



# Finance Act 2000

## 2000 CHAPTER 17

### PART III

#### INCOME TAX, CORPORATION TAX AND CAPITAL GAINS TAX

### CHAPTER II

#### OTHER PROVISIONS

#### *Giving to charity*

#### <sup>F1</sup>38 Payroll deduction scheme.

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#### Textual Amendments

F1 S. 38 repealed (19.7.2011) by Finance Act 2011 (c. 11), Sch. 26 para. 3(1)

#### 39 Gift aid payments by individuals.

<sup>F2</sup>(1) .....

<sup>F2</sup>(2) .....

<sup>F2</sup>(3) .....

<sup>F2</sup>(4) .....

<sup>F2</sup>(5) .....

<sup>F2</sup>(6) .....

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(7) In subsection (12), paragraphs (b) and (e) and the word “and” immediately preceding paragraph (e) shall cease to have effect.

<sup>F3</sup>(8) .....

<sup>F3</sup>(9) .....

(10) This section has effect in relation to—

- (a) gifts made on or after 6th April 2000 which are not covenanted payments; and
- (b) covenanted payments falling to be made on or after that date;

and any regulations made under subsection (3) of section 25 of the <sup>M1</sup>Finance Act 1990 (as substituted by subsection (4) above) within three months of the passing of this Act may be so made as to apply to any payments in relation to which this section has effect.

**Textual Amendments**

**F2** S. 39(1)-(6) repealed (6.4.2007) by [Income Tax Act 2007 \(c. 3\)](#), s. 1034(1), [Sch. 3 Pt. 1](#) (with [Sch. 2](#))

**F3** S. 39(8)(9) omitted (with effect in accordance with Sch. 1 para. 7 of the amending Act) by virtue of [Finance Act 2009 \(c. 10\)](#), [Sch. 1 para. 6\(k\)](#)

**Marginal Citations**

**M1** 1990 c. 29.

<sup>F4</sup>**40 Gift aid payments by companies.**

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**Textual Amendments**

**F4** S. 40 repealed (with effect in accordance with s. 1184(1) of the amending Act) by [Corporation Tax Act 2010 \(c. 4\)](#), s. 1184(1), [Sch. 3 Pt. 1](#) (with [Sch. 2](#))

**41 Covenanted payments to charities.**

<sup>F5</sup>(1) .....

(2) In section 347A of that Act (annual payments and interest: general rule), subsections (2)(b), (7) and (8) shall cease to have effect.

<sup>F6</sup>(3) .....

<sup>F6</sup>(4) .....

(5) In subsection (6) of section 505 of that Act (charities: general), the words “and, for this purpose, all covenanted payments to charity (within the meaning of section 347A(7)) shall be treated as a single item” shall cease to have effect.

<sup>F7</sup>(6) .....

(7) Section 59 of the <sup>M2</sup>Finance Act 1989 (covenanted subscriptions) shall cease to have effect.

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- (8) Where a deed of covenant executed by an individual before 6th April 2000 provides for the payment of specified amounts, any amount payable under the deed on or after that date shall be determined as if the individual were entitled to deduct tax from that amount at the basic rate.
- (9) This section shall have effect in relation to covenanted payments—
- (a) falling to be made by individuals on or after 6th April 2000; or
  - (b) made by companies on or after 1st April 2000.

**Textual Amendments**

- F5** S. 41(1) repealed (with effect in accordance with s. 1184(1) of the amending Act) by [Corporation Tax Act 2010 \(c. 4\)](#), s. 1184(1), **Sch. 3 Pt. 1** (with Sch. 2)
- F6** S. 41(3)(4) repealed (6.4.2007) by [Income Tax Act 2007 \(c. 3\)](#), s. 1034(1), **Sch. 3 Pt. 1** (with Sch. 2)
- F7** S. 41(6) repealed (6.4.2005) by [Income Tax \(Trading and Other Income\) Act 2005 \(c. 5\)](#), s. 883(1), **Sch. 3** (with Sch. 2)

**Marginal Citations**

- M2** 1989 c. 26.

