



# House of Commons

Tuesday 24 October 2017

## PUBLIC BILL COMMITTEE PROCEEDINGS

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### FINANCE BILL

(Except Clause 5 and any new Clauses or new Schedules relating to the tax treatment of payments or benefits received in connection with the termination of an employment or a change in the duties in, or earnings from, an employment; Clause 15 and any new Clauses or new Schedules relating to the conditions under which business investment relief in Chapter A1 of Part 14 of the Income Tax Act 2007 is available; Clause 25 and any new Clauses or new Schedules relating to the extent to which trading profits are chargeable to corporation tax at the Northern Ireland rate)

*[FIRST TO SIXTH SITTINGS]*

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### GLOSSARY

*This document shows the fate of each clause, schedule, amendment and new clause.*

*The following terms are used:*

*Agreed to:* agreed without a vote.

*Agreed to on division:* agreed following a vote.

*Negatived:* rejected without a vote.

*Negatived on division:* rejected following a vote.

*Not called:* debated in a group of amendments, but not put to a decision.

*Not moved:* not debated or put to a decision.

*Question proposed:* debate underway but not concluded.

*Withdrawn after debate:* moved and debated but then withdrawn, so not put to a decision.

*Not selected:* not chosen for debate by the Chair.

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Mel Stride

*Agreed to*

That—

- (1) the Committee shall (in addition to its first meeting at 9.25 am on Tuesday 17 October) meet—
  - (a) at 2.00 pm on Tuesday 17 October;
  - (b) at 11.30 am and 2.00 pm on Thursday 19 October;

*Finance Bill, continued*

- (c) at 9.25 am and 2.00 pm on Tuesday 24 October;
- (d) at 11.30 am and 2.00 pm on Thursday 26 October;
- (2) the proceedings shall be taken in the following order: Clauses 1 to 4; Clauses 6 to 14; Schedule 1; Clause 16; Schedule 2; Clause 17; Schedule 3; Clause 18; Schedule 4; Clauses 19 and 20; Schedule 5; Clause 21; Schedule 6; Clauses 22 to 24; Schedule 7; Clauses 26 to 29; Schedule 8; Clauses 30 and 31; Schedule 9; Clauses 32 and 33; Schedule 10; Clause 34; Schedule 11; Clause 35; Schedule 12; Clauses 36 to 55; Schedule 13; Clauses 56 to 61; Schedule 14; Clauses 62 and 63; Schedule 15; Clauses 64 and 65; Schedule 16; Clause 66; Schedule 17; Clause 67; Schedule 18; Clauses 68 to 72; new Clauses; new Schedules; remaining proceedings on the Bill;
- (3) the proceedings shall (so far as not previously concluded) be brought to a conclusion at 5.00 pm on Thursday 26 October.

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Mel Stride

That, subject to the discretion of the Chair, any written evidence received by the Committee shall be reported to the House for publication.

*Agreed to*

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*FIRST AND SECOND SITTINGS*

*Clause 1 agreed to.*

Peter Dowd  
Anneliese Dodds  
Jeff Smith

*Withdrawn after debate* 13

Clause 2, page 5, line 7, at end insert—

“(5A) After section 170 (Orders etc relating to this Chapter), insert—

**“170A Review of changes to appropriate percentages etc for cars**

- (1) Prior to 31 March 2018, the Commissioners for Her Majesty’s Revenue and Customs shall complete a review of the forecast effects of the amendments made by subsections (1) to (4) of section 2 of the Finance (No. 2) Act 2017.
- (2) The review shall consider in particular the effects on—
- (a) the use of zero and ultra-low emission cars as company cars, and
  - (b) air quality in towns and cities
- in each year from 2020-21 to 2030-31.
- (3) The Chancellor of the Exchequer shall lay a report of the review under this section before the House of Commons as soon as practicable after its completion.”

