

## SCHEDULES

### SCHEDULE 12

#### BANKS ETC. IN COMPULSORY LIQUIDATION

##### *Relief from tax*

- 4 (1) In computing the tax that is chargeable by virtue of paragraph 3 above for any chargeable period, there shall be deducted from the amount that would otherwise be chargeable to tax the aggregate amount of all losses, expenses and debits within sub-paragraph (2) below incurred in that chargeable period or before it, in so far as relief (whether under this sub-paragraph, sub-paragraph (3) below or any other provision of the Tax Acts) has not been given in respect of them already.
- (2) Any loss, expense or debit (other than a loss, expense or debit arising directly or indirectly from the discontinuance itself) incurred—
- (a) after the later of the two events mentioned in paragraph 3(1) above, or
  - (b) in the case of a loss, at or before the discontinuance of the relevant trade,
- is within this sub-paragraph if it would have been deducted in computing for tax purposes the profits or gains of the trade for any period, or deducted from or set off against those profits or gains as so computed, had the trade continued.
- (3) If the aggregate amount exceeds the amount from which it is to be deducted under sub-paragraph (1) above, the company or its liquidator may make a claim requiring the excess to be deducted from or set off against the amount assessed to tax for the chargeable period in respect of any sums—
- (a) received after the later of the two events mentioned in paragraph 3(1) above, and
  - (b) excluded from paragraph 3(2) above by paragraph 3(3)(c) above,
- and relief, by repayment or otherwise, shall be given in respect of the excess accordingly.