



# House of Commons

Tuesday 11 December 2018

## PUBLIC BILL COMMITTEE

*New Amendments handed in are marked thus ★*

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

### FINANCE (No. 3) BILL

**(Except clauses 5, 6, 8 9 and 10; Clause 15 and Schedule 3; Clause 16 and Schedule 4; Clause 19; Clause 20; Clause 22 and Schedule 7; Clause 23 and Schedule 8; Clause 38 and Schedule 15; Clauses 39 and 40; Clauses 41 and 42; Clauses 46 and 47; Clauses 61 and 62 and Schedule 18; Clauses 68 to 78; Clause 83; Clause 89; Clause 90; any new Clauses or new Schedules relating to tax thresholds or reliefs, the subject matter of any of clauses 68 to 78, 89 and 90, gaming duty or remote gaming duty, or tax avoidance or evasion)**

#### 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**This document includes all amendments tabled to date and includes any withdrawn amendments at the end.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 Committee [27 November 2018].**

Kirsty Blackman  
Mhairi Black

105

Clause 79, page 53, line 26, leave out from “tax” to end of line 28

***Member’s explanatory statement***

*This amendment would delete paragraph (b) of section 36A(7), which is being inserted into the Taxes Management Act 1970.*

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**Finance (No. 3) Bill, continued**

John McDonnell  
Peter Dowd  
Anneliese Dodds  
Jonathan Reynolds  
Clive Lewis  
Jeff Smith

139

Clause 79, page 53, line 28, at end insert—

“(7A) But an assessment under subsection (2) may not be sought by the Commissioners unless they are satisfied that the liability to tax is in excess of £50.”

***Member’s explanatory statement***

*This amendment establishes a de minimis threshold for the extended time limits of £50.*

John McDonnell  
Peter Dowd  
Anneliese Dodds  
Jonathan Reynolds  
Clive Lewis  
Jeff Smith

140

Clause 79, page 53, line 42, at end insert—

**“36B Public register of persons affected by change made by section 36A(2)**

It shall be the duty of the Commissioners to publish a register of persons liable to tax by virtue of the provisions of section 36A(2).”

***Member’s explanatory statement***

*This amendment requires HMRC to create a public register of those paying tax as a result of the extended time limit.*

Kirsty Blackman  
Mhairi Black

106

Clause 79, page 54, line 1, leave out “2013-14” and insert “2019-20”

***Member’s explanatory statement***

*This amendment would mean that new section 36A does not apply retrospectively.*

Kirsty Blackman  
Mhairi Black

107

Clause 79, page 54, line 5, leave out “2015-16” and insert “2019-20”

***Member’s explanatory statement***

*This amendment would mean that new section 36A does not apply retrospectively.*

John McDonnell  
Peter Dowd  
Anneliese Dodds  
Jonathan Reynolds  
Clive Lewis  
Jeff Smith

141

Clause 79, page 54, line 6, at end insert—

“(6) The Chancellor of the Exchequer must review the characteristics of persons affected by the changes made by this section to TMA 1970 and lay a report of that

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**Finance (No. 3) Bill, continued**

review before the House of Commons within six months of the passing of this Act.

- (7) A review under subsection (6) must in particular consider those persons in relation to their—
- (a) age,
  - (b) income,
  - (c) legal status, and
  - (d) primary language.”

***Member’s explanatory statement***

*This amendment would require the Chancellor of the Exchequer to review certain characteristics of those affected by the main provisions of Clause 79.*

John McDonnell  
Peter Dowd  
Anneliese Dodds  
Jonathan Reynolds  
Clive Lewis  
Jeff Smith

142

Clause 79, page 54, line 6, at end insert—

- “(6) The Chancellor of the Exchequer must, in respect of each tax year from 2013-14 onwards, review the revenue effects of the changes made by this section to TMA 1970 and lay a report of that review before the House of Commons within six months of the passing of this Act.”

