
STATUTORY INSTRUMENTS

2019 No. 689

The Taxes (Amendments) (EU Exit) Regulations 2019

PART 2

Amendments to primary legislation

Corporation Tax Act 2009

- 16.**—(1) The Corporation Tax Act 2009⁽¹⁾ is amended as follows.
- (2) In section 133I(1)⁽²⁾ omit paragraphs (b) and (c).
- (3) In section 268(7)⁽³⁾ omit “other than the United Kingdom”.
- (4) In section 421—
- (a) in subsections (3), (4) and (7) for “member State”, in each place where the expression occurs, substitute “relevant state”;
- (b) in subsection (5)(b) omit “other than the United Kingdom”;
- (c) in subsection (6) before the first definition insert—
- ““relevant state” means the United Kingdom or a member State;”.
- (5) In section 429—
- (a) in subsection (3) omit “other than the United Kingdom”;
- (b) in subsection (4) for “member State” substitute “relevant state”.
- (6) In section 430(2)—
- (a) for “member State”, in both places where the expression occurs, substitute “relevant state”;
- (b) for “State”, in both places where the word occurs other than as part of the expression “member State”, substitute “relevant state”.
- (7) In section 431—
- (a) in subsection (4) for “member State” substitute “relevant state”;
- (b) in subsection (5) for “State” substitute “relevant state”;
- (c) in subsection (7)(b) for “another” substitute “a”;
- (d) in subsection (9)(a)—
- (i) for “another” substitute “a”;
- (ii) omit “other than the United Kingdom”;
- (e) in subsection (10)—
- (i) the words from ““the merger”” to the end become paragraph (a) of that subsection;

⁽¹⁾ 2009 c. 4.

⁽²⁾ Section 133I was inserted by section 18 of the Finance (No. 2) Act 2015 (c.33).

⁽³⁾ Section 268(7) was inserted by paragraph 7(4)(b) of Schedule 14 to the Finance Act 2011.

- (ii) after that paragraph insert—
 - “(b) “relevant state” means the United Kingdom or a member State.”;
- (f) in subsection (11)(b) for “member State” substitute “relevant state”.
- (8) In section 438(4), in the definition of “transparent entity” omit “other than the United Kingdom”.
- (9) In section 439(4)—
 - (a) in subsection (1), in the definition of “co-operative society” omit “other than the United Kingdom”;
 - (b) in subsection (2)—
 - (i) for “member State”, in both places where the expression occurs, substitute “relevant state”;
 - (ii) for “State”, in both places where the word occurs other than as part of the expression “member State”, substitute “relevant state”.
- (10) In section 507(5)—
 - (a) in subsection (1)(h) for “an EEA-regulated” substitute “a regulated”;
 - (b) in subsection (2)—
 - (i) at the end of paragraph (h) insert “and”;
 - (ii) omit paragraphs (j) and (k);
 - (c) after subsection (2) insert—
 - “(2A) In subsection (1)—
 - “regulated recognised stock exchange” means a recognised stock exchange that is regulated in the United Kingdom, the European Economic Area or Gibraltar;
 - “multilateral trading facility” means—
 - (a) a UK multilateral trading facility within the meaning given by Article 2.1(14A) of Regulation (EU) No 600/2014 of the European Parliament and of the Council of 15 May 2014 on markets in financial instruments,
 - (b) an EU multilateral trading facility within the meaning given by Article 2.1(14B) of that Regulation, and
 - (c) a multilateral system, operated by an investment firm or a market operator, which brings together multiple third-party buying and selling interests in financial instruments (in the system and in accordance with non-discretionary rules) in a way which results in a contract in accordance with Part 2 of the Financial Services (Markets in Financial Instruments) Act 2018 of Gibraltar,
 - and in paragraph (c) “multilateral system”, “investment firm”, “market operator” and “financial instrument” have the same meanings as given by Articles 2.1(11), 2.1A, 2.1(10) and 2.1(9) respectively of that Regulation.”.
- (11) In section 674—
 - (a) in subsections (2), (3)(b) and (d) and (5) for “member State”, in each place where the expression occurs, substitute “relevant state”;
 - (b) in subsection (3)(g)(ii) for “another” substitute “a”;
 - (c) in subsection (4) before the first definition insert—

(4) Section 439(1) was relevantly amended by paragraph 142 of Schedule 4 to the Co-operative and Community Benefits Societies Act 2014 (c.14).

