



Finance Act 1994

1994 CHAPTER 9

PART V

OIL TAXATION

CHAPTER I

ELECTION BY REFERENCE TO PIPE-LINE USAGE

234 Interpretation of Chapter and supplementary provisions.

- (1) In this Chapter “the 1983 Act” means the ^{M1}Oil Taxation Act 1983 and expressions used in this Chapter have the same meaning as in that Act.
- (2) In this Chapter—
 - (a) “election” means an election under section 231 above and “electing participator” means a participator who makes or has made an election;
 - (b) “the expenditure relief provisions” means sections 3 and 4 of the principal Act and section 3 of the 1983 Act; and
 - (c) “the initial usage fraction” shall be construed in accordance with section 231(4) above.
- (3) In this Chapter—
 - (a) any reference to the assets to which an election applies is a reference to the pipe-line by reference to which the election is made together with the assets determined in accordance with subsections (5) and (6) of section 231 above;
 - (b) any reference to the net profit period is a reference to the chargeable period which is the net profit period for the purposes of section 111 of the ^{M2}Finance Act 1981 (restriction of expenditure supplement); and
 - (c) any reference to a development plan is a reference to a consent for, or programme of, development granted, served or approved by the Secretary of State.

Changes to legislation: *Finance Act 1994, Section 234 is up to date with all changes known to be in force on or before 26 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

- (4) Any reference in this Chapter to expenditure incurred on an asset is a reference to expenditure (whether or not of a capital nature) which—
- (a) is incurred in acquiring, bringing into existence or enhancing the value of the asset, or
 - (b) is incurred (for any of the purposes mentioned in section 3(1) of the principal Act) by reference to the use of the asset in connection with a taxable field, other than expenditure which, in the hands of the recipient, constitutes a tariff receipt.
- (5) For the purposes of this Chapter—
- (a) an election is “in operation” if it has been accepted by the Board; and
 - (b) the date of an election which is in operation is the date on which the election was received by the Board.
- (6) The provisions of Part II of Schedule 22 to this Act shall have effect for supplementing the preceding provisions of this Chapter.
- (7) The Board may make all such amendments of assessments or determinations or of decisions on claims as may be necessary in consequence of the provisions of this Chapter.

Marginal Citations

M1 1983 c. 56.

M2 1981 c. 35.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

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

- s. 16A(2)(g) inserted by [2023 c. 30 Sch. 13 para. 28](#)
- s. 160(2)-(7) modified by 2010 c. 8 s. 464(6) (as inserted) by [2017 c. 32 Sch. 5 para. 1](#)
- Sch. 5 para. 2(1)(pa) inserted by [S.I. 2022/109 reg. 4](#) (This amendment not applied to [legislation.gov.uk](#). The affecting statutory instrument has no legal effect. It was made under a procedure which meant that it ceased to have effect 28 days after signing unless it was debated and approved in Parliament within that time. It was not debated and approved within 28 days, so it has expired with no effect.)