



Finance Act 2002

CHAPTER 23

FINANCE ACT 2002

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 - 3 In section 2(2) (bets to which section 2(1) does not...
 - 4 In section 4(6) (bets to which subsections (1) to (3)...
 - 5 In section 9(2) (bets to which section applies), omit “or...
 - 6 In section 9(3) (bets to which section does not apply)—...
 - 7 For section 9(6) substitute— (6) Section 8C(1) to (3) above...
 - 8 Omit section 11 (definition of coupon betting).
 - 9 In section 12(3) (interpretation of sections 1 to 10 etc),...
 - 10 (1) Schedule 1 (administration etc of betting duties) is amended...
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- 2 For section 1(1) substitute— (1) A duty of excise (“vehicle...
- 3 For section 2(2) to (4) (rates where duty charged in...
- 4 For section 7(4) (vehicle licence valid only for vehicle for...
- 5 After section 7 insert— Supplement payable on late renewal of...
- 6 (1) In section 22 (registration regulations), in subsection (1D) (power...
- 7 In section 29(7) (rate of duty by reference to which...
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- 9 (1) In section 32 (sections 29 to 31: supplementary), in...
- 10 In section 33(3)(b) (offences of not exhibiting licence are without...
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- 13 In section 48(3)(a) (proceedings in Scotland: time limit), after “section...
- 14 In section 53 (burden of proof of certain matters in...
- 15 In section 54 (single witness sufficient in Scottish proceedings), after...

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- 16 In section 57 (regulations), after subsection (7) insert—
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- 2 (1) In paragraph 1 (entitlement to R&D tax relief)—
- 3 In paragraph 5 (staffing costs)— (a) in sub-paragraph (1)(c) omit...
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18 Supplementary charge in respect of ring fence trades

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- 20 Double taxation relief
- 21 Provision not at arm's length: foreign exchange gains and losses

The Finance Act 1995

- 22 Miscellaneous amendments

The Finance Act 2000

- 23 Tonnage tax

The Finance Act 2002

- 24 Intangible fixed assets: assets entirely excluded: financial assets
Part 3 — TRANSITIONAL PROVISIONS ETC
- 25 Anti-avoidance: change of accounting period
- 26 Deferred foreign exchange gains

SCHEDULE 24 — Corporation tax: currency

The Finance Act 1993

- 1 Introductory
- 2 The basic rule: sterling to be used
- 3 Use of currency other than sterling: accounts as a whole etc in foreign currency
- 4 Use of currency other than sterling: accounts etc partly from statements in foreign currency
- 5 Rules for ascertaining currency equivalents: general
- 6 Rules for ascertaining sterling equivalent for section 93(4) or (5)

The Finance Act 1994

- 7 Lloyd's underwriters: corporations etc

SCHEDULE 25 — Loan relationships

Part 1 — AMENDMENTS OF THE FINANCE ACT 1996

- 1 Introductory
- 2 Meaning of "loan relationship" etc: method of settlement
- 3 Non-trading deficit on loan relationships
- 4 Debits and credits brought into account
- 5 Authorised accounting methods
- 6 Application of accounting methods
- 7 Accounting method where parties have a connection
- 8 Meaning of "control" in section 87
- 9 Inconsistent application of accounting methods
- 10 Changes of accounting method
- 11 Payments subject to deduction of tax
- 12 Indexed gilt-edged securities
- 13 Manufactured interest
- 14 Interpretation: "shares" not to include building society shares
- 15 Interpretation: miscellaneous
- 16 Provision continuing to be made on accruals basis after company ceases to be party
- 17 Claims to treat deficit as eligible for group relief

