
Changes to legislation: There are currently no known outstanding effects for the Corporation Tax Act 2010, Cross Heading: Energy Act 2004. (See end of Document for details)

SCHEDULES

SCHEDULE 1

MINOR AND CONSEQUENTIAL AMENDMENTS

PART 2

OTHER ENACTMENTS

Energy Act 2004

- 433 The Energy Act 2004 is amended as follows.
- 434 (1) Amend section 27 (tax exemption for NDA activities) as follows.
- (2) In subsection (1)(b) for the words from “set off” to the end substitute “relieved under section 37 or 45 of the Corporation Tax Act 2010 (relief for trading losses) or surrendered as trading losses under Part 5 of that Act (group relief).”
- (3) In subsection (8), in the definition of “owned directly or indirectly”, for “section 838 of the Income and Corporation Taxes Act 1988 (c. 1)” substitute “Chapter 3 of Part 24 of the Corporation Tax Act 2010”.
- 435 (1) Amend section 28 (taxation of activities of the Nuclear Decommissioning Authority chargeable under miscellaneous provisions) as follows.
- (2) In subsection (1)(a) for “section 834A of the Income and Corporation Taxes Act 1988” substitute “section 1173 of the Corporation Tax Act 2010”.
- (3) In subsection (2)(b) for “section 834A of the Income and Corporation Taxes Act 1988” substitute “section 1173 of the Corporation Tax Act 2010”.
- 436 In section 44(2) (extinguishment of BNFL losses for tax purposes)—
- (a) in paragraph (b) for “section 834A of the Income and Corporation Taxes Act 1988” substitute “section 1173 of the Corporation Tax Act 2010”,
- (b) for paragraph (d) substitute—
- “(d) losses incurred by the company in carrying on a UK property business (within the meaning given by Chapter 2 of Part 4 of the Corporation Tax Act 2009);”
- (c) in paragraph (e) for “section 392B(1) of that Act” substitute “section 66 of the Corporation Tax Act 2010”, and
- (d) for paragraph (f) substitute—
- “(f) any Type 4 carry-forward losses of the company falling within section 95(1) of the Corporation Tax Act 2010;”.
- 437 In paragraph 3 of Schedule 4 (supplemental taxation provisions for exempt activities)—

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- (a) for “No charges on income incurred” substitute “ No qualifying charitable donations made ”, and
 - (b) for the words from “section 338” to the end substitute “ Part 6 of the Corporation Tax Act 2010 ”.
- 438 (1) Amend Schedule 9 (taxation provisions relating to nuclear transfer schemes) as follows.
- (2) In paragraph 2(3)—
- (a) for the words from “Subsections” to “ownership)” substitute “ Sections 944 and 951 to 953 of the Corporation Tax Act 2010 (transfers of trade without a change of ownership) ”, and
 - (b) in paragraph (a) for “subsection (1) of that section” substitute “ Chapter 1 of Part 22 of that Act ”.
- (3) In paragraph 10 for “section 839 of the Taxes Act” substitute “ section 1122 of the Corporation Tax Act 2010 ”.
- (4) For paragraph 17 substitute—
- “17 Where Chapter 1 of Part 22 of the Corporation Tax Act 2010 (transfers of trade without a change of ownership) applies in relation to a transfer to which this Part of this Schedule applies, that Chapter has effect in relation to the transfer with the omission of section 945.”
- (5) In paragraph 21(1)(b) for “section 343 of the Taxes Act” substitute “ Chapter 1 of Part 22 of the Corporation Tax Act 2010 ”.
- (6) In paragraph 22 for “section 839 of the Taxes Act” substitute “ section 1122 of the Corporation Tax Act 2010 ”.

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