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**Changes to legislation:** There are currently no known outstanding effects for the Corporation Tax Act 2010, Cross Heading: Capital Allowances Act 2001. (See end of Document for details)

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## SCHEDULES

### SCHEDULE 1

#### MINOR AND CONSEQUENTIAL AMENDMENTS

#### PART 2

#### OTHER ENACTMENTS

##### *Capital Allowances Act 2001*

- 323 The Capital Allowances Act 2001 is amended as follows.
- 324 In section 38B (general exclusions applying to section 38A) in general exclusion 3 for “section 501A of ICTA” substitute “ section 330(1) of CTA 2010 ”.
- 325 In section 45F(3) (expenditure on plant and machinery for use wholly in a ring fence trade) for “section 501A of the Taxes Act 1988” substitute “ section 330(1) of CTA 2010 ”.
- 326 In section 56(1A) (amount of allowances and charges) for “section 501A of ICTA” substitute “ section 330(1) of CTA 2010 ”.
- 327 In section 60(1)(c) (meaning of “disposal receipt”) after “or” insert “ section 918 of CTA 2010 (cases where expenditure taken into account under Part 2, 5 or 8 of this Act) or ”.
- 328 In section 63(2) (cases in which disposal value is nil)—
- (a) in paragraph (a) for the words from “charity” to the end substitute “ charitable trust within the meaning of Part 10 of ITA 2007 (see section 519 of that Act) ”,
  - (b) after paragraph (a) insert—
    - “(aa) to a charitable company within the meaning of Part 11 of CTA 2010 (see section 467 of that Act),
    - (ab) to a registered club within the meaning of Chapter 9 of Part 13 of CTA 2010 (community amateur sports clubs),”, and
  - (c) in paragraph (b) for “section 507(1) of ICTA” substitute “ section 468 of CTA 2010 ”.
- 329 In section 70E(2B) (disposal events and disposal values)—
- (a) omit “section 502K of ICTA or”, and
  - (b) after “2005” insert “ or section 379 of CTA 2010 ”.
- 330 In section 70H(1) (lessee: requirement for tax return treating lease as long funding lease)—
- (a) omit paragraph (a), and
  - (b) at the end of paragraph (b) insert “or

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- (c) Chapter 2 of Part 9 of CTA 2010 (long funding leases of plant or machinery)”.
- 331 In section 70V(4) (tax avoidance involving international leasing) for “section 840ZA of ICTA” substitute “ section 1139 of CTA 2010 ”.
- 332 In section 99 (the monetary limit) for subsection (5) substitute—  
“ (5) Sections 25 to 30 of CTA 2010 (interpretation of references to associated companies) apply for the purposes of subsection (4). ”
- 333 In section 104F(10) (special rate cars: discontinued activity continued by relevant company), in paragraph (a) of the definition of “group relief company”, for “Chapter 4 of Part 10 of ICTA” substitute “ Part 5 of CTA 2010 ”.
- 334 In section 108(1)(b)(i) (effect of disposal to connected person on overseas leasing pool) for “section 343(1) of ICTA (company reconstructions without change of ownership)” substitute “ Chapter 1 of Part 22 of CTA 2010 (transfers of trade without a change of ownership) ”.
- 335 In section 112(1)(b)(i) (excess allowances: connected persons) for “section 343(1) of ICTA (company reconstructions” substitute “ Chapter 1 of Part 22 of CTA 2010 (transfers of trade ”.
- 336 In section 115(1)(c)(i) (prohibited allowances: connected persons) for “section 343(1) of ICTA (company reconstructions” substitute “ Chapter 1 of Part 22 of CTA 2010 (transfers of trade ”.
- 337 In section 131(7) (effect of postponement)—  
(a) for “section 403ZB(2) of ICTA (group relief)” substitute “ section 101(3) of CTA 2010 (group relief: meaning of “capital allowance excess”) ”, and  
(b) for “carried” substitute “ brought ”.
- 338 In section 138(2)(b) (limit on amount deferred) for “section 393 of ICTA” substitute “ section 45 of CTA 2010 ”.
- 339 In section 154(3)(b)(ii) (further registration requirement) for “section 343(2) of ICTA” substitute “ section 948 of CTA 2010 ”.
- 340 In section 155(1)(b)(ii) (change in persons carrying on qualifying activity) for “section 343(2) of ICTA” substitute “ section 948 of CTA 2010 ”.
- 341 In section 156(2)(b) (connected persons) for “section 343(2) of ICTA” substitute “ section 948 of CTA 2010 ”.
- 342 In section 158 (members of same group) for “Chapter IV of Part X of ICTA” substitute “ Part 5 of CTA 2010 ”.
- 343 In section 162(2) (ring fence trade a separate qualifying activity)—  
(a) in paragraph (a) for the words from “or within” to “rights, etc)” substitute “ or section 274 of CTA 2010 ”, and  
(b) in paragraph (b) for “section 492(1) of ICTA” substitute “ section 279 of CTA 2010 ”.
- 344 (1) Amend section 220 (allocation of expenditure to a chargeable period) as follows.  
(2) In subsection (A1)—  
(a) in paragraph (a) for “ICTA” substitute “ CTA ”, and  
(b) in paragraph (b)—

