



# House of Commons

## NOTICES OF AMENDMENTS

given up to and including

Wednesday 7 February 2018

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*New Amendments handed in are marked thus ★*

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

*Amendments tabled since the last publication: 5 and NC3 to NC9*

### CONSIDERATION OF BILL (REPORT STAGE)

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### FINANCE (NO. 2) BILL, AS AMENDED

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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This document includes all amendments tabled to date and includes any withdrawn amendments at the end.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 Finance (No. 2) Bill (Programme (No. 2)) Motion to be proposed by Mr Chancellor of the Exchequer.

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

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

NC9

★ To move the following Clause—

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

- (1) The Chancellor of the Exchequer must review the equality impact of the provisions of this Act specified in subsection (3) in accordance with this section

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

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) The provisions specified in this subsection are—
- (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) settlements (in section 35 and Schedule 11),
  - (f) air passenger duty (in section 43),
  - (g) vehicle excise duty (in section 44), and
  - (h) 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 effects of certain 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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**Finance (No. 2) Bill, continued**

*NEW CLAUSES, NEW SCHEDULES AND AMENDMENTS RELATING TO THE BANK LEVY;  
NEW CLAUSES, NEW SCHEDULES AND AMENDMENTS RELATING TO THE EFFECT OF  
THE BILL ON TAX AVOIDANCE OR EVASION*

*NEW CLAUSES, NEW SCHEDULES AND AMENDMENTS RELATING TO THE BANK LEVY*

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

NC3

★ 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.*

Finance (No. 2) Bill, *continued*

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

NC4

★ 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 make public the register no later than 31 October 2018.
- (5) In respect of subsequent chargeable periods, the Commissioners must make 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.*

Finance (No. 2) Bill, *continued*

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

NC5

★ 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.*

Stella Creasy

1

Schedule 9, page 134, line 2, at end insert—

“34A After paragraph 81 insert—

“PART 10

REVIEW OF ENTITIES ON WHICH THE BANK LEVY IS CHARGED

- 82 (1) Within six months of the passing of the Finance Act 2018, the Chancellor of the Exchequer shall undertake a review of the provisions in this Schedule defining which groups are covered by the bank levy.
- (2) The review shall consider in particular—
  - (i) the adequacy of those provisions in applying the bank levy to groups that are—
    - (a) not a group in paragraph 4(2) and
    - (b) derive their income from investments in the manner of a group in paragraph 4(2),
  - (ii) the adequacy of the groups in paragraph 4(2) in charging the bank levy to lending and investment entities,
  - (iii) the degree to which the groups in paragraph 4(2) reflect lending and investment entities that have entered into contracts with public sector bodies,

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

- (iv) the adequacy of the definition of “investment group” in paragraph 12(9) in reflecting lending and investment entities that have entered into contracts with public sector bodies, and
  - (v) the revenue effects of changes to include lending and investment entities that have entered into contracts with public sector bodies within groups covered by the levy.
- (3) 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.”

**Member’s explanatory statement**

*This amendment requires a review about the appropriate extent of the bank levy in terms of the lending and investment entities which it covers, considering the extent to which it covers PFI finance groups and assessing the revenue effects of such an extension.*

Stella Creasy

2

Schedule 9, page 134, line 10, at end insert—

“37 The amendments made by paragraph 34A have effect from the day on this Act is passed.”

**Member’s explanatory statement**

*This amendment is consequential on Amendment 1.*

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

5

- ★ 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 is consequential on NC5.*

Finance (No. 2) Bill, *continued*

NEW CLAUSES, NEW SCHEDULES AND AMENDMENTS 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

NC6

★ 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.*

Stella Creasy

3

Schedule 8, page 103, line 41, at end insert—

“21A After section 461 (counter-acting effect of avoidance arrangements) insert—

“CHAPTER 11

REVIEW

**461A Review**

- (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 amending the operation of this Part in relation to the excess profits of PFI companies.
- (2) For the purposes of the review under this section, it shall be assumed that the operation of this Part would be amended so as to—
  - (a) deduct the uncompensated excess profit amount of PFI companies from the aggregate of the interest allowances of the group for periods before the current period so far as they are available in the current period for the purposes of calculating the interest capacity of a worldwide group under section 392 (the interest capacity of a worldwide group for a period of account),
  - (b) provide that, for groups that contain a PFI company, the uncompensated excess profit amount for a period is equal to the group excess profit

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

- amount less the aggregate amount by which the group's taxable profit has been reduced in prior periods as a result of such provisions,
- (c) provide that the group excess profit amount for any period will be the aggregate PFI excess profit amount for each PFI company in the group, and
  - (d) provide that the PFI excess profit amount for a PFI company for a period will be the amount by which the internal rate of return on shares and related party debt in that company (from inception to the end of the previous accounting period) exceeds the internal rate of return set in the relevant PFI contract or, if no such return was specified, 10%.
- (3) 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.
- (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."

