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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations, made under powers contained in section 178 of the Finance Act 1989 (“section 178”), specify the interest rates applicable under that section for periods beginning on or after 18th August 1989.

The Regulations make provision for the interest rates applicable under section 178 to change on the sixth day of any month, in accordance with formulae specified in the Regulations, when the rounded average of the base lending rates of six clearing banks at the close of business 12 working days prior to that date changes from the rounded average of those rates at the close of business on the corresponding day in the previous month. (The base lending rates of the banks in question are published each day in *The Financial Times*.) Section 178 provides that any such change is to be specified by order of the Board of Inland Revenue. Details of the rates so specified will be available from the Public Enquiry Room, Somerset House, Strand, London WC2R 1LB.

Regulation 1 provides for the title to and commencement of the Regulations.

Regulation 2 contains definitions.

Regulation 3 specifies the interest rate applicable under section 178 in relation to unpaid income tax, surtax, capital gains tax, corporation tax (including advance corporation tax), petroleum revenue tax and development land tax, repayments of petroleum revenue tax, overpaid development land tax and stamp duty reserve tax and repayment supplement. It makes provision for changes in the applicable interest rate and for the formula to be used in calculating the new rate.

Regulation 4 specifies the interest rate applicable under section 178 in relation to capital taxes and makes provision for changes in the applicable rate and for the formula to be used in calculating the new rate.

Regulation 5 specifies the interest rate applicable under section 178 in relation to the charge to income tax on beneficial loans and more expensive living accommodation (the official rate of interest) and makes provision for changes in the applicable rate and for the formula to be used in calculating the new rate.

Regulation 6 provides that changes in interest rates by virtue of the Regulations have effect in relation to interest running from before the date the change takes effect as well as in relation to interest running from, or from a date after, that date.

**Changes to legislation:**

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Taxes (Interest Rate) Regulations 1989. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to :**

- reg. 2(1) word inserted by S.I. 2020/995 reg. 2(2)
- reg. 2(1) words inserted by S.I. 1998/3176 reg. 3(a)
- reg. 2(1) words inserted by S.I. 1998/3176 reg. 3(b)
- reg. 2(1) words inserted by S.I. 1998/3176 reg. 3(c)
- reg. 2(1) words substituted by S.I. 2008/3234 reg. 2(2)(a)
- reg. 2(1) words substituted by S.I. 2008/3234 reg. 2(2)(b)
- reg. 2(2) substituted by S.I. 2009/2032 reg. 3(3)
- reg. 3(1) word omitted by S.I. 1993/758 reg. 2(a)
- reg. 3(1) word omitted by S.I. 1999/2538 reg. 3(a)
- reg. 3(1)(a) words substituted by S.I. 2001/204 reg. 3
- reg. 3(1)(b) words substituted by S.I. 1997/2707 reg. 2
- reg. 3(1)(c) word omitted by S.I. 2005/2462 reg. 3(2)
- reg. 3(1)(d) and word inserted by S.I. 1999/2538 reg. 3(b)
- reg. 3(1)(d) word inserted by S.I. 2005/2462 reg. 3(3)
- reg. 3(1)(e) inserted by S.I. 2005/2462 reg. 3(4)
- reg. 3(1)(f)(g) inserted by 2019 c. 1 s. 88(4)(a)
- reg. 3(1)(g) words inserted by S.I. 1992/2075 reg. 2
- reg. 4(1)(f) words omitted by S.I. 2009/2032 reg. 12(2)(a)
- reg. 4(2) words omitted by S.I. 2009/2032 reg. 12(3)
- reg. 4(3) substituted by S.I. 2009/2032 reg. 12(4)
- reg. 5 substituted by S.I. 1991/889 reg. 3
- reg. 5 substituted by S.I. 1994/1307 reg. 2
- reg. 5 words substituted by S.I. 1991/1120 reg. 2(a)
- reg. 5 words substituted by S.I. 1991/1120 reg. 2(b)
- reg. 5 words substituted by S.I. 1991/1377 reg. 2(a)
- reg. 5 words substituted by S.I. 1991/1377 reg. 2(b)
- reg. 5 words substituted by S.I. 1991/1695 reg. 2(a)
- reg. 5 words substituted by S.I. 1991/1695 reg. 2(b)
- reg. 5 words substituted by S.I. 1991/2070 reg. 2(a)
- reg. 5 words substituted by S.I. 1991/2070 reg. 2(b)
- reg. 5 words substituted by S.I. 1992/1338 reg. 2(a)
- reg. 5 words substituted by S.I. 1992/1338 reg. 2(b)
- reg. 5 words substituted by S.I. 1992/2451 reg. 2(a)
- reg. 5 words substituted by S.I. 1992/2451 reg. 2(b)
- reg. 5 words substituted by S.I. 1992/265 reg. 2(a)
- reg. 5 words substituted by S.I. 1992/265 reg. 2(b)
- reg. 5 words substituted by S.I. 1992/2818 reg. 2(a)
- reg. 5 words substituted by S.I. 1992/2818 reg. 2(b)
- reg. 5 words substituted by S.I. 1992/3167 reg. 2(a)
- reg. 5 words substituted by S.I. 1992/3167 reg. 2(b)
- reg. 5 words substituted by S.I. 1993/222 reg. 2(a)
- reg. 5 words substituted by S.I. 1993/222 reg. 2(b)
- reg. 5 words substituted by S.I. 1993/3171 reg. 2(a)
- reg. 5 words substituted by S.I. 1993/3171 reg. 2(b)
- reg. 5 words substituted by S.I. 1994/1567 reg. 2(a)
- reg. 5 words substituted by S.I. 1994/1567 reg. 2(b)
- reg. 5(1) substituted by S.I. 2007/684 reg. 2
- reg. 5(1) substituted by S.I. 2009/199 reg. 2(2)
- reg. 5(1) words substituted by S.I. 1994/2657 reg. 2(a)
- reg. 5(1) words substituted by S.I. 1994/2657 reg. 2(b)

