

*Changes to legislation: There are currently no known outstanding effects for the Oil Taxation Act 1975, Paragraph 2B. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 5

#### ALLOWANCE OF EXPENDITURE (OTHER THAN ABORTIVE EXPLORATION EXPENDITURE)

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

**C1** Sch. 5 excluded by [Finance Act 1991 \(c. 31, SIF 63:1\)](#), **s. 108(6)**.

##### *Claim periods and claims*

- [<sup>F1</sup>2B** (1) No amount is to be attributed to a contributing participator under paragraph 2A(2) unless the following conditions are all met.
- (2) The first condition is that the contributing participator is not connected with the defaulter, applying [<sup>F2</sup>section 1122 of CTA 2010] (connected persons) for the purposes of this sub-paragraph.
  - (3) The second condition is that, at the end of the claim period for which the claim is made, the defaulter still has an interest in the relevant oil field which, under paragraph 2(4)(b), falls to be taken into account in determining the shares in the abandonment expenditure.
  - (4) The third condition is that the relevant participators have taken all reasonable steps by way of legal remedy—
    - (a) to secure that the defaulter meets the whole of the liability referred to in paragraph 2A(1)(a), and
    - (b) to enforce any guarantee or other security provided in respect of that liability.
  - (5) In sub-paragraph (4) “relevant participators” means—
    - (a) each current participator (other than the defaulter), and
    - (b) each former participator who makes a default payment in respect of the defaulter's default.]

##### Textual Amendments

- F1** Sch. 5 paras. 2A-2C substituted for Sch. 5 para. 2A (with effect in accordance with s. 103(2) of the amending Act) by [Finance Act 2008 \(c. 9\)](#), **s. 103(1)**
- F2** Words in [Sch. 5 para. 2B\(2\)](#) 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. 167** (with [Sch. 2](#))

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