

**BOARD OF INLAND REVENUE  
RESOLUTION 30**

**FINANCE BILL 2003  
COMMITTEE  
SCHEDULE 22**

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*SC 167	255	2
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Mr Paul Boateng

(Lab - Brent South)

**Amendment 167**

Schedule 22, page 255, line 2, leave out ‘a beneficial interest is acquired’ and insert ‘the person acquiring the securities or interest becomes beneficially entitled to those securities or that interest’.

**Amendment 168**

Schedule 22, page 262, line 42, leave out ‘entitled to any beneficial interest in the’ and insert ‘beneficially entitled to the employment-related’.

**Amendment 169**

Schedule 22, page 265, line 3, leave out from ‘is’ to ‘after’ in line 5 and insert ‘beneficially entitled to the employment-related securities’.

**Amendment 177**

Schedule 22, page 271, line 18, leave out from ‘is’ to ‘are’ in line 20 and insert ‘beneficially entitled to the securities into which the employment-related securities’.

**Amendment 178**

Schedule 22, page 271, line 29 leave out from beginning to ‘, and’ in line 30.

**Amendment 180**

Schedule 22, page 288, line 3, leave out ‘entitled to a beneficial interest in’ and insert ‘beneficially entitled to’.

**Amendment 182**

Schedule 22, page 302, line 39, leave out ‘have a beneficial interest in’ and insert ‘be beneficially entitled to’.

**Amendment 183**

Schedule 22, page 302, line 42, leave out from ‘shares’ to ‘constitute’ in line 43 and insert ‘to which the person ceases to be beneficially entitled’.

**EXPLANATORY NOTE**

**SUMMARY**

1. The purpose of these amendments is to change the term ‘beneficial interest’ in Schedule 22 to the term ‘beneficially entitled’. Retaining the existing wording in its new context may give rise to uncertainty over interpretation.

**DETAILS**

2. The term ‘beneficial interest’ is a common legal concept. It occurs in a number of sections in Part 7 of the Income Tax (Earnings & Employment) Act 2003. It has been used in Schedule 22. The use of it in conjunction with a new definition of an interest in a security could result in a lack of clarity about the interpretation of this legal phrase and to uncertainty about the scope of the new provisions. Changing the expression to “beneficially entitled” removes this element of doubt and will provide clarity.