



Finance Act 2008

2008 CHAPTER 9

PART 3

CAPITAL ALLOWANCES

Plant and machinery: qualifying expenditure

71 Thermal insulation of buildings

(1) Section 28 of CAA 2001 (thermal insulation of industrial buildings) is amended as follows.

(2) In subsection (1)—

- (a) for “consisting of a trade” substitute “ other than an ordinary property business or an overseas property business ”,
- (b) for “an industrial” substitute “ a ”, and
- (c) for “the trade” substitute “ the qualifying activity ”.

(3) In subsection (2), for “an industrial” substitute “ a ”.

(4) After that subsection insert—

“(2A) Subsection (2) is subject to section 35 (expenditure on plant or machinery for use in dwelling-house not qualifying expenditure).

(2B) This section does not apply to expenditure within subsection (2) if a deduction for that expenditure is allowable—

- (a) under section 31ZA of ICTA, or
 - (b) under section 312 of ITTOIA 2005,
- (deductions for expenditure on energy-saving items).

(2C) For the purposes of subsection (2B), whether such a deduction is allowable is to be determined without regard to subsection (1)(e) of the section in question.”

Changes to legislation: Finance Act 2008, Section 71 is up to date with all changes known to be in force on or before 29 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](#)

- (5) Omit subsection (3).
- (6) In the heading, omit “**industrial**”.
- (7) In section 23(2) of CAA 2001 (expenditure unaffected by sections 21 and 22), in the entry for section 28, omit “industrial”.
- (8) The amendments made by this section have effect—
 - (a) for corporation tax purposes, in relation to expenditure incurred on or after 1 April 2008, and
 - (b) for income tax purposes, in relation to expenditure incurred on or after 6 April 2008.

Changes to legislation:

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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\(2\)](#)