottles and stoppers therefor.

(7) Fire-guards, except those incorporating heating elements.

(8) Accessories for domestic stoves, grates, ranges and fireplaces, the following:—

(i) trivets and similar articles;

(ii) accessories designed for use as fuel economisers, being fire-bricks or similar articles or being accessories designed so as, when placed above the fuel in an open fire, temporarily to convert the fire into an enclosed fire.

(9) Thermal insulation covers designed for domestic water systems.

(10) Thermostats.

(11) Draught excluder strip.

(12) Water filters designed to remove bacteria and other suspended impurities from drinking water by mechanical means, but not including filters also employing chemical reaction.

SCH. 1

GROUP 12

comprising Appliances and apparatus, whether mechanically operated or not, of a kind used for domestic purposes, including cooking, heating and refrigerating appliances and apparatus of a kind so used, but not including mechanical lighters.

(*a*) Appliances and apparatus not comprised below in this Group.	10%
(*b*) Appliances and apparatus designed for operation by electricity or gas.	25%
(*c*) Oil burning space heaters, including heaters of a kind used for cooking or boiling and also for space heating.	25%
(*d*) Sewing machines, electrically operated or not, electric motors for sewing machines, and cabinets, bases, covers, tables and stands for sewing machines.	25%

Not chargeable under this Group

Thermometers and barometers; lighting appliances.

Exempt

(1) Cooking, space heating and water heating appliances (but not including oil burning space heaters other than furnaces for central heating or hot water systems, nor appliances designed for operation by electricity or gas) the following:—

(i) stoves, grates, ranges, fireplaces and ovens;

(ii) boiling rings, grillers and hot-plates;

(iii) radiators and convectors;

(iv) storage water heaters, circulator water heaters for tank storage, water boilers for tank storage or central heating and instantaneous water heaters.

(2) Cooking appliances designed for operation by electricity or gas (not being appliances of a kind used for cooking and also for space heating) the following, stoves, ovens, boiling rings, grillers and hot-plates.

(3) Parts of appliances comprised in paragraphs (1) and (2) above, and parts, not electrically operated, of oil burning space heaters, but not including in either case any part or collection of parts constituting an oil burning space heater.

(4) Appliances of the following descriptions incorporating electric fans or electric pumps or both, but not otherwise electrically operated nor operated by gas:—

(i) solid fuel burning space or water heaters;

(ii) oil burning furnaces for central heating or hot water systems, other oil burning water heaters and burners (not being space heaters) for such furnaces and water heaters;

(iii) radiators and convectors for connection to steam or hot water central heating systems.

SCH. 1

(5) Gas burning furnaces for central heating systems, whether or not incorporating electric fans or electric pumps or both, but not otherwise electrically operated, the following:—

(i) water boilers, but not including appliances of an output less than 30,000 British thermal units per hour;

(ii) appliances supplied with a system of ducting and designed only for the transmission of heated air through such ducting to two or more rooms simultaneously.

(6) Electrically operated appliances for central heating systems, being appliances designed for a sustained output, when installed, not less than 30,000 British thermal units per hour (on the assumption, if the output varies with working conditions, that the appliance is working under average winter conditions), the following:—

(i) water boilers;

(ii) appliances supplied with a system of ducting designed only for the transmission of heated air through such ducting to two or more rooms simultaneously.

(7) Wash boilers and wash coppers.

(8) Vaporisers (not being toilet requisites) and fumigating lamps.

GROUP 13

comprising Cutlery suitable for domestic or personal use, and spoons, forks and similar articles suitable for domestic use, including blanks of any such cutlery and of any such spoons, forks and similar articles.

Articles not comprised below in this Group ... 10%

Exempt

(1) Articles designed for use solely in the course of any trade, profession, employment or vocation and unsuitable for use for other purposes, and blanks thereof.

(2) Articles specially designed for use by persons not having the full use of their arms, and blanks thereof.