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- 18 Claim to carry back deficit to previous accounting periods
- 19 Deficit carried forward and set against non-trading profits of succeeding accounting periods
- 20 Distributions
- 21 Life assurance policies and capital redemption policies
- 22 Late interest: further cases where paragraph 2 of Schedule 9 applies
- 23 Bad debts and consortium relief
- 24 Bad debt etc where parties have a connection
- 25 Bad debt etc: parties having connection and creditor company in insolvent liquidation etc
- 26
- 27 Bad debt etc: departure not permitted by paragraph 6: subsequent cessation of connection
- 28 Imported losses etc
- 29 Continuity of treatment: groups etc
- 30 Loan relationships for unallowable purposes
- 31 Debits and credits treated as relating to capital expenditure
- 32 Repo transactions and stock lending
- 33 Discounted securities where companies have a connection
- 34 Discounted securities of close companies
- 35 Partnerships involving companies
- 36 Interpretation of Schedule 9: “major interest”
- 37 Investment trusts and venture capital trusts: treatment of capital reserves
- 38 Authorised unit trusts and open-ended investment companies
- 39 Distributing offshore funds
- 40 Life assurance business
- 41 Adjustments in the case of chargeable assets etc
- 42 Reduction of paragraph 11 credit where s.251(4) of 1992 Act prevents paragraph 8 loss

Part 2 — AMENDMENTS OF OTHER ENACTMENTS

The Taxes Act 1988

- 43 Introductory
- 44 Incidental costs of obtaining loan finance
- 45 Group relief
- 46
- 47 Building society shares: regulations for deduction of tax
- 48 Building society shares: incidental costs of issuing qualifying shares
- 49 European Economic Interest Groupings
- 50 Funding bonds issued in respect of interest on certain debts
- 51 Transfers of income arising from securities
- 52 Treatment of price differential on sale and repurchase of securities
- 53 Restriction of relief for payments of interest
- 54 Limits on credit: corporation tax
- 55 Foreign tax on items giving rise to a non-trading credit
- 56 Investment trusts
- 57 Venture capital trusts
- 58 Change in ownership of investment company

The Finance Act 1988

- 59 Commercial woodlands

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The Taxation of Chargeable Gains Act 1992

- 60 Interest charged to capital
 - Part 3 — TRANSITIONAL PROVISIONS
 - 61 Interpretation
 - 61A Non-trading deficit carried forward from last old accounting period
 - 62 Discounted securities where companies have a connection
 - 63 Discounted securities of close companies
 - 64 Authorised unit trusts and open-ended investment companies
- SCHEDULE 26 — Derivative contracts
- Part 1 — INTRODUCTION
 - 1 Profits arising from derivative contracts
 - Part 2 — DERIVATIVE CONTRACTS
 - 2 Derivative contracts and relevant contracts
 - 2A Non-financial contracts with embedded derivatives
 - 2B Hybrid derivatives
 - 3 Contracts to satisfy accounting requirements etc
 - 4 Contracts excluded by virtue of their underlying subject matter
 - 4A Contracts which become derivative contracts: chargeable assets
 - 4B (1) This paragraph applies to a company if the conditions...
 - 4D Treatment of credits and debits on former chargeable asset
 - 5
 - 5A
 - 6
 - 7
 - 8
 - 9 Underlying subject matter which is subordinate or of small value disregarded
 - 10
 - 11 Meaning of “underlying subject matter”
 - 12 Definition of terms relating to derivative contracts
 - 13 Power to amend paragraphs 2 to 12 and Part 9
 - Part 3 — METHOD OF TAXATION
 - 14 Method of bringing amounts into account
 - 15 Credits and debits brought into account
 - 16 Exchange gains and losses arising from derivative contracts
 - Part 4 — COMPUTATION OF AMOUNTS TO BE BROUGHT INTO ACCOUNT
 - 17A Computation in accordance with generally accepted accounting practice
 - 17B Amounts recognised in determining company’s profit or loss
 - 17C Power to make further provision by regulations
 - 21 Basis of accounting for contracts falling within paragraph 6, 7 or 8
 - Part 5 — SPECIAL PROVISION FOR RELEASE OF LIABILITY
 - 22 Release of liability under derivative contract
 - Part 6 — SPECIAL COMPUTATIONAL PROVISIONS
 - 22A Deemed assignment of derivative contracts on company ceasing to be resident in UKetc
 - 23 Derivative contracts for unallowable purposes
 - 24 Derivative contracts for unallowable purposes: supplementary
 - 25 Debits and credits treated as relating to capital expenditure
 - 25A Debits and credits recognised in equity or shareholders' funds
 - 26 Transfers of value to connected companies