- reg. 5(1) words substituted by S.I. 1995/2436 reg. 2(a)
- reg. 5(1) words substituted by S.I. 1995/2436 reg. 2(b)
- reg. 5(1) words substituted by S.I. 1996/1321 reg. 2(a)
- reg. 5(1) words substituted by S.I. 1996/1321 reg. 2(b)
- reg. 5(1) words substituted by S.I. 1996/2644 reg. 2(a)
- reg. 5(1) words substituted by S.I. 1996/2644 reg. 2(b)
- reg. 5(1) words substituted by S.I. 1996/54 reg. 2(a)
- reg. 5(1) words substituted by S.I. 1996/54 reg. 2(b)
- reg. 5(1) words substituted by S.I. 1997/1681 reg. 2(a)
- reg. 5(1) words substituted by S.I. 1997/1681 reg. 2(b)
- reg. 5(1) words substituted by S.I. 1999/419 reg. 2(a)
- reg. 5(1) words substituted by S.I. 1999/419 reg. 2(b)
- reg. 5(1) words substituted by S.I. 2001/3860 reg. 2(a)
- reg. 5(1) words substituted by S.I. 2001/3860 reg. 2(b)
- reg. 5(1) words substituted by S.I. 2010/415 reg. 2
- reg. 5(1) words substituted by S.I. 2014/496 reg. 2
- reg. 5(1) words substituted by S.I. 2015/411 reg. 2
- reg. 5(1) words substituted by S.I. 2017/305 reg. 2
- reg. 5(1) words substituted by S.I. 2020/194 reg. 2
- reg. 5(1) words substituted by S.I. 2021/249 reg. 2
- reg. 5(1) words substituted by S.I. 2023/216 reg. 2
- reg. 5(2) words substituted by S.I. 2007/684 reg. 3
- reg. 5(2) words substituted by S.I. 2009/199 reg. 2(3)
- reg. 6 words substituted by S.I. 1991/889 reg. 4
- reg. 6 words substituted by S.I. 2009/2032 reg. 14