GROUP 14

(*a*) Fittings of a kind used for interior domestic or office lighting, the following:— 25%

(i) table and floor standards (whether complete or not);

(ii) brackets, pendants, candelabra and electroliers;

(iii) lanterns, shades, bowls and reflectors;

(iv) other illuminating glassware.

(*b*) Incandescent mantles 25%

(*c*) Electric filament lamps not exceeding 250 watts, and fluorescent lighting tubes not exceeding 80 watts. 25%

SCH. 1

Exempt

(1) Articles of a kind used for interior domestic or office lighting, the following:—

(i) oil burning lamps and accessories therefor, other than globes, shades and reflectors;

(ii) glass chimneys and similar primary glasses, being chimneys and glasses designed for candle lamps.

(2) Electric filament lamps suitable only for use in cinematograph projectors or in projectors for slides or for film strips.

GROUP 15

comprising Hand lamps and hand torches.

Articles not comprised below in this Group ... 25%

Exempt

Acetylene hand lamps, and miners' safety lamps.

GROUP 16

(*a*) Garden furniture 10%

(*b*) Garden ornaments 25%

GROUP 17

comprising Clocks and watches; movements and cases for, and accessories to, clocks and watches; and watch chains, wristlet watch straps and similar articles.

Articles not comprised below in this Group ... 25%

Exempt

(1) Clocks designed for use as public clocks with dials not less than 2 ft. in diameter or with dials having a diagonal measurement of 2 ft. 6 ins. or more.

(2) Movements, complete with hands, designed—

(i) for mechanical and impulse clocks with dials not less than 2 ft. in diameter or with dials having a diagonal measurement of 2 ft. 6 ins. or more; or

(ii) for synchronous clocks with dials not less than 2 ft. 6 ins. in diameter or with dials having a diagonal measurement of 3 ft. or more.

GROUP 18

(*a*) Wireless receiving sets of the domestic, portable or road vehicle types (including kits of parts, whether or not assembled and whether or not complete, of a kind used in the assembly of such sets) and valves and loudspeakers suitable for use therewith. 25%

(*b*) Apparatus of the domestic type designed for receiving wireless programmes re-transmitted by wire. 25%

SCH. 1

Exempt

(1) Batteries and accumulators suitable for use with wireless receiving sets of the domestic or portable type.

(2) Television picture tubes.

GROUP 19

(*a*) Musical instruments not comprised below in this Group, and parts thereof and accessories thereto. 25%

(*b*) Gramophones, radiogramophones, player pianos, musical boxes and similar instruments, and parts thereof and accessories thereto. 25%

(*c*) Gramophone records 25%

Exempt

(1) Keyboard musical instruments (except instruments of the types designed to be carried when played) and parts thereof and accessories thereto.

(2) Gramophones specially designed for reproduction of speech from records specially adapted for the use of the blind, gramophone records for the reproduction of speech, specially adapted for the use of the blind, and gramophone records of a kind not produced in quantity for general sale.

(3) Bells of a kind suitable for installation in a campanile or belfry, and parts thereof and accessories thereto (including playing mechanisms).

GROUP 20

comprising Toys, games, fireworks and appliances, apparatus, accessories and requisites for sports, games, amusements, gymnastics or athletics, including coin or disc operated machines and including parts of the foregoing articles and accessories thereto.

Articles not comprised below in this Group ... 25%

Not chargeable under this Group

1. Garments, footwear, road vehicles, bicycles, bicycle sidecars, bicycle and sidecar combinations and tricycles and parts of the foregoing articles and accessories thereto.

2. Parts of fireworks and accessories thereto.

Exempt

(1) Swings, slides (including water chutes), see-saws, roundabouts and giant strides, not being mechanically operated articles.

(2) Gliders large enough to carry human beings, and accessories for such gliders.

(3) Boats and other vessels large enough to carry human beings, and accessories for such boats and vessels.

GROUP 21

comprising Umbrellas, sunshades, walking sticks and canes.

Articles not comprised below in this Group ... 25%

SCH. 1

Exempt

Walking sticks and canes wholly of wood except for the ferrules.

