
Status: This is the original version (as it was originally enacted).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

SCHEDULES :

SCHEDULE 10

VALUATION

PART I

—GENERAL

Tax on capital gains borne by donee

- 4 (1) Where a chargeable transfer is or includes a disposal of an asset and on the disposal a gain accrues to the transferor for the purposes of Part III of the Finance Act 1965, then, if—
- (a) the whole or part of the gain is a chargeable gain or a development gain ; and
 - (b) the whole or part of any capital gains tax or income tax chargeable on the gain is borne by the donee (within the meaning of paragraph 19 of Schedule 7 to that Act);
- the amount of the tax so borne shall be treated as reducing the value transferred by the chargeable transfer.
- (2) Where the chargeable transfer is made under Schedule 5 to this Act, subparagraph (1) above shall have effect as if for the reference to the transferor there were substituted a reference to the trustee.