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*Changes to legislation: There are currently no known outstanding effects for the Oil Taxation Act 1975, Paragraph 5. (See end of Document for details)*

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## SCHEDULES

### SCHEDULE 3

#### PETROLEUM REVENUE TAX: MISCELLANEOUS PROVISIONS

*Effect of transfer to an associated company of participator's rights etc. in connection with an oil field or relevant licence*

- 5 (1) This paragraph applies to any agreement or other arrangement between a participator in an oil field and a company associated with the participator whereby—
- (a) ownership of all or any of the participator's share of the oil won and saved from the field is transferred to the company; and
  - (b) the company obtains or assumes all or any of the participator's other rights, interests and obligations in connection with the field or any relevant licence.
- (2) As regards any chargeable period in which a participator in an oil field is a party to an arrangement to which this paragraph applies, the other party to the arrangement shall be treated for all purposes of this Part of this Act (except this paragraph) and for the purposes of [F<sup>1</sup>sections 299 to 301 of CTA 2010] as having been a participator in the field at all times when the actual participator was such a participator (including times before the arrangement was made), and shall be assessable and chargeable to tax and entitled to make any claim under this Part of this Act, and any deduction or claim under [F<sup>1</sup>sections 299 to 301 of CTA 2010], accordingly.
- (3) Where a participator in an oil field is or has been a party to an arrangement to which this paragraph applies then for all purposes of this Part of this Act—
- (a) anything done by or in relation to the participator in connection with the field or any relevant licence shall be treated as being or having been done by or, as the case may be, in relation to the other party to the arrangement; and
  - (b) all rights, interests or obligations of the participator in connection with the field or any relevant licence shall be treated as being or having been rights, interests or obligations of the other party.
- (4) Where a participator in an oil field is or has been a party to an arrangement to which this paragraph applies, then, if any tax or interest payable under this Part of this Act by the other party to the arrangement is not paid within thirty days after the date on which it becomes payable, the Board may by notice in writing require the participator to pay that tax or interest; and where such a notice is served on the participator, the tax or interest in question shall be payable by him forthwith, but without prejudice to the Board's right to recover it from the other party.
- (5) For the purposes of this paragraph "company" means any body corporate, and a participator in an oil field and another company are associated with one another if—
- (a) the participator has control over or is under the control of the other company; or
  - (b) the participator and the other company are both under the control of the same person or persons;

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and in this sub-paragraph “control” has the meaning given by [<sup>F2</sup>section 1124 of CTA 2010].

**Textual Amendments**

- F1** Words in Sch. 3 para. 5(2) substituted (with effect in accordance with s. 1184(1) of the amending Act) by Corporation Tax Act 2010 (c. 4), s. 1184(1), **Sch. 1 para. 165(4)** (with Sch. 2)
- F2** Words in Sch. 3 para. 5(5) substituted (with effect in accordance with s. 1184(1) of the amending Act) by Corporation Tax Act 2010 (c. 4), s. 1184(1), **Sch. 1 para. 165(5)** (with Sch. 2)

**Modifications etc. (not altering text)**

- C1** See Finance Act 1981 (c. 35), s. 128(1) and Sch. 16 para. 14; Finance Act 1982 (c. 39), s. 139(6), **Sch. 19 para. 20**

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