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Tax Statutes
1984/85



**SWEET & MAXWELL'S
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Editorial Note

As with the previous editions and supplement, the aim of this third edition is to sift from the debris of past Finance Acts — from the sections on dredging allowances and diving supervisors, on lodging house keepers, the Gas Council and retired MP's, on sea walls and oil wells, etc. — those sections and (even more sparingly) schedules which set out or illustrate the principles and concepts behind our major taxes. There are many of these provisions which, while fiscally important to defined groups, have little to provoke further thought or reflection (except, perhaps, on the quality and quantity of political expediency). Others merely provide regulation-making powers, or (like the currently fashionable heritage property provisions) give wide discretions, the details of which may be ignored, which is what we have tried to do to them.

The overall balance of this edition is the same as the last, and we take some quiet pleasure in noting that the intervening acts of Chancellors have reinforced the thinking behind that balance. We brought in value added tax then, and have since seen not only a very useful consolidation of the law into the 1983 Act, but also an important widening of the tax base of that tax. By contrast, we chose to ignore Development Land Tax. Fiscally, so has the Chancellor. Elsewhere, we decided to delete the complexities of life assurance relief — though we claim no prescience of the brave actions of Nigel Lawson in 1984 doing likewise. Perhaps prescience was not needed for excluding stamp duty, its fiscal relevance halved in 1984. We have played down the machinery provisions of the various taxes, encouraged by the powerful overview of the Keith Report (which includes the texts of all relevant sections, and ought anyway to be compulsory reading for any serious student of that topic) and the long-awaited reforms of the Special Commissioners.

Our last edition ended with the 1982 Act. Since then the editors' task has been made harder by three Finance Acts, but much easier by the Value Added Tax Act 1983 and the brilliantly structured and superbly styled Capital Transfer Tax Act 1984; the draftman's craft in revealing the overall shape of so many oddly asserted statutory jigsaw pieces in this Act must make us await with much eagerness the promised consolidation of the 1970 Acts in 1986–87–88 . . . But for all that, space still presses on topics of more than passing interest such as overseas aspects (very prominent in 1984), specialist forms of business structure and anti-avoidance provisions. So we have still had to sift, in an attempt not to lengthen this book, despite the 521 sections and 55 schedules of new or consolidated law passed since 1982. In so doing, we must again thank those who helped us with their comments, published and private.

As in previous editions, where we set out a section, it is usually included in its entirety and, in this edition, in the form valid for 1984–85. Any words or subsections repealed are omitted, and the omission is indicated by [. . .]. Amendments to the original text are enclosed within similar square brackets in place of, or in addition to, the previous wording. Subsections omitted because they are purely amending provisions, are spent, or are otherwise omitted as not warranting inclusion, are in all cases indicated and are left out. Sections, schedules or schedule paragraphs omitted, for whatever reason, are ignored entirely.

The resulting text represents the legislation as it stood on 31st July 1984, when the Finance Act 1984 and the Capital Transfer Act 1984 had received the Royal Assent.

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(1968 c.3)

ARRANGEMENT OF SECTIONS

PART I

THE MAIN RELIEFS FOR CAPITAL EXPENDITURE

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PART I

THE MAIN RELIEFS FOR CAPITAL EXPENDITURE

CHAPTER I

INDUSTRIAL BUILDINGS AND STRUCTURES, ETC.

Initial allowances

1.—(1) Subject to the provisions of this Act, where a person incurs capital expenditure on the construction of a building or structure which is to be an industrial building or structure occupied for the purposes of a trade carried on either by that person or by such a lessee as is mentioned in subsection (3) of this section, there shall be made to the person who incurred the expenditure, for the chargeable period mentioned in subsection (4) below, an allowance (in this Chapter referred to as “an initial allowance”).

[(1A) The reference in subsection (1) above to the occupation of a building or structure for the purposes of a trade carried on by the person who incurred the capital expenditure on that building or structure shall include a reference to the use of that building or structure for the purposes of a trade carried on by a licensee of that person or of a lessee of that person.]

(2) An initial allowance shall be of an amount equal to [one half] of the capital expenditure mentioned in subsection (1) above:

Provided that this subsection shall have effect subject to the provisions of Schedule 1 to this Act.

(3) The lessees mentioned in subsection (1) above are lessees occupying the building or structure on the construction of which the expenditure was incurred under a lease to which the relevant interest, as defined in section 11 of this Act, is reversionary.