(5) Section 507(1) was relevantly amended by section 34(4) of the Finance Act 2018 (c. 3).

- ““relevant state” means the United Kingdom or a member State;”.
- (12) In section 680(2) omit “other than the United Kingdom”.
- (13) In section 681(2)—
- (a) for “member State”, in both places where the expression occurs, substitute “relevant state”;
 - (b) for “State”, in both places where the word occurs other than as part of the expression “member State”, substitute “relevant state”.
- (14) In section 682—
- (a) in subsection (3) for “member State” substitute “relevant state”;
 - (b) in subsection (4) for “State” substitute “relevant state”;
 - (c) in subsection (6)(b) for “another” substitute “a”;
 - (d) in subsection (8)—
 - (i) the words from ““the merger”” to the end become paragraph (a) of that subsection;
 - (ii) after that paragraph insert—
 - “(b) “relevant state” means the United Kingdom or a member State.”;
 - (e) in subsection (9)(b) for “member State” substitute “relevant state”.
- (15) In section 687(3) omit “other than the United Kingdom”.
- (16) In section 688(6)—
- (a) in subsection (1), in the definition of “co-operative society” omit “other than the United Kingdom”;
 - (b) in subsection (2)—
 - (i) for “member State”, in both places where the expression occurs, substitute “relevant state”;
 - (ii) for “State”, in both places where the word occurs other than as part of the expression “member State”, substitute “relevant state”.
- (17) In section 819—
- (a) in subsections (2) and (3) for “an EU company”, in each place where the expression occurs, substitute “a relevant company”;
 - (b) in subsections (2) to (4) for “member State”, in each place where the expression occurs, substitute “relevant state”;
 - (c) in subsection (3)(a) for “EU companies” substitute “relevant companies”;
 - (d) in subsection (3)(f)(ii) for “another” substitute “a”;
 - (e) in subsection (4) for “State”, in both places where the word occurs other than as part of the expression “member State”, substitute “relevant state”;
 - (f) for subsection (5)(b) substitute—
 - “(ba) “relevant company” means a body incorporated under the law of a relevant state,
 - (bb) “relevant state” means the United Kingdom or a member State,”.
- (18) In section 820—
- (a) in subsection (4), in the definition of “transparent entity” omit “other than the United Kingdom”;

(6) Section 688(1) was relevantly amended by paragraph 142 of Schedule 4 to the Co-operative and Community Benefits Societies Act 2014.

- (b) in subsection (5)—
 - (i) for “member State”, in both places where the expression occurs, substitute “relevant state”;
 - (ii) for “State”, in both places where the word occurs other than as part of the expression “member State”, substitute “relevant state”.
- (19) In section 821—
 - (a) in subsection (3) for “member State” substitute “relevant state”;
 - (b) in subsection (4) for “State” substitute “relevant state”;
 - (c) in subsection (5)(b) for “another” substitute “a”.
- (20) In section 823(7)—
 - (a) after subsection (1) insert—
 - “(1A) “Relevant state” means the United Kingdom or a member State.”;
 - (b) in subsection (6) omit “other than the United Kingdom”.
- (21) In section 1123(5) omit “(other than the United Kingdom)”.
- (22) In section 1217AE(8)—
 - (a) for “EEA expenditure”, in each place where the expression occurs (including the heading), substitute “European expenditure”;
 - (b) in subsection (1) after “within” insert “the United Kingdom or”;
 - (c) in subsection (2) for “non-EEA expenditure” substitute “non-European expenditure”.
- (23) In section 1217C(2)(c) for “EEA” substitute “European”.
- (24) In section 1217CE, in subsection (1) and the heading for “EEA expenditure” substitute “European expenditure”.
- (25) In section 1217CG for “EEA expenditure”, in both places where the expression occurs, substitute “European expenditure”.
- (26) In section 1217EB for “EEA expenditure”, in each place where the expression occurs (including the heading), substitute “European expenditure”.
- (27) In section 1217G(1)(b)(9) for “EEA” substitute “European”.
- (28) In section 1217GB—
 - (a) for “EEA”, in each place where this occurs (including the heading), substitute “European”;
 - (b) in subsection (2) after “within” insert “the United Kingdom or”;
 - (c) in subsection (3) for “non-EEA” substitute “non-European”.
- (29) In section 1217J for “EEA expenditure”, in both places where the expression occurs, substitute “European expenditure”.
- (30) In section 1217N for “EEA”, in each place where this occurs, substitute “European”.
- (31) In section 1217NA for “EEA”, in each place where this occurs, substitute “European”.
- (32) In section 1217OB for “EEA”, in both places where this occurs, substitute “European”.
- (33) In section 1217RA(10)—

