



Income and Corporation Taxes Act 1988

1988 CHAPTER 1

PART II

[^{F1}PROVISIONS RELATING TO THE SCHEDULE A CHARGE]

[^{F1} Rent factoring

VALID FROM 28/07/2000

[^{F1}43E Interposed lease: exceptions, &c.

- (1) Section 43D shall not apply to a finance agreement if—
 - (a) the term over which the financial obligation is to be reduced exceeds 15 years, or
 - (b) the length of the lease does not exceed 15 years, or
 - (c) the length of the lease is not significantly different from the term over which the financial obligation is to be reduced.
- (2) For the purpose of subsection (1) the length of a lease shall be calculated in accordance with section 38.
- (3) Section 43D shall not apply to a finance agreement if—
 - (a) the arrangements for the reduction of the financial obligation substantially depend on a person's entitlement to an allowance under the Capital Allowances Acts, and
 - (b) that person is not connected to the person who grants the lease in respect of which the premium is payable.
- (4) Section 43D(2) shall not apply where all or part of the premium is brought into account in computing the profits of a trade for the purposes of Case I of Schedule D (otherwise than by virtue of section 83 of the ^{M1}Finance Act 1989 (life assurance)).

Status: Point in time view as at 31/07/1998. This version of this provision is not valid for this point in time.

Changes to legislation: Income and Corporation Taxes Act 1988, Section 43E is up to date with all changes known to be in force on or before 03 August 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)

(5) Section 34 shall not apply in relation to a premium to which section 43D(2) applies.]

Textual Amendments

F1 Ss. 43A-43G and cross-heading inserted (with effect in accordance with s. 110(2) of the amending Act) by Finance Act 2000 (c. 17), s.110(1)

Marginal Citations

M1 1989 c. 26.

Status:

Point in time view as at 31/07/1998. This version of this provision is not valid for this point in time.

Changes to legislation:

Income and Corporation Taxes Act 1988, Section 43E is up to date with all changes known to be in force on or before 03 August 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.