GROUP 22

Smokers' requisites except matches and mechanical lighters. 25%

GROUP 23

comprising Trunks, bags, wallets, jewel cases, pouches, purses, suitcases, attaché cases, baskets and similar receptacles of a kind used for personal or domestic purposes (whether fitted or not).

(*a*) Articles not comprised below in this Group ... 25%

(*b*) Articles which, except for external fitments, and except for bottoms of wood or other vegetable substance, are made wholly of cane or wicker. 10%

Not chargeable under this Group

Articles of a kind used primarily, and designed for use, for the purposes of any trade, profession, employment or vocation, other than document, folio, despatch or brief cases.

Exempt

(1) Shopping baskets of cane or wicker, not being baskets fitted with lids or any other means of closing them.

(2) Shoulder satchels of a kind designed for use by schoolchildren.

GROUP 24

comprising Photographic cameras, and photographic enlargers, lenses and other parts of, and accessories to, photographic cameras and photographic enlargers ; and unexposed sensitized photographic paper, cloth, plates and film.

Articles not comprised below in this Group ... 25%

Exempt

(1) Cinematograph cameras for film of standard width and parts of, and accessories to, such cameras, and cinematograph film of standard width.

(2) Cameras and enlargers, and parts thereof and accessories thereto, being articles suitable only for industrial, scientific or military use.

(3) Photographic paper, cloth, plates and film, the following:—

(i) X-ray plates, film and paper ;

(ii) ferro-prussiate and ferro-gallic paper and cloth ;

(iii) dye-line paper, cloth and film ;

(iv) document base paper, transparent tracing paper base and tracing cloth.

GROUP 25 SCH. 1

comprising Pictures, prints, engravings, photographs, figures, busts, reliefs and similar articles of a kind produced in quantity for general sale; and frames for pictures, frames and stands for photographs and similar frames and stands.

Articles not comprised below in this Group ... 25%

Not chargeable under this Group

1. Figures, busts and similar articles comprised in any other Group.

2. The following articles (being of a kind used for domestic purposes), namely, vessels designed for use primarily as containers for food or drink in the course of its storage, preparation or consumption, lids for use with vessels so designed, serving trays, breadboards, bowls, vases and jugs and ewers.

3. Wallpaper.

4. Maps.

Exempt

(1) Picture frames of wood, plain, gilt or coloured, with or without ornamental composition, which are made from moulding of a width not less at any point than 3 inches.

(2) Cinematograph films, film-strips and lantern slides being films, film-strips and lantern slides containing pictures for exhibition by means of a projector.

(3) The following articles, if designed specially for the display of wearing apparel or coiffures, namely, figures, busts, heads and mannequin shapes.

GROUP 26

(*a*) Diaries, calendars and similar articles; and articles of any of the descriptions known as greeting cards. 25%

(*b*) Stationery and office requisites, except furniture and machinery. 25%

Exempt

(1) Labels, tags, gummed seals and other marking tickets.

(2) Envelopes of paper or paper-board or both, being not less than 9 inches long and 6 inches wide and bearing on the face the words "Printed matter" or "Printed paper rate" and having no adhesive means of closure.

GROUP 27

(*a*) Road vehicles not comprised below in this Group, being vehicles constructed or adapted solely or mainly for the carriage of passengers or having to the rear of the driver's seat roofed accommodation which is fitted with side windows or which is constructed or adapted for the fitting of side windows; 25%

SCH. 1

(*b*) Bicycles, bicycle and sidecar combinations and tricycles constructed or adapted solely or mainly for the carriage of passengers, bicycle sidecars (including sidecar bodies without chassis) so constructed or adapted, and bicycle sidecar chassis;	25%
(*c*) Motor units (assembled or unassembled) suitable for fitting to pedal cycles to equip them with a system of mechanical propulsion.	25%

Exempt

(1) Ambulances, invalid carriages and perambulators.

