ANNO TRICESIMO

VICTORIÆ REGINÆ.

****

C A P. XXIII.

An Act to grant and alter certain Duties of Customs and Inland Revenue, and for other Purposes relating thereto. [31st *May* 1867.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of *Great Britain* and *Ireland*, in Parliament assembled, towards raising the necessary Supplies to defray Your Majesty's public Expenses, and making an Addition to the Public Revenue, have freely and voluntarily resolved to give and grant unto Your Majesty the several Duties herein-after mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Grant of Duties specified in Schedules annexed.

1. There shall be charged, collected, and paid, for the Use of Her Majesty, Her Heirs and Successors, the several Duties of Customs and Inland Revenue respectively specified in the Schedules marked respectively (A.), (B.), and (C.) to this Act; and the said Duties shall respectively take effect at the Dates, and shall continue to be charged, collected, and paid during the Periods respectively speci-

fied in that Behalf in the said Schedules respectively, and where no Date is specified for the Commencement of any Duty the same shall commence and take effect from the passing of this Act, and where no Period is specified for the Duration of any Duty the same shall continue to be charged, collected, and paid until Parliament shall otherwise order; and the said Schedules shall be deemed to be Part of this Act.

Provisions of former Acts to apply to Duties under this Act.

2. All the Powers, Provisions, Allowances, Exemptions, Forfeitures, and Penalties contained in or imposed by any Act or Acts, or any Schedule thereto, relating to Customs Duties and Stamp Duties, and in force at the Time of the passing of this Act, and relating to the Duty of Income Tax, and in force on the Fifth Day of *April* One thousand eight hundred and sixty-seven, shall respectively be in full Force as to the said Duties granted by this Act, so far as the same are applicable, and shall be observed, applied, allowed, enforced, and put in execution for and in the raising, levying, collecting, and securing of the said Duties, and otherwise in relation thereto, so far as the same shall not be repealed or superseded by and shall be consistent with the Provisions of this Act, as fully and effectually, to all Intents and Purposes, as if the same had been herein expressly enacted with reference to the said Duties respectively.

AS TO STAMP DUTY ON SEA INSURANCES.

Repeal of Acts in Schedule (D.)

3. On the passing of this Act the Stamp Duties now payable for Policies of Sea Insurance shall cease and determine, and the several Acts and Parts of Acts specified in the Schedule marked (D.) to this Act annexed are hereby repealed, save so far as respects any Policy made prior to the passing of this Act, and as respects any Forfeiture or Penalty incurred in respect of any Offence against any Enactment so repealed.

Interpretation of Terms.

4. In this Act the Expression "Sea Insurance" means any Insurance (including Re-insurance) made upon any Ship or Vessel, or upon the Machinery, Tackle, or Furniture of any Ship or Vessel, or upon any Goods, Merchandise, or Property, of any Description whatever, on board of any Ship or Vessel, or upon the Freight of or any other Interest which may be lawfully insured in or relating to any Ship or Vessel; and the Word "Policy" means any Instrument whereby a Contract or Agreement for any Sea Insurance is made or entered into.

Commissioners to provide

5. The Commissioners of Inland Revenue shall provide Blank Policies, printed on Paper, in the Form set forth in Schedule (E.) to this

this Act, and stamped to denote the Duty payable under this Act; and any Person may buy such Blank Policies, stamped with the Duty which he may require, at the Price of such Duty: Provided always, that before any such stamped Blank Policies shall be issued, and before any Vellum, Parchment, or Paper which may be brought to be stamped shall be delivered out stamped by any Officer of Inland Revenue, he shall mark or write thereon the Day, Month, and Year of such Issue or Delivery, and if he wilfully neglect so to do he shall forfeit the sum of One hundred Pounds. stamped Forms of Policies.

6. The said Commissioners shall keep an Office within the City of *London* for the Distribution of Blank Policies, stamped as aforesaid, to Persons carrying on the Business of Insurance within the said City, and purchasing the same, subject to the usual Allowance made on Purchase of Stamps. Office in London for distributing stamped Forms of Policies.

