



Finance Act 2000

2000 CHAPTER 17

PART III

INCOME TAX, CORPORATION TAX AND CAPITAL GAINS TAX

CHAPTER II

OTHER PROVISIONS

Capital allowances

79 Leased assets under the Affordable Warmth Programme

- (1) In section 53 of the Capital Allowances Act 1990 (fixtures: expenditure incurred by equipment lessor), after subsection (1C) insert—

“(1D) Where the conditions in subsection (1E) below are satisfied in any case, subsection (1) above shall have effect as if the following were omitted, that is to say—

- (a) in paragraph (b), the words from “for the purposes of” to “by the equipment lessee”, and
- (b) paragraphs (ba), (bb) and (d).

(1E) Those conditions are—

- (a) that the machinery or plant consists of a boiler, heat exchanger, radiator or heating control that is installed in a building as part of a space or water heating system; and
- (b) that the agreement for the lease is approved for the purposes of this section as entered into as part of the Affordable Warmth Programme.

(1F) The approval mentioned in subsection (1E)(b) above may be given, with the consent of the Treasury—

- (a) by the Secretary of State;

Status: This is the original version (as it was originally enacted).

- (b) in the case of buildings in Scotland, by the Scottish Ministers;
 - (c) in the case of buildings in Wales, by the National Assembly for Wales;
 - (d) in the case of buildings in Northern Ireland, by the Department for Social Development in Northern Ireland.
- (1G) Where any such approval is withdrawn—
- (a) the approval shall be treated for the purposes of subsection (1E)(b) above as never having had effect, and
 - (b) all such assessments and adjustments of assessments shall be made as are necessary in consequence of the withdrawal of the approval.
- (1H) Where a person who has made a return becomes aware that anything contained in the return has, after being made, become incorrect by reason of the withdrawal of any such approval, he shall, within three months of first becoming so aware, give notice to an officer of the Board of the amendments required to his return in consequence of the withdrawal of approval.”
- (2) In the second column of the table in section 98 of the Taxes Management Act 1970 (penalty for failure to provide information etc.), in the entry relating to requirements imposed by provisions of the Capital Allowances Act 1990, for “and 51(6A)” substitute “51(6A) and 53(1H)”.
- (3) This section has effect in relation to expenditure incurred after the passing of this Act and before 1st January 2008.