



# House of Commons

Monday 18 December 2017

## COMMITTEE OF THE WHOLE HOUSE

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*New Amendments handed in are marked thus ★*

☆ *Amendments which will comply with the required notice period at their next appearance*

### FINANCE (No. 2) BILL

**(Clause 8; Clause 33 and Schedule 9; Clauses 40 and 41 and Schedule 11; New Clauses or new Schedules relating to the income tax treatment of armed forces' accommodation allowances, the bank levy, stamp duty land tax, the effect of the Bill on equality, or the effect of the Bill on tax avoidance or evasion)**

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#### NOTE

**This document includes all amendments tabled to date and includes any withdrawn amendments at the end. The amendments have been arranged in accordance with the Order of the House [11 December 2017].**

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#### *CLAUSE 33, SCHEDULE 9, NEW CLAUSES AND NEW SCHEDULES RELATING TO THE BANK LEVY*

Jeremy Corbyn  
John McDonnell  
Mr Nicholas Brown  
Peter Dowd  
Jonathan Reynolds  
Anneliese Dodds

1

Schedule 9, page 132, line 32, leave out from “in” to end of line 33 and insert “accordance with the provisions of section (*bank levy: Part 1 of Schedule 9: pre-commencement requirements*)”.

***Member's explanatory statement***

*This amendment paves the way for NC3.*

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**Finance (No. 2) Bill, continued**

Jeremy Corbyn  
 John McDonnell  
 Mr Nicholas Brown  
 Peter Dowd  
 Jonathan Reynolds  
 Anneliese Dodds

NC1

To move the following Clause—

**“Review of operation and effectiveness of bank levy**

- (1) Schedule 19 to FA 2011 (bank levy) is amended as follows.
- (2) After paragraph 81, insert—

“PART 10

REVIEW

- 82 (1) Within six months of the passing of the Finance Act 2018, the Chancellor of the Exchequer shall undertake a review of the operation and effectiveness of the bank levy.
- (2) The review shall consider in particular—
  - (a) the effectiveness of the levy in reflecting risks to the financial system and the wider UK economy arising from the banking sector,
  - (b) the effectiveness of the levy in encouraging banks to move away from riskier funding models,
  - (c) the revenue effects of the changes to the levy made in Schedule 2 to the Finance (No. 2) Act 2015,
  - (d) the effectiveness of the anti-avoidance provisions in paragraphs 47 and 48 of this Schedule.
- (3) A review shall also compare the effects of the bank levy with those of the bank payroll tax (within the meaning given by Schedule 2 to the Finance Act 2010) in relation to—
  - (a) revenue, and
  - (b) the matters specified in sub-paragraph (2)(a) and (b).
- (4) A report of the review under this paragraph shall be laid before the House of Commons within one calendar month of its completion.””

***Member’s explanatory statement***

*This new clause requires the Government to carry out a review of the bank levy, including its effectiveness in relation to its stated aims, the revenue effects of the changes made in 2015 and the comparable effectiveness of the bank payroll tax.*

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**Finance (No. 2) Bill, continued**

Jeremy Corbyn  
John McDonnell  
Mr Nicholas Brown  
Peter Dowd  
Jonathan Reynolds  
Anneliese Dodds

NC2

To move the following Clause—

**“Public register of entities paying the bank levy and payments made**

- (1) Schedule 19 to FA 2011 (bank levy) is amended as follows.
- (2) After paragraph 81, insert—

**“PART 11****PUBLIC REGISTER OF PAYMENTS**

- 83 (1) It shall be the duty of the Commissioners for Her Majesty’s Revenue and Customs to maintain a public register of groups paying the bank levy and the amounts paid.
- (2) In relation to each group, the register shall state whether it is—
- (a) a UK banking group,
  - (b) a building society group,
  - (c) a foreign banking group, or
  - (d) a relevant non-banking group.
- (3) In relation to each group, the register shall state the amount paid in respect of each chargeable period.
- (4) In relation to chargeable periods ending between 28 February 2011 and 31 December 2017, the Commissioners must public the register no later than 31 October 2018.
- (5) In respect of subsequent chargeable periods, the Commissioners must public the updated register no later than ten months after the end of the chargeable period.””