**Finance Bill, continued***Clause agreed to.*


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Peter Dowd  
Anneliese Dodds  
Jeff Smith

Clause 3, page 5, line 22, leave out “£500” and insert “£1,000”. *Negated on division* 14

Kirsty Blackman  
David Linden

Clause 3, page 6, line 16, at end insert— *Not called* 11

**“308D Review of use of provisions of section 308C**

- (1) Within one year of the passing of the Finance (No. 2) Act 2017, the Commissioners for Her Majesty’s Revenue and Customs shall complete a review of the use of the provisions of section 308C in tax years 2017-18 and 2018-19.
- (2) The review shall consider in particular—
  - (a) the use of the relief by persons over 55, and
  - (b) the use of the relief by women born on or after 6 April 1950.
- (3) The Commissioners shall consult the Financial Conduct Authority in carrying out the review under this section.
- (4) The Chancellor of the Exchequer shall lay a report of the review under this section before the House of Commons as soon as practicable after its completion.”

Peter Dowd  
Anneliese Dodds  
Jeff Smith

Clause 3, page 6, line 16, at end insert— *Not called* 15

**“308D Review of effectiveness of provisions of section 308C**

- (1) Prior to 30 June 2019, the Commissioners for Her Majesty’s Revenue and Customs shall complete a review of the effectiveness of the operation of the provisions of section 308C in tax years 2017-18 and 2018-19.
- (2) The review shall consider in particular—
  - (a) the estimated value of the exemption in each tax year,
  - (b) the effects of the Conditions in subsections (6) and (7), and
  - (c) the effects of the provisions on the availability and accessibility of relevant pensions advice.
- (3) The Commissioners shall consult the Financial Conduct Authority in carrying out the review under this section.
- (4) The Chancellor of the Exchequer shall lay a report of the review under this section before the House of Commons as soon as practicable after its completion.”

**Finance Bill, *continued***

*Clause agreed to.*

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Peter Dowd  
Anneliese Dodds  
Jeff Smith

*Negated on division* 16

Clause 4, page 9, line 23, at end insert—

“(7A) After section 716B (Employment intermediaries, etc), insert—

**“716C Review of effectiveness of changes to reliefs for legal expenses**

- (1) Prior to 30 June 2019, the Commissioners for Her Majesty’s Revenue and Customs shall complete a review of the effectiveness of the changes made to this Act by section 3 of the Finance (No. 2) Act 2017.
- (2) The review shall consider in particular the estimated value of the additional relief provided as a result of the changes in each tax year.
- (3) The Chancellor of the Exchequer shall lay a report of the review under this section before the House of Commons as soon as practicable after its completion.””

*Clause agreed to.*

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*Clause 6 agreed to.*

Peter Dowd  
Anneliese Dodds  
Jeff Smith

*Withdrawn after debate* 17

Clause 7, page 15, line 11, at end insert—

“(4A) After section 227G (when pension rights are first flexibly accessed), insert—

**“227H Review of effects of changes to money purchase annual allowance**

- (1) Prior to 30 June 2019, the Commissioners for Her Majesty’s Revenue and Customs shall complete a review of the effects of the changes made to this Act by section 7 of the Finance (No. 2) Act 2017.
- (2) The review shall consider in particular—
  - (a) the change to the tax charge applied in each tax year, and
  - (b) the behavioural effects of the changes.
- (3) The Chancellor of the Exchequer shall lay a report of the review under this section before the House of Commons as soon as practicable after its completion.””

**Finance Bill, continued***Clause agreed to.*

Peter Dowd  
Anneliese Dodds  
Jeff Smith

*Negated on division 18*

Clause 8, page 15, line 17, at end insert—

“(1A) After section 13A (income charged at the dividend nil rate), insert—

**“13B Review of effects of changes to dividend nil rate**

- (1) Prior to 30 June 2019, the Commissioners for Her Majesty’s Revenue and Customs shall complete a review of the effects of the changes made to this Act by section 8 of the Finance (No. 2) Act 2017.
- (2) The review shall consider in particular the effects on the self-employed.
- (3) The Chancellor of the Exchequer shall lay a report of the review under this section before the House of Commons as soon as practicable after its completion.””