(4) The chargeable period mentioned in subsection (1) above shall, in the case of a person incurring expenditure, be the chargeable period related to the incurring of that expenditure: [. . .]

(5) Notwithstanding anything in this section, no initial allowance shall be made in respect of any expenditure if, when the building or structure comes to be used, it is not an industrial building or structure, and where an initial allowance has been granted in respect of any expenditure otherwise than in accordance with the provisions of this section, all such assessments shall be made as are necessary to secure that effect is given to those provisions.

(6) Any expenditure incurred for the purposes of a trade by a person about to carry it on shall be treated for the purposes of the preceding provisions of this section as if it had been incurred by that person on the first day on which he does carry it on.

Writing-down allowances

2.—(1) Subject to the provisions of this Act, where—

(a) any person is, at the end of a chargeable period or its basis period, entitled to an interest in a building or structure, and
 (b) at the end of the said chargeable period or its basis period, the building or structure is an industrial building or structure, and
 (c) that interest is the relevant interest in relation to the capital expenditure incurred on the construction of that building or structure, and allowance (in this Chapter referred to as “writing-down allowance”) shall be made to him for the said chargeable period.

(2) The writing-down allowance shall be equal to one-twentyfifth (or, where the expenditure was incurred before 6th November 1962, one fiftieth) of the expenditure mentioned in subsection (1)(c) above, except that for a chargeable period of less than a year the said fraction of one-twentyfifth or one-fiftieth shall be proportionately reduced.

(3) Where the interest in a building or structure which is the relevant interest in relation to any expenditure is sold [and the sale is an event to which section 3(1) of this Act applies] then (subject to any further adjustment under this subsection on a later sale) the writing-down allowance for any chargeable period, if that chargeable period or its basis period ends after the time of the sale, shall be the residue (as defined in section 4(1) of this Act) of that expenditure immediately after the sale, reduced in the proportion (if it is less than one) which the length of the chargeable period bears to the part unexpired at the date of the sale of the period of twenty-five years (or, where the expenditure was incurred before 6th November 1962, fifty years) beginning with the time when the building or structure was first used.

(4) Notwithstanding anything in the preceding provisions of this section, in no case shall the amount of a writing-down allowance made to a person for any chargeable period in respect of any expenditure exceed what, apart from the writing off falling to be made by reason of the making of that allowance,

would be the residue of that expenditure at the end of that chargeable period or its basis period.

Balancing allowances and balancing charges

3.—(1) Where any capital expenditure has been incurred on the construction of a building or structure, and any of the following events occurs while the building or structure is an industrial building or structure, [or after it has ceased to be one] that is to say—

- (a) the relevant interest in the building or structure is sold, or
- (b) that interest, being an interest depending on the duration of a foreign concession, comes to an end on the coming to an end of that concession, or
- (c) that interest, being a leasehold interest, comes to an end otherwise than on the person entitled thereto acquiring the interest which is reversionary thereon, or
- (d) the building or structure is demolished or destroyed, or, without being demolished or destroyed, ceases altogether to be used,

an allowance or charge (in this Chapter referred to as “a balancing allowance” or “a balancing charge”) shall, in the circumstances mentioned in this section, be made to, or, as the case may be, on, the person entitled to the relevant interest immediately before that event occurs, for the chargeable period related to that event:

Provided that no balancing allowance or balancing charge shall be made by reason of any event occurring more than twenty-five years (or, where the expenditure was incurred before 6th November 1962, fifty years) after the building or structure was first used [and where two or more events occur during a period when the building or structure is not an industrial building or structure, no balancing allowance or balancing charge shall be made on the occurrence of any of those events except the first.]

(2) Where there are no sale, insurance, salvage or compensation moneys, or where the residue of the expenditure immediately before the event exceeds those moneys, a balancing allowance shall be made, and the amount thereof shall be the amount of the said residue or, as the case may be, of the excess thereof over the said moneys.

(3) If the sale, insurance, salvage or compensation moneys exceed the residue, if any, of the expenditure immediately before the event, a balancing charge shall be made, and the amount on which it is made shall be an amount equal to the excess, or, where the residue is nil, to the said moneys.

[(4) If for any part of the relevant period [the building or structure was neither an industrial building or structure nor used for scientific research, subsections (4A) to (5) below shall have effect instead of subsections (2) and (3) above.]