7. No Contract or Agreement for Sea Insurance (other than such Insurance as is referred to in the Fifty-fifth Section of "The Merchant Shipping Act Amendment Act, 1862,") shall be valid unless the same is expressed in a Policy; and every Policy shall specify the particular Risk or Adventure, the Names of the Subscribers or Underwriters, and the Sum or Sums insured; and in case any of the above-mentioned Particulars shall be omitted in any Policy, such Policy shall be null and void to all Intents and Purposes. Contract for Insurance to be in Writing, and to specify certain Particulars.

8. No Policy shall be made for any Time exceeding Twelve Months, and every Policy which shall be made for any Time exceeding Twelve Months shall be null and void to all Intents and Purposes. No Policy to be made for more than Twelve Months.

9. No Policy shall be pleaded or given in Evidence in any Court, or admitted in any Court to be good or available in Law or in Equity, unless duly stamped; and it shall not be lawful for the said Commissioners or any Officer of Inland Revenue to stamp any Policy at any Time after it is signed or underwritten by any Person, on any Pretence whatever, except in the Two Cases following; that is to say, No Policy valid unless duly stamped.

1st. Any Policy of mutual Insurance having a Stamp or Stamps impressed thereon may, if required, be stamped with an additional Stamp or Stamps, provided that at the Time such additional Stamp or Stamps shall be required the Policy shall not have been signed or underwritten to an Amount exceeding the Sum or Sums which the Stamp or Stamps previously impressed thereon will warrant: Exception in case of certain mutual Insurances;

2nd. Any

and in case of Policies made abroad.

2nd. Any Policy made abroad, and chargeable with Duty by virtue of the Fifteenth Section of the Act of the Twenty-eighth and Twenty-ninth Years of Her Majesty's Reign, Chapter Ninety-six, may be stamped within the Time specified in that Act.

Legal Alterations in Policies may be made under certain Restrictions.

10. Nothing in this Act shall extend or be construed to extend to prohibit the making of any Alteration which may lawfully be made in the Terms and Conditions of any Policy after the same shall have been underwritten; provided that such Alteration be made before Notice of the Determination of the Risk originally insured, and that it shall not prolong the Time covered by the Insurance thereby made beyond the Period of Six Months in the Case of a Policy made for a less Period than Six Months, or beyond the Period allowed by this Act in the Case of a Policy made for a greater Period than Six Months, and that the Articles insured shall remain the Property of the same Person or Persons, and that no additional or further Sum shall be insured by reason or means of such Alteration.

Policies for Voyage and Time chargeable with Two Duties.

11. Where any Sea Insurance is made for a Voyage and also for Time, or to extend to or cover any Time beyond Twenty-four Hours after the Ship shall have arrived at her Destination and been there moored at Anchor, the Policy shall be chargeable with Duty as a Policy for a Voyage, and also with Duty as a Policy for Time.

As to Insurances by Carriers.

12. Where any Carrier by Sea or other Person shall, in consideration of any Sum of Money paid or to be paid for additional Freight or otherwise, agree to take upon himself any Risk attending Goods, Merchandise, or Property of any Description whatever while on board any Ship or Vessel, or engage to indemnify the Owner of any such Goods, Merchandise, or Property from any Risk, Loss, or Damage, such Agreement or Engagement shall be deemed to be a Contract for a Sea Insurance.

Penalty on assuring unless Policy duly stamped.

13. If any Person shall become an Assurer upon any Sea Insurance, or shall subscribe or underwrite, or otherwise sign or make, or enter into any Contract, Agreement, or Memorandum, for or of any Sea Insurance, or shall receive or contract for any Premium or Consideration for any Sea Insurance, or shall receive or charge, or take Credit in Account for any such Premium or Consideration as aforesaid, or any Sum of Money as or for any such Premium or Consideration as aforesaid, or shall wilfully or knowingly take upon himself any Risk, or render himself liable to

pay,

pay, or shall pay or allow, or agree to pay or allow, in account or otherwise, any Sum of Money upon any Loss, Peril, or Contingency relative to any Sea Insurance, unless such Insurance shall be written on Vellum, Parchment, or Paper duly stamped, or if any Person shall be concerned in any fraudulent Contrivance or Device, or shall be guilty of any wilful Act, Neglect, or Omission, with Intent to evade the Duties payable on Policies under this Act, or whereby the Duties may be evaded, every Person so offending shall for every such Offence forfeit the Sum of One hundred Pounds.