(7) Section 823(6) was relevantly amended by paragraph 142 of Schedule 4 to the Co-operative and Community Benefit Societies Act 2014.

(8) Sections 1217AE to 1217EB were inserted by paragraph 1 of Schedule 17 to the Finance Act 2013 (c. 29) and amended by section 34 of the Finance Act 2014.

(9) Sections 1217G to 1217OB were inserted by paragraph 1 of Schedule 4 to the Finance Act 2014.

(10) Sections 1217RA to 1217U were inserted by paragraph 1 of Schedule 8 to the Finance Act 2016 (c. 24).

- (a) in subsection (2)(d) for “EEA expenditure condition” substitute “European expenditure condition”;
 - (b) in subsection (4)(d) for “EEA expenditure condition” substitute “European expenditure condition”.
- (34) In section 1217RB—
- (a) for “EEA”, in each place where this occurs (including the heading), substitute “European”;
 - (b) in subsection (2) after “within” insert “the United Kingdom or”;
 - (c) in subsection (3) for “non-EEA” substitute “non-European”.
- (35) In section 1217RE for “EEA expenditure”, in both places where the expression occurs, substitute “European expenditure”.
- (36) In section 1217T for “EEA”, in each place where this occurs, substitute “European”.
- (37) In section 1217TA for “EEA”, in each place where this occurs, substitute “European”.
- (38) In section 1217U for “EEA”, in both places where this occurs, substitute “European”.
- (39) In section 1218ZCA(5)(**11**) for “EEA” substitute “European”.
- (40) In section 1218ZCC—
- (a) for “EEA”, in each place where this occurs (including the heading), substitute “European”;
 - (b) in subsection (2) after “within” insert “the United Kingdom or”;
 - (c) in subsection (3) for “non-EEA” substitute “non-European”.
- (41) In section 1218ZCF for “EEA expenditure”, in both places where the expression occurs, substitute “European expenditure”.
- (42) In section 1218ZE for “EEA”, in each place where this occurs, substitute “European”.
- (43) In section 1218ZEA for “EEA”, in each place where this occurs, substitute “European”.
- (44) In section 1218ZFA for “EEA”, in both places where this occurs, substitute “European”.
- (45) Schedule 4(**12**) is amended as follows—
- (a) for “EEA”, in each place where this occurs, substitute “European”;
 - (b) in each entry relating to a definition of “resident in a member State”, for “member State” substitute “relevant state”.

Commencement Information

- II** [Reg. 16](#) in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see [reg. 1](#)

(**11**) Sections 1218ZCA to 1218ZFA were inserted by paragraph 1 of Schedule 6 to the Finance (No. 2) Act 2017 ([c.32](#)).
(**12**) Schedule 4 was amended by paragraph 1 of Schedule 4 to the Finance Act 2014, by paragraph 1 of Schedule 8 to the Finance Act 2016 and paragraph 1 of Schedule 6 to the Finance (No. 2) Act 2017.

Changes to legislation:

There are currently no known outstanding effects for the The Taxes (Amendments) (EU Exit) Regulations 2019, Section 16.