

## CLAS CIRCULAR 2022/16 (23 November 2022)

### Disclaimer

**CLAS is not qualified to advise on the legal and technical problems of members and does not undertake to do so. Though we take every care to provide a service of high quality, neither CLAS, the Secretary nor the Governors undertakes any liability for any error or omission in the information supplied.**

It would be very helpful if members could let us know of anything that appears to indicate developments of policy or practice on the part of Government or other matters of general concern that should be pursued.

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## FAITH & SOCIETY

### E-petition to include abortion in the Bill of Rights Bill

For information

The House of Commons Library has published a [briefing page](#) ahead of the Westminster Hall debate on 28 November on an e-petition to include abortion rights in the Bill of Rights Bill currently before Parliament.

The subject for the debate has been chosen by the Petitions Committee and the debate will be opened by Tonia Antoniazzi MP (Gower, Lab). The page states that a briefing will be published ahead of the debate.

[Source: House of Commons Library, 18 November]

## ODDS & ENDS

### Resources for churches and church buildings

**For action**

The HRBA is one of the sponsors of an important project being run by the Centre for the Study of Christianity and Culture at York, in partnership with the National Churches Trust. The project is looking into creating an online resource portal for churches to access support, guidance, practical help and creative ideas, especially about their buildings.

This project has already been shaped by the impact of COVID-19 and other challenges, requests from churches, and consultation across the country. The need now is for individual churches to fill in a short survey about their requirements that will help shape the project. The survey is here: [https://york.qualtrics.com/jfe/form/SV\\_8wu7tZNhRNuwCHs](https://york.qualtrics.com/jfe/form/SV_8wu7tZNhRNuwCHs). It will take about ten minutes, with eleven questions, a mix of tick boxes and free text.

[Source: HRBA, 10 November]

## PROPERTY & PLANNING

### Heritage at Risk 2022 Registers

For information

Historic England has published the [Heritage at Risk 2022 Registers](#). The Registers include buildings and structures, places of worship, archaeological sites, battlefields, wrecks, parks and gardens, and conservation areas known to be at risk as a result of neglect, decay or inappropriate development.

[Source: Historic England, 10 November]

## SCOTLAND

### Charities (Regulation and Administration) (Scotland) Bill

For information

The Scottish Government has published the [Charities \(Regulation and Administration\) \(Scotland\) Bill](#), which aims to increase transparency and accountability and increase the powers of the Office of Scottish Charity Regulator (OSCR). It will give OSCR wider powers to investigate charities and charity trustees and amend the rules on who can be a charity trustee or a senior office-holder in a charity.

As part of the proposals OSCR will:

- publish annual accounts for every charity;
- include the names of all charity trustees in the Scottish Charity Register;
- create a record of charities that have merged; and
- create a publicly searchable record of removed charity trustees.

The legislation will also give OSCR new powers to issue positive directions to a charity to take action, such as managing a conflict of interest where it has identified a risk, and to remove charities that fail to provide accounts and do not respond to OSCR's communications.

[Source: Scottish Parliament, 15 November]

## TAXATION

### Autumn Statement 2022

For information

The Chancellor of the Exchequer [delivered](#) the Autumn Statement 2022 on 16 November. The House of Commons Library has published a summary, [here](#). The following announcements may be of interest to members.