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- 27 Exchange gains and losses where derivative contracts not on arm's length terms
- 27A Disposals for consideration not fully recognised by accounting practice
- 28 Transactions within groups
- 29 Transactions within groups: exceptions relating to insurance
- 30 Transactions within groups: fair value accounting
- 30A Transferee leaving group after replacing transferor as party to derivative contract
- 30B (1) This paragraph applies on a merger which satisfies the...
- 30C (1) This paragraph applies on a merger which satisfies the...
- 30D (1) This paragraph applies where— (a) a company resident in...
- 30E (1) This paragraph applies where— (a) a company resident in...
- 30F (1) Paragraph 30D or 30E shall apply in relation to...
- 30G (1) This paragraph applies in relation to a transfer of...
- 30H (1) This paragraph applies in relation to a merger if—...
- 30I (1) In paragraphs 30B to 30H and this paragraph ,...
- 31 Derivative contracts with non-residents
- 31A Amounts imputed under Schedule 28AA to the Taxes Act 1988
 - Part 7 — COLLECTIVE INVESTMENT SCHEMES
 - 32 Authorised unit trusts: capital profits and losses
 - 33 Open-ended investment companies: capital profits and losses
 - 34 Power to amend paragraphs 32 and 33
 - 35 Distributing offshore funds
 - 36 Contracts relating to holdings in unit trust schemes, open-ended investment companies and offshore funds
 - 37 Contract which becomes contract to which paragraph 36 applies
 - 38 Investment trusts: capital profits, gains or losses
 - 38A Venture capital trusts: capital profits, gains or losses
 - 39 Investment trusts: approval for purposes of section 842 of the Taxes Act 1988
 - 40 Venture capital trusts: approval for purposes of section 842AA of the Taxes Act 1988
 - Part 8 — INSURANCE AND MUTUAL TRADING COMPANIES
 - 41 Application of Schedule to insurance and mutual trading companies
 - 41A Application of section 103(3)(c) of the Finance Act 1996
 - 42 ...
 - 43
 - 43 Mutual trading and non-life mutual business
 - Part 9 — MISCELLANEOUS
 - 43A Contracts which become derivative contracts
 - 43B Contracts which cease to be derivative contracts
 - 44
 - 45
 - 45A Derivative contracts which are to be taxed on a chargeable gains basis
 - 45B Carry back of net losses on derivative contracts to which paragraph 45A applies
 - 45C Derivative contracts relating to land or certain tangible movable property
 - 45D Creditor relationships: embedded derivatives which are options
 - 45E Exclusions from paragraph 45D
 - 45F Creditor relationships: embedded derivatives which are exactly tracking contracts for differences
 - 45FA Creditor relationships: existing assets

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- 45G Property based total return swaps
- 45H Treatment of net gains and losses on terminal exercise of option
- 45HZA Treatment of net gains and losses on disposal of certain embedded derivatives
- 45HA Treatment of credits and debits on terminal exercise of non-embedded option or running to delivery of future
- 45H
 - 45I Index-linked gilt-edged securities with embedded contracts for differences
 - 45J Issuers of securities with embedded derivatives: deemed options
- 45JA Issuers of securities with embedded derivatives: equity instruments
- 45K Issuers of securities with embedded derivatives: deemed contracts for differences
- 45KA Securities with embedded options: existing liabilities
- 45L Derivatives not embedded in a loan relationship
- 45LA Elections under paragraph 45L(2A): further provisions
- 45M Treatment of host contract as a loan relationship
- 46 Contracts where part of underlying subject matter of excluded type
- 47
- 48
- 48A
 - 49 Partnerships involving companies
 - 50 Partnerships involving companies: use of fair value accounting
- 50A Adjustment on company changing to international accounting standards
- 51 Prevention of deduction of tax

Part 10 — INTERPRETATION

- 52 Statutory accounts
- 53 Derivative and relevant contracts of person
- 54 General interpretation