[(4A) Subject to subsection (4C) below, where the sale, insurance, salvage or compensation moneys are not less than the capital expenditure, a balancing charge shall be made and the amount on which it is made shall be an amount equal to the allowances given.]

[(4B) Subject to subsection (4C) below, where there are no sale, insurance, salvage or compensation moneys or where those moneys are less than the capital expenditure, then—

- (a) if the adjusted net cost of the building or structure exceeds the allow-

ances given, a balancing allowance shall be made and the amount thereof shall be an amount equal to the excess;

- (b) if the adjusted net cost of the building or structure is less than the allowances given, a balancing charge shall be made and the amount on which it is made shall be an amount equal to the short-fall.

(4C) No balancing charge or allowance shall be made under subsection (4A) or (4B) above on the occasion of a sale if by virtue of paragraph 4 of Schedule 7 to this Act the building or structure is treated as having been sold for a sum equal to the residue of the expenditure on its construction immediately before the sale.]

[(5) In subsections (4) to (4B) above and in this subsection—

“the relevant period” means the period beginning at the time when the building or structure was first used for any purpose and ending with the event giving rise to the balancing allowance or balancing charge except that where there has been a sale of the building or structure after that time and before that event the relevant period shall begin on the day following that sale or, if there has been more than one such sale, the last such sale;

“the capital expenditure” means—

(a) where paragraph (b) of this definition does not apply, the capital expenditure incurred (or by virtue of section 5 of this Act deemed to have been incurred) on the construction of the building or structure;

(b) where the person to or on whom the balancing allowance or balancing charge falls to be made is not the person who incurred (or is deemed to have incurred) that expenditure, the residue of that expenditure at the beginning of the relevant period,

together (in either case) with any amount to be added to the residue of that expenditure by virtue of section 4(11) of this Act;

“the allowances given” means the allowances referred to in subsection (6) of this section;

“the adjusted net cost” means—

(a) where there are no sale, insurance, salvage or compensation moneys, the capital expenditure;

(b) where those moneys are less than that expenditure, the amount by which they are less,

reduced (in either case) in the proportion that the part, or the aggregate of the parts, of the relevant period for which the building or structure was an industrial building or structure or used for scientific research bears to the whole of that period;

“scientific research” has the same meaning as in Part II of this Act.]

(6) Notwithstanding anything in the preceding provisions of this section, in no case shall the amount on which a balancing charge is made on a person in respect of any expenditure on the construction of a building or structure exceed the amount of the initial allowance, if any, made to him in respect of that expenditure together with the amount of any writing-down allowances or scientific research allowances in respect of that expenditure, and any relevant mills, factories or exceptional depreciation allowances in respect of that building or structure, made to him for chargeable periods which end on or before the date of the event giving rise to the charge or of which the basis periods end on or before that date.

Definition of “industrial building or structure”

7.—(1) Subject to the provisions of this section, in this Chapter “industrial building or structure” means a building or structure in use—

- (a) for the purposes of a trade carried on in a mill, factory or other similar premises, or
- (b) for the purposes of a transport, dock, inland navigation, water, electricity or hydraulic power undertaking, or
- (c) subject to subsection (7) below, for the purposes of a tunnel undertaking, or
- (d) subject to subsection (8) below, for the purposes of a bridge undertaking, or
- (e) for the purposes of a trade which consists in the manufacture of goods or materials or the subjection of goods or materials to any process, or
- (f) for the purposes of a trade which consists in the storage—
 - (i) of goods or materials which are to be used in the manufacture of other goods or materials, or
 - (ii) of goods or materials which are to be subjected, in the course of a trade, to any process, or
 - (iii) of goods or materials which, having been manufactured or produced or subjected, in the course of a trade, to any process, have not yet been delivered to any purchaser, or
 - (iv) of goods or materials on their arrival by sea or air into any part of the United Kingdom, or
- (g) for the purposes of a trade which consists in the working of any mine, oil well or other source of mineral deposits, or of a foreign plantation, or
- (h) for the purposes of a trade consisting in all or any of the following activities, that is to say, ploughing or cultivating land (other than land in the occupation of the person carrying on the trade) or doing any other agricultural operation on such land, or threshing the crops of another person, or
- (i) for the purposes of a trade which consists in the catching or taking of fish or shellfish,

and, in particular, the said expression includes any buildings or structure provided by the person carrying on such a trade or undertaking for the welfare of workers employed in that trade or undertaking and in use for that purpose.