- Review of the Energy Price Guarantee (EPG) – From April 2023, the Government will adjust the EPG, which places a limit on the price households pay per unit of gas and electricity. This means that a typical household in Great Britain will pay £3,000 per annum (up from the current £2,500 per annum) from April 2023 to April 2024, saving £14 billion of public spending. Equivalent support will continue to be provided in Northern Ireland. The Government will keep the EPG under review and may revisit the parameters of the scheme, for example if the forecast cost increases significantly. The Government will consult on amending the scheme as soon as is feasible after April 2023 so that those who use very large volumes of energy have their state support capped, whilst the vast majority of households can continue to benefit.
- Review of the Energy Bill Relief Scheme (EBRS) – A HM Treasury-led review of the EBRS will determine support for non-domestic energy consumers, excluding public sector organisations, beyond 31 March 2023. The Government has published terms of reference for the review, with the findings to be published by 31 December 2022.
- National Living Wage (NLW) and National Minimum Wage (NMW) 2023 Uprating – Following the recommendations of the independent Low Pay Commission (LPC), the Government will increase the NLW for individuals aged 23 and over by 9.7% to £10.42 an hour from 1 April 2023. This represents an increase of over £1,600 to the annual earnings of a full-time worker on the NLW and is expected to benefit over 2 million low paid workers. The Government has also accepted the LPC's recommendations for the other NMW rates to apply from April 2023.
- Income tax and National Insurance Contributions thresholds – The income tax Personal Allowance (PA) and Higher Rate Threshold (HRT), and the National Insurance Contributions (NICs) Upper Earnings Limit (UEL) and Upper Profits Limit (UPL) are already fixed at their current levels until April 2026 and will now be maintained for an additional two years until April 2028. From July 2022 the NICs Primary Threshold (PT) and Lower Profits Limit (LPL) were increased to align with the PA and will be maintained at this level from April 2023 until April 2028. The Class 2 Lower Profits Threshold (LPT) will also be fixed from April 2023 until April 2028 to align with the LPL. The PA, PT, LPL and LPT will remain at £12,570 and the HRT, UEL and UPL will remain at £50,270. The PA and NICs thresholds apply across the UK. The HRT for

non-savings and non-dividend income will apply to taxpayers in England, Wales, and Northern Ireland, and the HRT for savings and dividend income will apply UK-wide. The government will legislate for the income tax measures in Autumn Finance Bill 2022, and NICs changes in affirmative secondary legislation in early 2023.

- National Insurance Contribution rates and thresholds for 2023-24 – The Government will fix the Lower Earnings Limit (LEL) and the Small Profits Threshold (SPT) at 2022-23 levels in 2023-24.
- Inheritance Tax nil-rate band and residence nil-rate band – The Inheritance Tax nilrate bands are already set at current levels until April 2026 and will stay fixed at these levels for a further 2 years until April 2028.
- Income Tax additional rate threshold – The Income Tax additional rate threshold (ART) will be lowered from £150,000 to £125,140 from 6 April 2023. The ART for non-savings and non-dividend income will apply to taxpayers in England, Wales, and Northern Ireland. The ART for savings and dividend income will apply UK-wide.
- Dividend Allowance and Capital Gains tax Annual Exempt Amount – The Government will reduce the Dividend Allowance from £2,000 to £1,000 from April 2023, and to £500 from April 2024, and reduce the Capital Gains Tax Annual Exempt Amount from £12,300 to £6,000 from April 2023 and to £3,000 from April 2024.
- Stamp Duty Land Tax cuts – On 23 September 2022, the Government increased the nil-rate threshold of Stamp Duty Land Tax (SDLT) from £125,000 to £250,000 for all purchasers of residential property in England and Northern Ireland and increased the nil-rate threshold paid by first-time buyers from £300,000 to £425,000. This will now be a temporary SDLT reduction until 31 March 2025.
- Council Tax flexibility – The Government is giving local authorities in England additional flexibility in setting council tax by increasing the referendum limit for increases in council tax to 3% per year from April 2023. In addition, local authorities with social care responsibilities will be able to increase the adult social care precept by up to 2% per year.
- National Insurance Contributions Secondary Threshold – The Government will fix the level at which employers start to pay Class 1 Secondary NICs for their employees (the Secondary Threshold) at £9,100 from April 2023 until April 2028.
- Increasing the rate of Diverted Profits Tax – From April 2023, the rate of Diverted Profits Tax will increase from 25% to 31%, in order to retain a 6 percentage points differential above the main rate of Corporation Tax, and therefore ensure that it remains an effective deterrent against diverting profits out of the UK.

