

Changes to legislation: Energy Act 2004, Paragraph 23 is up to date with all changes known to be in force on or before 21 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

SCHEDULE 9

TAXATION PROVISIONS RELATING TO NUCLEAR TRANSFER SCHEMES

PART 2

TRANSFERS RELATING TO BNFL OR THE UKAEA ETC.

Continuity in relation to loan relationships

- 23 (1) This paragraph applies if, in consequence of a transfer to which this Part of this Schedule applies, the transferee replaces a person as a party to a loan relationship.
- (2) [^{F1}Part 5 of the Corporation Tax Act 2009] is to have effect in relation to the time when the transfer takes effect and any later time as if—
- (a) the transferee had been a party to the loan relationship at the time when the transferor became a party to it and at all times since that time; and
 - (b) the loan relationship to which the transferee is a party after the time when the transfer takes effect is the same loan relationship as that to which, by virtue of paragraph (a), it is treated as having been a party before that time.
- (3) Expressions used in this paragraph and in [^{F2}Part 5 of the Corporation Tax Act 2009] have the same meanings in this paragraph as in [^{F2}that Part].

Textual Amendments

- F1** Words in Sch. 9 para. 23(2) substituted (with effect in accordance with s. 1329(1) of the amending Act) by Corporation Tax Act 2009 (c. 4), s. 1329(1), Sch. 1 para. 586(5)(a) (with Sch. 2 Pts. 1, 2)
- F2** Words in Sch. 9 para. 23(3) substituted (with effect in accordance with s. 1329(1) of the amending Act) by Corporation Tax Act 2009 (c. 4), s. 1329(1), Sch. 1 para. 586(5)(b) (with Sch. 2 Pts. 1, 2)

Commencement Information

- I1** Sch. 9 para. 23 in force at 5.10.2004 by S.I. 2004/2575, art. 2(1), Sch. 1

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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):

- s. 137(3)(c)-(e) inserted by [2011 c. 16 s. 117\(b\)](#)
- s. 173(2C) inserted by [2023 c. 52 Sch. 14 para. 10](#)
- Sch. 22 para. 4(1A) inserted by [2023 c. 52 Sch. 14 para. 11\(2\)\(b\)](#)