**<sup>F8</sup>42 Millennium gift aid.**

**Textual Amendments**

- F8** S. 42 repealed (19.7.2011) by [Finance Act 2011 \(c. 11\)](#), **Sch. 26 para. 2(2)(b)**

**<sup>F9</sup>43 Gifts of shares and securities to charities etc.**

**Textual Amendments**

- F9** S. 43 repealed (with effect in accordance with s. 1184(1) of the amending Act) by [Corporation Tax Act 2010 \(c. 4\)](#), s. 1184(1), **Sch. 3 Pt. 1** (with Sch. 2)

**44 Gifts to charity from certain trusts.**

**<sup>F10</sup>(1)** .....

**<sup>F10</sup>(2)** .....

**<sup>F10</sup>(3)** .....

**[<sup>F11</sup>(5A)** This section applies if—

- (a) in a year of assessment qualifying income arises under a UK settlement,
- (b) the qualifying income consists of charitable income and non-charitable income, and

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- (c) expenses of the trustees are to be used to reduce the charitable income for the purpose of calculating a beneficiary's liability to corporation tax.
- (5B) The amount of those expenses which can be used for that purpose is limited to the amount allocated to the charitable income.
- (5C) The amount of the expenses allocated to the charitable income is determined by apportioning them rateably between the charitable income and the non-charitable income.
- (5D) In this section—  
     “charitable income” means income within section 628(1) or 630(1) of ITTOIA 2005,  
     “non-charitable income” means income which is not charitable income, and  
     “qualifying income” and “UK settlement” have the same meaning as in section 628 of ITTOIA 2005.]
- (6) This section has effect in relation to qualifying income arising to a UK trust on or after 6th April 2000.

**Textual Amendments**

- F10** S. 44(1)-(3) repealed (6.4.2005) by [Income Tax \(Trading and Other Income\) Act 2005 \(c. 5\)](#), s. 883(1), Sch. 1 para. 512(2), **Sch. 3** (with Sch. 2)
- F11** S. 44(5A)-(5D) substituted for s. 44(4)(5) (6.4.2007) by [Income Tax Act 2007 \(c. 3\)](#), s. 1034(1), **Sch. 1 para. 391** (with Sch. 2)

**<sup>F12</sup>45 Loans to charities.**

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**Textual Amendments**

- F12** S. 45 repealed (6.4.2005) by [Income Tax \(Trading and Other Income\) Act 2005 \(c. 5\)](#), s. 883(1), Sch. 1 para. 513, **Sch. 3** (with Sch. 2)

**<sup>F13</sup>46 Exemption for small trades etc.**

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**Textual Amendments**

- F13** S. 46 repealed (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. 309, **Sch. 3 Pt. 1** (with Sch. 2)

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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):

- Sch. 6 para. 20A(1A)-(1C) inserted by [2011 c. 11 Sch. 20 para. 2](#) (This amendment not applied to legislation.gov.uk. Sch. 20 omitted (retrospectively) by virtue of 2013 c. 29, Sch. 42 para. 1)
- Sch. 6 para. 101(2)(a)(v) and word inserted by [2011 c. 11 Sch. 20 para. 7\(b\)](#) (This amendment not applied to legislation.gov.uk. Sch. 20 omitted (retrospectively) by virtue of 2013 c. 29, Sch. 42 para. 1)
- Sch. 6 para. 14(6)-(9) inserted by [2012 c. 14 Sch. 32 para. 4](#) (This amendment not applied to legislation.gov.uk. Sch. 32 Pts. 1, 2 omitted (retrospectively) by virtue of 2013 c. 29, Sch. 42 para. 1)
- Sch. 6 para. 15(3A)-(3D) inserted by [2012 c. 14 Sch. 32 para. 5\(5\)](#) (This amendment not applied to legislation.gov.uk. Sch. 32 Pts. 1, 2 omitted (retrospectively) by virtue of 2013 c. 29, Sch. 42 para. 1)
- Sch. 6 para. 15(4)(za) inserted by [2012 c. 14 Sch. 32 para. 5\(6\)](#) (This amendment not applied to legislation.gov.uk. Sch. 32 Pts. 1, 2 omitted (retrospectively) by virtue of 2013 c. 29, Sch. 42 para. 1)
- Sch. 6 para. 15A(1) inserted by [2012 c. 14 Sch. 32 para. 6](#) (This amendment not applied to legislation.gov.uk. Sch. 32 Pts. 1, 2 omitted (retrospectively) by virtue of 2013 c. 29, Sch. 42 para. 1)
- Sch. 6 para. 24(4A)(4B) inserted by [2012 c. 14 Sch. 32 para. 7](#) (This amendment not applied to legislation.gov.uk. Sch. 32 Pts. 1, 2 omitted (retrospectively) by virtue of 2013 c. 29, Sch. 42 para. 1)
- Sch. 6 para. 26(3A) inserted by [2012 c. 14 Sch. 32 para. 8](#) (This amendment not applied to legislation.gov.uk. Sch. 32 Pts. 1, 2 omitted (retrospectively) by virtue of 2013 c. 29, Sch. 42 para. 1)
- Sch. 6 para. 28A and cross-heading inserted by [2012 c. 14 Sch. 32 para. 9](#) (This amendment not applied to legislation.gov.uk. Sch. 32 Pts. 1, 2 omitted (retrospectively) by virtue of 2013 c. 29, Sch. 42 para. 1)
- Sch. 6 para. 29(8) inserted by [2012 c. 14 Sch. 32 para. 10](#) (This amendment not applied to legislation.gov.uk. Sch. 32 Pts. 1, 2 omitted (retrospectively) by virtue of 2013 c. 29, Sch. 42 para. 1)
- Sch. 6 para. 40(4)(5) inserted by [2012 c. 14 Sch. 32 para. 13\(3\)](#) (This amendment not applied to legislation.gov.uk. Sch. 32 Pts. 1, 2 omitted (retrospectively) by virtue of 2013 c. 29, Sch. 42 para. 1)
- Sch. 6 para. 42A(2A) inserted by [2012 c. 14 Sch. 32 para. 14\(3\)](#) (This amendment not applied to legislation.gov.uk. Sch. 32 Pts. 1, 2 omitted (retrospectively) by virtue of 2013 c. 29, Sch. 42 para. 1)
- Sch. 6 para. 42A(5A)-(5C) inserted by [2012 c. 14 Sch. 32 para. 14\(6\)](#) (This amendment not applied to legislation.gov.uk. Sch. 32 Pts. 1, 2 omitted (retrospectively) by virtue of 2013 c. 29, Sch. 42 para. 1)
- Sch. 6 para. 42A(7) substituted by [2012 c. 14 Sch. 32 para. 14\(8\)](#) (This amendment not applied to legislation.gov.uk. Sch. 32 Pts. 1, 2 omitted (retrospectively) by virtue of 2013 c. 29, Sch. 42 para. 1)
- Sch. 6 para. 6(1A) word substituted by [2012 c. 14 Sch. 32 para. 3\(2\)](#) (This amendment not applied to legislation.gov.uk. Sch. 32 Pts. 1, 2 omitted (retrospectively) by virtue of 2013 c. 29, Sch. 42 para. 1)
- Sch. 6 para. 42A(6) words inserted by [2012 c. 14 Sch. 32 para. 14\(7\)](#) (This amendment not applied to legislation.gov.uk. Sch. 32 Pts. 1, 2 omitted (retrospectively) by virtue of 2013 c. 29, Sch. 42 para. 1)