Penalty on Persons effecting Insurance unless duly stamped.

14. Every Person who shall make or effect, or knowingly procure to be made or effected, any Sea Insurance, or shall give or pay, or render himself liable to pay, any Sum of Money, Premium, or Consideration whatever in the Nature of a Premium for or upon any Sea Insurance, or shall enter into any Contract or Agreement whatever for any Sea Insurance, unless the same Insurance, Contract and Agreement for Insurance, respectively, shall be written on Vellum, Parchment, or Paper, being first duly stamped, shall for every such Offence forfeit and pay the Sum of One hundred Pounds; and every Broker, Agent, or other Person negotiating or transacting any Sea Insurance contrary to the true Intent and Meaning of this Act, or writing any Agreement for any Sea Insurance upon Vellum, Parchment, or Paper not duly stamped, shall for every such Offence forfeit the Sum of One hundred Pounds.

Penalty for issuing a Copy of Policy where no Policy.

15. If any Person shall make or issue, or cause to be made or issued, any Document purporting to be a Copy of a Policy, and there shall not be in existence, at the Time of such making or Issue, a Policy duly stamped whereof the said Document shall be a Copy, he shall for such Offence forfeit the Sum of One hundred Pounds in addition to any other Penalty which he may have incurred under this Act.

Brokerage not to be a legal Charge unless Policy duly stamped.

16. It shall not be lawful for any Broker, Agent, or other Person negotiating or transacting or making any Sea Insurance to charge his Employer any Sum of Money for Brokerage or Agency, or for his Pains or Labour in negotiating, transacting, or making such Insurance, or writing the same, or for any Monies expended or paid by way of Premium or Consideration in the Nature of a Premium for such Insurance, unless the same shall be written on Vellum, Parchment, or Paper, duly stamped; and all and every Sum and Sums whatever paid by such Employer on any such Account to any Broker, Agent, or other Person negotiating

or transacting or making any Insurance contrary to this Act shall be deemed to be paid without Consideration, and shall remain the Property of such Employer, his Executors, Administrators, or Assigns.

Allowance may be made in the Case specified.

17. Where a Policy shall be inadvertently filled up in an incorrect or improper Manner, or be obliterated or otherwise spoiled and rendered unfit for Use, or shall be filled up for some Insurance which shall not be proceeded in, and the same shall not be signed by any Underwriter, but in no other Case, it shall be lawful for the said Commissioners to allow as spoiled, and to cancel, the Stamps on such Policy, provided that Application shall be made for the Allowance within Six Months after such Policy shall be spoiled or become useless; and the Enactments now in force with reference to the Allowance of spoiled Stamps shall, so far as the same are applicable, extend to the Allowance herein-before mentioned.

Officers of Inland Revenue may be authorized to examine Claims for Allowances.

18. The said Commissioners may authorize any Officer or Officers of Inland Revenue to receive and examine the Claims made for such Allowance as aforesaid, and to take Affidavits and Affirmations relating thereto, and to administer the proper Oaths and Affirmations for that Purpose, and to do all or any Act or Acts respecting such Claims which the Commissioners themselves are authorized to do.

AS TO INCOME TAX.

Sections 6 & 7 of 29 Vict. c. 36. not to apply, &c.

19. Nothing herein contained shall continue or be construed to continue the Provisions contained in the Sixth and Seventh Sections of the Act passed in the Twenty-ninth Year of Her Majesty's Reign, Chapter Thirty-six; and for the Purposes of this Act the Year One thousand eight hundred and sixty-two mentioned in the Forty-third Section of the Act passed in the Twenty-fifth Year of Her Majesty's Reign, Chapter Twenty-two, shall be read as and deemed to mean the Year One thousand eight hundred and sixty-seven.

SCHEDULES.

SCHEDULE (A.)

CONTAINING the DUTIES of CUSTOMS granted by this Act.