- Maintaining the VAT registration and deregistration thresholds at the current levels for an additional 2 years – The VAT registration (£85,000) and deregistration thresholds will not change for a further period of 2 years from 1 April 2024.
- OECD Pillar 2 – Following consultation, the Government will legislate to implement the globally agreed G20-OECD Inclusive Framework Pillar 2 framework in the UK.
- VED on Electric Vehicles (VED) – From April 2025, electric cars, vans and motorcycles will begin to pay VED in the same way as petrol and diesel vehicles.
- Company Car Tax (CCT) Rates – The Government has set new rates for Company Car Tax until April 2028.
- First Year Allowance for Electric Vehicle Chargepoints – The Government will legislate to extend the 100% First Year Allowance for electric vehicle chargepoints to 31 March 2025 for corporation tax purposes and 5 April 2025 for income tax purposes.
- Online Sales Tax (OST) – Following consultation, the Government has decided not to introduce an Online Sales Tax, an idea put forward by certain stakeholders in the context of Business Rates reform. The Government's decision reflects concerns raised about an OST's complexity and the risk of creating unintended distortion or unfair outcomes between different business models. A response to the OST consultation will be published shortly.
- Business Rates: Overall Package – From 1 April 2023, business rate bills in England will be updated to reflect changes in property values since the last revaluation in 2017. A package of targeted support worth £13.6 billion over the next 5 years will support businesses as they transition to their new bills, protect businesses from the full impact of inflation, and support high streets. English Local Authorities will be fully compensated for the loss of income as a result of these business rates measures and will receive new burdens funding for administrative and IT costs.
- Business Rates: Multiplier Freeze – The business rates multipliers will be frozen in 2023-24 at 49.9 pence and 51.2 pence, preventing them from increasing to 52.9 pence and 54.2 pence.
- Business Rates: Transitional Relief Scheme – Upwards Transitional Relief will support properties by capping bill increases caused by changes in rateable values at the 2023 revaluation. This £1.6 billion of support will be funded by the Exchequer rather than by limiting bill decreases, as at previous revaluations.
- Business Rates: Retail, Hospitality and Leisure Relief – Support for eligible retail, hospitality, and leisure businesses is being extended and increased from 50% to 75% business rates relief up to £110,000 per business in 2023-24.
- Business Rates: Improvement Relief – At Autumn Budget 2021 the government announced a new improvement relief to ensure ratepayers do not see an increase in their rates for 12



months as a result of making qualifying improvements to a property they occupy. This will now be introduced from April 2024. This relief will be available until 2028, at which point the government will review the measure.

[Source: HM Treasury and House of Commons Library, 17 November]

### Gift Aid guidance updated

For information

HMRC has [updated](#) Section 3.45.4 of 'Chapter 3: Gift Aid' to clarify how a refund arrangement can be waived so that Gift Aid can apply.

[Source: HMRC, 18 November]

### New VAT penalties and VAT interest charges

For information

HMRC has [published](#) new promotional material to support the introduction of new VAT penalties and VAT interest charges. HMRC is changing the way penalties are issued for submitting late VAT returns and paying VAT late, which will affect all VAT registered businesses from 1 January 2023.

For VAT periods starting on or after 1 January 2023, HMRC is replacing the default surcharge with separate penalties for late returns and late payment of VAT. At the same time, HMRC is introducing a new approach to VAT interest.

[Source: HMRC, 10 November]

### Stamp Duty Land Tax (Reduction) Bill 2022-23

For information

The House of Commons Library has [published](#) a briefing on the Stamp Duty Land Tax (Reduction) Bill 2022-23. The Government introduced the Stamp Duty Land Tax (Reduction) Bill on 24 October 2022. The briefing explains the main changes to stamp duty land tax and how they will be implemented.

[Source: House of Commons Library, 17 November]