AN BILLE UM CHANACHA A BHAILIU (DAINGNIU), 1969
COLLECTION OF TAXES (CONFIRMATION) BILL, 1969

Mar a tugadh isteach
As introduced

ARRANGEMENT OF SECTIONS

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AN BILLE UM CHANACHA A BHAILIU (DAINGNIU), 1969
COLLECTION OF TAXES (CONFIRMATION) BILL, 1969

BILL

entitled

AN ACT TO GIVE STATUTORY EFFECT TO CERTAIN FINANCIAL RESOLUTIONS PASSED ON THE 7th DAY OF MAY, 1969, BY DÁIL ÉIREANN IN COMMITTEE ON FINANCE AND TO MAKE PROVISION FOR OTHER MATTERS CONNECTED WITH OR RELATING TO THE SAID FINANCIAL RESOLUTIONS.

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:

Definition.

1927, No. 7.

1.—In this Act " the Act of 1927 " means the Provisional Collection of Taxes Act, 1927.

Financial Resolutions to which this Act applies.

2.—This Act applies to the eight Financial Resolutions which—

(*a*) were passed by Dáil Éireann in Committee on Finance on the 7th day of May, 1969, and

(*b*) were given statutory effect under the Act of 1927.

Statutory effect of the Financial Resolutions.

3.—(1) A Financial Resolution to which this Act applies shall, notwithstanding anything contained in the Act of 1927, have and be deemed always to have had statutory effect as if contained in an Act of the Oireachtas, and shall continue to have such statutory effect until the cesser provided for by *subsection* (2) of this section.

(2) A Financial Resolution to which this Act applies shall cease to have statutory effect upon the happening of whichever of the following events first occurs, that is to say—

(*a*) the coming into operation of an Act of the Oireachtas containing provisions to the same effect (with or without modification) as the Financial Resolution,

(*b*) the expiration of four months from the passing of this Act.

Exclusion of certain provisions of the Act of 1927.

4.—(1) Section 5 (1) of the Act of 1927 shall not apply or have effect, and shall be deemed never to have applied or had effect, in relation to a Financial Resolution to which this Act applies.

(2) Section 6 of the Act of 1927 shall not apply or have effect, and shall be deemed never to have applied or had effect, in relation to the income tax for the year beginning on the 6th day of April, 1969.

Deductions of and assessments to income tax and sur-tax.

5.—(1) A deduction made before the passing of this Act in respect of the income tax or the sur-tax for the year beginning on the 6th day of April, 1969, which would have been a lawful deduction if No. 1 of the Financial Resolutions to which this Act applies had been in force and had had statutory effect when the deduction was made, shall be and be deemed always to have been a lawful deduction.

(2) An assessment made before the passing of this Act to income tax or sur-tax for the year beginning on the 6th day of April, 1969, which would have been a lawful and valid assessment if No. 1 of the Financial Resolutions to which this Act applies had been in force and had had statutory effect when the assessment was made, shall be and be deemed always to have been a lawful and valid assessment.

Application of section 8 of the Income Tax Act, 1967.

1967, No. 6.

6.—(1) Section 8 (which relates to charge and deduction of tax in any year not charged or deducted before the passing of the annual Act) of the Income Tax Act, 1967, shall, in relation to the income tax for the year beginning on the 6th day of April, 1969, have effect subject to the following modifications, that is to say—

(*a*) "half-yearly or quarterly" contained in subsection (1) of the said section shall be omitted;

(*b*) "or the person by or through whom the payments were made, as the case may be," shall be inserted in the said subsection (1) after "the agents entrusted with the payment of the interest, dividends or other annual profits or gains";

(*c*) subsection (2) of the said section shall apply with respect to—

(i) any royalty or other sum paid in respect of the user of a patent from which a deduction of tax may be made under section 433 (2) of the Income Tax Act, 1967, and

(ii) any dividend from which a deduction of tax may be made under section 456 of the Income Tax Act, 1967, as amended by section 457 of that Act,

as it applies to any rent, interest, annuity or other annual payment.

(2) Where, before the passing of this Act, a deduction was made in respect of the income tax for the year beginning on the 6th day of April, 1969, and the amount of the deduction was refunded on account of the operation of the provisions of the Act of 1927, the deduction shall, for the purposes of section 8 of the Income Tax Act, 1967, as modified by *subsection* (*1*) of this section, be deemed never to have been made and that section, as so modified, shall apply and have effect accordingly.

Short title.

7.—This Act may be cited as the Collection of Taxes (Confirmation) Act, 1969.

AN BILLE UM CHANACHA A BHAILIU (DAINGNIU), 1969

BILLE

(*mar a tugadh isteach*)

dá ngairtear

Acht do thabhairt éifeacht reachtúil do rúin airgeadais áirithe a ritheadh an 7ú lá de Bhealtaine, 1969, ag Dáil Éireann i gCoiste um Airgeadas agus do dhéanamh socrú i dtaobh nithe eile a bhaineann nó a ghabhann leis na rúin airgeadais sin.

An tAire Airgeadais a thug isteach

Ordaíodh ag Dáil Éireann *a chlóbhualadh,*
8 *Iúil,* 1969

BAILE ÁTHA CLIATH:
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR.

Le ceannach díreach ón Oifig Díolta Foilseachán Rialtais, An Stuara, Árd-Oifig an Phoist, Baile Átha Cliath, nó trí aon díoltóir leabhar.

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COLLECTION OF TAXES (CONFIRMATION) BILL, 1969

BILL

(*as introduced*)

entitled

An Act to give statutory effect to certain financial resolutions passed on the 7th day of May, 1969, by Dáil Éireann in Committee on Finance and to make provision for other matters connected with or relating to the said financial resolutions.

Introduced by the Minister for Finance

Ordered by Dáil Éireann *to be printed,*
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