Kirsty Blackman  
David Linden

*Not selected 12*

Page 15, line 15, leave out Clause 8

*Clause agreed to on division.*

Peter Dowd  
Anneliese Dodds  
Jeff Smith

*Withdrawn after debate 19*

Clause 9, page 17, line 45, at end insert—

**“512B Review of operation of sections 507A and 512A**

- (1) Prior to 30 June 2020, the Commissioners for Her Majesty’s Revenue and Customs shall complete a review of the operation of sections 507A and 512A.
- (2) The review shall consider in particular—
  - (a) the number of applications made under each section,
  - (b) the number of occasions a gain was recalculated on a just and reasonable basis under each section.
- (3) The Chancellor of the Exchequer shall lay a report of the review under this section before the House of Commons as soon as practicable after its completion.”

*Clause agreed to.*

**Finance Bill, continued**

*Clauses 10 to 14 agreed to.*

Peter Dowd  
Anneliese Dodds  
Jeff Smith

*Negatived on division 20*

Schedule 1, page 103, line 37, at end insert—  
“10A After section 257TE (minor definitions etc), insert—

**“257TF Review of operation of this Part**

- (1) Prior to 30 June 2019, the Commissioners for Her Majesty’s Revenue and Customs shall complete a review of the operation of social investment tax relief.
- (2) The review shall consider in particular—
  - (a) the effects of changes made to this Part by Schedule 1 to the Finance (No. 2) Act 2017, and
  - (b) the effectiveness of the anti-abuse provision.
- (3) The Chancellor of the Exchequer shall lay a report of the review under this section before the House of Commons as soon as practicable after its completion.””

*Schedule agreed to.*

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*Clause 16 agreed to.*

*Schedule 2 agreed to.*

*Clause 17 agreed to.*

Peter Dowd  
Anneliese Dodds  
Jeff Smith

*Not called 21*

Schedule 3, page 155, line 15, at end insert—

**“CHAPTER 3**

**REVIEW OF CHAPTERS 1 AND 2**

**783BR Review of operation of this Part**

- (1) Prior to 30 June 2020, the Commissioners for Her Majesty’s Revenue and Customs shall complete a review of the operation of the provisions of this Part.
- (2) The review shall consider in particular—
  - (a) the use and effects of full relief,
  - (b) the use and effects of partial relief,
  - (c) the use of relief in relation to trading income, and
  - (d) the use of relief in relation to property income.

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**Finance Bill, continued**

- (3) The review shall compare the effects on the Exchequer in each of the first two years of its operation with the effects forecast by the Office for Budget Responsibility at the time of—
  - (a) the 2016 Budget, and
  - (b) the 2016 Autumn Statement.
- (4) The Chancellor of the Exchequer shall lay a report of the review under this section before the House of Commons as soon as practicable after its completion.”

*Schedule agreed to.*

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*Clause 18 agreed to.*

Peter Dowd  
Anneliese Dodds  
Jeff Smith

*Not called 22*

Schedule 4, page 230, line 37, at end insert—

**“188FAA Review of operation of this Part**

- (1) Prior to 30 June 2020, the Commissioners for Her Majesty’s Revenue and Customs shall complete a review of the operation of the provisions of this Part.
- (2) The review shall consider in particular—
  - (a) the use and effects of reliefs under this Part,
  - (b) the effects on the Exchequer in each year of operation,
  - (c) a comparison of the amounts referred to in paragraph (b) and any official forecasts of those amounts prior to the introduction of this Part.
- (3) The Chancellor of the Exchequer shall lay a report of the review under this section before the House of Commons as soon as practicable after its completion.”

Peter Dowd  
Anneliese Dodds  
Jeff Smith

*Not called 23*

Schedule 4, page 247, line 2, at end insert—

- “55A(1) Prior to 30 June 2019, the Commissioners for Her Majesty’s Revenue and Customs shall complete a review in accordance with the provisions of this paragraph.
- (2) The review shall consider the changes made in—
    - (a) paragraphs 24 to 26 of this Schedule in relation to insurance companies,
    - (b) paragraphs 27 to 46 of this Schedule in relation to certain creative industries,
    - (c) paragraphs 47 to 55 of this Schedule in relation to oil activities.
  - (3) The review shall consider in particular and in relation to each of the sectors mentioned in sub-paragraph (2)—
    - (a) the use and effects of the changes made,
    - (b) the effects on the Exchequer in each year of operation,

**Finance Bill, continued**

- (c) a comparison of the amounts referred to in paragraph (b) and any official forecasts of those amounts prior to the introduction of this Part, and
  - (d) any effects on the economic activities of companies and others in each of the sectors mentioned in sub-paragraph (2).
- (4) The Chancellor of the Exchequer shall lay a report of the review under this paragraph before the House of Commons as soon as practicable after its completion.”

