



Finance Act 2013

2013 CHAPTER 29

PART 1

INCOME TAX, CORPORATION TAX AND CAPITAL GAINS TAX

CHAPTER 5

OTHER PROVISIONS

Capital allowances

^{F1}67 Allowances for energy-saving plant and machinery: Northern Ireland

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Textual Amendments

F1 S. 67 repealed (with effect in accordance with s. 33(5) of the amending Act) by [Finance Act 2019](#) (c. 1), s. 33(2)(c)(x)(a)

68 Cars with low carbon dioxide emissions

- (1) In section 45D of CAA 2001 (first year qualifying expenditure on cars with low carbon dioxide emissions)—
 - (a) in subsection (1)(a), for “2013” substitute “2015”, and
 - (b) in subsection (4), for “110” substitute “95”.

^{F2}(2)

- (3) In section 104AA of that Act (special rate expenditure: meaning of “main rate car”), in subsection (4) for “160” substitute “130”.

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- (4) Accordingly, in section 77 of FA 2008 omit—
- (a) subsection (2), and
 - (b) subsection (3).
- (5) The amendments made by subsections (1)(b), (2) and (4)(b) have effect in relation to expenditure incurred on or after 1 April 2013.
- (6) The amendment made by subsection (3) has effect in relation to expenditure incurred on or after the relevant date.
- (7) But in relation to expenditure incurred on the hiring of a car—
- (a) for a period of hire which begins before the relevant date, and
 - (b) under a contract entered into before that date,
- section 49(1A) of ITTOIA 2005 and section 57(1A) of CTA 2009 apply on or after the relevant date as if the amendment made by subsection (3) did not have effect.
- (8) “The relevant date” means—
- (a) in the case of income tax, 6 April 2013, and
 - (b) in the case of corporation tax, 1 April 2013.

Textual Amendments

- F2** S. 68(2) repealed (with effect in accordance with s. 33(5) of the amending Act) by [Finance Act 2019 \(c. 1\)](#), s. 33(2)(c)(x)(b)

69 Gas refuelling stations: extension of time limit for capital allowance

In section 45E(1)(a) of CAA 2001 (time limit for incurring of expenditure qualifying for first-year allowance), for “2013” substitute “2015”.

70 First-year allowance to be available for ships and railway assets

- (1) In section 46(2) of CAA 2001 (general exclusions from first-year allowance), omit—
- (a) general exclusion 3 (ships), and
 - (b) general exclusion 4 (railway assets),
- and the italicised headings preceding them.
- (2) The amendments made by this section have effect for expenditure incurred on or after 1 April 2013.

71 Restrictions on buying capital allowances

Schedule 26 contains provision amending Chapter 16A of Part 2 of CAA 2001 (restrictions on allowance buying).

72 Hire cars for disabled persons

- (1) In section 268D of CAA 2001 (hire cars for disabled persons), in subsection (2), after paragraph (a) insert—

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- “(aa) personal independence payment under the Welfare Reform Act 2012, or the corresponding provision having effect in Northern Ireland, because of entitlement to the mobility component,
 - (ab) armed forces independence payment under a scheme established under section 1 of the Armed Forces (Pensions and Compensation) Act 2004.”.
- (2) The amendment made by this section has effect in relation to expenditure incurred on or after 1 April 2013.

73 Contribution allowances: plant and machinery

- (1) Section 538 of CAA 2001 (contribution allowances: plant and machinery) is amended as follows.
- (2) In subsection (1), omit the “and” at the end of paragraph (a) and after that paragraph insert—
- “(aa) C's contribution is to expenditure on the provision of plant or machinery, and”.
- (3) In subsection (2)—
- (a) in paragraph (a), for “asset provided by means of C's contribution” substitute “plant or machinery ”,
 - (b) in paragraph (b), for “asset” substitute “plant or machinery ”, and
 - (c) in paragraph (c)—
 - (i) for “asset” substitute “plant or machinery ”, and
 - (ii) after “times” insert “plant or machinery ”.
- (4) The amendments made by this section have effect in relation to expenditure pooled, and to claims made, on or after 29 May 2013 (“the commencement date”).
- (5) In relation to such expenditure and claims, when determining for the purposes of section 536(3)(a) of CAA 2001 whether an allowance can be made under Chapter 2 of Part 11 of that Act, the amendments made by this section are to be treated as always having had effect.
- (6) Nothing in this section applies to a claim by a person for a contribution allowance under Part 2 of CAA 2001 in respect of a contribution made before the commencement date.
- (7) Subsection (8) applies if—
- (a) expenditure which a person has been regarded as having incurred (despite section 532(1) of CAA 2001) by virtue of section 536(1) of that Act has been pooled by virtue of section 53 of that Act—
 - (i) on or after 1 January 2013 but before the commencement date, or
 - (ii) before 1 January 2013 in circumstances where no claim was made in respect of the expenditure before that date, and
 - (b) had the amendments made by this section had effect at the time the expenditure was incurred, that person would not have been regarded as having incurred that expenditure (“the relevant expenditure”).
- (8) Part 2 of CAA 2001 has effect as if an event had occurred as a result of which the person is required to bring into account as a disposal receipt under that Part, for

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the chargeable period in which the commencement date falls, a disposal value of an amount equal to E-A.

- (9) For the purposes of subsection (8)—
E is the amount of the relevant expenditure, and
A is the total amount of writing-down allowances made in respect of the relevant expenditure.
- (10) For the purpose of calculating A, the total amount of writing-down allowances made in respect of expenditure on an item of plant or machinery is to be determined as if that item were the only item of plant or machinery in relation to which Chapter 5 of Part 2 of CAA 2001 had effect.
- (11) The event mentioned in subsection (8) is not to be regarded as a disposal event for the purposes of section 60(3) of CAA 2001.

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