SCHEDULE 27 — Derivative contracts: minor and consequential amendments

- 1 The Taxes Act 1988
- 2 In section 15(1) (Schedule A) in paragraph 2(3) of Schedule...
- 3 (1)
- 4 (1)
- 5 In section 440 (transfers between categories of assets held by...
- 6 Omit section 468AA (authorised unit trusts: futures and options).
- 7 (1) Section 468L (interest distributions) is amended as follows.
- 8 In section 501A (supplementary charge in respect of ring fence...
- 9 In section 768B (change in ownership of investment company: deductions...
- 10 In section 768C (deductions: asset transferred within group) in subsection...
- 11 In section 798B (restriction of relief on certain interest and...
- 12 (1) Section 807A (disposals and acquisitions of company loan relationships...
- 13 In section 834(1) (interpretation of the Corporation Tax Acts) insert...
- 14
- 15 (1) Schedule 28AA (provision not at arm's length) is amended...
- 16 The Finance Act 1994
- 17 The Finance Act 1996
- 18
- 19 (1) Section 101 (financial instruments) is amended as follows.

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- 20 (1) Schedule 10 (loan relationships: collective investment schemes) is amended...
- 21 Omit Schedule 12(meaning of debt contract or option).
- 22 The Finance Act 2000
- 23 (1) Schedule 22 (tonnage tax) is amended as follows.
- 24 The Finance Act 2002
- 25 Section 78 (which amends the provision made by Schedule 5AA...
- 26 In Schedule 29 (taxation of intangible fixed assets) in paragraph...

- SCHEDULE 28 — Derivative contracts: transitional provisions etc
 - 1 Anti-avoidance: change of accounting period
 - 2 Qualifying contracts to which company ceases to be party before commencement day
 - 3 Qualifying contracts which become derivative contracts
 - 4 Contracts which become derivative contracts: chargeable assets
 - 5 Contracts: election to treat as two assets
 - 6 Contracts which become derivative contracts: contracts within Schedule 5AA to the Taxes Act 1988
 - 7 Interpretation

- SCHEDULE 29 — Gains and losses of a company from intangible fixed assets
 - Part 1 — INTRODUCTION
 - 1 Gains and losses in respect of intangible fixed assets
 - 2 Intangible assets
 - 3 Intangible fixed assets
 - 4 Goodwill
 - 5 Company not drawing up correct accounts
 - 6 Reference to consolidated group accounts
 - Part 2 — DEBITS IN RESPECT OF INTANGIBLE FIXED ASSETS
 - 7 Introduction
 - 8 Expenditure written off as it is incurred
 - 9 Writing down on accounting basis
 - 10 Writing down at fixed rate: election for fixed-rate basis
 - 11 Writing down at fixed rate: calculation
 - 12 Reversal of previous accounting gain
 - Part 3 — CREDITS IN RESPECT OF INTANGIBLE FIXED ASSETS
 - 13 Introduction
 - 14 Receipts recognised as they accrue
 - 14A Receipts in respect of royalties so far as not dealt with under paragraph 14
 - 15 Revaluation
 - 16 Negative goodwill
 - 17 Reversal of previous accounting loss
 - Part 4 — REALISATION OF INTANGIBLE FIXED ASSETS
 - 18 Introduction
 - 19 Meaning of “realisation”
 - 20 Realisation of asset written down for tax purposes
 - 21 Realisation of asset shown in balance sheet and not written down for tax purposes
 - 22 Apportionment in case of part realisation
 - 23 Realisation of asset not shown in balance sheet
 - 24 Meaning of “proceeds of realisation”
 - 25 Relief in case of reinvestment