*Schedule agreed to.*

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*Clause 19 agreed to.*

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*THIRD AND FOURTH SITTINGS*

*Clause 20 agreed to.*

Peter Dowd  
Anneliese Dodds  
Jeff Smith

*Not selected 27*

Schedule 5, page 352, leave out from end of line 35 to the beginning of line 21 on page 368

Stella Creasy

*Not selected 3*

Schedule 5, page 354, line 10, after “subsection (11)”, insert—  
“(c) the company is not a PFI company,”

Stella Creasy

*Not selected 4*

Schedule 5, page 361, line 21, at end insert “and  
(c) the company is a PFI company,”

Stella Creasy

*Negatived on division 5*

Schedule 5, page 364, line 10, at end insert—

**“443A Review of effects in relation to PFI companies**

- (1) Within three months of the coming into force of this Chapter, the Commissioners for Her Majesty’s Revenue and Customs shall complete a review of the effects of the provisions of this Chapter in relation to PFI companies.
- (2) The review shall consider in particular the effects if the provisions of—
  - (a) the Chapter, and
  - (b) the exemption in section 439
 were not to apply to PFI companies.



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**Finance Bill, continued**

- (3) The Chancellor of the Exchequer shall lay a report of the review under this section before the House of Commons within three months of its completion.”

Peter Dowd  
Anneliese Dodds  
Jeff Smith

*Negatived on division* 28

Schedule 5, page 367, line 46, at end insert—

**“448A Sectoral reporting on operation of this Chapter**

- (1) Within fifteen months of the coming into force of this Chapter, the Commissioners for Her Majesty’s Revenue and Customs shall complete a review about the operation of its provisions in relation to different sectors.
- (2) The sectors covered by this review shall be—
- (a) water and sewerage,
  - (b) gas and electricity,
  - (c) telecommunications,
  - (d) railway facilities,
  - (e) roads and other transport facilities,
  - (f) health facilities,
  - (g) educational facilities,
  - (h) facilities or housing accommodation provided for use by any of the armed forces,
  - (i) facilities or housing accommodation provided for use by any police force,
  - (j) court or prison facilities,
  - (k) waste processing facilities,
  - (l) buildings (or parts of buildings) occupied by any relevant public body other than for purposes principally concerned with matters specified in paragraphs (a) to (k).
- (3) A review under this section shall separately identify, in respect of each sector, information on operation in respect of qualifying infrastructure companies undertaking activities that were previously undertaken by a nationalised industry.
- (4) The Chancellor of the Exchequer shall lay a report of the review under this section before the House of Commons within three months of its completion.”

Stella Creasy

*Not called* 6

Schedule 5, page 368, line 13, at end insert—

“a PFI company” means a company which has entered into a contract with a public sector body under the Private Finance Initiative or the PF2 initiative.”

*Schedule agreed to.*

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*Clause 21 agreed to.*

**Finance Bill, continued**

Peter Dowd  
Anneliese Dodds  
Jeff Smith

*Not called* 29

Schedule 6, page 479, line 15, at end insert—

**“CHAPTER 7****REVIEW AND POLICY STATEMENT****1218ZFB Review of operation of this Part and policy statement**

- (1) No later than 30 September 2020, the Chancellor of the Exchequer shall lay before the House of Commons a report of a review and a policy statement in accordance with the provisions of this section.
- (2) The review shall consider—
  - (a) the number of touring exhibitions benefiting from the relief,
  - (b) the number of other exhibitions benefiting from the relief,
  - (c) an assessment of the operation of the provisions.
- (3) The policy statement shall set out proposals for the continuation, discontinuation or modification of the relief from 2022 onwards.”