The Duties of Customs now charged on Tea shall continue to be levied and charged—

On and after the First Day of August One thousand eight hundred and sixty-seven until the First Day of August One thousand eight hundred and sixty-eight, on the Importation thereof into Great Britain and Ireland; that is to say,

		£	s.	d.
Tea - - - - - -	the lb.	0	0	6

SCHEDULE (B.)

CONTAINING the STAMP DUTIES granted by this Act.

	s.	d.
For every Policy of Sea Insurance for or upon any Voyage—		
In respect of every full Sum of One hundred Pounds and in respect of any fractional Part of One hundred Pounds thereby insured - - - - -	0	3
For every Policy of Sea Insurance for Time—		
In respect of every full Sum of One hundred Pounds and in respect of any fractional Part of One hundred Pounds thereby insured—		
Where the Insurance shall be made for any Time not exceeding Six Months - - - - -	0	3
Where the Insurance shall be made for any Time exceeding Six Months and not exceeding Twelve Months - -	0	6

But if the separate and distinct Interests of Two or more Persons shall be insured by One Policy for a Voyage or for Time, then the Duty of Threepence or the Duty of Threepence or Sixpence, as the Case may require, shall be charged thereon in respect of every full Sum of One hundred Pounds and every fractional Part of One hundred Pounds thereby insured upon any separate or distinct Interest.

SCHE-

SCHEDULE (C.)

CONTAINING the Duties of INCOME TAX granted by this Act.

For One Year commencing on the Sixth Day of April One thousand eight hundred and sixty-seven, for and in respect of all Property, Profits, and Gains mentioned or described as chargeable in the Act passed in the Sixteenth and Seventeenth Years of Her Majesty's Reign, Chapter Thirty-four, for granting to Her Majesty Duties on Profits arising from Property, Professions, Trades, and Offices, the following Duties shall be charged; (that is to say,)

For every Twenty Shillings of the annual Value or Amount of all such Property, Profits, and Gains (except those chargeable under Schedule (B.) of the said Act), the Duty of Fourpence:

And for and in respect of the Occupation of Lands, Tenements, Hereditaments, and Heritages chargeable under Schedule (B.) of the said Act, for every Twenty Shillings of the annual Value thereof—

In England the Duty of Twopence:

And in Scotland and Ireland respectively the Duty of One Penny Halfpenny:

Subject to the Provisions contained in Section Three of the Act Twenty-sixth Victoria, Chapter Twenty-two, for the Exemption of Persons whose whole Income from every Source is under One hundred Pounds a Year, and Relief of those whose Income is under Two hundred Pounds a Year.

SCHEDULE (D.)

CONTAINING the ENACTMENTS repealed by this Act.

Session and Chapter.	Title or abbreviated Title.	Extent of Repeal.
11 Geo. 1. c. 30. -	An Act for more effectual preventing Frauds and Abuses in the Publick Revenues, &c. &c.	Section 44.
19 Geo. 2. c. 37. -	An Act to regulate Insurance on Ships belonging to the Subjects of Great Britain, and on Merchandise or Effects laden thereon.	Section 4.
35 Geo. 3. c. 63. -	An Act for granting to His Majesty certain Stamp Duties on Sea Insurances.	The whole Act.
39 & 40 Geo. 3. c. 72.	An Act to amend several Laws relating to the Duties on stamped Vellum, Parchment, and Paper.	Sections 8, 9, 10, 11, and 12.
54 Geo. 3. c. 133. -	An Act for enabling the Commissioners of Stamps to make Allowances for spoiled Stamps on Policies of Insurance in Great Britain, and for preventing Frauds relating thereto.	The whole Act.

Customs and Inland Revenue.

Session and Chapter.	Title or abbreviated Title.	Extent of Repeal.
54 Geo. 3. c. 144. -	An Act for better securing the Stamp Duties on Sea Insurances made in London, &c. &c.	The whole Act, except Sections 13 and 14.
9 Geo. 4. c. 49. -	An Act to amend the Laws in force relating to the Stamp Duties on Sea Insurances, &c. &c.	Section 1.
5 & 6 Vict. c. 82. -	An Act to assimilate the Stamp Duties in Great Britain and Ireland, and to make Regulations for collecting and managing the same until the 10th Day of October 1845.	Sections 22, 23, 24, 25, 26, 27, 28, 29, and 30.
7 Vict. c. 21. - -	An Act to reduce the Stamp Duties on Policies of Sea Insurance, &c. &c.	Section 4 and the Schedule.
27 & 28 Vict. c. 56. -	An Act for granting to Her Majesty certain Stamp Duties, and to amend the Laws relating to the Inland Revenue.	Section 1.
28 & 29 Vict. c. 96. -	An Act to amend the Laws relating to the Inland Revenue.	Sections 8 and 9.