***Member’s explanatory statement***

*This amendment would require the Chancellor of the Exchequer to review the revenue effects of the main provisions of Clause 79 in respect of each tax year.*

John McDonnell  
Peter Dowd  
Anneliese Dodds  
Jonathan Reynolds  
Clive Lewis  
Jeff Smith

143

Clause 79, page 54, line 6, at end insert—

- “(6) The Chancellor of the Exchequer must review the effects of the changes made by this section to TMA 1970 on incentives on persons to comply with requirements imposed by the Commissioners, whether under TMA 1970 or otherwise, and lay a report of that review before the House of Commons within six months of the passing of this Act.”

***Member’s explanatory statement***

*This amendment would require the Chancellor of the Exchequer to review the effects of the main provisions of Clause 79 on incentives to comply with tax rules.*

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**Finance (No. 3) Bill, continued**

John McDonnell  
 Peter Dowd  
 Anneliese Dodds  
 Jonathan Reynolds  
 Clive Lewis  
 Jeff Smith

144

Clause 80, page 55, line 19, at end insert—

- “(6) The Chancellor of the Exchequer must review the characteristics of persons affected by the changes made by this section and lay a report of that review before the House of Commons within six months of the passing of this Act.
- (7) A review under subsection (6) must in particular consider those persons in relation to their—
- (a) age,
  - (b) income,
  - (c) legal status, and
  - (d) primary language.”

***Member’s explanatory statement***

*This amendment would require the Chancellor of the Exchequer to review certain characteristics of those affected by the main provisions of Clause 80.*

John McDonnell  
 Peter Dowd  
 Anneliese Dodds  
 Jonathan Reynolds  
 Clive Lewis  
 Jeff Smith

145

Clause 80, page 55, line 19, at end insert—

- “(6) The Chancellor of the Exchequer must review the revenue effects of the changes made by this section and lay a report of that review before the House of Commons within six months of the passing of this Act.”

***Member’s explanatory statement***

*This amendment would require the Chancellor of the Exchequer to review certain characteristics of those affected by the main provisions of Clause 80.*

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John McDonnell  
 Peter Dowd  
 Anneliese Dodds  
 Jonathan Reynolds  
 Clive Lewis  
 Jeff Smith

146

Clause 81, page 55, line 39, at end insert—

- “(3A) No regulations may be made under this section unless the Commissioners have issued guidance on the conditions necessary for an officer of Revenue and Customs to be satisfied that the requirement for security is necessary for the

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**Finance (No. 3) Bill, continued**

protection of the revenue (for the purposes of the provisions of regulations made in accordance with the duty in subsection (2)).”

**Member’s explanatory statement**

*This amendment would require the Revenue and Customs Commissioners to issue guidance on how it is determined that security is necessary for the protection of the revenue.*

John McDonnell  
Peter Dowd  
Anneliese Dodds  
Jonathan Reynolds  
Clive Lewis  
Jeff Smith

147

Clause 81, page 56, line 25, at end insert—

“(3A) No regulations may be made under this paragraph unless the Commissioners have issued guidance on the conditions necessary for an officer of Revenue and Customs to be satisfied that the requirement for security is necessary for the protection of the revenue (for the purposes of the provisions of regulations made in accordance with the duty in sub-paragraph (2)).”

**Member’s explanatory statement**

*This amendment would require the Revenue and Customs Commissioners to issue guidance on how it is determined that security is necessary for the protection of the revenue.*

John McDonnell  
Peter Dowd  
Anneliese Dodds  
Jonathan Reynolds  
Clive Lewis  
Jeff Smith

148

Clause 81, page 56, line 44, at end insert—

“(4) The Chancellor of the Exchequer must review the effects of the changes made by this section on the construction industry and lay a report of that review before the House of Commons within six months of the passing of this Act.”