*Schedule agreed to.*

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Peter Dowd  
Anneliese Dodds  
Jeff Smith

*Withdrawn after debate* 30

Clause 22, page 27, line 25, at end insert—

**“217E Review of operation of this Part**

- (1) Within fifteen months of the coming into force of this Part, the Commissioners for Her Majesty’s Revenue and Customs shall complete a review about the operation its provisions (including in relation to different eligible sports).
- (2) The review shall, so far as practical, identify the extent to which the provisions have benefitted particular eligible sports.
- (3) The Chancellor of the Exchequer shall lay a report of the review under this section before the House of Commons within three months of its completion.”

*Clause agreed to.*

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**Finance Bill, continued**

Peter Dowd  
Anneliese Dodds  
Jeff Smith

*Withdrawn after debate* 31

Clause 23, page 32, line 45, at end insert—

**“357GCZG Review of changes to provisions for cost-sharing arrangements**

- (1) Within fifteen months of the passing of the Finance (No. 2) Act 2017, the Commissioners for Her Majesty’s Revenue and Customs shall complete a review about the effects of the changes to cost-sharing arrangements.
- (2) In this section, “the changes to cost-sharing arrangements” means the changes to this Part of this Act made by section 23 of the Finance (No. 2) Act 2017.
- (3) The Chancellor of the Exchequer shall lay a report of the review under this section before the House of Commons within three months of its completion.”

*Clause agreed to.*

*Clause 24 agreed to.*

*Schedule 7 agreed to.*

*Clauses 26 and 27 agreed to.*

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Mel Stride

Clause 28, page 38, line 5, leave out from “applies” to “in” in line 6 *Agreed to* 1

Mel Stride

Clause 28, page 38, line 10, leave out “paragraph 7” and insert “this Schedule” *Agreed to* 2

*Clause, as amended, agreed to.*

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*Clause 29 agreed to.*

Peter Dowd  
Anneliese Dodds  
Jeff Smith

Schedule 8, page 501, line 25, leave out paragraphs 18 to 40 *Not selected* 24

Peter Dowd  
Anneliese Dodds  
Jeff Smith

Schedule 8, page 501, line 28, line 28, leave out “D” and insert “E” *Not selected* 25

Finance Bill, *continued*

Peter Dowd  
Anneliese Dodds  
Jeff Smith

*Not selected* 26

Schedule 8, page 502, line 14, at end insert—

- “(8A) Condition E is that the settlor registers the source of the property or income on a public register in a manner prescribed by regulations.
- (8B) The Treasury shall by regulations prescribe the manner for public registration of the source of property or income for the purposes of subsection (8A).
- (8C) A statutory instrument containing regulations under subsection (8B) may not be made unless a draft of it has been laid before, and approved by a resolution of, the House of Commons.”

*Schedule agreed to.*

*Clauses 30 and 31 agreed to.*

*Schedule 9 agreed to.*

*Clauses 32 and 33 agreed to.*

*Schedule 10 agreed to.*

*Clause 34 agreed to.*

*Schedule 11 agreed to.*

*Clause 35 agreed to.*

*Schedule 12 agreed to.*

*Clauses 36 to 39 agreed to.*

Peter Dowd  
Anneliese Dodds  
Jeff Smith

*Withdrawn after debate* 32

Clause 40, page 58, line 31, at end insert—

**“262AG Review of operation of co-ownership authorised contractual schemes**

- (1) Within fifteen months of the passing of the Finance (No. 2) Act 2017, the Commissioners for Her Majesty’s Revenue and Customs shall complete a review of the operation of the new provisions for co-ownership authorised contractual schemes.
- (2) The review shall, in particular, consider the operation of these provisions in relation to master funds.
- (3) In this section, “the new provisions for co-ownership authorised contractual schemes” means—
  - (a) sections 262AA to 262AF of this Act, and
  - (b) regulations made under sections 41 and 42 of the Finance (No. 2) Act 2017.

