



Legislative and Regulatory Reform Act 2006

2006 CHAPTER 51

PART 1

ORDER-MAKING POWERS

Restrictions

5 Taxation

- (1) An order under this Part may not make provision to impose, abolish or vary any tax.
- (2) The Treasury may by regulations make provision for varying the way in which a relevant tax has effect in relation to—
 - (a) any property, rights or liabilities transferred by or under an order under this Part; or
 - (b) anything done for the purposes of, or in relation to, the transfer of any property, rights or liabilities by or under an order under this Part.
- (3) The provision which may be made under subsection (2)(a) includes in particular provision for—
 - (a) a tax provision not to apply, or to apply with modifications, in relation to any property, rights or liabilities transferred;
 - (b) any property, rights or liabilities transferred to be treated in a specified way for the purposes of a tax provision;
 - (c) the Minister of the Crown making the order to be required or permitted, with the consent of the Treasury, to determine, or specify the method for determining, anything which needs to be determined for the purposes of any tax provision so far as relating to any property, rights or liabilities transferred.
- (4) The provision which may be made under subsection (2)(b) includes in particular provision for—

Changes to legislation: *Legislative and Regulatory Reform Act 2006, Section 5 is up to date with all changes known to be in force on or before 21 March 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*

- (a) a tax provision not to apply, or to apply with modifications, in relation to anything done for the purposes of or in relation to the transfer;
 - (b) anything done for the purposes of or in relation to the transfer to have or not have a specified consequence or be treated in a specified way;
 - (c) the Minister of the Crown making the order to be required or permitted, with the consent of the Treasury, to determine, or specify the method for determining, anything which needs to be determined for the purposes of any tax provision so far as relating to anything done for the purposes of or in relation to the transfer.
- (5) Regulations under subsection (2) are to be made by statutory instrument.
- (6) A statutory instrument containing regulations under subsection (2) is subject to annulment in pursuance of a resolution of the House of Commons.
- (7) In this section—
- “relevant tax” means income tax, corporation tax, capital gains tax, stamp duty or stamp duty reserve tax;
 - “tax provision” means a provision of an enactment about a relevant tax.

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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. 23A inserted by [2016 c. 12 s. 15](#)