(2) Tramcars, trolley vehicles and other vehicles constructed to carry not less than twelve passengers.

(3) Vehicles of not less than 3 tons unladen weight.

(4) Prison vans and fire tenders.

(5) Caravans.

(6) Vehicles of a type approved by the Assistant Commissioner of Police of the Metropolis as conforming to the conditions of fitness for the time being laid down by him for the purposes of the London Cab Order 1934.

(7) Vehicles constructed or adapted solely for motor racing, being vehicles capable of accommodating only one person and conforming to an international formula recognised by the Royal Automobile Club as regulating, for the time being, the construction of cars for motor racing.

(8) Motor bicycles constructed or adapted solely for racing, being motor bicycles conforming to international requirements recognised by the Auto-Cycle Union as regulating, for the time being, the construction of racing motor bicycles; sidecars constructed solely for attachment to such motor bicycles and combinations of such sidecars and such motor bicycles.

(9) Vehicles of the following descriptions in which the accommodation for carrying passengers is only incidental to the use of the vehicle for other purposes, namely:—

(i) bullion vans;

(ii) mobile cinemas, sound film production vehicles and similar vehicles;

(iii) mobile canteens, mobile clinics, mobile libraries, mobile shops, mobile show rooms and similar vehicles;

(iv) mobile printing presses and other mobile workshops;

(v) pantechnicons and horse boxes;

(vi) hearses (but not including hearsettes);

(vii) tower wagons, road construction, road cleansing, road watering, refuse collecting and similar vehicles;

(viii) breakdown vehicles fitted with a crane or other lifting device.

SCH. 1

GROUP 28

Ice-cream, ice lollies, water ices and similar frozen products, and prepared mixes and powders for making such products. 15%

GROUP 29

Fancy or ornamental articles suitable for personal or domestic use, and of a kind produced in quantity for general sale (but not including articles comprised in any other Group, textile articles of a kind used for domestic purposes or articles of a kind used as domestic soft furnishings or as domestic bedding). 25%

GROUP 30

(*a*) Articles designed for use in one or more of the following processes, that is to say, waving, curling, setting, dyeing, tinting, bleaching or in any way dressing or treating the hair, including preparations and substances made up for sale for use (either alone or in conjunction with, or with an admixture of, any other preparation or substance) in any such process, but not including articles comprised in Group 2. 25%

(*b*) Sets or outfits designed for use as hair waving or hair curling sets or outfits and consisting of two or more such articles as are comprised in paragraph (*a*) above, or of one or more such articles together with any other article not so comprised. 25%

(*c*) Hair waving and hair drying machines, and articles and appliances designed for heating the hair in the process of waving, curling or setting it. 25%

GROUP 31

Toilet requisites, except face cloths and towels 25%

Exempt

Toothbrushes; toilet paper.

GROUP 32

(*a*) Perfumery 25%

(*b*) Toilet preparations, whether medicated or not, including cosmetics. 25%

GROUP 33

comprising Drugs and medicines, manufactured or prepared (except toilet preparations).

Goods not comprised below in this Group ... 25%

SCH. 1

Exempt

(1) Goods complying with the provisions of Part II of this Schedule.

(2) Goods specified in the Schedule to the Purchase Tax (No. 2) Order 1961 as amended by the Purchase Tax (No. 1) Order 1962.

GROUP 34

comprising Chocolates, sweets and similar confectionery (including drained, glacé or crystallised fruits); and chocolate biscuits and other confectionery having a case or coating of chocolate couverture, but not including cakes in such a case or coating.

Articles not comprised below in this Group ... 15%

Exempt

(1) Chocolate couverture not prepared or put up for retail sale.

(2) Drained cherries.

(3) Candied peels.

GROUP 35

(*a*) Manufactured beverages, including fruit juices and bottled waters, and syrups, concentrates, essences, powders, crystals or other products for the preparation of beverages, but not including beverages or products in the list set out at the end of this Group. 15%

(*b*) Containers of gas for the preparation of carbonated beverages. 15%

Goods not comprised in paragraph (*a*)

1. Beverages chargeable with any duty of customs or excise specifically charged on spirits, beer, wine or British wine, and preparations thereof.