**Member’s explanatory statement**

*This amendment would require the Chancellor of the Exchequer to review the effects of the provisions of Clause 81 on the construction industry.*

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Kirsty Blackman  
Mhairi Black

137

Clause 82, page 58, line 9, leave out from “section” to “may” in line 10

**Member’s explanatory statement**

*This amendment provides for all regulations under the new power to be subject to the affirmative procedure.*

Kirsty Blackman  
Mhairi Black

138

Clause 82, page 58, leave out lines 13 to 17

**Member’s explanatory statement**

*This amendment is consequential on Amendment 137.*

**Finance (No. 3) Bill, continued**

John McDonnell  
Peter Dowd  
Anneliese Dodds  
Jonathan Reynolds  
Clive Lewis  
Jeff Smith

149

Clause 82, page 59, line 15, at end insert—

**“128D Review of effects of EU withdrawal**

- (1) The Chancellor of the Exchequer must review the expected effect on the exercise of the power to make regulations under section 128A in the event that—
  - (a) the UK leaves the European Union without a negotiated withdrawal agreement,
  - (b) the UK leaves the European Union following a negotiated withdrawal agreement.
- (2) The Chancellor of the Exchequer must lay a report of the review under subsection (1) before the House of Commons within two months of the passing of the Finance Act 2019.”

***Member’s explanatory statement***

*This amendment would review the impact of the main powers under clause 82 in the event the UK leaves the EU under (a) no deal or (b) a withdrawal agreement.*

John McDonnell  
Peter Dowd  
Anneliese Dodds  
Jonathan Reynolds  
Clive Lewis  
Jeff Smith

150

Clause 82, page 59, line 15, at end insert—

**“128D Review of revenue effects of section 128A regulations**

On each occasion the Treasury exercises the power to make regulations under section 128A, the regulations (or, as the case may be, the draft regulations) must be accompanied by a statement by the Chancellor of the Exchequer of the expected revenue effects of the regulations.”

***Member’s explanatory statement***

*This amendment would require any regulations to be accompanied by a statement on expected revenue effects.*

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**Finance (No. 3) Bill, continued**

John McDonnell  
Peter Dowd  
Anneliese Dodds  
Jonathan Reynolds  
Clive Lewis  
Jeff Smith

151

Clause 84, page 62, line 5, at end insert—

“(11) The Chancellor of the Exchequer must review the effectiveness of the remedy introduced by this section, together with section 85, and lay a report of that review before the House of Commons within one year of the passing of this Act.”

***Member’s explanatory statement***

*This amendment would require the Chancellor of the Exchequer to review the effectiveness of the new statutory remedy one year after its adoption into law.*

John McDonnell  
Peter Dowd  
Anneliese Dodds  
Jonathan Reynolds  
Clive Lewis  
Jeff Smith

152

Clause 84, page 62, line 5, at end insert—

“(11) The Chancellor of the Exchequer must review the expected effect of the remedy introduced by this section, together with section 85 on corporation tax receipts and lay a report of that review before the House of Commons within one year of the passing of this Act.”

***Member’s explanatory statement***

*This amendment would require the Chancellor of the Exchequer to review the impact of the new statutory remedy on corporation tax receipts.*

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John McDonnell  
Peter Dowd  
Anneliese Dodds  
Jonathan Reynolds  
Clive Lewis  
Jeff Smith

153

Clause 86, page 64, line 45, at end insert—

“(9) The Chancellor of the Exchequer must review the effectiveness of the changes made to the Taxes Management Act 1970 and the Finance Act 1998 by this section and lay a report of that review before the House of Commons within one year of the passing of this Act.”

***Member’s explanatory statement***

*This amendment would require the Chancellor of the Exchequer to review the effectiveness of the provision for voluntary tax returns.*

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**Finance (No. 3) Bill, continued**

John McDonnell  
 Peter Dowd  
 Anneliese Dodds  
 Jonathan Reynolds  
 Clive Lewis  
 Jeff Smith

154

Clause 86, page 64, line 45, at end insert—

“(9) The Chancellor of the Exchequer must review the revenue effects of the changes made to the Taxes Management Act 1970 and the Finance Act 1998 by this section and lay a report of that review before the House of Commons within six months of the passing of this Act.”