**Member's explanatory statement**

*This amendment requires a review about the effects of making provision to discount the excess profits of a PFI company for the purpose of calculating the aggregate of the interest allowance of worldwide groups in the provisions of Part 10 of the Taxation (International and Other Provisions) Act 2010.*

Stella Creasy

4

Schedule 8, page 105, line 17, at end insert—

"26A The amendments made by paragraph 21A have effect from the day on this Act is passed."

**Member's explanatory statement**

*This amendment is consequential on Amendment 3.*

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*NEW CLAUSES, NEW SCHEDULES AND AMENDMENTS RELATING TO STAMP DUTY LAND TAX; REMAINING NEW CLAUSES, NEW SCHEDULES AND AMENDMENTS TO CLAUSES AND SCHEDULES; REMAINING PROCEEDINGS ON CONSIDERATION*

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

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

NC7

★ 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,



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

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

NC8

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

## REMAINING NEW CLAUSES, NEW SCHEDULES AND AMENDMENTS TO CLAUSES AND SCHEDULES

Charlie Elphicke  
 Caroline Flint  
 Mr Iain Duncan Smith  
 Mr Alistair Carmichael  
 Alison McGovern  
 Mr Jacob Rees-Mogg

Mr Virenda Sharma  
 Kate Hoey  
 Gavin Robinson  
 Mr John Whittingdale

Mr Alister Jack  
 Richard Drax  
 Stephen Lloyd

Steve Double  
 Craig Mackinlay  
 Mr Bernard Jenkin

NC1

To move the following Clause—

**“Gifts to referendum campaigns**

- (1) Section 24 of IHTA 1984 (gifts to political parties) is amended as follows.
- (2) In subsection (1), after paragraph (a), insert—
  - “(b) are attributable to property which becomes the property of a referendum campaign qualifying for exemption under this section.”
- (3) After subsection (2), insert—
  - “(2A) A referendum campaign qualifies under this section if it was designated by the Electoral Commission as a permitted participant in a referendum within the meaning of—
    - (a) Part 7 of the Political Parties, Elections and Referendums Act 2000,
    - (b) paragraph 2 of Schedule 4 to the Scottish Independence Referendum Act 2014, or
    - (c) Part 7 of the Act Political Parties, Elections and Referendums Act 2000 as modified in its application by Schedule 1 to the European Union Referendum Act 2015.”
- (4) The changes made by subsections (2) and (3) are to be regarded as always having had effect”.

***Member’s explanatory statement***

*This new clause extends the exemption from inheritance tax for gifts to political parties to gifts to referendum campaigns operating under the framework of the Political Parties, Elections and Referendums Act 2000 (including the AV referendum) or the provisions of that referendum as modified (including for the Scottish independence referendum and for the EU referendum).*

Finance (No. 2) Bill, *continued*

Sir Vince Cable  
Norman Lamb

NC2

To move the following Clause—

**“Review of income tax revenue**

- (1) The Office for Budget Responsibility must review the revenue raised by the rates of income tax within six months of the passing of this Act.
- (2) A review under this section must consider revenue raised by the rates of income tax specified in sections 3 and 4.
- (3) A review under this section must also consider the effect on revenue of raising each of the rates of income tax specified in sections 3 and 4 by one percentage point.
- (4) 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 provides for a review of the revenue raised at the rates of income tax specified by Clauses 3 and 4 of the Bill and the effect on revenue of raising each of those rates by one percentage point.*

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);
  - (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.

Finance (No. 2) Bill, *continued*

## TABLE

<i>Proceedings</i>	<i>Time for conclusion of proceedings</i>
First day	
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
Second day	
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.

*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.

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

FINANCE (NO. 2) BILL (PROGRAMME (NO. 2))

Mr Chancellor of the Exchequer

That the Order of 11 December 2017 (Finance (No. 2) Bill (Programme)) be varied as follows:

1. Paragraphs (10) and (11) of the Order shall be omitted.
2. Proceedings on Consideration shall be taken in the order shown in the first column of the following Table.
3. 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.

**TABLE**

<i>Proceedings</i>	<i>Time for conclusion of proceedings</i>
New Clauses, new Schedules and amendments relating to the effect of the Bill on equality	Two hours after the commencement of proceedings on the Motion for this Order
New Clauses, new Schedules and amendments relating to the bank levy; new Clauses, new Schedules and amendments relating to the effect of the Bill on tax avoidance or evasion	Three and a half hours after the commencement of proceedings on the Motion for this Order
New Clauses, new Schedules and amendments relating to stamp duty land tax; remaining new Clauses, new Schedules and amendments to Clauses and Schedules; remaining proceedings on Consideration	Five hours after the commencement of proceedings on the Motion for this Order

4. Proceedings in legislative grand committee shall (so far as not previously concluded) be brought to a conclusion five hours after the commencement of proceedings on the Motion for this Order.
5. Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion six hours after the commencement of proceedings on the Motion for this Order.