**Finance Bill, continued**

- (4) The Chancellor of the Exchequer shall lay a report of the review under this section before the House of Commons within three months of its completion.”

*Clause agreed to.*

*Clauses 41 and 42 agreed to.*

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*FIFTH AND SIXTH SITTINGS*

*Clauses 43 to 55 agreed to.*

*Schedule 13 agreed to.*

*Clauses 56 to 59 agreed to.*

Kirsty Blackman  
David Linden

*Negatived on division 37*

Clause 60, page 71, line 16, leave out “paragraph 2” and insert “paragraphs 1A and 2.

- 1A (1) The provisions of this Schedule shall not apply to a person specified in paragraph 1(1) except in accordance with the provisions of this paragraph.
- (2) No person shall be subject to the provisions of this Schedule unless they fall within a class of persons specified in regulations made under sub-paragraph (3).
- (3) The Commissioners may by regulations specify a class of persons to whom this Schedule applies provided that the relevant conditions in sub-paragraphs (4) to (9) are met.
- (4) The condition in this sub-paragraph is that the first regulations may not be made until after the Commissioners have undertaken an assessment of the impact of the implementation of the provisions of this Schedule on—
- (a) small businesses that have limited technological connectedness,
  - (b) businesses in rural areas, and
  - (c) businesses that are likely to have been affected by the closure of HMRC offices.
- (5) The condition in this sub-paragraph is that the first regulations may not apply to more than 25 per cent of persons to whom paragraph 1(1) applies.
- (6) The condition in this sub-paragraph is that the Commissioners have prepared an assessment of the likely effects of making regulations in the form of a draft which has been laid before the House of Commons by the Treasury.
- (7) The condition in this sub-paragraph is that the House of Commons has resolved that regulations should be made in the form of a draft laid in accordance with sub-paragraph (6).
- (8) The condition in this sub-paragraph is that the second regulations may not be made—
- (a) until at least twelve months have elapsed since the making of the first regulations,
  - (b) unless, taken together with the first regulations, they apply to no more than 90 per cent of persons to whom paragraph 1(1) applies.

Finance Bill, *continued*

- (9) The condition in this sub-paragraph is that the third set of regulations may not be made until at least twelve months have passed since the making of the second regulations.”

Stella Creasy

*Not called* 7

Clause 60, page 75, line 7, at end insert—

- “(1A) Regulations under sub-paragraph (1) must in particular require a person or partnership to record service charges separately from other income.”

Stella Creasy

*Negatived on division* 8

Clause 60, page 75, line 7, at end insert—

- “(1B) Regulations under sub-paragraph (1) must in particular require a person or partnership to maintain separate records in respect of each employee and in respect of any prescribed time period of service charges received and to make those records available in a prescribed manner.

- (1C) In sub-paragraph (1B), “prescribed” means prescribed by regulations.”

Stella Creasy

*Not selected* 9

Clause 60, page 75, line 7, at end insert—

- “(1D) Regulations under sub-paragraph (1) must in particular establish a right for employees to obtain from their employer information relevant to their own tax liabilities from digital records of service charges received.”

Stella Creasy

*Not called* 39

Clause 60, page 75, line 7, at end insert—

- “(1B) Regulations under sub-paragraph (1) must in particular require a person or partnership to maintain separate records in respect of each employee and in respect of any prescribed time period of service charges received and to make those records available to those employees.

- (1C) in sub-paragraph (1B), “prescribed” means prescribed by regulations.”

Peter Dowd  
Anneliese Dodds  
Jeff Smith

*Negatived on division* 33

Clause 60, page 78, line 19, after “day”, insert “no earlier than 1 January 2022”.

Peter Dowd  
Anneliese Dodds  
Jeff Smith

*Negatived on division* 40

Clause 60, page 78, line 20, at end insert—

- “(4A) No regulations may be made under subsection (4) until after 90 days after the Chancellor of the Exchequer has laid a report before the House of Commons which sets out—

- (a) the steps which HMRC has undertaken to establish that suitable software is available;
- (b) the results of the testing by HMRC and others of that software; and

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**Finance Bill, continued**

- (c) the reasons why mandatory use of the software is in the interest of HMRC and taxpayers.”

