Income Tax (Earnings and Pensions) Act 2003 (c. 1)
SCHEDULE 2 – ... share incentive plans
Document Generated: 2024-08-16

1

*Changes to legislation: Income Tax (Earnings and Pensions) Act 2003, Cross Heading: Meaning of
"associated company" is up to date with all changes known to be in force on or before 16 August 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) View outstanding changes*

S C H E D U L E S

SCHEDULE 2

^{F1}... SHARE INCENTIVE PLANS

Textual Amendments

F1   Word in Sch. 2 title omitted (6.4.2014) by virtue of Finance Act 2014 (c. 26), **Sch. 8 paras. 14**, 89 (with Sch. 8 paras. 90-96)

PART 11

SUPPLEMENTARY PROVISIONS

Meaning of "associated company"

94   (1) For the purposes of the SIP code one company is an "associated company" of another company at a given time if—

(a)   one has control of the other, or

(b)   both are under the control of the same person or persons.

(2) Sub-paragraph (1) does not, however, apply for the purposes of paragraph 29 (prohibited shares).

(3) For the purposes of sub-paragraph (1) the question whether a person controls a company is to be determined in accordance with [**^{F1}**sections 450 and 451 of CTA 2010**]**.

Textual Amendments

F1   Words in Sch. 2 para. 94(3) substituted (with effect in accordance with s. 1184(1) of the amending Act) by Corporation Tax Act 2010 (c. 4), s. 1184(1), **Sch. 1 para. 396(7)** (with Sch. 2)

Changes to legislation:
Income Tax (Earnings and Pensions) Act 2003, Cross Heading: Meaning of "associated company" is up to date with all changes known to be in force on or before 16 August 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.
View outstanding changes

> **Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**
> Whole provisions yet to be inserted into this Act (including any effects on those provisions):
>
> – s. 452(2)(aa) inserted by 2013 c. 29 Sch. 23 para. 11
> – s. 707A inserted by 2024 c. 3 s. 36(4)