***Member’s explanatory statement***

*This new clause requires HMRC to prepare a public register of banks paying the bank levy and the amount they have paid.*

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**Finance (No. 2) Bill, continued**

Jeremy Corbyn  
 John McDonnell  
 Mr Nicholas Brown  
 Peter Dowd  
 Jonathan Reynolds  
 Anneliese Dodds

NC3

To move the following Clause—

**“Bank levy: Part 1 of Schedule 9: pre-commencement requirements**

- (1) Part 1 of Schedule 9 shall come into force in accordance with the provisions of this section.
- (2) No later than 31 October 2020, the Chancellor of the Exchequer shall lay before the House of Commons an account of the effects of the proposed changes in Part 1 of Schedule 9—
  - (a) on the public revenue,
  - (b) in reflecting risks to the financial system and the wider UK economy arising from the banking sector, and
  - (c) in encouraging banks to move away from riskier funding models.
- (3) Part 1 of Schedule 9 shall have effect in relation to chargeable periods ending on or after 1 January 2021 if, no earlier than 30 November 2020, the House of Commons comes to a resolution to that effect.”

***Member’s explanatory statement***

*This new clause requires the Government to provide a separate analysis of the impact of Part 1 of Schedule 9 nearer to the time of proposed implementation in 2021 and to seek the separate agreement of the House of Commons to commencement in the light of that review.*

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Stella Creasy  
 Alison McGovern  
 Ann Coffey  
 Mike Gapes  
 Mr Adrian Bailey  
 Jess Phillips

Lucy Powell  
 Caroline Flint  
 Hywel Williams  
 Chris Stephens  
 Preet Kaur Gill

Mr David Lammy  
 Liz Saville Roberts  
 Dame Margaret Hodge  
 Gareth Snell  
 Lisa Nandy

Gareth Thomas  
 Ben Lake  
 Thelma Walker  
 Jo Swinson  
 Ruth Cadbury

NC9

To move the following Clause—

**“Review of possible extension of bank levy to PFI finance groups**

- (1) Schedule 19 to FA 2011 (bank levy) is amended as follows.

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**Finance (No. 2) Bill, continued**

(2) After paragraph 81, insert—

“PART 10

REVIEW OF POSSIBLE EXTENSION OF LEVY

- 82 (1) Within six months of the passing of the Finance Act 2018, the Chancellor of the Exchequer shall undertake a review of the effects of an extension of the levy to PFI finance groups.
- (2) The review shall consider in particular—
- (a) the number of PFI finance groups that are not groups within paragraph 4(2) of this Schedule,
  - (b) the likely revenue effects of such an extension, and
  - (c) the likely effects of such an extension on the future financing of PFI and PF2.
- (3) A report of the review under this paragraph shall be laid before the House of Commons within one calendar month of its completion.
- (4) In this section—
- “a PFI finance group” means a group which—
- (a) includes a company which has entered into a contract with a public sector body under the Private Finance Initiative or the PF2 initiative; and
  - (b) is an investment entity within the meaning given by paragraph 12(9).”

***Member’s explanatory statement***

*This new clause requires the Government to carry out a review of the revenue and other effects of extending the bank levy to PFI finance groups.*

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Kirsty Blackman  
 Ian Blackford  
 Alison Thewliss  
 Stewart Hosie  
 David Linden  
 Patrick Grady

Hannah Bardell  
 Stephen Gethins  
 Dr Lisa Cameron  
 Drew Hendry  
 Stuart C. McDonald  
 Tommy Sheppard  
 Deidre Brock

Joanna Cherry  
 Neil Gray  
 John McNally  
 Dr Philippa Whitford  
 Chris Stephens  
 Martyn Day  
 Marion Fellows

Angela Crawley  
 Pete Wishart  
 Gavin Newlands  
 Stewart Malcolm McDonald  
 Alan Brown  
 Brendan O’Hara  
 Douglas Chapman

**Finance (No. 2) Bill, continued**

Ronnie Cowan	Chris Law	Angus Brendan MacNeil
Martin Docherty-Hughes	Mhairi Black	Peter Grant
Patricia Gibson	Carol Monaghan	

NC11

To move the following Clause—

**“Review of effects of bank levy on inclusive growth and equality**

- (1) Schedule 19 to FA 2011 (bank levy) is amended as follows.
- (2) After paragraph 81, insert—

**“PART 10****REVIEW ON INCLUSIVE GROWTH AND EQUALITY**

- 82 (1) Within six months of the passing of the Finance Act 2018, the Chancellor of the Exchequer shall undertake a review of the bank levy.
- (2) The review shall consider in particular—
  - (a) the effects of the levy on inclusive growth,
  - (b) the impact of the levy on equality.
- (3) A report of the review under this paragraph shall be laid before the House of Commons within one calendar month of its completion.””

