

Age exemption and associated marginal relief. FA80 s2(1) to (4) and (6) and (7); FA81 s1(b)(i); FA89 s1(b); FA94 s1(b); FA96 s132 and Sch5 Ptl par12; FA97 s1(b) 188.—(1) In this section and in section 187, “total income” has the same meaning as in section 3, but includes income arising outside the State which is not chargeable to tax.

(2) In this section, “the specified amount” means, subject to section 187 (2)—

(a) in a case where the individual would apart from this section be entitled to a deduction specified in section 461 (a), £9,200; but, if at any time during the year of assessment either the individual or the spouse of the individual was of the age of 75 years or over, “the specified amount” means £10,400, and

(b) in any other case, £4,600; but, if at any time during the year of assessment the individual was of the age of 75 years or over, “the specified amount” means £5,200.

(3) This section shall apply for any year of assessment to an individual who makes a claim for the purpose, makes a return in the prescribed form of his or her total income for that year and proves that, at some time during the year of assessment, either the individual, or, in a case where the individual would apart from this section be entitled to a deduction specified in section 461 (a), the spouse of the individual, was of the age of 65 years or over.

(4) Where an individual to whom this section applies proves that his or her total income for a year of assessment for which this section applies does not exceed the specified amount, the individual shall be entitled to exemption from income tax for that year.

(5) Where an individual to whom this section applies proves that his or her total income for a year of assessment for which this section applies does not exceed a sum equal to twice the specified amount, the individual shall be entitled to have the amount of income tax payable in respect of his or her total income for that year, if that amount would but for this subsection exceed a sum equal to 40 per cent of the amount by which his or her total income exceeds the specified amount, reduced to that sum.

(6) (a) Subsections (1) and (2) of section 459 and section 460 shall apply in relation to exemption from tax or any reduction of tax under this section or under section 187 as they apply to any allowance, deduction, relief or reduction under the provisions specified in the Table to section 458.

(b) Subsections (3) and (4) of section 459 and paragraph 8 of Schedule 28 shall, with any necessary modifications, apply in relation to exemption from tax or any reduction of tax under this section or under section 187.