***Member’s explanatory statement***

*This amendment would require the Chancellor of the Exchequer to review the effectiveness of the provision for voluntary tax returns.*

John McDonnell  
 Peter Dowd  
 Anneliese Dodds  
 Jonathan Reynolds  
 Clive Lewis  
 Jeff Smith

155

Clause 86, page 64, line 45, at end insert—

“(9) The Chancellor of the Exchequer must review the resources that Her Majesty’s Revenue and Customs needs to implement the measures in this section relating to tax returns delivered otherwise than in pursuance of a requirement to do so and lay a report of that review before the House of Commons within two months of the passing of this Act.”

***Member’s explanatory statement***

*This amendment would require the Chancellor of the Exchequer to review the HMRC resourcing needed for the provision for voluntary tax returns.*

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John McDonnell  
 Peter Dowd  
 Anneliese Dodds  
 Jonathan Reynolds  
 Clive Lewis  
 Jeff Smith

156

Schedule 19, page 315, line 15, at end insert —

“PART 4

STATEMENT ON CONSULTATION

“22 The Chancellor of the Exchequer must lay before the House of Commons a statement on the consultation undertaken on the provisions of this Schedule no later than two months after the passing of this Act.”

***Member’s explanatory statement***

*This amendment would require the Chancellor of the Exchequer to make a statement on the consultation undertaken on the measures introduced by Schedule 19.*



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**Finance (No. 3) Bill, continued**

John McDonnell  
Peter Dowd  
Anneliese Dodds  
Jonathan Reynolds  
Clive Lewis  
Jeff Smith

157

Schedule 19, page 315, line 15, at end insert —

## “PART 4

## REVIEW OF INFORMATION TECHNOLOGY EXPENDITURE

“22 The Chancellor of the Exchequer must review the total expenditure on information technology by Revenue and Customs in order to implement the provisions introduced by this Schedule and lay a report of that review before the House of Commons with twelve months of the passing of this Act.”

***Member’s explanatory statement***

*This amendment would require the Chancellor of the Exchequer to review the IT costs of implementing the measures in Schedule 19.*

John McDonnell  
Peter Dowd  
Anneliese Dodds  
Jonathan Reynolds  
Clive Lewis  
Jeff Smith

158

Schedule 19, page 315, line 15, at end insert —

## “PART 4

## REVIEW OF REVENUE EFFECTS

“22 The Chancellor of the Exchequer must review the revenue effects of the provisions introduced by this Schedule and lay a report of that review before the House of Commons with twelve months of the passing of this Act.”

***Member’s explanatory statement***

*This amendment would require the Chancellor of the Exchequer to publish a review of the revenue effects of the measures introduced by Schedule 19.*

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**Finance (No. 3) Bill, continued**

John McDonnell  
 Peter Dowd  
 Anneliese Dodds  
 Jonathan Reynolds  
 Clive Lewis  
 Jeff Smith

NC1

To move the following Clause—

**“Effect of withdrawal from the European Union on income tax collection**

The Chancellor of the Exchequer must, within one month of the passing of this Act, lay before the House of Commons an analysis of the effect on the level of income tax collected in the event of—

- (a) the United Kingdom withdrawing from the United Kingdom without a negotiated settlement, and
- (b) the United Kingdom withdrawing from the United Kingdom with the negotiated settlement that is preferred by Her Majesty’s Government.”

