



# Finance Act 1999

## 1999 CHAPTER 16

### PART III U.K.

#### INCOME TAX, CORPORATION TAX AND CAPITAL GAINS TAX

##### *Capital allowances*

#### 77 Extension of first-year allowances. U.K.

In section 22(3D) of the <sup>M1</sup>Capital Allowances Act 1990 (first year allowances: transitional relief), for “1st July 1999” there shall be substituted “1st July 2000”.

#### Marginal Citations

M1 1990 c.1.

#### 78 First-year allowances for investment in Northern Ireland. U.K.

(1) In section 22 of the Capital Allowances Act 1990 (“the 1990 Act”) (first-year allowances), in subsection (3CC) (which restricts the expenditure on machinery and plant for use in Northern Ireland which is eligible for 100 per cent. allowances), after paragraph (b) there shall be inserted “; or

(c) expenditure on the provision of a goods vehicle for the purposes of a trade which consists primarily of the conveyance of goods; or

(d) unauthorised expenditure on the provision of machinery or plant for use primarily in—

(i) agriculture, fishing or fish farming, or

(ii) any relevant activity carried out in relation to agricultural produce, fish or any fish product for the purpose of bringing it to market.”

(2) After subsection (3CC) of that section there shall be inserted—

*Status: Point in time view as at 27/07/1999.*

*Changes to legislation: Finance Act 1999, Cross Heading: Capital allowances is up to date with all changes known to be in force on or before 09 October 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

“(3CD) For the purposes of subsection (3CC) above—

- (a) expenditure is unauthorised expenditure unless it is authorised, for the purposes of subsection (3CA) above, by the Department of Agriculture for Northern Ireland; and
- (b) “relevant activity” means transportation, storage, preparation, processing or packaging.

(3CE) An authorisation given, for the purposes of subsection (3CA) above, by the Department of Agriculture for Northern Ireland—

- (a) may be given either specially (that is to say, so as to apply only to a specified item of expenditure or a specified person) or generally (that is to say, so as not only so to apply);
- (b) may, if given generally, be modified by that Department; and
- (c) may in any case be absolute or conditional.”

(3) In subsection (10) of that section, after “section” there shall be inserted—

““agriculture” and “agricultural produce” have the same meanings as in section 6 of the <sup>M2</sup>European Communities Act 1972;

“fish” includes shellfish;

“fish farming” means the intensive rearing, on a commercial basis, of fish intended for human consumption;

“fishing” means a trade, or part of a trade, which consists of the catching or taking of fish;

“goods vehicle” has the same meaning as in the <sup>M3</sup>Road Traffic (Northern Ireland) Order 1995;”.

(4) In section 22B of the 1990 Act (withdrawal of first-year allowance on change of use)—

- (a) in subsection (2)(a), for “the period of two years beginning with the date of the incurring of that expenditure” there shall be substituted “ the relevant period ”; and
- (b) after subsection (2) there shall be inserted—

“(2A) In subsection (2) above “the relevant period” means—

- (a) where the expenditure concerned exceeds £3.5 million, the period of five years beginning with the date of the incurring of that expenditure, and
- (b) in any other case, the period of two years beginning with that date.”

(5) After section 22B of the 1990 Act there shall be inserted—

**“22C Disclosure of information in connection with first-year allowances.**

(1) No obligation as to secrecy or other restriction on the disclosure of information imposed by statute or otherwise shall prevent—

- (a) the Board or an authorised officer of the Board from disclosing to the Department of Agriculture for Northern Ireland (“the Department”) or an authorised officer of the Department, or

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- (b) the Department or an authorised officer of the Department from disclosing to the Board or an authorised officer of the Board, information for the purpose of assisting the Board in the carrying out of their functions with respect to claims for capital allowances made under section 22 by virtue of subsection (3CA) of that section or, as the case may be, the Department in the carrying out of its functions under that section.
- (2) Information obtained by virtue of a disclosure authorised by this section shall not be disclosed except—
- (a) to the Board or the Department or to an authorised officer of the Board or of the Department; or
- (b) for the purposes of any proceedings connected with a matter in relation to which the Board or the Department carry out the functions mentioned in subsection (1) above.”
- (6) The preceding provisions of this section have effect in relation to every chargeable period ending on or after 12th May 1998.

**Marginal Citations**

**M2** 1972 c.68.

**M3** S.I. 1995/2994 (N.I. 18).

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