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- 26 Abortive expenditure on realisation
 - Part 5 — CALCULATION OF TAX WRITTEN DOWN VALUE
- 27 Asset written down on accounting basis
- 28 Asset written down at fixed rate
- 29 Effect of part realisation of asset
 - Part 6 — HOW CREDITS AND DEBITS ARE GIVEN EFFECT
- 30 Introduction
- 31 Asset held for purposes of trade
- 32 Asset held for purposes of property business
- 33 Assets held for purposes of mines, transport undertakings, etc
- 34 Non-trading credits and debits
- 35 Claim to set non-trading loss against total profits
- 36 Special provisions relating to insurance companies
 - Part 7 — ROLL-OVER RELIEF IN CASE OF REALISATION AND REINVESTMENT
- 37 The relief
- 38 Conditions to be met in relation to the old asset and its realisation
- 39 Conditions to be met in relation to the expenditure on other assets
- 40 Claim for relief
- 41 How the relief is given: general
- 42 Determination of appropriate proportion or adjusted cost
- 42A References to cost of asset where asset affected by change of accounting policy
- 43 Declaration of provisional entitlement to relief
- 44 Realisation and reacquisition
- 45 Deemed realisations and deemed acquisitions to be disregarded
 - Part 8 — GROUPS OF COMPANIES
- 46 Introduction
- 47 General rule: a company and its 75% subsidiaries form a group
- 48 Membership of group restricted to effective 51% subsidiaries of principal company
- 49 Principal company cannot be 75% subsidiary of another company
- 50 Company cannot be member of more than one group
- 51 Continuity of identity of group
- 51A For the purposes of this Schedule where the principal company...
- 52 Meaning of "effective 51% subsidiary"
- 53 Meaning of equity holder and profits or assets available for distribution
- 54 Supplementary provisions
 - Part 9 — APPLICATION OF PROVISIONS TO GROUPS OF COMPANIES
- 55 Transfers within a group
- 56 Roll-over relief on reinvestment: application to group member
- 57 Roll-over relief on reinvestment: acquisition of group company treated as equivalent to acquisition of underlying assets
- 58 Company ceasing to be member of group ("degrouching")
- 59 Degrouching: associated companies leaving group at the same time
- 60 Degrouching: principal company becoming member of another group
- 61 Degrouching: company ceasing to be member of group by reason of exempt distribution
- 62 Degrouching: merger carried out for bona fide commercial reasons
- 63 Degrouching: group member ceasing to exist
- 64 Degrouching: supplementary provisions
- 65 Degrouching: application of roll-over relief in relation to degrouching charge

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- 66 Reallocation of degrouping charge within group
- 67 Application of roll-over relief in relation to reallocated degrouping charge
- 68 Recovery of degrouping charge from another group company or controlling director
- 69 Recovery of degrouping charge from another group company or controlling director: procedure etc
- 70 Recovery of degrouping charge from another group company or controlling director: time limit
- 71 Payments between group members in respect of reliefs
 - Part 10 — EXCLUDED ASSETS
 - 72 Introduction
 - 73 Assets entirely excluded: rights over tangible assets
 - 73A Assets entirely excluded: assets in respect of which capital allowance previously made
 - 74 Assets entirely excluded: oil licences
 - 75 Assets entirely excluded: financial assets
 - 76 Assets entirely excluded: rights in companies, trusts, etc
 - 77 Assets entirely excluded: non-commercial purposes etc
 - 78 Assets excluded except as regards royalties: life assurance business
 - 79 Assets excluded except as regards royalties: mutual trade or business
 - 80 Assets excluded except as regards royalties: films and sound recordings
 - 80A Assets excluded: certain films
 - 80B Assets excluded except as regards royalties: sound recordings
 - 81 Assets excluded except as regards royalties: computer software treated as part of cost of related hardware
 - 82 Assets excluded to extent specified: research and development
 - 83 Assets excluded to extent specified: election to exclude capital expenditure on computer software
 - Part 11 — TRANSFER OF BUSINESS OR TRADE
 - 84 Company reconstruction involving transfer of business
 - 85 Transfer of UK business between companies resident in different EU member States
 - 85A European cross-border merger: transfer of UK business
 - 86 Postponement of charge on transfer of assets to non-resident company.
 - 87 Transfer of non-UK business
 - 87A European cross-border merger: transfer of non-UK business
 - 88 Procedure on application for clearance
 - 89 Transfer of life assurance business
 - 90 Transfer of business of building society to company
 - 91 Amalgamation of or transfer of engagements by certain societies