***Member’s explanatory statement***

*This amendment requires a review of how income tax revenue may be affected by both a no-deal Brexit and the Government’s preferred negotiated settlement.*

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Kirsty Blackman  
 Mhairi Black

NC2

To move the following Clause—

**“Review of changes to capital allowances**

- (1) The Chancellor of the Exchequer must review the effect of the changes to capital allowances in sections 29 to 34 and Schedule 12 in each part of the United Kingdom and each region of England 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 the effects of the changes on—
  - (a) business investment,
  - (b) employment, and
  - (c) productivity.
- (3) The review must also estimate the effects on the changes if—
  - (a) the UK leaves the European Union without a negotiated withdrawal agreement
  - (b) the UK leaves the European Union following a negotiated withdrawal agreement, and remains in the single market and customs union, or
  - (c) the UK leaves the European Union following a negotiated withdrawal agreement, and does not remain in the single market and customs union.
- (4) In this section—
  - “parts of the United Kingdom” means—
    - (a) England,
    - (b) Scotland,
    - (c) Wales, and
    - (d) Northern Ireland;

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**Finance (No. 3) Bill, continued**

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

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John McDonnell  
Peter Dowd  
Anneliese Dodds  
Jonathan Reynolds  
Clive Lewis  
Jeff Smith

NC4

To move the following Clause—

**“Comparative review of the expected effects of Schedule 5**

- (1) The Chancellor of the Exchequer must a review of the expected effects of the provisions of Schedule 5 on payments to the Commissioners, and lay a report of that review before the House of Commons within 6 months of the passing of the Act.
- (2) The review under subsection (1) must in particular consider—
  - (a) the expected change in corporation tax receipts attributable to those provisions, and
  - (b) the expected change in corporation tax receipts if—
    - (i) the provisions in Schedule 5 were not brought into force, and
    - (ii) the rate of corporation tax were to be changed to 26%.”

***Member’s explanatory statement***

*This requires a review of the effects of Schedule 5, and a comparison of the effects of that Schedule to an increase of the rate of corporation tax to 26%.*

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John McDonnell  
Peter Dowd  
Anneliese Dodds  
Jonathan Reynolds  
Clive Lewis  
Jeff Smith

NC5

To move the following Clause—

**“Aggregate effect of changes to corporation tax and capital allowances**

The Chancellor of the Exchequer must, within one year of the passing of this Act, lay before the House of Commons an analysis of the effect of the changes to

**Finance (No. 3) Bill, continued**

corporation tax and capital allowances made under sections 25 to 28 and 29 to 34 of this Act.”

**Member’s explanatory statement**

*This new clause would require the Chancellor of the Exchequer to review the aggregate effect of the changes to corporation tax and capital allowances made under this Act.*

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John McDonnell  
Peter Dowd  
Anneliese Dodds  
Jonathan Reynolds  
Clive Lewis  
Jeff Smith

NC6

To move the following Clause—

**“Changes to capital allowances since 2010**

The Chancellor of the Exchequer must, within one month of the passing of this Act, lay before the House of Commons a statement setting out—

- (a) the changes that have been made to the Capital Allowances Act 2001 since 2010,
- (b) the consultations that were undertaken before each change, and
- (c) an analysis of the expected effect of the statement on investor confidence in the United Kingdom.”

**Member’s explanatory statement**

*This new clause would require the Chancellor of the Exchequer to publish a statement listing the number of changes to capital allowances since 2010, the consultations that were undertaken before each change, and an accompanying analysis of the implications of this statement for investor confidence in the UK.*

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John McDonnell  
Peter Dowd  
Anneliese Dodds  
Jonathan Reynolds  
Clive Lewis  
Jeff Smith

NC7

To move the following Clause—

**“Review of capital allowance assets**

The Chancellor of the Exchequer must, within one month of the passing of this Act, lay before the House of Commons a review of the changes to the number of categories of capital allowance assets for tax purposes since 2010, and the effect of the changes on the capital allowance system.”

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**Finance (No. 3) Bill, continued****Member's explanatory statement**

*This new clause would require the Chancellor the Exchequer to carry out a review of the changes to the number of capital allowance asset classes required for tax purposes since 2010, and the impact that this will have on the complexity of the capital allowance system.*

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John McDonnell  
Peter Dowd  
Anneliese Dodds  
Jonathan Reynolds  
Clive Lewis  
Jeff Smith

NC8

To move the following Clause—

**“Review of Schedule 16 provisions on voucher circulation and distribution**

- (1) The Chancellor of the Exchequer must commission a review of the expected impact of the provisions of Schedule 16 on the circulation and distribution of vouchers in—
  - (a) the United Kingdom, and
  - (b) the European Union.
- (2) A report of the review under subsection (1) must be laid before the House of Commons within 3 months of the passing of this Act.”

