

Status: Point in time view as at 03/02/2009.

Changes to legislation: There are currently no known outstanding effects for the Income Tax Act 2007, Cross Heading: Finance Act 2002 (c. 23). (See end of Document for details)

SCHEDULES

SCHEDULE 1

MINOR AND CONSEQUENTIAL AMENDMENTS

PART 2

OTHER ENACTMENTS

Finance Act 2002 (c. 23)

- 414 The Finance Act 2002 is amended as follows.
- 415 Omit section 98.
- 416 In section 142 (interpretation) at the end insert “, and “ITA 2007” means the Income Tax Act 2007”.
- 417 In paragraph 19 of Schedule 12 (tax relief for expenditure on research and development) for sub-paragraph (2) substitute—
- “(2) For the purposes of this Schedule whether a person is connected with another is determined in accordance with section 839 of the Taxes Act 1988.”
- 418 In paragraph 27 of Schedule 13 (tax relief for expenditure on vaccine research etc) for sub-paragraph (2) substitute—
- “(2) For the purposes of this Schedule whether a person is connected with another is determined in accordance with section 839 of the Taxes Act 1988.”
- 419 (1) Amend Schedule 16 (community investment tax relief) as follows.
- (2) In paragraph 1(1), for “An individual or company” substitute “ A company ”.
- (3) In paragraph 2—
- (a) in sub-paragraph (1), for “person” substitute “ company ” and for “he”, in both places where it occurs, and “him” substitute “ it ”, and
- (b) in sub-paragraph (2), for “person”, in each place where it occurs, substitute “ company ”.
- (4) For paragraphs 4 to 7 substitute—
- “Application of Chapter 2 of Part 7 of ITA 2007*
- 4 (1) Chapter 2 of Part 7 of ITA 2007 applies for the purposes of this Schedule as it applies for the purposes of that Part.
- (2) Chapter 2 of Part 7 of that Act makes provision with respect to—

Status: Point in time view as at 03/02/2009.

Changes to legislation: There are currently no known outstanding effects for the Income Tax Act 2007, Cross Heading: Finance Act 2002 (c. 23). (See end of Document for details)

- (a) applications and criteria for accreditation as community development finance institutions (see section 340),
 - (b) the terms and conditions of accreditation (see section 341),
 - (c) the period of accreditation (see section 342), and
 - (d) the delegation of the Secretary of State's functions under that Chapter (see section 343).
- (3) In this Schedule “accreditation period” has the meaning given by section 342(1) of ITA 2007.”
- (5) In paragraph 9(5), for “person” substitute “ company ”.
- (6) For paragraph 12(2) substitute—
- “(2) The CDFI must not issue tax relief certificates in respect of investments made in the CDFI in an accreditation period if the aggregate value of—
 - (a) those investments, and
 - (b) any investments to which sub-paragraph (2A) applies,
 will exceed the limit for that period.
- (2A) This sub-paragraph applies to investments which—
- (a) have been made in the CDFI in the accreditation period, and
 - (b) in respect of which the CDFI has issued tax relief certificates under section 348 of ITA 2007 (which makes in relation to income tax provision corresponding to that made by this paragraph).
- (2B) The limit for an accreditation period is—
- (a) £10 million if the CDFI is accredited for the period as a retail community development finance institution (see section 340(8) of ITA 2007 as applied by paragraph 4), and
 - (b) £20 million in any other case.”
- (7) In paragraph 14—
- (a) in sub-paragraph (4), for “he” substitute “ it ” and for “his” substitute “ its ”, and
 - (b) in sub-paragraph (6), for “his” substitute “ its ”.
- (8) Omit paragraph 19.
- (9) In paragraph 20(1), omit paragraph (a).
- (10) In paragraph 21—
- (a) in sub-paragraph (2), omit “tax year or”, in each place where it occurs, and
 - (b) in sub-paragraph (3), for “a tax year or” substitute “ an ”.
- (11) In paragraph 22(1) and (2), for “a tax year or” substitute “ an ” and for “that year or period” substitute “ that period ”.
- (12) In paragraph 23—
- (a) in sub-paragraph (1), for “a tax year or” substitute “ an ” and, in paragraph (b), omit “tax year or”,
 - (b) in sub-paragraph (2), for “a tax year or” substitute “ an ” and for “that year or period” substitute “ that period ”, and

Status: Point in time view as at 03/02/2009.

Changes to legislation: There are currently no known outstanding effects for the Income Tax Act 2007, Cross Heading: Finance Act 2002 (c. 23). (See end of Document for details)