Transparent entities

- 85B (1) This paragraph applies in relation to a transfer of...
- 85C (1) This paragraph applies in relation to a merger if—...
- 85D (1) In paragraphs 85, 85A, 85B, 85C, 87 and 87A...
 - Part 12 — TRANSACTIONS BETWEEN RELATED PARTIES
 - 92 Transfer between company and related party treated as being at market value
 - 93 Exclusion of roll-over relief in case of part realisation involving related party
 - 94 Delayed payment of royalty payable by company to related party

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- 95 Meaning of “related party”
- 95A Persons treated as “related parties”
- 96 Meaning of “control” and “major interest”
- 97 Rights and powers to be taken into account: general
- 98 Rights and powers to be taken into account: rights and powers held jointly
- 99 Rights and powers to be taken into account: partnerships
- 100 Meaning of “participator” and “associate”
- 101 Connected persons
 - Part 13 — SUPPLEMENTARY PROVISIONS
- 102 Treatment of grants and other contributions to expenditure
- 103 Grants to be left out of account for tax purposes
- 104 Finance leasing etc
- 105 Assets acquired or realised together
- 106 Deemed market value acquisition: adjustment of amounts in case of nil accounting value
- 107 Treatment of fungible assets
- 108 Asset ceasing to be chargeable intangible asset: deemed realisation at market value
- 109 Asset ceasing to be chargeable intangible asset: postponement of gain in certain cases
- 110 Asset becoming chargeable intangible asset
- 111 Tax avoidance arrangements to be disregarded
- 112 Debits not allowed in respect of expenditure not generally deductible for tax purposes
- 113 Delayed payment of employees' remuneration
- 114 Delayed payment of pension contributions
- 115 Bad debts etc
- 116 Assumptions for computing chargeable profits of controlled foreign companies
 - Part 13A — ADJUSTMENT ON CHANGE OF ACCOUNTING POLICY
- 116A Introduction
- 116B Change of accounting policy involving change of value
- 116C Change of accounting policy involving disaggregation
- 116D Change of accounting policy involving disaggregation: original asset subject to fixed rate writing down
- 116E Change of accounting policy involving disaggregation: election for fixed rate writing down in relation to resulting asset
- 116F Cap on credit to be brought into account on change of accounting policy
- 116G Exclusion of debits or credits brought into account under other provisions
- 116H Subsequent events affecting asset subject to adjustment under this Part
 - Part 14 — COMMENCEMENT AND TRANSITIONAL PROVISIONS
- 117 Commencement date
- 118 Application of Schedule to assets created or acquired after commencement
- 119 Application of Schedule to royalties
- 120 Assets regarded as created or acquired when expenditure incurred
- 121 Internally-generated goodwill: whether created before or after commencement
- 122 Certain other internally-generated assets: whether created before or after commencement

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- 123 Expenditure on acquisition treated as incurred when recognised for accounting purposes
- 124 When expenditure treated as incurred: chargeable gains rule to be followed in certain cases
- 125 When expenditure treated as incurred: capital allowances general rule to be followed in certain cases
- 126 Application of Schedule to fungible assets
- 127 Certain assets acquired on transfer of business treated as existing assets
- 127A Assets whose value derives from existing assets treated as existing assets
- 127B Assets acquired in connection with disposals of existing assets treated as existing assets
- 128 Application of Schedule to certain existing telecommunication rights
- 129 Application of Schedule to existing Lloyd's syndicate capacity
- 130 Roll-over relief: application in relation to disposal of existing asset after commencement
- 131 Roll-over relief: application in relation to degrouping charge on existing asset arising after commencement
- 132 Roll-over relief: transitory interaction with relief on replacement of business asset
- Part 15 — INTERPRETATION
- 133 References to expenditure on an asset
- 134 References to amounts recognised in determining profit or loss
- 135 Meaning of "accounting value"
- 136 Meaning of "adjustments required for tax purposes"
- 137 Meaning of "chargeable intangible asset" and "chargeable realisation gain"
- 138 Interpretation provisions relating to insurance companies
- 139 Meaning of "royalty"
- 140 Meaning of "tax-neutral transfer"
- 141 Meaning of "the Inland Revenue"
- 142 Meaning of "the Taxes Acts"
- 143 Index of defined expressions

SCHEDULE 30 — Gains and losses of a company from intangible fixed assets: consequential amendments

