



Finance (No. 2) Act 1992

1992 CHAPTER 48

PART II

INCOME TAX, CORPORATION TAX AND CAPITAL GAINS TAX

CHAPTER II

CAPITAL ALLOWANCES

69 Films etc

- (1) Section 68 of the Capital Allowances Act 1990 (which excludes certain expenditure relating to films, tapes and discs from being treated as capital expenditure for the purposes of Part II of that Act and gives relief by providing for such expenditure and other expenditure of a revenue nature to be allocated to relevant periods) shall be amended as follows.
- (2) After subsection (6) there shall be inserted—
 - “(6A) To the extent that a deduction has been made in respect of any expenditure for a relevant period under section 42 of the Finance (No. 2) Act 1992 (relief for production or acquisition expenditure), no allocation of that expenditure shall be made under subsections (3) to (6) above.
 - (6B) Where subsection (6A) above applies, no expenditure incurred on the production or acquisition of the film, tape or disc concerned shall be allocated under subsections (3) to (6) above to the relevant period referred to in subsection (6A).”
- (3) In subsection (9) (expenditure to which section 68 does not apply) after “expenditure” there shall be inserted “in relation to which an election is made under this subsection and”.
- (4) After subsection (9) there shall be inserted—

Status: This is the original version (as it was originally enacted).

“(9A) An election under subsection (9) above—

- (a) shall relate to all expenditure incurred (or to be incurred) on the production or acquisition of the film, tape or disc in question,
- (b) shall be made, by giving notice to the inspector in such form as the Board may determine, not later than two years after the end of the relevant period in which the film, tape or disc is completed, and
- (c) shall be irrevocable.

(9B) For the purposes of subsection (9A)(b) above, a film, tape or disc is completed—

- (a) at the time when it is first in a form in which it can reasonably be regarded as ready for copies of it to be made and distributed for presentation to the general public, or
- (b) where the expenditure in question was incurred on the acquisition of the film, tape or disc and it was acquired after the time mentioned in paragraph (a) above, at the time it was acquired.

(9C) An election may not be made under subsection (9) above in relation to expenditure on a film, tape or disc if a claim has been made in respect of any of that expenditure under section 41 (relief for preliminary expenditure) or section 42 (relief for production or acquisition expenditure) of the Finance (No. 2) Act 1992.”

(5) Subsections (3) and (4) above shall have effect in relation to films, tapes and discs completed on or after 10th March 1992.