- Sch. 6 para. 42A(2)(a) words substituted by [2012 c. 14 Sch. 32 para. 14\(2\)](#)  
(This amendment not applied to [legislation.gov.uk](#). Sch. 32 Pts. 1, 2 omitted  
(retrospectively) by virtue of 2013 c. 29, Sch. 42 para. 1)
- Sch. 6 para. 42A(5) Table words substituted by [2012 c. 14 Sch. 32 para. 14\(5\)](#)  
[\(a\)](#) (This amendment not applied to [legislation.gov.uk](#). Sch. 32 Pts. 1, 2 omitted  
(retrospectively) by virtue of 2013 c. 29, Sch. 42 para. 1)
- Sch. 6 para. 42A(5) Table words substituted by [2012 c. 14 Sch. 32 para. 14\(5\)](#)  
[\(b\)](#) (This amendment not applied to [legislation.gov.uk](#). Sch. 32 Pts. 1, 2 omitted  
(retrospectively) by virtue of 2013 c. 29, Sch. 42 para. 1)
- Sch. 6 para. 42A(5) words substituted by [2012 c. 14 Sch. 32 para. 20\(1\)\(a\)](#)  
(This amendment not applied to [legislation.gov.uk](#). Sch. 32 Pts. 1, 2 omitted  
(retrospectively) by virtue of 2013 c. 29, Sch. 42 para. 1)
- Sch. 6 para. 42A(5) words substituted by [2012 c. 14 Sch. 32 para. 20\(1\)\(b\)](#)  
(This amendment not applied to [legislation.gov.uk](#). Sch. 32 Pts. 1, 2 omitted  
(retrospectively) by virtue of 2013 c. 29, Sch. 42 para. 1)
- Sch. 6 para. 42A(5) words substituted by [2012 c. 14 Sch. 32 para. 20\(1\)\(c\)](#)
- Sch. 22 para. 18A and cross-heading inserted by [2024 c. 3 Sch. 8 para. 2\(2\)](#)
- Sch. 22 para. 23(3) inserted by [2024 c. 3 Sch. 8 para. 6](#)
- Sch. 22 para. 37(6) inserted by [2024 c. 3 Sch. 8 para. 7\(1\)\(b\)](#)
- Sch. 22 para. 46(3) inserted by [2024 c. 3 Sch. 8 para. 4\(b\)](#)