- 1 General provisions about deductions
- 2 Surrender of non-trading loss by way of group relief
- 3 Extension of charitable exemption to non-trading gains
- 4 Change in ownership of company with unused non-trading loss
- 5 Double taxation relief
- 6 Value-shifting provisions

SCHEDULE 31 — Gains of insurance company from venture capital investment partnership

SCHEDULE 32 — Lloyd's underwriters

- 1 Individuals
- 2 In section 178(stop loss and quota share insurance), in subsection...
- 3 After subsection (3) of that section insert—
- 4 For subsection (4) of that section substitute—

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- 5 In section 184(1) (interpretation), in the definition of “stop-loss insurance”,...
- 6 Corporate bodies
- 7 In section 225 (stop loss and quota share insurance), in...
- 8 After subsection (3) of that section insert—
- 9 For subsection (4) of that section substitute—
- 10 In section 230(1) (interpretation), in the definition of “stop-loss insurance”,...

SCHEDULE 33 — Venture capital trusts

Part 1 — VENTURE CAPITAL TRUSTS: WINDING UP

- 1 Meaning of “VCT-in-liquidation”
- 2 Power to treat VCT-in-liquidation as VCT
- 3 Power to treat conditions for VCT approval as fulfilled with respect to VCT-in-liquidation
- 4 Power to make provision about distributions by VCT-in-liquidation
- 5 Power to facilitate disposals to VCT by VCT-in-liquidation
- 6 Provision in respect of periods before and after winding-up
- 7 Part 1: supplementary provisions and interpretation

Part 2 — VENTURE CAPITAL TRUSTS: MERGERS

- 8 Power to facilitate mergers of VCTs
- 9 Provision that may be made by regulations under paragraph 8(1)
- 10 Meaning of “merger” and “successor company”

Part 3 — TIME ALLOWED FOR VCT TO INVEST MONEY RAISED BY FURTHER SHARE ISSUE

- 11 Power to disapply, or limit operation of, section 842AA(5B) of the Taxes Act 1988
- 12 Withdrawal of VCT approval in cases for which provision made under paragraph 11
- 13 Consequential amendment in section 842AA(5A) of the Taxes Act 1988

Part 4 — SUPPLEMENTARY

- 14 Extension of existing powers to give effect to VCT reliefs
- 15 Penalties for non-compliance with regulations under this Schedule
- 16 Regulations under this Schedule: inclusion of supplementary etc provisions
- 17 Interpretation of Schedule

SCHEDULE 34 — Stamp duty: withdrawal of group relief: supplementary provisions

- 1 Introduction
- 2 Relief not withdrawn if transferor company leaves group
- 3 Relief not withdrawn in case of winding-up
- 4 Relief not withdrawn in case of exempt acquisition
- 5 Interest
- 6 Duty of transferee company to notify particulars
- 7 Determination, collection and recovery of duty and interest
- 8 Recovery of group relief from from another group company or controlling director
- 9 Recovery of group relief from another group company or controlling director: procedure and time limit
- 10 Power to require information
- 11 Supplementary

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SCHEDULE 35 — Stamp duty: withdrawal of relief for company acquisitions:
supplementary provisions

- 1 Introduction
- 2 Change of control due to exempt transfer
- 3 Change of control due to intra-group transfer
- 4 Change of control due to exempt share acquisition
- 5 Change of control due to interest of loan creditor
- 6 Interest
- 7 Duty of acquiring company to notify particulars
- 8 Determination, collection and recovery of duty and interest
- 9 Recovery of section 76 relief from from another group company or controlling director
- 10 Recovery of section 76 relief from another group company or controlling director: procedure and time limit
- 11 Power to require information
- 12 Supplementary

SCHEDULE 36 — Stamp duty: contracts chargeable as conveyances: supplementary provisions

Part 1 — SUBSALES

- 1 Introduction
- 2 Meaning of “subsale”
- 3 Relief where duty paid on original sale or earlier subsale

Part 2 — SUBSEQUENT CONVEYANCE OR TRANSFER

- 4 Introduction
- 5 Conveyance or transfer of property contracted to be sold
- 6 Repayment of duty in certain cases