(2) The provisions of subsection (1) of this section shall apply in relation to a part of a trade or undertaking as they apply in relation to a trade or undertaking:

Provided that where part only of a trade or undertaking complies with the conditions set out in the said provisions, a building or structure shall not, by virtue of this subsection, be an industrial building or structure unless it is in use for the purposes of that part of that trade or undertaking.

[(2A) The reference in paragraph (e) of subsection (1) above to the subjection of goods or materials to any process shall include a reference to the maintaining or repairing of any goods or materials but, notwithstanding subsection (2) above, paragraph (e) shall not apply to the maintenance or repair by any person of goods or materials employed by that person in any trade or undertaking unless that trade or undertaking itself falls within any of the paragraphs of that subsection (including paragraph (e)).]

(3) Notwithstanding anything in [the preceding provisions] of this section, but subject to the provisions of subsection (4) of this section, “industrial building or structure” does not include any building or structure in use as, or as part of, a dwelling-house, retail shop, showroom, hotel or office or for any purpose ancillary to the purposes of a dwelling-house, retail shop, showroom, hotel or office:

Provided that this subsection shall not apply to, or to part of, a building or structure which was constructed for occupation by, or for the welfare of, persons employed at, or in connection with the working of, a mine, oil well or other source of mineral deposits, or for occupation by, or for the welfare of, persons employed on, or in connection with the growing and harvesting of the crops on, a foreign plantation, if the building or structure is likely to have little or no value to the person carrying on the trade when the mine, oil well or other source or the plantation is no longer worked, or will cease to belong to such person on the coming to an end of a foreign concession under which the mine, oil well or other source, or the plantation, is worked.

[(3A) Where a building or structure is used by more than one licensee of the same person that building or structure shall not be an industrial building or structure unless each of the licensees uses the building or that part of it to which his licence relates for the purposes of a trade which falls within subsection (1) above.]

(4) Where part of the whole of a building or structure is, and part thereof is not, an industrial building or structure, and the capital expenditure which has been incurred on the construction of the second mentioned part is not more than [one-quarter] of the total capital expenditure which has been incurred on the construction of the whole building or structure, the whole building or structure and every part thereof shall be treated as an industrial building or structure.

(5) In this section—

“retail shop” includes any premises of a similar character where retail trade or business (including repair work) is carried on;

“dock” includes any harbour, wharf, pier or jetty or other works in or at which vessels can ship or unship merchandise or passengers, not being a pier or jetty primarily used for recreation, and “dock undertaking” shall be construed accordingly;

“water undertaking” means an undertaking for the supply of water for public consumption;

“electricity undertaking” means an undertaking for the generation, transformation, conversion, transmission or distribution of electrical energy;

“hydraulic power undertaking” means an undertaking for the supply of hydraulic power;

“undertaking” does not include an undertaking not carried on by way of trade;

“foreign plantation” means, subject to subsection (6) below, any land outside the United Kingdom used for the growing and harvesting of crops;

“crops” includes any form of vegetable produce and “harvesting” includes the collection thereof, however effected.

(6) In this section the expression “foreign plantation” shall (without prejudice to the generality of the definition in subsection (5) above) be extended so as to include any land outside the United Kingdom used for hus-

bandry or forestry, and the reference in subsection (3) above to the growing and harvesting of crops shall be correspondingly extended.

(7)–(8) *Omitted.*

(9) For the purposes of this Chapter references to use as an industrial building or structure do not apply, in the case of a building or structure outside the United Kingdom, to use for the purposes of a trade at a time when the profits or gains of the trade are not assessable in accordance with the rules applicable to Case I of Schedule D.

CHAPTER II

MACHINERY AND PLANT

Application to professions, etc., and profits arising from occupation of land

47.—(1) Subject to the provisions of this and the next following section, the provisions of this Chapter shall, with any necessary adaptations, apply in relation to—

(a) professions, employments, vocations and offices, and

(b) the occupation of woodlands, where the profits or gains thereof are assessable under Schedule D,

as they apply in relation to trades.

(2)–(4) *Omitted.*

CHAPTER VI

MISCELLANEOUS AND GENERAL

Income tax allowances and charges in taxing a trade, etc.

70.—(1) This and the next following section have effect as respects allowances and charges which fall to be made under the provision of this Part of this Act as they apply for the purposes of income tax.

