



Capital Allowances Act 2001

2001 CHAPTER 2

PART 2

PLANT AND MACHINERY ALLOWANCES

CHAPTER 14

FIXTURES

Cessation of ownership of fixtures

189 Identifying the qualifying interest in special cases

- (1) If—
 - (a) a person's qualifying interest is an agreement to acquire an interest in land, and
 - (b) that interest is subsequently transferred or granted to that person, the interest transferred or granted is to be treated as the qualifying interest.
- (2) If a person's qualifying interest ceases to exist as a result of its being merged in another interest acquired by that person, that other interest is to be treated as the qualifying interest.
- (3) If—
 - (a) the qualifying interest is a lease, and
 - (b) on its termination, a new lease of the relevant land (with or without other land) is granted to the lessee, the new lease is to be treated as the qualifying interest.
- (4) If—
 - (a) the qualifying interest is a licence, and
 - (b) on its termination, a new licence to occupy the relevant land (with or without other land) is granted to the licensee,

Changes to legislation: There are currently no known outstanding effects for the Capital Allowances Act 2001, Section 189. (See end of Document for details)

the new licence is to be treated as the qualifying interest.

(5) If—

- (a) the qualifying interest is a lease, and
- (b) with the consent of the lessor, the lessee remains in possession of the relevant land after the termination of the lease without a new lease being granted to him,

the qualifying interest is to be treated as continuing so long as the lessee remains in possession of the relevant land.

Changes to legislation:

There are currently no known outstanding effects for the Capital Allowances Act 2001, Section 189.