Part 3 — GENERAL SUPPLEMENTARY PROVISIONS

- 7 Construction of references to duty on transactions
- 8 Transactions relating to land in the UK and to other property
- 9 Person claiming relief to establish entitlement
- 10 Construction as one

SCHEDULE 37 — Stamp duty: abolition of duty on instruments relating to goodwill:
supplementary provisions

- 1 Reduction of stamp duty where instrument partly relating to goodwill
- 2 Apportionment of consideration for stamp duty purposes
- 3 Certification of instruments for stamp duty purposes
- 4 Acquisition under statute
- 5 Interpretation

SCHEDULE 38 — Aggregates levy amendments

- 1 Introduction
- 2 The charge
- 3 Meaning of “aggregate” etc
- 4 Exempt processes
- 5 Commercial exploitation
- 6 Responsibility for commercial exploitation
- 7 The register
- 8 Insolvency etc
- 9 Notification of registrability etc
- 10 Restriction on powers to provide for set-off

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SCHEDULE 39 — Recovery of taxes etc due in other member States

- 1 Introduction
- 2 Enforcement of claims in the United Kingdom
- 3 Power to make supplementary provision by regulations
- 4 Proceedings on contested claims
- 5 Claims determined in taxpayer's favour
- 6 Other supplementary provisions

SCHEDULE 40 — Repeals

- Part 1 — EXCISE DUTIES
- Part 2 — VALUE ADDED TAX
- Part 3 — INCOME TAX, CORPORATION TAX AND CAPITAL GAINS TAX
- Part 4 — OTHER TAXES
- Part 5 — MISCELLANEOUS

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Changes and effects yet to be applied to :

- s. 64 amended by [2012 c. 14 s. 54\(3\)](#)
- s. 123 omitted by [2012 c. 14 Sch. 32 para. 22\(3\)](#)
- s. 124 omitted by [2012 c. 14 Sch. 32 para. 22\(3\)](#)
- s. 133(2)-(4) savings for effects of 2008 c. 9 Sch. 40 para. 21 by [S.I. 2009/511 art. 4\(f\)](#)
- Sch. 9 para. 4(5) omitted by [2008 c. 9 s. 41\(7\)\(f\)](#)
- Sch. 9 para. 4(6) omitted by [2008 c. 9 s. 41\(7\)\(f\)](#)
- Sch. 13 para. 25(4)(a)(i) word substituted by [2008 c. 9 Sch. 8 para. 3\(2\)\(e\)](#)
- Sch. 13 para. 25(4)(a)(ii) word substituted by [2008 c. 9 Sch. 8 para. 3\(3\)\(d\)](#)
- Sch. 13 para. 25(4)(b)(i) word substituted by [2008 c. 9 Sch. 8 para. 3\(2\)\(e\)](#)
- Sch. 13 para. 25(4)(b)(ii) word substituted by [2008 c. 9 Sch. 8 para. 3\(3\)\(d\)](#)
- Sch. 22 para. 4(2)(c) words substituted by [2004 c. 12 Sch. 35 para. 51\(a\)](#) (2004 c. 12, Sch. 35, para 51 was repealed on 6.4.2005)
- Sch. 22 para. 4(2)(c) words substituted by [2004 c. 12 Sch. 35 para. 51\(b\)](#) (2004 c. 12, Sch. 35, para 51 was repealed on 6.4.2005)
- Sch. 23 para. 3 repealed by [2009 c. 4 Sch. 3 Pt. 1](#)
- Sch. 23 para. 26(5) words substituted by [2009 c. 4 Sch. 1 para. 541\(3\)\(b\)](#)
- Sch. 29 para. 116(2)(b) and word omitted by [2009 c. 10 Sch. 16 para. 3](#)
- Sch. 29 para. 88(5) word substituted by [S.I. 2009/56 Sch. 1 para. 328\(2\)](#)
- Sch. 29 para. 88(6) word substituted by [S.I. 2009/56 Sch. 1 para. 328\(3\)](#)

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. 16 para. 27(5)(6) inserted by [2008 c. 9 Sch. 39 para. 48](#)