***Member’s explanatory statement***

*This new clause requires the Government to carry out a review of the bank levy, including its effects on inclusive growth and inequality.*

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*CLAUSE 40, SCHEDULE 11, CLAUSE 41, CLAUSE 8; NEW CLAUSES AND SCHEDULES RELATING TO STAMP DUTY LAND TAX; NEW CLAUSES AND SCHEDULES RELATING TO THE INCOME TAX TREATMENT OF ARMED FORCES’ ACCOMMODATION ALLOWANCES*

*CLAUSE 40, SCHEDULE 11, CLAUSE 41, CLAUSE 8*

Jeremy Corbyn  
John McDonnell  
Mr Nicholas Brown  
Peter Dowd  
Jonathan Reynolds  
Anneliese Dodds

Nia Griffith

2

Clause 8, page 4, line 16, at end insert—

“(4A) Regulations under this section may not increase any person’s liability to income tax.”

***Member’s explanatory statement***

*This amendment provides that the power to make regulations in consequence of the exemption from income tax in respect of payments of accommodation allowances to, or in respect of, a member of the armed forces may not be exercised so as to increase any individual’s liability to income tax.*

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**Finance (No. 2) Bill, continued**

Jeremy Corbyn  
John McDonnell  
Mr Nicholas Brown  
Peter Dowd  
Jonathan Reynolds  
Anneliese Dodds

Nia Griffith

Clause 8, page 4, line 17, leave out from “section” to “may” in line 18.

***Member’s explanatory statement***

*This amendment is consequential on Amendment 2.*

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*NEW CLAUSES AND SCHEDULES RELATING TO STAMP DUTY LAND TAX*

Jeremy Corbyn  
John McDonnell  
Mr Nicholas Brown  
Peter Dowd  
Jonathan Reynolds  
Anneliese Dodds

NC4

To move the following Clause—

**“Review of relief for first-time buyers**

- (1) The Commissioners of Her Majesty’s Revenue and Customs shall undertake a review of the impact of the relief for first-time buyers introduced in Schedule 6ZA to FA 2003.
- (2) The review shall consider, in particular, the effects of the relief on—
  - (a) the public revenue,
  - (b) house prices, and
  - (c) the supply of housing.
- (3) The Chancellor of the Exchequer must lay a copy of a report of the review under this section before the House of Commons no later than one calendar week prior to the date which he has set for his Autumn 2018 Budget Statement.”

***Member’s explanatory statement***

*This new clause requires a review to be published prior to the Autumn 2018 Budget on the impact of the relief for first-time buyers, including its effects on house prices and on the supply of housing.*

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**Finance (No. 2) Bill, continued**

Jeremy Corbyn  
 John McDonnell  
 Mr Nicholas Brown  
 Peter Dowd  
 Jonathan Reynolds  
 Anneliese Dodds

NC10

To move the following Clause—

**“Annual report on relief for first-time buyers**

- (1) The Chancellor of the Exchequer must prepare and lay before the House of Commons a report for each relevant period on the operation of the relief for first-time buyers introduced in Schedule 6ZA to FA 2003 not less than three months after the end of the relevant period.
- (2) The report shall include, in particular, information in respect of the relevant period on—
  - (a) the number of first-time buyers benefiting from the relief,
  - (b) the number of purchases benefiting from the relief,
  - (c) the average age of first-time buyers benefiting from the relief,
  - (d) the effects on the operation of the private rented sector,
  - (e) the effects on council housing and other social housing,
  - (f) the effects on the supply of affordable housing, and
  - (g) the effects on the operation of collective investment schemes under Part 17 of the Financial Services and Markets Act 2000 in the provision of cooperative housing.
- (3) For the purposes of this section, “relevant period” means—
  - (a) the period from 22 November 2017 to 5 April 2018,
  - (b) each period of 12 months beginning on 6 April during which the relief is in effect, and
  - (c) the period beginning on 6 April and ending with the day on which the relief ceases to have effect.”