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- (i) for “ICTA” (after “that”) substitute “ CTA ”, and
  - (ii) for “an ICTA” substitute “ a CTA ”.
- (3) In subsection (5)—
  - (a) for “An ICTA” substitute “ A CTA ”, and
  - (b) for “ICTA” (after “the”) substitute “ CTA ”.
- (4) In subsection (6)—
  - (a) for “An “ICTA” substitute “ A “CTA” , and
  - (b) for “section 832(1) of ICTA” substitute “ section 1119 of CTA 2010 ”.
- (5) In subsection (10) for “Schedule 18 to ICTA” substitute “ Chapter 6 of Part 5 of CTA 2010 ”.
- 345 In section 228H(1A)(b) (sections 228A to 228G: supplementary) for “section 785B of ICTA” substitute “ section 890 of CTA 2010 ”.
- 346 In section 228M(2) (other definitions for the purposes of s.228K)—
  - (a) in paragraph (a) for “Part 2” to “etc)” substitute “ Chapter 3 of Part 9 of CTA 2010 ”, and
  - (b) in paragraph (b) for “Part 3 of that Schedule” substitute “ Chapter 4 of that Part ”.
- 347 In section 249(2) (furnished holiday lettings business) for “Section 503 of ICTA” substitute “ Section 65 of CTA 2010 ”.
- 348 In section 253(7) (companies with investment business) for “sections 768B(8) and 768C(11) of ICTA” substitute “ sections 682(3) and 699(3) of CTA 2010 ”.
- 349 In section 260(7) (special leasing: corporation tax (excess allowance)) in paragraph (b) for “section 403 of ICTA” substitute “ sections 99 and 113 of CTA 2010 ”.
- 350 In section 261 (special leasing: life assurance business) in paragraph (b) for “section 403 of ICTA” substitute “ sections 99 and 113 of CTA 2010 ”.
- 351 In section 261A(3) (special leasing: leasing partnerships)—
  - (a) in paragraph (a) for “Part 3” to “etc)” substitute “ Chapter 4 of Part 9 of CTA 2010 (sales of lessors: leasing business carried on by a company in partnership) ”, and
  - (b) in paragraph (b) for “section 785ZA of ICTA” substitute “ section 887 of CTA 2010 ”.
- 352 In section 267A(3) (restriction on effect of election)—
  - (a) in paragraph (a) for “Part 2” to “etc)” substitute “ Chapter 3 of Part 9 of CTA 2010 ”, and
  - (b) in paragraph (b) for “Part 3 of that Schedule” substitute “ Chapter 4 of that Part ”.
- 353 In section 355(6) (buildings for miners etc: carry-back of balancing allowances) for “section 393A(1) of ICTA” substitute “ section 37 of CTA 2010 ”.
- 354 In section 362(2) (meaning of “husbandry”) for “section 154(3) of FA 1995 (meaning for general” substitute “ section 1125(6) of CTA 2010 (meaning for corporation ”.

