
*Changes to legislation: There are currently no known outstanding effects
for the Finance Act 2015, PART 2. (See end of Document for details)*

SCHEDULES

SCHEDULE 13

SUPPLEMENTARY CHARGE: CLUSTER AREA ALLOWANCE

PART 2

TRANSITIONAL PROVISION

Proposed determinations of cluster areas

- 5 (1) Sub-paragraph (2) applies if the Secretary of State has published, on any day (“the day of publication”) in the period beginning with 3 December 2014 and ending with the day before the day on which this Act is passed, a proposal to determine a specified offshore area to be a cluster area for the purposes of Chapter 9 of Part 8 of CTA 2010.
- (2) The proposal is treated for the purposes of that Chapter—
- (a) as a determination validly made under section 356JD of that Act and as having had effect from the day of publication, and
 - (b) if the Secretary of State has published (before the end of the period mentioned in sub-paragraph (1)) an announcement of the withdrawal of the proposal, as having ceased to have effect on the date of publication of that announcement.

But this sub-paragraph is subject to paragraph 6.

- (3) If a proposal published as mentioned in sub-paragraph (1) (and not withdrawn before the day on which this Act is passed) assigns an identifying number or other designation to the proposed cluster area, that number or other designation is treated as having been assigned under section 356JD(6).
- (4) An area is “offshore” for the purposes of this paragraph if the whole of it lies on the seaward side of the baselines from which the territorial sea of the United Kingdom is measured.
- (5) In this paragraph, references to publication are to publication on a website that is, and indicates that it is, kept by or on behalf of the Secretary of State.

Option to exclude certain fields from cluster area allowance

- 6 (1) This paragraph applies where—
- (a) a cluster area has been determined under section 356JD of CTA 2010 on a day before the cut-off date, or is treated under paragraph 5 as having been so determined, and
 - (b) a particular oil field would (in the absence of this paragraph) be wholly or partly included in the cluster area for the purposes of Chapter 9 of Part 8 of CTA 2010.

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- (2) The relevant companies may, within 60 days of the day the determination of the cluster area is published, jointly elect that Chapters 6A and 9 of Part 8 of CTA 2010, and Chapter 7 of that Part so far as it continues to have effect, are to have effect as if no part of the oil field were included in the cluster area (and an election made as mentioned in this sub-paragraph is effective whether made before or after the day on which this Act is passed).
- (3) An election under sub-paragraph (2) made on or after the day on which this Act is passed is irrevocable.
- (4) In this paragraph “the relevant companies” means the companies which are licensees in the oil field at the date of the election.
- (5) “The cut-off date” means a day to be specified in regulations made by the Treasury.
- (6) Section 1171(4) of CTA 2010 (regulations etc subject to annulment) does not apply to regulations under sub-paragraph (5).
- (7) In this paragraph expressions which are used in Chapter 9 of Part 8 of CTA 2010 have the same meaning as in that Chapter.

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