***Member’s explanatory statement***

*This new clause requires an annual report on the operation of the relief for first-time buyers, including information on the beneficiaries and effects on different aspects of housing supply.*

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**NEW CLAUSES AND SCHEDULES RELATING TO THE INCOME TAX TREATMENT OF ARMED FORCES’ ACCOMMODATION ALLOWANCES**

Jeremy Corbyn  
 John McDonnell  
 Mr Nicholas Brown  
 Peter Dowd  
 Jonathan Reynolds  
 Anneliese Dodds

Nia Griffith

NC5

To move the following Clause—



**Finance (No. 2) Bill, continued****“Parliamentary scrutiny of regulations relating to armed forces’ accommodation allowance**

- (1) Section 717 of ITEPA 2003 (regulations made by Treasury or Commissioners) is amended as follows.
- (2) In subsection (3), leave out “subsection (4)” and insert “subsections (3A) and (4)”.
- (3) After subsection (3), insert—
  - “(3A) No regulations may be made under section 297D unless a draft has been laid before and approved by a resolution of the House of Commons.””

***Member’s explanatory statement***

*This new clause requires that regulations setting conditions relating to the availability of the income tax exemption in relation to armed forces’ accommodation allowance shall be subject to the affirmative procedure.*

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*NEW CLAUSES AND NEW SCHEDULES RELATING TO THE EFFECT OF THE BILL ON EQUALITY*

Jeremy Corbyn  
Dawn Butler  
John McDonnell  
Mr Nicholas Brown  
Peter Dowd  
Anneliese Dodds

Ms Diane Abbott	Dr Rosena Allin-Khan	Mike Amesbury
Tonia Antoniazzi	Luciana Berger	Mr Clive Betts
Tracy Brabin	Lyn Brown	Ms Karen Buck
Ruth Cadbury	Dan Carden	Sarah Champion
Bambos Charalambous	Rosie Cooper	Yvette Cooper
Julie Cooper	Mary Creagh	Stella Creasy
Marsha De Cordova	Thangam Debbonaire	Emma Dent Coad
Mr Tanmanjeet Singh Dhesi	Rosie Duffield	Mrs Louise Ellman
Yvonne Fovargue	James Frith	Hugh Gaffney
Barry Gardiner	Preet Kaur Gill	Mary Glendon
Mr Roger Godsiff	Kate Green	Lilian Greenwood
Andrew Gwynne	Emma Hardy	Carolyn Harris
Helen Hayes	Mr Mark Hendrick	Kate Hoey
Kate Hollern	Mr George Howarth	Dr Rupa Huq
Diana Johnson	Sarah Jones	Barbara Keeley
Afzal Khan	Ged Killen	Mr David Lammy
Mrs Emma Lewell-Buck	Clive Lewis	Rebecca Long Bailey
Ian C. Lucas	Shabana Mahmood	Seema Malhotra
Sandy Martin	Kerry McCarthy	Andy McDonald
Alison McGovern	Anna McMorrin	Alex Norris
Kate Osamor	Teresa Pearce	Matthew Pennycook
Jess Phillips	Laura Pidcock	Jo Platt

**Finance (No. 2) Bill, continued**

Luke Pollard	Lucy Powell	Yasmin Qureshi
Faisal Rashid	Rachel Reeves	Danielle Rowley
Naz Shah	Tulip Siddiq	Ruth Smeeth
Laura Smith	Alex Sobel	Jo Stevens
Wes Streeting	Gareth Thomas	Stephen Twigg
Chuka Umunna	Thelma Walker	Matt Western
Mohammad Yasin	Ellie Reeves	Dr Roberta Blackman-Woods
Nia Griffith	Stephen Doughty	

