



Capital Allowances Act 2001

2001 CHAPTER 2

PART 2

PLANT AND MACHINERY ALLOWANCES

CHAPTER 17

[^{F1}OTHER ANTI-AVOIDANCE]

[^{F1}Disposal of plant or machinery subject to lease where income retained]

[^{F1}228M Other definitions for the purposes of s.228K

- (1) This section applies for the purposes of section 228K.
- (2) “Business of leasing plant or machinery”—
 - (a) has the same meaning as in [^{F2}Chapter 3 of Part 9 of CTA 2010] (if the business is carried on otherwise than in partnership), or
 - (b) has the same meaning as in [^{F3}Chapter 4 of that Part] (if the business is carried on in partnership).
- (3) “Lease” includes—
 - (a) an underlease, sublease, tenancy or licence, and
 - (b) an agreement for any of those things.
- (4) “Relevant plant or machinery”, in relation to a business of leasing plant or machinery, means plant or machinery on whose provision expenditure is incurred wholly or partly for the purposes of the business.]

Textual Amendments

- F1** Ss. 228K-228M and cross-heading inserted (with effect in accordance with s. 84(5)(6) of the amending Act) by [Finance Act 2006 \(c. 25\), s. 84\(3\)](#)

Changes to legislation: There are currently no known outstanding effects for the Capital Allowances Act 2001, Section 228M. (See end of Document for details)

- F2** Words in s. 228M(2)(a) substituted (1.4.2010) (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. 346(a)** (with [Sch. 2](#))
- F3** Words in s. 228M(2)(b) substituted (1.4.2010) (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. 346(b)** (with [Sch. 2](#))

Changes to legislation:

There are currently no known outstanding effects for the Capital Allowances Act 2001, Section 228M.