### **Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:**

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- reg. 2(1)(a) word omitted by S.I. 2009/2032 reg. 3(2)(b)
- reg. 2(1)(a) word substituted by S.I. 2009/2032 reg. 3(2)(a)
- reg. 2(2)(i)-(iii) and word substituted for words by S.I. 1998/3176 reg. 4
- reg. 2A inserted by S.I. 2008/3234 reg. 2(3)
- reg. 2A omitted by S.I. 2009/2032 reg. 4
- reg. 3-3AB substituted for reg. 3 by S.I. 1996/3187 reg. 2
- reg. 3(1)(h) and word inserted by S.I. 1993/758 reg. 2(b)
- reg. 3(1)(aa)(ab) inserted by S.I. 1998/310 reg. 2
- reg. 3(1)(aa) omitted by S.I. 2011/702 art. 16
- reg. 3(1)(ba) inserted by S.I. 2001/254 reg. 2
- reg. 3A3B inserted by S.I. 1993/2212 reg. 2
- reg. 003A(1) words inserted by S.I. 1998/3176 reg. 5
- reg. 3A(2) words omitted by S.I. 2009/2032 reg. 8(2)
- reg. 3A(3) substituted by S.I. 2009/2032 reg. 8(3)
- reg. 3B words inserted by S.I. 1998/3176 reg. 7
- reg. 3B(2) words substituted by S.I. 2009/2032 reg. 9(2)
- reg. 3B(3) substituted by S.I. 2009/2032 reg. 9(3)
- reg. 3AA(1) words inserted by S.I. 1999/2637 reg. 3
- reg. 3AA(1) words substituted by S.I. 2001/204 reg. 4(b)
- reg. 3AA(1)(c) words omitted by S.I. 2009/2032 reg. 5(2)(a)
- reg. 3AA(1)(d) omitted by S.I. 2009/2032 reg. 5(2)(b)
- reg. 3AA(1)(e) omitted by S.I. 1999/2538 reg. 4
- reg. 3AA(1)(f) omitted by S.I. 2009/2032 reg. 5(2)(b)
- reg. 3AA(1)(aa) inserted by S.I. 2001/204 reg. 4(a)
- reg. 3AA(2) words omitted by S.I. 2009/2032 reg. 5(3)
- reg. 3AA(3) substituted by S.I. 2009/2032 reg. 5(4)

- reg. 3AB(1) word omitted by S.I. 1999/2538 reg. 5(a)
- reg. 3AB(1)(d)(e) and word inserted by S.I. 1999/2538 reg. 5(b)
- reg. 3AB(1)(d) word omitted by S.I. 2005/2462 reg. 4(2)
- reg. 3AB(1)(e) word inserted by S.I. 2005/2462 reg. 4(3)
- reg. 3AB(1)(f) inserted by S.I. 2005/2462 reg. 4(4)
- reg. 3AB(2) words substituted by S.I. 2009/2032 reg. 7(2)
- reg. 3AB(3) substituted by S.I. 2009/2032 reg. 7(3)
- reg. 3AC inserted by S.I. 1999/2637 reg. 4
- reg. 3BA3BB inserted by S.I. 1998/3176 reg. 8
- reg. 3BA(2) words substituted by S.I. 2009/2032 reg. 10(2)
- reg. 3BB words substituted by S.I. 2009/2032 reg. 11(2)
- reg. 3BB(1) words inserted by S.I. 1999/1928 reg. 3(a)
- reg. 3BB(1) words inserted by S.I. 1999/1928 reg. 3(b)
- reg. 3ZA3ZB inserted by S.I. 1998/3176 reg. 6
- reg. 3ZA(4) formula substituted by S.I. 2000/893 reg. 2(1)
- reg. 3ZC-3ZE inserted by S.I. 2020/995 reg. 2(3)
- reg. 3AAA inserted by S.I. 2009/2032 reg. 6
- reg. 4(1)(g) inserted by S.I. 2009/2032 reg. 12(2)(b)
- reg. 4A inserted by S.I. 2009/2032 reg. 13
- reg. 5A inserted by 2019 c. 1 s. 88(4)(b)