*Clause agreed to.*

Peter Dowd  
Anneliese Dodds  
Jeff Smith

*Not called* **34**

Clause **61**, page **78**, line **34**, after “day”, insert “no earlier than 1 January 2022”.

*Clause agreed to.*

*Schedule 14 agreed to.*

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Peter Dowd  
Anneliese Dodds  
Jeff Smith

*Not called* **35**

Clause **62**, page **79**, line **12**, at end insert—

“(5A) No regulations may be made under sub-paragraph (5) on a day prior to 1 January 2022.”

Kirsty Blackman  
David Linden

*Not called* **38**

Clause **62**, page **79**, line **12**, at end insert—

“(5A) But no regulations may be made by the Commissioners unless the conditions in sub-paragraphs (5B) to (5D) are met.

(5B) The condition in this sub-paragraph is that the first regulations may not be made until after the Commissioners have undertaken an assessment of the impact of the implementation of the provisions of those regulations on—

- (a) small businesses that have limited technological connectedness,
- (b) businesses in rural areas, and
- (c) businesses that are likely to have been affected by the closure of HMRC offices.

(5C) The condition in this sub-paragraph is that the Commissioners have prepared an assessment of the likely effects of making regulations in the form of a draft which has been laid before the House of Commons by the Treasury.

(5D) The condition in this sub-paragraph is that the House of Commons has resolved that regulations should be made in the form of a draft laid in accordance with sub-paragraph (5C).”

Peter Dowd  
Anneliese Dodds  
Jeff Smith

*Negatived on division* **36**

Clause **62**, page **79**, line **19**, at end insert—

“(6A) Regulations under sub-paragraph (5) may not impose mandatory requirements for businesses to generate quarterly updates.”

Finance Bill, *continued*

Stella Creasy

*Negated on division 10*

Clause 62, page 80, line 13, at end insert—

- “(12) Before making regulations under sub-paragraph (5) and in any case within three months of the passing of the Finance (No. 2) Act 2017, the Commissioners shall lay before the House of Commons an assessment on the effects on compliance with the requirements of those regulations by small businesses of the United Kingdom’s withdrawal from the European Union.”

*Clause agreed to.**Clause 63 agreed to.**Schedule 15 agreed to.**Clauses 64 and 65 agreed to.*


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Peter Dowd  
Anneliese Dodds  
Jeff Smith

*Negated on division 41*

Schedule 16, page 609, line 4, out “may” and insert “must”

Peter Dowd  
Anneliese Dodds  
Jeff Smith

*Negated on division 42*

Schedule 16, page 611, line 27, at end insert—

*“Duty to publish information on operation of penalty regime*

- 51A (1) The Commissioners must publish information about the operation of the penalty scheme in relation to each tax year within six months of the completion of that tax year.
- (2) Such information shall cover in particular—
- (a) the nature of the abusive tax arrangements giving rise to penalties,
  - (b) the extent to which such arrangements relate to offshore income, assets and activities,
  - (c) the extent to which people who would otherwise have been liable for a penalty under these provisions were not liable due to being convicted of a criminal offence in accordance with paragraph 52.”

*Schedule agreed to.**Clause 66 agreed to.**Schedule 17 agreed to.**Clause 67 agreed to.**Schedule 18 agreed to.*



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**Finance Bill, continued**

*Clause 68 agreed to.*

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Peter Dowd  
Anneliese Dodds  
Jeff Smith

*Negatived on division 43*

Clause 69, page 91, line 16, at end insert—

“(1A) In Schedule 23 to FA 2011, after paragraph 65, insert—

- “66 (1) No later than 30 September 2020, the Commissioner shall undertake a review of the exercise of the powers under this Schedule in relation to relevant data holders specified in paragraph 13D.
- (2) The review shall consider in particular the number of appeals in relation to Data-holder Notices.
- (3) The Chancellor of the Exchequer shall lay a report of a review under this paragraph before the House of Commons within one month of its completion.”