2. Tea, maté, herbal teas and similar products, and preparations and extracts thereof.

3. Cocoa, coffee, and chicory and other roasted coffee substitutes, and preparations and extracts thereof.

4. Preparations and extracts of meat, yeast, egg or milk.

PART II

CONDITIONS OF EXEMPTION OF DRUGS AND MEDICINES COMPRISED IN GROUP 33, UNDER PARA. (1) OF HEADING "EXEMPT" IN THAT GROUP

1. The goods, apart from any get-up, must consist solely of one or more substances described in—

(*a*) any monograph in any edition of the British Pharmacopoeia; or

(*b*) any monograph, or the Formulary, in any edition of the British Pharmaceutical Codex; or

(*c*) the National (War) Formulary issued by Her Majesty's Stationery Office ; or

(*d*) any Formulary approved by the Minister of Health for the purposes of the National Health Service ; or

(*e*) any formula in any Drug Tariff determined by the Minister of Health for the purposes of the National Health Service ; or

(*f*) any monograph, or the Formulary, in any edition of the British Veterinary Codex,

but may be compounded with one or more of the following things, namely, an excipient, vehicle, base or preservative.

2.—(1) The goods must be in a container and each container for the goods must have conspicuously written thereon, or have a label on which is conspicuously written, the particulars mentioned in sub-paragraph (2) of this paragraph as respects each constituent of the goods described in any such monograph or Formulary or Drug Tariff as aforesaid.

(2) The said particulars are the name set out at the head of the monograph or the relevant formula and a reference (which may be abbreviated) to the Pharmacopoeia, Codex, Formulary or Drug Tariff in which the monograph or formula appears :

Provided that any synonym or abbreviation set out at the head of the monograph or formula may be used instead of the name.

(3) Any container may also have written thereon, or have a label on which is written—

(*a*) directions as to use and storage ;

(*b*) quantitative particulars ;

(*c*) the manufacturer's batch number ;

(*d*) the price of the goods ; and

(*e*) in writing not more conspicuous than that in which the particulars required under sub-paragraph (1) of this paragraph are written, any of the following matters, that is to say, the name and address of the maker, seller, supplier and distributor of the goods.

3. Anything, other than a container or label, forming part of the get-up of the goods, and the goods, apart from any get-up, may have written thereon anything required or permitted by the provisions of this Part of this Schedule (other than paragraph 5 thereof) to be written on any container or label.

4. There must not appear in the get-up of the goods or on the goods apart from any get-up—

(*a*) any trade mark as defined in the Trade Marks Act 1938 ; or

(*b*) any writing except such as is required or permitted by the preceding provisions of this Part of this Schedule or required by virtue of any Act (including any Act of the Parliament of Northern Ireland),

SCH. 1 and where any such trade mark of the maker, seller, supplier or distributor of the goods consists of a signature or the name of a company, individual or firm represented in a special or particular manner, any writing so required or permitted must not appear in a style of writing similar to that of that trade mark.

5.—(1) Where in the case of any goods which comply with the provisions of paragraph 1 and sub-paragraphs (1) and (2) of paragraph 2 of this Part of this Schedule—

(*a*) it is shown to the satisfaction of the Commissioners by the nature of the goods or their get-up, or of both the goods and their get-up, that the goods or, as the case may be, the goods in that get-up will only be supplied to—

(i) an authorised seller of poisons; or

(ii) a hospital, infirmary, health centre, dispensary, clinic, nursing home or other institution at which human ailments are treated; or

(iii) a duly qualified medical practitioner, registered dental practitioner, or registered veterinary surgeon or practitioner; and

(*b*) it is further shown to the satisfaction of the Commissioners that the goods will be used only for the purpose of dispensing prescriptions of a duly qualified medical practitioner, registered dental practitioner, or registered veterinary surgeon or practitioner; and

(*c*) the goods or the get-up of the goods or both are clearly marked with such writing or in such other special manner as the Commissioners may require for the purposes of this paragraph,

this Part of this Schedule shall have effect as if paragraphs 2 (3), 3 and 4 thereof were omitted.