(2) Allowances which fall to be made to a person in taxing his trade shall be made as a deduction in charging the profits or gains of the trade to income tax.

(3) Any claim by a person for an allowance falling to be made to him in taxing his trade shall be made in his returns of income for income tax purposes, and, in the case of an allowance under section 60 of this Act, the claim shall be in such form and accompanied by such plans and other particulars as the Board may direct. [Section 42 of the Taxes Management Act 1970 shall not apply to any such claim.]

(4) Where full effect cannot be given in any year to any allowance falling to be made in taxing a trade owing to there being no profits or gains of the trade chargeable for that year, or owing to the profits or gains chargeable being less than the allowance, the allowance or part of the allowance to which effect has not been given as the case may be, [shall be carried forward and, so far as may be, made as a deduction in charging the profits or gains of the trade in subsequent years of assessment].

[(4A) Where the allowances in respect of which deductions can be made under this section for any year include allowances carried forward under sub-

section (4) above from a previous year the allowances shall, subject to paragraph 5 of Schedule 9 to the Finance Act 1981, be deducted in the following order—

- (a) allowances other than those carried forward under subsection (4) above from an earlier year;
 - (b) allowances carried forward as aforesaid from years of assessment not earlier than the year for which the basis period ended on or included 14th November 1980;
 - (c) allowances carried forward as aforesaid from years of assessment earlier than those referred to in paragraph (b) above.]
- (5) [. . .] subsection (4) above has effect subject to [section 169 of the principal Act] (right to set capital allowances against general income).
- (6) Any charge falling to be made on a person for any year of assessment in taxing his trade shall be made by means of an assessment to income tax on the profits or gains of that trade for that year of assessment in addition to any other assessment falling to be made thereon for that year.
- (7) This section shall apply in relation to professions, employments, vocations and offices, and the occupation of woodlands the profits or gains whereof are assessable under Schedule D, as it applies in relation to trades, and nothing in this section applies to any deduction allowable under any provision of this Part of this Act in computing the profits or gains of a trade.

Taxes Management Act 1970

(1970 c. 9)

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PART I

ADMINISTRATION

Taxes under care and management of the Board

1.—(1) Income tax, corporation tax, [development land tax] and capital gains tax shall be under the care and management of the Commissioners of Inland Revenue (in this Act referred to as “the Board”), and the definition of “inland revenue” in section 39 of the Inland Revenue Regulation Act 1890 shall have effect accordingly.

(2) The Board shall appoint inspectors and collectors of taxes who shall act under the direction of the Board.

(3) Any legal proceedings or administrative act relating to any tax begun by one inspector or collector may be continued by another inspector or, as the case may be, another collector; and any inspector or collector may act for any division or other area.

PART II

RETURNS OF INCOME AND GAINS

*Income tax***Notice of liability to tax**

7.—(1) Every person who is chargeable to income tax for any year of assessment and who has not delivered a return of his profits or gains or his total income for that year in accordance with the provisions of the Income Tax Acts shall, not later than one year after the end of that year of assessment, give notice that he is so chargeable.

(2) A notice under this section shall be given to the inspector [. . .].

(3) If any person fails to give a notice which he is required to give under this section he shall be liable to a penalty not exceeding £100.

Return of income

8.—(1) Any person may be required by a notice given to him by an inspector or other officer of the Board to deliver to the officer within the time limited by the notice a return of his income, computed in accordance with the Income Tax Acts and specifying each separate source of income and the amount from each source.

(2) Any person may be required by a notice given to him by an inspector or other officer of the Board to deliver to the officer within the time limited by the notice a return of income which is not his income, but in respect of which he is chargeable in any capacity specified in the notice, computed in accordance with the Income Tax Acts and specifying each separate source of income and the amount from each source.

(3) A notice under this section may require a return of income for a specified year of assessment, or a return which is, so far as relates to certain sources of income, a return of income for one year of assessment, and, so far

as relates to the remaining source of income, a return of income for the preceding year of assessment.

(4) So far as a notice under this section relates to income chargeable under Case I or Case II of Schedule D, or any other income which may be computed by reference to the profits or gains of a period which is not a year of assessment, the notice may require a return of profits or gains (computed in accordance with the Income Tax Acts) for a period for which accounts are made up or a period by reference to which income is to be computed.

(5) [. . .]