**Member's explanatory statement**

*This new clause requires a review of how the provisions in Schedule 16 affect voucher circulation and distribution.*

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John McDonnell  
Peter Dowd  
Anneliese Dodds  
Jonathan Reynolds  
Clive Lewis  
Jeff Smith

NC9

To move the following Clause—

**“Review of potential divergence of VAT treatment of vouchers**

- (1) The Chancellor of the Exchequer shall commission a review that will consider the potential public revenue, and other impacts, if domestic law regarding the VAT treatment of vouchers were to diverge from European Union law.
- (2) A report of the review under subsection (1) must be laid before the House of Commons within 3 months of the passing of this Act.”

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**Finance (No. 3) Bill, continued**
**Member's explanatory statement**

*The provisions of Schedule 16 transpose Council Directive (EU) 2016/1065. This new clause requires a review of the revenue effects of diverging from EU law on the VAT treatment of vouchers.*

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John McDonnell  
Peter Dowd  
Anneliese Dodds  
Jonathan Reynolds  
Clive Lewis  
Jeff Smith

NC10

To move the following Clause—

**“Review of higher rate of tax for additional dwellings**

- (1) The Chancellor of the Exchequer shall commission a review on the revenue effects of the amendments to FA 2003 made in section 43.
- (2) A report of the review under subsection (1) must be laid before the House of Commons before 29 October 2019.”

**Member's explanatory statement**

*This new clause requires a review of the revenue effects of the provisions in clause 43, and for that review to report within 1 year of that clause becoming effective.*

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John McDonnell  
Peter Dowd  
Anneliese Dodds  
Jonathan Reynolds  
Clive Lewis  
Jeff Smith

NC11

To move the following Clause—

**“Annual statement on effects of provisions of section 43**

- (1) The Chancellor of the Exchequer must make an annual statement to the House of Commons detailing how the provisions in section 43 have affected instances in which land transaction returns are amended to take account of subsequent disposal of the main residence.
- (2) The statement must specify—
  - (a) the number of such instances, and
  - (b) such information as the Commissioners hold as to the characteristics (including income) of those concerned.

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**Finance (No. 3) Bill, continued**

- (3) The first such statement under subsection (1) must be made before 29 October 2019, and each subsequent statement must be within twelve months of the previous statement.”

**Member’s explanatory statement**

*This new clause requires an annual statement on how the provisions in section 43 have impacted the number of back claims of HRAD.*

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John McDonnell  
Peter Dowd  
Anneliese Dodds  
Jonathan Reynolds  
Clive Lewis  
Jeff Smith

**NC12**

To move the following Clause—

**“Review of higher rate of tax for additional dwellings**

- (1) The Chancellor of the Exchequer shall commission a review on how the provisions of section 43 have affected residential property prices.
- (2) A report of the review under subsection (1) must be laid before the House of Commons before 29 October 2019.”

**Member’s explanatory statement**

*This new clause requires a review on how the provisions in clause 43 have affected house prices, and for that review to report within 1 year of that clause becoming effective.*

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John McDonnell  
Peter Dowd  
Anneliese Dodds  
Jonathan Reynolds  
Clive Lewis  
Jeff Smith

**NC13**

To move the following Clause—

**“Equality impact analysis of provisions of section 45**

- (1) The Chancellor of the Exchequer must review the equality impact of the provisions in section 45 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

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**Finance (No. 3) Bill, continued**

- (d) the impact of those provisions on equality in different relevant parts of the United Kingdom and different regions of England.
- (3) In this section—
- “relevant parts of the United Kingdom” means—
- (a) England, and
  - (b) 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 Clause 45 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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John McDonnell  
 Peter Dowd  
 Anneliese Dodds  
 Jonathan Reynolds  
 Clive Lewis  
 Jeff Smith