(2) In this paragraph the following expressions have the meaning hereby respectively assigned to them, that is to say—

"authorised seller of poisons" means an authorised seller of poisons within the meaning of either the Pharmacy and Poisons Act 1933 or the Medicines, Pharmacy and Poisons Act (Northern Ireland) 1945;

"registered dental practitioner" means a person registered in the dentists register kept under the Dentists Act 1957;

"registered veterinary surgeon or practitioner" means a person registered in the Register of Veterinary Surgeons or the Supplementary Veterinary Register under the Veterinary Surgeons Acts 1881 to 1948.

SCHEDULE 2

Section 3.

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 3 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*) where the valuation is to be made in relation to an importation, that the seller has paid any duties of customs chargeable on the importation;

(*c*) 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;

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

(*e*) 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

(*f*) 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.

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 3 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 a purchase of goods to be valued in relation to the purchase, or a foreign supplier of imported goods to be valued in relation to the importation (that is to say, any person by whom those goods have been grown, produced, manufactured, selected, dealt with or offered for sale outside the United Kingdom)—

(*a*) 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

(*b*) could have sold them under such trade mark, or have used such a trade mark in connection with the importation, 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 3 of this Act is a sale under the said trade mark, unless it is shown to the satisfaction of the

SCH. 2

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 of the foreign supplier, as the case may be, 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 the 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 3 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 of a foreign supplier of imported goods in relation to the importation of which the valuation is to be made, as the case may be, 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 an 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.

Section 14.

SCHEDULE 3

CHARGEABLE PROCESSES: RELEVANT CLASSES OF GOODS

1. Apparel and rugs made wholly or partly of fur skin other than of rabbit (including any skin with fur, hair, or wool attached).

2. Fur skins other than of rabbit (including any skin with fur, hair or wool attached), dressed.

3. Jewellery, imitation jewellery and other goldsmiths' and silversmiths' wares.

4. Road vehicles and cycles (whether mechanically propelled or not).

5. Stationery and office requisites consisting of, or wholly or partly made from, paper, paperboard or similar material, but excluding—

(*a*) diaries, calendars and similar articles ;

(*b*) articles of any of the descriptions known as greeting cards ; and

(*c*) stencils, address plates and similar articles.

SCHEDULE 4

Section 41.

REPEALS AND REVOCATIONS

PART I

ENACTMENTS REPEALED

Session and Chapter	Short Title	Extent of Repeal
3 & 4 Geo. 6. c. 48.	The Finance (No. 2) Act 1940.	Part V. Schedules 8 and 9.
4 & 5 Geo. 6. c. 30.	The Finance Act 1941.	Section 48.
5 & 6 Geo. 6. c. 21.	The Finance Act 1942.	Section 20. Section 49 (3).
6 & 7 Geo. 6. c. 28.	The Finance Act 1943.	Section 12. Section 31 (2) (*c*).
7 & 8 Geo. 6. c. 23.	The Finance Act 1944.	Part II. Section 49 (3). Schedule 2.
9 & 10 Geo. 6. c. 13.	The Finance (No. 2) Act 1945.	Section 2. Section 14 (1). Section 62 (2) (*a*).
9 & 10 Geo. 6. c. 64.	The Finance Act 1946.	Part II. Section 67 (3). Schedules 4 and 5.
10 & 11 Geo. 6. c. 35.	The Finance Act 1947.	Section 74 (3).
11 & 12 Geo. 6. c. 29.	The National Assistance Act 1948.	Section 41 (4).
11 & 12 Geo. 6. c. 49.	The Finance Act 1948.	Part II. Section 82 (3).
14 Geo. 6. c. 15.	The Finance Act 1950.	Sections 18 and 19. Section 50 (2) (*c*). Schedule 5.
15 & 16 Geo. 6. & 1 Eliz. 2. c. 33.	The Finance Act 1952.	Part II. Section 76 (3).
15 & 16 Geo. 6. & 1 Eliz. 2. c. 44.	The Customs and Excise Act 1952.	Section 317. Schedule 9.
1 & 2 Eliz. 2. c. 34.	The Finance Act 1953.	Section 11. Section 33 (2). Section 35 (3).
2 & 3 Eliz. 2. c. 44.	The Finance Act 1954.	Part II. Section 35 (3).
4 & 5 Eliz. 2. c. 54.	The Finance Act 1956.	Section 7. In section 44 (2), the words " except so far as it relates to purchase tax ", and the words from " and so far as " to the end of the subsection.
5 & 6 Eliz. 2. c. 49.	The Finance Act 1957.	Section 42 (2) (*b*).