- (c) in sub-paragraph (3), for “a tax year or” substitute “ an ” and for “that year or period” substitute “ that period ”.
- (13) In paragraph 24—
 - (a) in sub-paragraph (1), omit “tax year or” in both places where it occurs, and
 - (b) in sub-paragraph (2)—
 - (i) omit “tax year or” in both places where it occurs, and
 - (ii) in paragraph (b), omit “year or” in both places where it occurs.
- (14) In paragraph 25(1), omit “is a company and”.
- (15) In paragraph 26—
 - (a) in sub-paragraph (1), omit paragraph (a),
 - (b) in sub-paragraph (2), omit “income or”, for “a tax year or” substitute “ an ” and, in paragraph (b)(i), omit “year or”,
 - (c) in sub-paragraphs (3) and (4), omit “income tax or”, and
 - (d) in sub-paragraph (5), for “a tax year or” substitute “ an ” and for “that year or period” substitute “ that period ”.
- (16) In paragraph 27—
 - (a) omit sub-paragraphs (2) and (3), and
 - (b) in sub-paragraph (4), omit “Where the investor is a company,”.
- (17) In paragraph 28(1), omit “tax year or”.
- (18) In paragraph 29—
 - (a) in sub-paragraph (2), omit “tax year or”,
 - (b) in sub-paragraph (3), for “a tax year or” substitute “ an ”,
 - (c) in sub-paragraph (5), omit “tax year or” and for “that year or period”, in both places where it occurs, substitute “ that period ”, and
 - (d) in sub-paragraph (6), for “a tax year or” substitute “ an ”.
- (19) In paragraph 30(1), omit “tax year or”.
- (20) In paragraphs 31(5), 32(1)(b), 32(3) and 34(5)(b)(ii) for “he” and “him” substitute “ the investor ”.
- (21) In paragraph 31(8), omit “tax years or”.
- (22) In paragraph 32—
 - (a) in sub-paragraph (1), omit “tax year or”, and
 - (b) in sub-paragraph (5), omit “tax years or”.
- (23) In paragraph 35(1)(d)(ii), omit “if the investor is a company,”.
- (24) In paragraph 35(5)(a) for “his” substitute “ the investor's ”.
- (25) In paragraph 36(d)(ii), for “his” substitute “ the investor ”.
- (26) In paragraph 37(6), for “him” substitute “ the investor ”.
- (27) In paragraph 38—
 - (a) in sub-paragraph (1), for “him” substitute “ the investor ”.
 - (b) in sub-paragraph (2), omit “tax year or”,

Status: Point in time view as at 03/02/2009.

Changes to legislation: There are currently no known outstanding effects for the Income Tax Act 2007, Cross Heading: Finance Act 2002 (c. 23). (See end of Document for details)

- (c) in sub-paragraph (3), omit “tax years or” and, in both places where it occurs, “tax year or”, and
 - (d) in sub-paragraph (4), for “he” substitute “ the investor ”.
- (28) Omit paragraphs 40 and 41.
- (29) In paragraph 42—
- (a) in sub-paragraph (1), omit “tax year or”, and
 - (b) in sub-paragraph (2), omit paragraph (a) and the “and” immediately after it and, in paragraph (b), “if the investor is a company,”.
- (30) In paragraph 43(1), for “Tax Acts” substitute “ Corporation Tax Acts ”.
- (31) In paragraph 45, for “person”, in both places where it occurs, substitute “ company ”.
- (32) In paragraph 46(2), for “person”, in both places where it occurs, substitute “ company ”.
- (33) In paragraph 47—
- (a) in sub-paragraph (1), omit “tax years or”,
 - (b) in sub-paragraphs (3) and (4), omit “of capital gains tax or corporation tax on chargeable gains and”,
 - (c) omit sub-paragraphs (5) and (6), and
 - (d) in sub-paragraph (7) for “that Act” substitute “ the 1992 Act ”.
- (34) In paragraph 48(2)—
- (a) omit “, and for the purposes of capital gains tax or corporation tax on chargeable gains,” and
 - (b) for “paragraph 41 he” substitute “ section 151BC(1) of the 1992 Act the investor ”.
- (35) In paragraph 49(2), for “he”, in both places where it occurs, substitute “ the investor ”.
- (36) In paragraph 51(1), omit the definition of “tax year”.
- (37) In paragraph 52 before the entry for “associate” insert—

“Accreditation period paragraph 4(3)”

- 420 (1) Amend Schedule 18 (relief for community amateur sports clubs) as follows.
- (2) In paragraph 5—
- (a) in sub-paragraph (3)(b) omit the words from “as it applies” to the end, and
 - (b) after that sub-paragraph insert—
 - “(4) For the purposes of this paragraph, section 25(10) of the Finance Act 1990 (gift aid) has effect as if a registered club were a charitable company.”
- (3) In paragraph 9 for sub-paragraph (1) substitute—
- “(1) Chapter 2 of Part 8 of ITA 2007 (gift aid) confers relief from income tax for donors to registered clubs (see section 430 of that Act).”
- 421 In Schedule 25 (loan relationships), omit paragraph 57.

Status: Point in time view as at 03/02/2009.

Changes to legislation: There are currently no known outstanding effects for the Income Tax Act 2007, Cross Heading: Finance Act 2002 (c. 23). (See end of Document for details)

- 422 (1) Amend Schedule 26 (derivative contracts) as follows.
- (2) In paragraph 24 (derivative contracts for unallowable purposes: supplementary) for sub-paragraph (5) substitute—
- “(5) In this paragraph “tax advantage” has the meaning given by section 840ZA of the Taxes Act 1988.”
- (3) Omit paragraph 40.
- (4) In paragraph 45I(3) in the definition of “the retail prices index” for “section 833(2) of the Taxes Act 1988” substitute “ section 989 of ITA 2007 ”.
- (5) In paragraph 45J(10), in paragraph (b) of the definition of “securities house”, for “section 349(5) and (6) of the Taxes Act 1988” substitute “ section 984 of ITA 2007 ”.
- (6) For paragraph 51 substitute—
- “51 See section 980 of ITA 2007 (derivative contracts: exception from duties to deduct).”
- 423 Omit Schedule 33 (venture capital trusts).

Status:

Point in time view as at 03/02/2009.

Changes to legislation:

There are currently no known outstanding effects for the Income Tax Act 2007, Cross Heading: Finance Act 2002 (c. 23).