



Capital Allowances Act 2001

2001 CHAPTER 2

PART 2

PLANT AND MACHINERY ALLOWANCES

CHAPTER 14

FIXTURES

Persons who are treated as owners of fixtures

181 Purchaser of land giving consideration for fixture

(1) If—

- (a) after any plant or machinery has become a fixture, a person (“the purchaser”) acquires an interest in the relevant land,
- (b) that interest was in existence before the purchaser’s acquisition of it, and
- (c) the consideration which the purchaser gives for the interest is or includes a capital sum that, in whole or in part, falls to be treated for the purposes of this Part as expenditure on the provision of the fixture,

the purchaser is to be treated, on and after the time of the acquisition, as the owner of the fixture as a result of incurring that expenditure.

[^{F1}(2) Subsection (1) does not apply, and is to be treated as never having applied, if, immediately after the time of the acquisition, a person has a prior right in relation to the fixture.]

(3) For the purposes of [^{F2}subsection (2), a person] has a prior right in relation to the fixture if he—

- (a) is treated as the owner of the fixture immediately before the time referred to in [^{F3}subsection (2)] as a result of incurring expenditure on the provision of the fixture,

Changes to legislation: There are currently no known outstanding effects for the Capital Allowances Act 2001, Section 181. (See end of Document for details)

- (b) is not so treated as a result of section 538 (contribution allowances for plant and machinery),
- (c) is entitled to an allowance in respect of that expenditure, and
- (d) makes or has made a claim in respect of that expenditure.

(4) Subsection (1) is subject to [^{F4}sections 182 and 182A] .

Textual Amendments

- F1** S. 181(2) substituted (with effect as mentioned in s. 69(2) of the amending Act) by [Finance Act 2001 \(c. 9\)](#), s. 69(1), [Sch. 21 para. 2\(1\)](#)
- F2** Words in s. 181(3) substituted (with effect as mentioned in s. 69(2) of the amending Act) by [Finance Act 2001 \(c. 9\)](#), s. 69(1), [Sch. 21 para. 2\(2\)\(a\)](#)
- F3** Words in s. 181(3) substituted (with effect as mentioned in s. 69(2) of the amending Act) by [Finance Act 2001 \(c. 9\)](#), s. 69(1), [Sch. 21 para. 2\(2\)\(b\)](#)
- F4** Words in s. 181(4) substituted (with effect as mentioned in s. 66 of the amending Act) by [Finance Act 2001 \(c. 9\)](#), s. 66, [Sch. 18 para. 5](#)

Modifications etc. (not altering text)

- C1** S. 181(1) modified (E.W.S.) (8.6.2005) by [Railways Act 2005 \(c. 14\)](#), s. 60(2), [Sch. 10 para. 14\(2\)\(d\)](#); [S.I. 2005/1444](#), art. 2(1), [Sch. 1](#)
- C2** S. 181(1) modified (7.8.2015) by [The Housing and Regeneration Transfer Schemes \(Tax Consequences\) Regulations 2015 \(S.I. 2015/1540\)](#), regs. 1, [8\(4\)\(b\)](#) (with regs. 3, 8(1)(6))

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