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Session and Chapter	Short Title	Extent of Repeal
6 & 7 Eliz. 2. c. 56.	The Finance Act 1958.	Part I. Section 40 (2) (*a*). Schedule 2.
7 & 8 Eliz. 2. c. 58.	The Finance Act 1959.	Part II. Section 37 (2) (*b*).
8 & 9 Eliz. 2. c. 44.	The Finance Act 1960.	Sections 75 and 76. Section 79 (3) (*e*).
10 & 11 Eliz. 2. c. 44.	The Finance Act 1962.	Section 6. In section 34 (2), the words "or, so far as it relates to purchase tax, with Part V of the Finance (No. 2) Act 1940". Schedule 8.

PART II

ORDERS REVOKED

Reference	Title	Extent of Revocation
S.R. & O. 1941/1389	The Purchase Tax (Reduction of Registration Limit) Order 1941	The whole order.
S.I. 1951/60	The Purchase Tax (No. 1) Order 1951	The whole order.
S.I. 1956/383	The Purchase Tax (Consolidation) Order 1956	The whole order.
S.I. 1956/384	The Purchase Tax Orders (Revision) Order 1956.	The whole order.
S.I. 1960/2351	The Purchase Tax (No. 5) Order 1960	The whole order.
S.I. 1961/2285	The Purchase Tax (No. 2) Order 1961	Article 2.
S.I. 1961/2499	The Purchase Tax (No. 3) Order 1961	The whole order.
S.I. 1961/2500	The Purchase Tax (No. 4) Order 1961	The whole order.
S.I. 1962/595	The Purchase Tax (No. 1) Order 1962	In Article 1, the words from "and" to the end of the Article.
S.I. 1962/716	The Purchase Tax (No. 2) Order 1962	The whole order.
S.I. 1962/1686	The Purchase Tax (No. 4) Order 1962	The whole order.
S.I. 1962/2007	The Purchase Tax (No. 5) Order 1962	The whole order.
S.I. 1962/2434	The Purchase Tax (No. 6) Order 1962	The whole order.
S.I. 1962/2841	The Purchase Tax (No. 7) Order 1962	The whole order.

SCHEDULE 5

Section 41.

SAVING AND TRANSITIONAL PROVISIONS

1. In so far as any Order in Council, order, regulation, direction, certificate or other instrument made, given or issued under or by virtue of any enactment repealed by this Act, or any other thing done under or by virtue of any such enactment, could have been

SCH. 5

made, given, issued or done under or by virtue of a corresponding provision of this Act, it shall not be invalidated by the repeals effected by section 41 of this Act, but shall have effect as if made, given, issued or done under or by virtue of that corresponding provision:

Provided that this paragraph shall not be construed as saving so much of any order described in Part II of Schedule 4 to this Act as is specified in the third column of the said Part II.

2. Without prejudice to paragraph 1 of this Schedule, any provision of this Act relating to anything done or required or authorised to be done under, or by reference to, that provision or any other provision of this Act shall have effect as if any reference to that provision, or that other provision, as the case may be, included a reference to the corresponding provision of the enactments repealed by this Act.