NC6

To move the following Clause—

**“Equality impact analyses of provisions of this Act**

- (1) The Chancellor of the Exchequer must review the equality impact of the provisions of this Act in accordance with this section and lay a report of that review before the House of Commons within six months of the passing of this Act.
- (2) A review under this section must consider—
  - (a) the impact of those provisions on households at different levels of income,
  - (b) the impact of those provisions on people with protected characteristics (within the meaning of the Equality Act 2010),
  - (c) the impact of those provisions on the Treasury’s compliance with the public sector equality duty under section 149 of the Equality Act 2010, and
  - (d) the impact of those provisions on equality in different parts of the United Kingdom and different regions of England.
- (3) A review under this section must give a separate analysis in relation to the following matters—
  - (a) income tax (in sections 1 and 3 to 6),
  - (b) employment (in sections 7 to 10),
  - (c) disguised remuneration (in sections 11 and 12 and Schedules 1 and 2),
  - (d) pension schemes (in section 13 and Schedule 3),
  - (e) investments (in sections 14 to 17 and Schedules 4 to 5),
  - (f) corporation tax and other aspects of business taxation (in sections 2, 19 to 32, 36 and 37 and Schedules 7 and 8),
  - (g) the bank levy (in section 33 and Schedule 9),
  - (h) settlements (in section 35 and Schedule 10),
  - (i) stamp duty land tax (in sections 40 and 41 and Schedule 11),
  - (j) air passenger duty (in section 43),
  - (k) vehicle excise duty (in section 44), and
  - (l) tobacco products duty (in section 45).
- (4) In this section—
 

“parts of the United Kingdom” means—

  - (a) England,
  - (b) Scotland,
  - (c) Wales, and
  - (d) Northern Ireland;

“regions of England” has the same meaning as that used by the Office for National Statistics.”

**Member’s explanatory statement**

*This new clause requires the Chancellor of the Exchequer to carry out and publish a review of the*

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**Finance (No. 2) Bill, continued**

*effects of the provisions of the Bill on equality in relation to households with different levels of income, people with protected characteristics, the Treasury's public sector equality duty and on a regional basis.*

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Jeremy Corbyn  
Dawn Butler  
John McDonnell  
Mr Nicholas Brown  
Peter Dowd  
Anneliese Dodds

NC7

To move the following Clause—

**“Equality impact analyses of provisions of this Act**

- (1) The Office for Budget Responsibility must review the equality impact of the provisions of this Act in accordance with this section within six months of the passing of this Act.
- (2) A review under this section must consider—
  - (a) the impact of those provisions on households at different levels of income,
  - (b) the impact of those provisions on people with protected characteristics (within the meaning of the Equality Act 2010),
  - (c) the impact of those provisions on the Treasury's compliance with the public sector equality duty under section 149 of the Equality Act 2010, and
  - (d) the impact of those provisions on equality in different parts of the United Kingdom and different regions of England.
- (3) A review under this section must give a separate analysis in relation to the following matters—
  - (a) income tax (in sections 1 and 3 to 6),
  - (b) employment (in sections 7 to 10),
  - (c) disguised remuneration (in sections 11 and 12 and Schedules 1 and 2),
  - (d) pension schemes (in section 13 and Schedule 3),
  - (e) investments (in sections 14 to 17 and Schedules 4 to 5),
  - (f) corporation tax and other aspects of business taxation (in sections 2, 19 to 32, 36 and 37 and Schedules 7 and 8),
  - (g) the bank levy (in section 33 and Schedule 9),
  - (h) settlements (in section 35 and Schedule 10),
  - (i) stamp duty land tax (in sections 40 and 41 and Schedule 11),
  - (j) air passenger duty (in section 43),
  - (k) vehicle excise duty (in section 44), and
  - (l) tobacco products duty (in section 45).
- (4) In this section—

“parts of the United Kingdom” means—

  - (a) England,
  - (b) Scotland,
  - (c) Wales, and

**Finance (No. 2) Bill, continued**

(d) Northern Ireland;

“regions of England” has the same meaning as that used by the Office for National Statistics.

(5) The Chancellor of the Exchequer must lay before the House of Commons the report of the review under this section as soon as practicable after its completion.”

