

Status: Point in time view as at 19/07/2011.

Changes to legislation: Finance Act 2011, Cross Heading: Income Tax Act 2007 is up to date with all changes known to be in force on or before 15 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 3

TAINTED CHARITY DONATIONS

PART 4

CONSEQUENTIAL AMENDMENTS

Income Tax Act 2007

- 7 ITA 2007 is amended as follows.
- 8 In section 30 (calculation of income tax liability: additional tax)—
- (a) in subsection (1) before the entry for section 205 of FA 2004 insert—
- “section 809ZN (tainted gift aid donations: charge to tax),
section 809ZO (tainted charity donations by trustees: charge to tax),”, and
- (b) for subsection (2) substitute—
- “(2) If the taxpayer is a trustee, the provisions referred to at Step 7 of the calculation in section 23 are—
section 496 (discretionary payments by trustees: tax pool adjustment),
section 809ZN (tainted gift aid donations: charge to tax), and
section 809ZO (tainted charity donations by trustees: charge to tax).”
- 9 In section 58 (meaning of “adjusted net income), at the end insert—
- “(4) Subsection (6) of section 809ZM (removal of income tax relief in respect of tainted donations etc) excludes certain donations from being deducted at step 2 in subsection (1).”
- 10 In section 413 (gift aid: overview of Chapter), after subsection (4) insert—
- “(4A) This Chapter is subject to section 809ZM (removal of income tax relief in respect of tainted charity donations etc).”
- 11 In section 431 (gifts of shares, securities and real property to charities etc), after subsection (6) insert—
- “(7) This Chapter is subject to section 809ZM (removal of income tax relief in respect of tainted charity donations etc).”
- 12 In section 543 (meaning of “non-charitable expenditure”), omit subsection (1)(g) and (h).

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- 13 Sections 549 to 557 (substantial donor transactions) are repealed.
- 14 In Schedule 2 (transitionals and savings), omit paragraphs 105 and 106.
- 15 In Schedule 4 (index of defined expressions), at the appropriate places insert—

“arrangements (in Chapter 8 of Part 13)	section 809ZR”
“charity (in Chapter 8 of Part 13)	paragraph 1 of Schedule 6 to FA 2010 (and see also section 809ZR)”
“the donor (in Chapter 8 of Part 13)	section 809ZJ(3)”
“potentially advantaged person (in Chapter 8 of Part 13)	section 809ZJ(5)”
“relievable charity donation (in Chapter 8 of Part 13)	section 809ZI(1)”
“tainted donation (in Chapter 8 of Part 13)	section 809ZJ”.

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