



Finance Act 2008

2008 CHAPTER 9

PART 3

CAPITAL ALLOWANCES

Plant and machinery: first-year allowances

75 First-year allowance for small and medium-sized enterprises discontinued

- (1) CAA 2001 is amended as follows.
- (2) Omit section 44 (expenditure incurred by small or medium-sized enterprises).
- (3) In consequence of the repeal made by subsection (2)—
 - (a) in the list in section 39 (provisions under which first-year allowances available), omit the entry relating to section 44,
 - (b) in the list in section 46(1) (provisions subject to general exclusions), omit the entry relating to section 44,
 - (c) omit sections 47 to 49 (definition of small and medium-sized enterprises), and
 - (d) in section 52(3) (first-year allowances) omit—
 - (i) in the table, the entry relating to expenditure qualifying under section 44, and
 - (ii) the words from “In the case” to the end.
- (4) Omit the following provisions (which relate to provisions repealed by subsection (3))
 - (a) section 142 of FA 2004 (increase in first-year allowance under section 44 for 2004),
 - (b) section 30 of FA 2006 (increase in first-year allowance under section 44 for 2006), and
 - (c) section 37 of FA 2007 (increase in first-year allowance under section 44 for 2007).

Changes to legislation: Finance Act 2008, Section 75 is up to date with all changes known to be in force on or before 23 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) The repeals made by subsections (2) and (3) have effect in relation to expenditure incurred on or after the relevant date.
- (6) But subsection (7) applies in relation to an additional VAT liability incurred on or after the relevant date which under section 235 of CAA 2001 is treated as qualifying expenditure.
- (7) If the original expenditure (within the meaning of that section) was first-year qualifying expenditure by virtue of section 44 of CAA 2001, Chapter 18 of Part 2 of that Act (additional VAT liabilities and rebates) applies to the additional VAT liability as if the provisions repealed by this section were not so repealed.
- (8) The relevant date is—
 - (a) for corporation tax purposes, 1 April 2008, and
 - (b) for income tax purposes, 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\(2\)](#)