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- 355 In section 416B(5) (expenditure incurred by company for purposes of a ring fence trade) for “section 501A of the Taxes Act 1988” substitute “ section 330(1) of CTA 2010 ”.
- 356 In section 420(b) (meaning of “disposal receipt”) after “or” insert “ section 918 of CTA 2010 (cases where expenditure taken into account under Part 2, 5 or 8 of this Act) or ”.
- 357 In section 476(1)(b) (disposal value of patent rights) after “or” insert “ section 918 of CTA 2010 (cases where expenditure taken into account under Part 2, 5 or 8 of this Act) or ”.
- 358 In section 505(1) (qualifying dwelling-houses: exclusions), in paragraph (a) of exclusion 1, for “section 488 of ICTA” substitute “ Chapter 7 of Part 13 of CTA 2010 ”.
- 359 After section 560 insert—

**“560A Transfers of trade without a change of ownership**

- (1) This Act has effect subject to Chapter 1 of Part 22 of CTA 2010 (unless section 561 or 561A below applies in relation to the transfer in question).
- (2) See, in particular, section 948 of that Act.”

- 360 In section 561(5) (transfer of division of UK business) for the words from “section 343(2)” to the end substitute “ section 948 of CTA 2010 (modified application of CAA 2001 in relation to trade transfers without a change of ownership) does not apply ”.
- 361 In section 561A(2) (transfer of asset by reason of cross-border merger) for paragraph (c) substitute—  
     “(c) section 948 of CTA 2010 (modified application of CAA 2001 in relation to trade transfers without a change of ownership) does not apply.”
- 362 In section 575A(1) (section 575: supplementary) in the definition of “control” for “section 416 of ICTA” substitute “ sections 450 and 451 of CTA 2010 ”.
- 363 In section 577(1) (other definitions), in the definition of “dual resident investing company”, for the words from “section 404” to the end of that definition substitute “ section 949 of CTA 2010 (dual resident investing companies); ”.

<sup>F1</sup>364 .....

**Textual Amendments**

**F1** Sch. 1 para. 364 repealed (with effect in accordance with s. 33(5) of the amending Act) by [Finance Act 2019 \(c. 1\), s. 33\(2\)\(c\)\(vi\)](#)

- 365 (1) Amend Schedule 1 (abbreviations and defined expressions) as follows.
- (2) In Part 1 at the end insert—

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“CTA 2010	The Corporation Tax Act 2010”
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- (3) In Part 2 of Schedule 1 (defined expressions)—

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- (a) in the entry for “body of persons”, in the second column, for “section 832(1) of ICTA” substitute “ section 1119 of CTA 2010 ”,
- (b) in the entry for “the charge to corporation tax on income”, in the second column, for “section 834(1) of ICTA” substitute “ section 1119 of CTA 2010 ”,
- (c) in the entry for “dual resident investing company”, in the second column, for “section 404 of ICTA” substitute “ section 949 of CTA 2010 ”,
- (d) in the entry for “offshore installation”, in the second column, for “section 837C of ICTA” substitute “ section 1132 of CTA 2010 ”,
- (e) in the entry for “overseas property business”, in the second column, for “section 834B of ICTA” substitute “ section 1119 of CTA 2010 ”,
- (f) in the entry for “tax”, in the second column, for “section 832(3) of ICTA” substitute “ section 1119 of CTA 2010 ”,
- (g) in the entry for “UK property business”, in the second column, for “section 834B of ICTA” substitute “ section 1119 of CTA 2010 ”,
- (h) in the entry for “United Kingdom”, in the second column, for “section 830(1) of ICTA” substitute “ section 1170 of CTA 2010 ”, and
- (i) in the entry for “within the charge to tax”, in the second column, for “section 832(1) of ICTA” substitute “ section 1167 of CTA 2010 ”.

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