STATUTORY INSTRUMENTS

2016 No. 1036

INCOME TAX

The Employer-Financed Retirement Benefits (Excluded Benefits for Tax Purposes) (Amendment) Regulations 2016

Made - - - -	*31st October 2016*
Laid before the House of Commons - - - -	*1st November 2016*
Coming into force - -	*1st December 2016*

The Commissioners for Her Majesty's Revenue and Customs make the following Regulations in exercise of the powers conferred by section 393B(3)(d) and (4A) of the Income Tax (Earnings and Pensions) Act 2003(**1**).

Citation, commencement and effect

1.—(1) These Regulations may be cited as the Employer-Financed Retirement Benefits (Excluded Benefits for Tax Purposes) (Amendment) Regulations 2016 and come into force on 1st December 2016.

(2) The amendments in regulations 3 and 4 have effect for the tax year 2016-17 and subsequent tax years.

Amendment of the Employer-Financed Retirement Benefits (Excluded Benefits for Tax Purposes) Regulations 2007

2. The Employer-Financed Retirement Benefits (Excluded Benefits for Tax Purposes) Regulations 2007(**2**) are amended as follows.

3. After regulation 3(2)(cd)(**3**) insert—

"(ce) in the case of the benefits described in paragraph 22 (trivial benefits) of the Schedule—

(i) the employee(**4**), and

(**1**) 2003 c. 1; section 393B was inserted by section 249 of the Finance Act 2004 (c. 12). Section 393B(3) was amended by paragraphs 101 and 102 of Schedule 4 to the Commissioners for Revenue and Customs Act 2005 (c. 11). Section 393B(4A) was inserted by paragraph 21 of Schedule 20 to the Finance Act 2007 (c. 11).
(**2**) S.I. 2007/3537, amended by S.I. 2011/2281; there are other amending instruments but none is relevant.
(**3**) Regulations 3(2)(ca) to (cd) were inserted by S.I. 2011/2281.
(**4**) Regulation 2 of S.I. 2007/3537 provides that a reference to an employee includes a former employee.