

*Status: Point in time view as at 01/09/2004.*

*Changes to legislation: Taxation of Chargeable Gains Act 1992, Cross Heading: Section 175 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

### [<sup>F1</sup>SCHEDULE 7AB

#### ROLL-OVER OF DEGROUPING CHARGE: MODIFICATION OF ENACTMENTS

##### Textual Amendments

- F1** Sch. 7AB inserted (with application in accordance with s. 43(4) of the amending Act) by [Finance Act 2002 \(c. 23\)](#), s. 43(2), [Sch. 7](#)

##### Modifications etc. (not altering text)

- C1** Sch. 7AB: power to modify conferred by Finance Act 1993 (c. 34), s. 86(2) (as amended (with application in accordance with s. 43(4) of the amending Act) by [Finance Act 2002 \(c. 23\)](#), s. 43(3))

#### Section 175

- 7 (1) In subsection (2) of section 175 (single-trade rule for group members not to apply in case of dual resident investing company)—
- (a) for “the consideration for the disposal of the old assets” substitute “the amount of the deemed sale consideration”;
  - (b) for ““the old assets” and “the new assets” have the same meanings” substitute ““the new assets” has the same meaning”.
- (2) In subsection (2A) of that section (claim by two group members to be treated as same person for roll-over purposes), for paragraph (a) substitute—
- “(a) company A is a member of a group of companies at the time of accrual.”.
- (3) In subsection (2AA) of that section (conditions for claim under subsection (2A))—
- (a) in paragraph (a) for the words from the beginning to “chargeable assets” substitute “that company A is resident in the United Kingdom at the time of accrual, or the relevant asset (or, as the case may be, the property mentioned in section 179(3)(b)) is a chargeable asset”;
  - (b) in paragraph (b) for “the assets” substitute “the new assets (within the meaning of section 152)”.
- (4) Immediately before subsection (2B) of that section (roll-over relief for group member not itself carrying on trade) insert—
- “(2AB) Section 152 or 153 shall apply where—
    - (a) company B was not carrying on a trade at the time when it disposed of the relevant asset to company A, but was a member of a group of companies at that time, and
    - (b) immediately before that time the relevant asset was used, and used only, for the purposes of the trade which (in accordance with

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subsection (1) above) is treated as carried on by the members of the group which carried on a trade,  
as if company B had been carrying on that trade.”.

- (5) In subsection (2B) of that section—
- (a) omit paragraph (a);
  - (b) in paragraph (b), for “those purposes” substitute “the purposes of the trade which (in accordance with subsection (1) above) is treated as carried on by the members of the group which carry on a trade”.
- (6) Omit subsection (4) of that section (acquisitions before 20th March 1990).]

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