SCHEDULE (E.)

Form of Policy.

S.G.

Be it known that
as well in own Name, as for and in the Name and Names of all and every other Person or Persons to whom the same doth, may, or shall appertain, in part or in all, doth make assurance and cause
and them and every of them, to be insured, lost or not lost, at and from

ered the
f
No.

upon any Kind of Goods and Merchandises, and also upon the Body, Tackle, Apparel, Ordnance, Munition, Artillery, Boat and other Furniture, of and in the good Ship or Vessel called the
whereof is Master, under God for this present Voyage,

or whosoever else shall go for Master in the said Ship, or by whatsover other Name or Names the same Ship, or the Master thereof, is or shall be named or called, beginning the Adventure upon the said Goods and Merchandises from the loading thereof aboard the said Ship

upon the said Ship, *&c.*

and shall so continue and endure, during her Abode there, upon the said Ship, *&c.*; and further, until the said Ship, with all her Ordnance, Tackle, Apparel,

Apparel, *&c.*, and Goods and Merchandises whatsoever, shall be arrived at

upon the said Ship, *&c.*, until she hath moored at Anchor Twenty-four Hours in good Safety, and upon the Goods and Merchandises until the same be there discharged and safely landed; and it shall be lawful for the said Ship, *&c.* in this Voyage to proceed and sail to and touch and stay at any Ports or Places whatsoever
without Prejudice to this Insurance. The said Ship, *&c.*, Goods and Merchandises, *&c.*, for so much as concerns the Assured, by Agreement between the Assured and Assurers in this Policy, are and shall be valued at

Touching the Adventures and Perils which we the Assurers are contented to bear and do take upon us in this Voyage, they are, of the Seas, Men-of-War, Fire, Enemies, Pirates, Rovers, Thieves, Jettisons, Letters of Mart and Countermart, Surprisals, Takings at Sea, Arrests, Restraints and Detainments of all Kings, Princes, and People, of what Nation, Condition, or Quality soever, Barretry of the Master and Mariners, and of all other Perils, Losses, and Misfortunes that have or shall come to the Hurt, Detriment, or Damage of the said Goods and Merchandises and Ship, *&c.*, or any Part thereof; and in case of any Loss or Misfortune it shall be lawful to the Assured, their Factors, Servants, and Assigns, to sue, labour, and travel for, in, and about the Defence, Safeguard, and Recovery of the said Goods and Merchandises and Ship, *&c.*, or any Part thereof, without Prejudice to this Insurance; to the Charges whereof we, the Assurers, will contribute each one according to the Rate and Quantity of his Sum herein assured. And it is agreed by us, the Insurers, that this Writing or Policy of Assurance shall be of as much Force and Effect as the surest Writing or Policy of Assurance heretofore made in Lombard Street, or in the Royal Exchange, or elsewhere in London. And so we the Assurers are contented, and do hereby promise and bind ourselves, each one for his own Part, our Heirs, Executors, and Goods, to the Assured, their Executors, Administrators, and Assigns, for the true Performance of the Premises, confessing ourselves paid the Consideration due unto us for this Assurance by the Assured
at and after the Rate of

In witness whereof, we the Assurers have subscribed our Names and Sums assured in

N.B.—Corn, Fish, Salt, Fruit, Flour, and Seed are warranted free from Average, unless general, or the Ship be stranded; Sugar, Tobacco, Hemp, Flax, Hides, and Skins are warranted free from Average under Five Pounds per Cent.; and all other Goods, also the Ship and Freight, are warranted free from Average under Three Pounds per Cent., unless general, or the Ship be stranded.

LONDON:
Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1867.