



Income Tax (Trading and Other Income) Act 2005

2005 CHAPTER 5

PART 3 **U.K.**

PROPERTY INCOME

CHAPTER 10 **U.K.**

POST-CESSATION RECEIPTS

Charge to tax on post-cessation receipts

351 Income charged **U.K.**

- (1) Tax is charged under this Chapter on the full amount of the receipts received in the tax year.
- (2) This is subject to—
 - (a) sections 254 and 255 (allowable deductions), and
 - (b) section 257 (election to carry back),which apply for the purposes of this Chapter as they apply for the purposes of Chapter 18 of Part 2 (but as if any reference to a trade were to a UK property business).
- [^{F1}(3) Further to subsection (2), section 254 applies for the purposes of this Chapter as if for subsection (2A) of that section there were substituted—

“(2A) If the time immediately before the person permanently ceases to carry on the UK property business falls in a cash basis tax year, assume for the purposes of subsection (2) that the profits of the business are calculated on the cash basis.”

Changes to legislation: There are currently no known outstanding effects for the Income Tax (Trading and Other Income) Act 2005, Section 351. (See end of Document for details)

- (4) For the purposes of sections 254 (as so applied) and 353, a tax year is “a cash basis tax year” in relation to a property business if the profits of the business for the tax year are calculated on the cash basis (see section 271D).]

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Textual Amendments

- F1** S. 351(3)(4) inserted (16.11.2017) (with effect in accordance with Sch. 2 para. 64 of the amending Act) by Finance (No. 2) Act 2017 (c. 32), **Sch. 2 para. 30** (with Sch. 2 para. 30(3)(4))

Changes to legislation:

There are currently no known outstanding effects for the Income Tax (Trading and Other Income) Act 2005, Section 351.