

*Status: Point in time view as at 21/07/2009.*

**Changes to legislation:** Finance Act 2009, Cross Heading: Consequential amendments of CAA 2001 is up to date with all changes known to be in force on or before 18 July 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)

## SCHEDULES

### SCHEDULE 11

#### TAX RELIEF FOR BUSINESS EXPENDITURE ON CARS AND MOTOR CYCLES

##### PART 1

##### CAPITAL ALLOWANCES

###### *Consequential amendments of CAA 2001*

- 12 CAA 2001 is amended as follows.
- 13 In section 33 (personal security), omit subsection (7).
- 14 (1) Section 45D (expenditure on cars with low carbon dioxide emissions) is amended as follows.
- (2) In subsection (1), for paragraph (c) substitute—
- “(c) the car—
- (i) is electrically-propelled, or
- (ii) has low CO<sub>2</sub> emissions, and”.
- (3) In subsection (2), for “a car with low CO<sub>2</sub> emissions is a car which” substitute “a car has low CO<sub>2</sub> emissions if it”.
- (4) In subsection (3), for the words from “an EC certificate” to the end substitute “a qualifying emissions certificate.”
- (5) In subsection (4), for “in the case of” substitute “in relation to”.
- (6) Omit subsections (5) and (6).
- (7) In subsection (8)—
- (a) after “car” insert “is to a car within the meaning of section 268A, except that it”, and
- (b) omit paragraph (b) (and the “but” before it).
- (8) Omit subsections (9) and (10).
- (9) After subsection (10) insert—
- “(11) In this section—
- “applicable CO<sub>2</sub> emissions figure” and “qualifying emissions certificate” have the meanings given in section 268C;
- “electrically-propelled” has the meaning given in section 268B.”
- 15 In section 54(3) (single asset pools), omit “section 74 (car above the cost threshold)”.

*Status: Point in time view as at 21/07/2009.*

*Changes to legislation: Finance Act 2009, Cross Heading: Consequential amendments of CAA 2001 is up to date with all changes known to be in force on or before 18 July 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)*

- 16 In section 55(6) (determination of entitlement or liability), after “subject to” insert “ section 104F (special rate cars: discontinued activity continued by relevant company) and ”.
- 17 In section 65(3) (the final chargeable period), for “sections 77(1) and” substitute “ section ”.
- 18 In section 66 (list of provisions about disposal values)—
- (a) omit the entry in the list relating to section 79, and
  - (b) insert at the appropriate place—
- 
- |               |   |
|---------------|---|
| “section 208A | cars: disposal value in avoidance cases”. |
|---------------|---|
- 19 (1) In section 84 (cases in which short-life asset treatment is ruled out), the Table is amended as follows.
- (2) In item 3, for the words in the second column substitute “The car is a hire car for a disabled person (as defined by section 268D).”
  - (3) In item 4, in the second column, insert “The expenditure is incurred on the provision of a car which is a hire car for a disabled person (as defined by section 268D)”.
  - (4) In item 5, in the second column, for “within section 82(4) (cars hired out to persons receiving disability allowances etc)” substitute “ a hire car for a disabled person (as defined by section 268D) ”.
- 20 (1) Section 86 (short-life assets) is amended as follows.
- (2) In subsection (2)(b), for “main pool” substitute “ appropriate pool ”.
  - (3) After subsection (4) insert—
- “(5) In subsection (2)(b) “appropriate pool” means—
- (a) in the case of expenditure incurred on the provision of a car that is not a main rate car (as defined by section 104AA), the special rate pool, and
  - (b) in any other case, the main pool.”
- 21 In section 96 (expenditure on cars excluded from being long-life asset expenditure), for “car (as defined by section 81)” substitute “ car or motor cycle (as defined by section 268A) ”.
- 22 After section 268C (inserted by this Part of this Schedule) insert—

**“268D Hire cars for disabled persons**

- (1) For the purposes of this Part a car is a hire car for a disabled person if it is provided wholly or mainly for hire to, or the carriage of, disabled persons in the ordinary course of a trade.
- (2) “Disabled person” means a person in receipt of—
  - (a) a disability living allowance under—
    - (i) the Social Security Contributions and Benefits Act 1992, or
    - (ii) the Social Security Contributions and Benefits (Northern Ireland) Act 1992,

*Status: Point in time view as at 21/07/2009.*

**Changes to legislation:** Finance Act 2009, Cross Heading: Consequential amendments of CAA 2001 is up to date with all changes known to be in force on or before 18 July 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)

- because of entitlement to the mobility component,
- (b) a mobility supplement under a scheme made under the Personal Injuries (Emergency Provisions) Act 1939,
  - (c) a mobility supplement under an Order in Council made under section 12 of the Social Security (Miscellaneous Provisions) Act 1977, or
  - (d) a payment that appears to the Treasury to be similar to those mentioned in paragraphs (a) to (c) and that is specified by order made by the Treasury.”

- 23 (1) Part 2 of Schedule 1 (defined expressions) is amended as follows.
- (2) In the entry relating to “car (in Part 2)”, for “section 81” substitute “ section 268A ”.
- (3) Insert at the appropriate places—

---

“applicable CO<sub>2</sub> emissions figure (in Part 2)      section 268C”

---

“electrically-propelled (in Part 2)                      section 268B”

---

“hire car for a disabled person (in Part 2)              section 268D”

---

“motor cycle (in Part 2)                                      section 268A”

---

“qualifying emissions certificate (in Part 2)              section 268C”.

---

- 24 In Schedule 3 (transitionals and savings), omit paragraph 19 (cars above the cost threshold) and the headings immediately before it.

**Status:**

Point in time view as at 21/07/2009.

**Changes to legislation:**

Finance Act 2009, Cross Heading: Consequential amendments of CAA 2001 is up to date with all changes known to be in force on or before 18 July 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.