3. Nothing in this Act shall affect the enactments repealed thereby in their operation in relation to offences committed before the commencement of this Act.

4.—(1) The requirement mentioned in paragraph (*b*) of section 6 (4) of this Act shall not be imposed (whether under the said section 6 (4) or under section 13 (5) of this Act) on a person who was a registered person on 30th July 1954; but if before that date the Commissioners entered into any arrangement or agreement with him as to the cases in which he should make representations as being the holder of a certificate of registration, or imposed any requirement to the like effect under any practice established for the granting of certificates of registration, and the arrangement, agreement or requirement was in force at that date, the provisions of the said sections 6 (4) and 13 (5) shall apply as if that arrangement, agreement or requirement were a requirement imposed under them.

(2) In section 19 (3) of this Act, the reference to a requirement imposed under the said section 6 (4) includes a reference to a requirement imposed by the foregoing sub-paragraph.

5. Sections 16 and 28 of this Act shall not apply in cases where the process of converting another vehicle into a car was completed before 1st June 1956; but in any case where that process was begun but not completed before that date, those sections shall apply as they apply where the whole process takes place after that date.

6. An estimated sum for tax due from a person in respect of a period before 1st August 1962 may be recovered under section 27 of this Act notwithstanding any proceedings taken before that date for the recovery of that tax on an estimate made by the Commissioners of the amount due, or any order made, judgment given or other thing done after 9th April 1962 in or in relation to any such proceedings; but save as aforesaid that section shall not affect any order or judgment made or given before 1st August 1962.

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7. The repeal by this Act of section 24 of the Finance Act 1948 and subsection (8) of section 12 of the Finance Act 1954 (which are replaced by section 35 of this Act) shall not affect the operation of the said section 24, or of that section as applied by the said subsection (8), in relation to changes in the incidence of tax taking effect before the commencement of this Act.

8. Any enactment passed before the commencement of this Act referring, whether specifically or by means of a general description, to an enactment repealed by this Act shall, unless the contrary intention appears, be construed as referring to the corresponding provision of this Act, and any document made or issued (whether before or after the commencement of this Act) referring, whether specifically or by means of a general description, to an enactment repealed by this Act shall, unless the contrary intention appears, be similarly construed.

9. Nothing in this Act shall require any charge to be paid which would not have been payable if this Act had not been passed.

10. Unless the context otherwise requires, references in this Schedule to enactments repealed by this Act include references to so much of any order as is revoked by this Act, and references to repeals shall be construed accordingly.

Table of Statutes referred to in this Act

Short Title	Session and Chapter
Sale of Goods Act 1893	56 & 57 Vict. c. 71.
Finance Act 1901	1 Edw. 7. c. 7.
Bankruptcy (Scotland) Act 1913	3 & 4 Geo. 5. c. 20.
Bankruptcy Act 1914	4 & 5 Geo. 5. c. 59.
Government of Ireland Act 1920	10 & 11 Geo. 5. c. 67.
Pharmacy and Poisons Act 1933	23 & 24 Geo. 5. c. 25.
Trade Marks Act 1938	1 & 2 Geo. 6. c. 22.
National Assistance Act 1948	11 & 12 Geo. 6. c. 29.
Finance Act 1948	11 & 12 Geo. 6. c. 49.
Income Tax Act 1952	15 & 16 Geo. 6 & 1 Eliz. 2 c. 10.
Customs and Excise Act 1952	15 & 16 Geo. 6 & 1 Eliz. 2. c. 44.
Finance Act 1953	1 & 2 Eliz. 2. c. 34.
Post Office Act 1953	1 & 2 Eliz. 2. c. 36.
Finance Act 1954	2 & 3 Eliz. 2. c. 44.
Dentists Act 1957	5 & 6 Eliz. 2. c. 28.
Vehicles (Excise) Act 1962	10 & 11 Eliz. 2. c. 13.
Northern Ireland Act 1962	10 & 11 Eliz. 2. c. 30.