

Agreement as to payment of stamp duty on instruments. FA1990 s113(1) to (4) 5.—(1) Where in the opinion of the Commissioners it is inexpedient or impractical for any person carrying on a business and who—

(a) in the course of that business, is a party to instruments liable to stamp duty under Schedule 1, or

(b) acts as agent for any such party,

to pay stamp duty in respect of each such instrument, then the Commissioners may enter into an agreement with that person for the delivery to them of accounts for specified periods giving such particulars as may be required of such instruments.

(2) The agreement shall be in such form and shall contain such terms and conditions as the Commissioners consider proper.

(3) Where an agreement has been entered into under this section between the Commissioners and any person, and any instrument to which the agreement relates—

(a) is issued during the period the agreement is in force, and

(b) contains a statement that the appropriate stamp duty has been or will be paid to the Commissioners in accordance with this section,

then that instrument shall not be chargeable with any stamp duty but in lieu of such stamp duty, and by means of composition, there shall be charged, in respect of the instruments to which the agreement relates which were issued during each period of account under that agreement a stamp duty of an amount equal to the aggregate of the amounts of stamp duty which, but for this section, would have been chargeable on each of the instruments concerned, and the stamp duty chargeable under this subsection (by means of such composition) shall be paid by the person to the Commissioners on the delivery of the account.

(4) Where a person makes default in delivering any account required by any agreement under this section or in paying the duty payable on the delivery of any such account, the person shall be liable to a penalty not exceeding £100 for every day during which the default continues and shall also be liable to pay, in addition to the duty, interest on the duty (which shall be recoverable in the same manner as if it were part of the duty) at the rate of 1 per cent for each month or part of a month from the date when the default begins.