
Changes to legislation: Finance Act 2008, Paragraph 85 is up to date with all changes known to be in force on or before 25 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 2

CAPITAL GAINS TAX REFORM

Simplification of pooling etc

- 85 (1) Section 104 (share pooling: general interpretative provisions) is amended as follows.
- (2) For subsections (2) and (2A) substitute—
- “(2) For the purposes of corporation tax, subsection (1) does not apply to any securities acquired by a company before 1 April 1982.
- (2A) See also sections 105 to 105B and—
- (a) section 106A in the case of capital gains tax, or
- (b) sections 107 to 114 in the case of corporation tax.”
- (3) In subsection (3), omit “, 110A”.
- (4) After that subsection insert—
- “(3A) For the purposes of capital gains tax section 35(2) applies in relation to a section 104 holding as if the reference to an asset were to any of the securities constituting or forming part of the section 104 holding which were held by the person making the disposal on 31 March 1982.”
- (5) In subsection (5), omit “, 110A”.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Blanket amendment words substituted by [S.I. 2011/1043 art. 34](#)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Sch. 41 para. 6(1A) inserted by [2015 c. 11 Sch. 20 para. 10\(2\)](#)
- Sch. 41 para. 6A(A1)(1) substituted for Sch. 41 para. 6A(1) by [2015 c. 11 Sch. 20 para. 11\(2\)](#)