(6) [. . .]

(7) Every return under this section shall include a declaration by the person making the return to the effect that the return is to the best of his knowledge correct and complete.

(8) In this section references to returns of income computed in accordance with the Income Tax Acts are references to returns which include, as well as all particulars relating to income from which tax has not been deducted, all particulars relating to income from which tax has been deducted before receipt, and relating to charges on income; [. . .] and in this subsection the expression "charges on income" means amounts which fall to be deducted in computing total income [. . .], or which would fall to be so deducted if the person to whose income the return relates were an individual [or would fall to be so deducted but for section 457 or 458 of the principal Act].

[(9) Where a person's income of which particulars are required to be included in a return under this section comprises a distribution chargeable under Schedule F there shall be separately stated in the return the amount or value of the distribution and the amount of any tax credit under section 86 of the Finance Act 1972 to which that person is entitled in respect of that distribution.]

Power to call for documents of taxpayer and others

[20.—(1) Subject to this section, an inspector may by notice in writing require a person to deliver to him such documents as are in the person's possession or power and as (in the inspector's reasonable opinion) contain, or may contain, information relevant to any tax liability to which the person is or may be subject, or to the amount of any such liability.

(2) Subject to this section, the Board may by notice in writing require a person to deliver, to a named officer of theirs, such documents as are in the person's possession or power and as (in the Board's reasonable opinion) contain, or may contain, information relevant to any tax liability to which he is or may be subject, or to the amount of any such liability.

(3) Subject to this section, an inspector may, for the purpose of enquiring into the tax liability of any person ("the taxpayer"), by notice in writing require any of the persons who in relation to the taxpayer are subject to this subsection to deliver to the inspector or, if the person to whom the notice is given so elects, to make available for inspection by a named officer of the Board, such documents as are in his possession or power and as (in the inspector's reasonable opinion) contain, or may contain, information relevant to any tax liability to which the taxpayer is or may be, or may have been, subject, or to the amount of any such liability.

(4) The persons so subject are—

(a) the taxpayer's spouse, and any son or daughter of his;

(b) in so far as the inspector's enquiries relate to liability of the taxpayer in respect of income, profits or gains that were, or may have been, derived from—

(i) any business (past or present) carried on by the taxpayer or his spouse, or

(ii) any business (past or present) with whose management either of them was concerned at a material time, any person who is carrying on a business, or was doing so at a material time, and any company whether carrying on a business or not.

(5) For the purposes of subsection (4) above, every director of a company is to be taken as being concerned with the management of any business carried on by the company; and a material time is any time which (in the inspector's reasonable opinion) is, or may have been, material in the ascertainment of any past or present tax liability of the taxpayer.

(6) The persons who may be treated as "the taxpayer" under subsections (3) and (4) include a company which has ceased to exist and an individual who has died; and in relation to such an individual the references in subsection (4) to the spouse are then instead to the widow or widower (the circumstance that she or he may have re-married being immaterial for the purposes of those subsections).

(7) Notices under this section are not to be given by an inspector unless he is authorised by the Board for its purposes; and—

(a) a notice is not to be given by him except with the consent of a General or Special Commissioner; and

(b) the Commissioner is to give his consent only on being satisfied that in all the circumstances the inspector is justified in proceeding under this section.

(8) The references in subsection (1), (2) and (3) above to documents are to those specified or described in the notice in question; and—

(a) the notice shall require them to be delivered or (as the case may be) made available within such time as may be there specified; and

(b) the person to whom they are delivered or made available may take copies of, or extracts from them;

and a notice under subsection (3) shall name the taxpayer with whose liability the inspector (or, as the case may be, the Board) is concerned.

(9) To the extent specified in section 20B below, the above provisions are subject to the restrictions of that section.

Power to call for papers of tax accountant

20A.—(1) Where after the passing of the Finance Act 1976 a person—

(a) is convicted of an offence in relation to tax (whenever committed) by or before any court in the United Kingdom; or

(b) has awarded against him a penalty incurred by him (whether before or after the passing of that Act) under section 99 of this Act,

and he has stood in relation to others as tax accountant, an inspector authorised by the Board for the purpose of this section may by notice in writing require the person to deliver to him such documents as are in his possession or power and as (in the inspector's reasonable opinion) contain information relevant to any tax liability to which any client of his is or has been, or may be or have been, subject, or to the amount of any such liability.