NC14

To move the following Clause—

**“Review of possible further remedies available in respect of payments of unlawful advance corporation tax**

- (1) The Chancellor of the Exchequer shall undertake a review of the matter specified in subsection (2) and lay a report of that review before the House of Commons within six months of the passing of this Act.
- (2) That matter is the introduction of a measure comparable in effect to sections 84 and 85 of this Act in respect of payments of unlawful advance corporation tax in respect of periods subsequent to 12 December 2012.”

**Member’s explanatory statement**

*This new clause would require the Chancellor of the Exchequer to review the possible extension of the additional remedy available under the provisions of Clauses 84 and 85.*

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John McDonnell  
 Peter Dowd  
 Anneliese Dodds  
 Jonathan Reynolds  
 Clive Lewis  
 Jeff Smith

NC15

To move the following Clause—

**“Review of late payment interest rates in respect of promoters of tax avoidance schemes**

- “(1) The Chancellor of the Exchequer must review the viability of increasing any relevant interest rate charged by virtue of the specified provisions on the late



**Finance (No. 3) Bill, continued**

payment of penalties for the promoters of tax avoidance schemes to 6.1% per annum and lay a report of that review before the House of Commons within six months of the passing of this Act.

- (2) In this section, “the specified provisions” means—
- (a) section 178 of FA 1989, and
  - (b) sections 101 to 103 of FA 2009.”

**Member’s explanatory statement**

*This new Clause would require the Chancellor of the Exchequer to review the viability of increasing interest rates on the late payment of penalties for the promoters of tax avoidance schemes to 6.1%.*

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John McDonnell  
Peter Dowd  
Anneliese Dodds  
Jonathan Reynolds  
Clive Lewis  
Jeff Smith

NC16

To move the following Clause—

**“Review of late payment interest rates in respect of promoters of tax avoidance schemes (No. 2)**

- “(1) The Chancellor of the Exchequer must review the appropriateness of any relevant interest rate charged by virtue of the specified provisions on the late payment of penalties for the promoters of tax avoidance schemes and lay a report of that review before the House of Commons within six months of the passing of this Act.
- (2) In this section, “the specified provisions” means—
- (a) section 178 of FA 1989, and
  - (b) sections 101 to 103 of FA 2009.”

**Member’s explanatory statement**

*This new Clause would require the Chancellor of the Exchequer to review the interest rate on late payment of penalties for the promoters of tax avoidance schemes.*

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John McDonnell  
Peter Dowd  
Anneliese Dodds  
Jonathan Reynolds  
Clive Lewis  
Jeff Smith

NC17

To move the following Clause—

**“Review interest rate equalisation**

- “(1) The Chancellor of the Exchequer must review the viability of equalising any relevant interest rate charged by virtue of the specified provisions for the

**Finance (No. 3) Bill, continued**

specified purposes and lay a report of that review before the House of Commons within six months of the passing of this Act.

- (2) In this section—
- “the specified provisions” means section 101 of FA 2009,
  - “the specified purposes” means the charging of interest for—
    - (a) late payment, and
    - (b) repayment.”.

**Member’s explanatory statement**

*This new Clause would require the Chancellor of the Exchequer to review the viability of equalising HMRC’s late payment interest rate and the repayment interest rate.*

## ORDER OF THE HOUSE [12 NOVEMBER 2018]

That the following provisions shall apply to the Finance (No.3) Bill:

*Committal*

1. The following shall be committed to a Committee of the whole House—
  - (a) Clauses 5, 6, 8, 9 and 10 (income tax thresholds and reliefs);
  - (b) Clause 15 and Schedule 3 (offshore receipts in respect of intangible property);
  - (c) Clause 16 and Schedule 4 (avoidance involving profit fragmentation arrangements);
  - (d) Clause 19 (hybrid and other mismatches: scope of Chapter 8 and “financial instrument”);
  - (e) Clause 20 (controlled foreign companies: finance company exemption and control);
  - (f) Clause 22 and Schedule 7 (payment of CGT exit charges);
  - (g) Clause 23 and Schedule 8 (corporation tax exit charges);
  - (h) Clause 38 and Schedule 15 (entrepreneurs’ relief);
  - (i) Clauses 39 and 40 (gift aid and charities);
  - (j) Clauses 41 and 42 (stamp duty land tax: first-time buyers in cases of shared ownership);
  - (k) Clauses 46 and 47 (stamp duty and SDRT);
  - (l) Clauses 61 and 62 and Schedule 18 (remote gaming duty and gaming duty);
  - (m) Clauses 68 to 78 (carbon emissions tax);
  - (n) Clause 83 (international tax enforcement: disclosure arrangements);
  - (o) Clause 89 (minor amendments in consequence of EU withdrawal);
  - (p) Clause 90 (emissions reduction trading scheme: preparatory expenditure);
  - (q) any new Clauses or new Schedules relating to—
    - (i) tax thresholds or reliefs,
    - (ii) the subject matter of any of clauses 68 to 78, 89 and 90,
    - (iii) gaming duty or remote gaming duty, or
    - (iv) 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.

**Finance (No. 3) Bill, continued**

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>	
Clauses 5, 6, 8, 9, 10 and 38 and Schedule 15; Clauses 39 to 42; any new Clauses or new Schedules relating to tax thresholds or reliefs	3 hours from commencement of proceedings on the Bill on the first day
Clauses 68 to 78 and 89 and 90; any new Clauses or new Schedules relating to the subject matter of those clauses	6 hours from commencement of proceedings on the Bill on the first day
<i>Second day</i>	
Clauses 61 and 62 and Schedule 18; any new Clauses or new Schedules relating to remote gaming duty or gaming duty	3 hours from commencement of proceedings on the Bill on the second day
Clause 15 and Schedule 3; Clause 16 and Schedule 4; Clauses 19 and 20; Clause 22 and Schedule 7; Clause 23 and Schedule 8; Clauses 46 and 47; Clause 83; any new Clauses or new Schedules relating to 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 Tuesday 11 December 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.

**Finance (No. 3) Bill, continued**

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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## ORDER OF THE COMMITTEE [27 NOVEMBER 2018]

That—

- (1) the Committee shall (in addition to its first meeting at 9.25 am on Tuesday 27 November) meet—
    - (a) at 2.00 pm on Tuesday 27 November;
    - (b) at 11.30 am and 2.00 pm on Thursday 29 November;
    - (c) at 9.25 am and 2.00 pm on Tuesday 4 December;
    - (d) at 11.30 am and 2.00 pm on Thursday 6 December;
    - (e) at 9.25 am and 2.00 pm on Tuesday 11 December;
  - (2) the proceedings shall be taken in the following order: Clauses 1 to 4; Clause 7; Clauses 11 to 13; Schedule 1; Clause 14; Schedule 2; Clause 17; Schedule 5; Clause 18; Schedule 6; Clause 21; Clauses 24 to 26; Schedule 9; Clause 27; Schedule 10; Clause 28; Schedule 11; Clauses 29 to 31; Schedule 12; Clauses 32 to 35; Schedule 13; Clause 36; Schedule 14; Clause 37; Clauses 43 to 45; Clauses 48 to 51; Schedule 16; Clause 52; Schedule 17; Clauses 53 to 60; Clauses 63 to 67; Clauses 79 to 82; Clauses 84 to 88; Schedule 19; Clauses 91 and 92; 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 Tuesday 11 December.
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**NOTICES WITHDRAWN**

*The following Notices were withdrawn on 27 November 2018:*

NC3

*The following Notices were withdrawn on 28 November 2018:*

Amendments 80, 82 and 83

*The following Notices were withdrawn on 29 November 2018:*

Amendment 88

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