*Clause agreed to.*

*Clauses 70 to 72 agreed to.*

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*NEW CLAUSES*

Stella Creasy

*Negatived on division NC1*

To move the following Clause—

**“Review of relief from corporation tax relief for PFI companies**

- (1) Within three months of the passing of this Act, the Commissioners for Her Majesty’s Revenue and Customs shall complete a review about how corporation tax relief is given for losses, deficits, expenses and other amounts of PFI companies.
- (2) For the purposes of this section, “a PFI company” means a company which has entered into a contract with a public sector body under the Private Finance Initiative or the PF2 initiative.
- (3) The Chancellor of the Exchequer shall lay a report of the review under this section before the House of Commons within three months of its completion.”
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**Finance Bill, continued**

Stella Creasy

*Negatived on division* NC2

To move the following Clause—

**“Taxation of chargeable gains: review of treatment of commercial property held by persons with foreign domicile**

- (1) The Taxation of Chargeable Gains Act 1992 is amended as follows.
- (2) After section 14 (non-resident groups of companies), insert—

**“Review of treatment of commercial property held by persons with foreign domicile**

- (1) Within three months of the passing of the Finance (No. 2) Act 2017, the Commissioners for Her Majesty’s Revenue and Customs shall complete a review about the taxation of chargeable gains held by persons with foreign domicile.
  - (2) The review shall consider in particular the implications if the treatment of commercial property were to be the same as the treatment of residential property under section 4BB(2).
  - (3) The Chancellor of the Exchequer shall lay a report of the review under this section before the House of Commons within three months of its completion.””
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Peter Dowd  
Anneliese Dodds  
Jeff Smith*Negatived on division* NC3

To move the following Clause—

**“Deemed domicile: review of protection of overseas trusts**

- (1) Within fifteen months of the passing of this Act, the Commissioners for Her Majesty’s Revenue and Customs shall complete a review about the operation of the provisions for the protection of overseas trusts in relation to deemed domicile.
  - (2) The review shall in particular consider—
    - (a) the effects of those provisions on the Exchequer,
    - (b) the behavioural effects of those provisions, and
    - (c) the effects on the matters specified in paragraphs (a) and (b) if those provisions were repealed.
  - (3) For the purposes of this section, “the provisions for the protection of overseas trusts” means the provisions inserted by paragraphs 18 to 38 and 40 of Schedule 8 to this Act.
  - (4) The Chancellor of the Exchequer shall lay a report of the review under this section before the House of Commons within three months of its completion.”
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**Finance Bill, *continued***

Kelvin Hopkins

*Not selected* NC4

To move the following Clause—

**“Distributional analysis of the impact of taxation measures**

- (1) The Chancellor of the Exchequer must review the impact of the measures introduced by this Act on households at different levels of income, and lay before each House of Parliament the report of that review within six months of this Act coming into force.
- (2) The Chancellor of the Exchequer must review the impact of government fiscal measures on households at different levels of income at least once in each calendar year, and lay before each House of Parliament a report on each review.”

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Peter Dowd  
Anneliese Dodds  
Jeff Smith

*Negatived on division* NC5

To move the following Clause—

**“Annual report on powers in relation to third country goods fulfilment businesses**

- (1) The Commissioners must prepare a report on the operation of the provisions of Part 3 of this Act in relation to each tax year after their commencement within six months after the completion of that tax year.
- (2) The Chancellor of the Exchequer shall lay a report under subsection (1) before the House of Commons.
- (3) Each report under subsection (1) shall cover in particular—
  - (a) prosecutions for an offence under section 53,
  - (b) penalties imposed under Schedule 13,
  - (c) the effects on the operation of Part 3 of the United Kingdom’s withdrawal from the European Union or (as the case may be) preparations for that withdrawal,
  - (d) implications of the matters specified in sub-paragraph (c) for the activities and resource requirements of HMRC in connection with the provisions of this Part,
  - (e) implications of the matters specified in sub-paragraph (c) for the exercise of the powers to make regulations under Part 3, and
  - (f) HMRC’s assessment of the extent to which the operation of, or changes to the operation of, comparable provisions in other countries affect businesses in the United Kingdom.”

*Bill, as amended, to be reported.*

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