
STATUTORY INSTRUMENTS

1997 No. 1155

INCOME TAX

The Exchange Gains and Losses (Insurance Companies) (Amendment) Regulations 1997

<i>Made</i>	- - - -	<i>3rd April 1997</i>
<i>Laid before the House of Commons</i>	- - - -	<i>7th April 1997</i>
<i>Coming into force</i>	- -	<i>28th April 1997</i>

The Treasury, in exercise of the powers conferred on them by sections 167(1) and (4) to (6) and 168(1) to (5) of the Finance Act 1993⁽¹⁾, hereby make the following Regulations:

1. These Regulations may be cited as the Exchange Gains and Losses (Insurance Companies) (Amendment) Regulations 1997, shall come into force on 28th April 1997, and shall have effect in relation to disposals taking place on or after that date.

2. Regulation 7 of the Exchange Gains and Losses (Insurance Companies) Regulations 1994⁽²⁾ (“regulation 7”) shall be amended in accordance with regulations 3 to 5 of these Regulations.

3. In paragraph (9) of regulation 7 after sub-paragraph (b) there shall be inserted—

“, or

(c) a share in an open-ended investment company”.

4. In paragraph (11) of regulation 7 after the words “such a currency” there shall be added the words “; and shares of a given class in an open-ended investment company shall be taken to be denominated in a currency other than sterling if the price at which they may be acquired from, or disposed of to, the company or its authorised corporate director is fixed by the company or director in a currency other than sterling, or (as the case may be) the price or prices at which they are quoted in The Stock Exchange Daily Official List is in a currency other than sterling.”

5. In paragraph (13) of regulation 7 after the definition of “long term business fund” the following definitions shall be inserted—

““open-ended investment company” and “authorised corporate director” in relation to such a company have the meanings given by subsection (10) of section 468 of the Taxes Act, read with subsections (11) to (18) of that section, as those subsections are added in relation to open-ended investment companies by regulation 10(4) of the Open-ended Investment

(1) 1993 c. 34.

(2) S.I. 1994/3231. Regulation 7 was added by S.I. 1996/673.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Companies (Tax) Regulations 1997(3); and accordingly references in subsections (11) to (16) of that section to “the Tax Acts” shall be construed as if they included references to these Regulations;”.

3rd April 1997

Bowen Wells
Gyles Brandreth
Two of the Lords Commissioners of Her
Majesty’s Treasury

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EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend regulation 7 of the Exchange Gains and Losses (Insurance Companies) Regulations 1994 (S.I.1994/3231 as amended by S.I. 1996/673) by extending assets to which that regulation applies so as to include shares in an open-ended investment company incorporated in the United Kingdom that are denominated in a currency other than sterling.