



# Capital Allowances Act 2001

## 2001 CHAPTER 2

### [<sup>F1</sup>PART 3

#### INDUSTRIAL BUILDINGS ALLOWANCES

#### CHAPTER 2

#### INDUSTRIAL BUILDINGS

#### *Buildings in use for the purposes of a qualifying trade*

#### [<sup>F1</sup>277 Exclusion of dwelling-houses, retail shops, showrooms, hotels and offices etc.

- (1) A building is not in use for the purposes of a qualifying trade if it is in use as, or as part of, or for any purpose ancillary to the purposes of—
  - (a) a dwelling-house;
  - (b) a retail shop, or premises of a similar character where a retail trade or business (including repair work) is carried on;
  - (c) a showroom;
  - (d) a hotel;
  - (e) an office.
- (2) Subsection (3) is about buildings constructed for occupation by, or for the welfare of persons employed—
  - (a) on, or in connection with, working land outside the United Kingdom which is used as described in item 5 of Table A in section 274 (foreign plantations), or
  - (b) at, or in connection with, working a source of mineral deposits as defined in item 7 of Table A (mineral extraction).
- (3) Subsection (1) does not apply to a building which this subsection is about if the building—

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*Changes to legislation:* There are currently no known outstanding effects for the Capital Allowances Act 2001, Section 277. (See end of Document for details)

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- (a) is likely to be of little or no value to the person carrying on the trade when the land or source is no longer worked, or
  - (b) will cease to be owned by that person on the ending of a foreign concession under which the land or source is worked.
- (4) “Foreign concession” means a right or privilege granted by the government of, or any municipality or other authority in, a territory outside the United Kingdom.
- (5) Subsection (1) is subject to section 283 (non-industrial part of building disregarded).]

#### **Textual Amendments**

- F1** Pt. 3 omitted (with effect in relation to chargeable periods beginning on or after 1.4.2011 for corporation tax purposes and 6.4.2011 for income tax purposes in accordance with ss. 84(1)(3)(4), 85, 86 of the amending Act) by virtue of [Finance Act 2008 \(c. 9\), s. 84\(2\)](#) (with [Sch. 27](#))

**Changes to legislation:**

There are currently no known outstanding effects for the Capital Allowances Act 2001, Section 277.