**Member’s explanatory statement**

*This new clause requires the Office for Budgetary Responsibility to carry out a review of the effects of the provisions of the Bill on equality in relation to households with different levels of income, people with protected characteristics, the Treasury’s public sector equality duty and on a regional basis.*

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**NEW CLAUSES AND NEW SCHEDULES RELATING TO THE EFFECT OF THE BILL ON TAX AVOIDANCE OR EVASION**

Jeremy Corbyn  
John McDonnell  
Mr Nicholas Brown  
Peter Dowd  
Jonathan Reynolds  
Anneliese Dodds

NC8

To move the following Clause—

**“Analysis of effectiveness of provisions of this Act on tax avoidance and evasion**

- (1) The Chancellor of the Exchequer must review the effectiveness of the provisions of this Act in accordance with this section and lay a report of that review before the House of Commons within six months of the passing of this Act.
- (2) A review under this section must consider—
  - (a) the effects of the provisions in reducing levels of artificial tax avoidance,
  - (b) the effects of the provisions in combating tax evasion, and
  - (c) estimates of the role of the provisions of this Act in reducing the tax gap in each tax year from 2018 to 2022.”

**Member’s explanatory statement**

*This new clause requires the Chancellor of the Exchequer to carry out and publish a review of the effectiveness of the provisions of the Bill in tackling artificial tax avoidance and tax evasion, and in reducing the tax gap.*

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ORDER OF THE HOUSE [11 DECEMBER 2017]

That the following provisions shall apply to the Finance (No. 2) Bill:

*Committal*

1. The following shall be committed to a Committee of the whole House—
  - (a) Clause 8 (exemption for armed forces’ accommodation allowances);
  - (b) Clause 33 and Schedule 9 (the bank levy);
  - (c) Clauses 40 and 41 and Schedule 11 (stamp duty land tax);

**Finance (No. 2) Bill, continued**

- (d) New Clauses or new Schedules relating to—
- (i) The income tax treatment of armed forces' accommodation allowances,
  - (ii) The bank levy,
  - (iii) Stamp duty land tax,
  - (iv) The effect of the Bill on equality, or
  - (v) The effect of the Bill on tax avoidance or evasion.
2. The remainder of the Bill shall be committed to a Public Bill Committee.

*Proceedings in Committee of the whole House*

3. Proceedings in Committee of the whole House shall be completed in two days.
4. Those proceedings shall be taken on each of those days in the order shown in the first column of the following Table.
5. Each part of the proceedings shall (so far as not previously concluded) be brought to a conclusion at the times specified in the second column of the Table.
6. Standing Order No. 83B (programming committees) shall not apply to proceedings in Committee of the whole House.

**TABLE**

<i>Proceedings</i>	<i>Time for conclusion of proceedings</i>
<i>First day</i>	
Clause 33, Schedule 9, new Clauses and new Schedules relating to the bank levy	3 hours from commencement of proceedings on the Bill on the first day
Clause 40, Schedule 11, Clause 41, Clause 8, new Clauses and Schedules relating to stamp duty land tax, new Clauses and Schedules relating to the income tax treatment of armed forces' accommodation allowances	6 hours from commencement of proceedings on the Bill on the first day
<i>Second day</i>	
New Clauses and new Schedules relating to the effect of the Bill on equality	3 hours from commencement of proceedings on the Bill on the second day
New Clauses and new Schedules relating to the effect of the Bill on tax avoidance or evasion	6 hours from commencement of proceedings on the Bill on the second day

*Proceedings in Public Bill Committee etc*

7. Proceedings in the Public Bill Committee shall (so far as not previously concluded) be brought to a conclusion on Thursday 18 January 2018.
8. The Public Bill Committee shall have leave to sit twice on the first day on which it meets.
9. When the provisions of the Bill considered, respectively, by the Committee of the whole House and by the Public Bill Committee have been reported to the House, the Bill shall be proceeded with as if it had been reported as a whole to the House from the Public Bill Committee.

**Finance (No. 2) Bill, *continued****Proceedings on Consideration and up to and including Third Reading*

10. Proceedings on Consideration and proceedings in legislative grand committee shall (so far as not previously concluded) be brought to a conclusion one hour before the moment of interruption on the day on which proceedings on Consideration are commenced.
  11. Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at the moment of interruption on that day.
  12. Standing Order No. 83B (programming committees) shall not apply to proceedings on Consideration and up to and including Third Reading.
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