



# Capital Allowances Act 2001

## 2001 CHAPTER 2

### PART 12

#### SUPPLEMENTARY PROVISIONS

#### CHAPTER 4

##### PARTNERSHIPS, SUCCESSIONS AND TRANSFERS

#### **558 Effect of partnership changes**

- (1) This section applies if—
- (a) a relevant activity has been set up and is at any time carried on in partnership,
  - (b) there has been a change in the persons engaged in carrying on the relevant activity, and
  - [<sup>F1</sup>(c) the change does not [<sup>F2</sup>—
    - (i) involve all of the persons carrying on the relevant activity before the change permanently ceasing to carry it on, or
    - (ii) result in the relevant activity being treated under section 18 or 362 of ITTOIA 2005 as permanently ceasing to be carried on by a company or treated as discontinued under section 337(1) of ICTA (companies beginning or ceasing to carry on trade etc. ). ]]
- (2) In this section—
- “ the present partners ” means the person or persons for the time being carrying on the relevant activity, and
  - “ predecessors ”, in relation to the present partners, means their predecessors in carrying on the relevant activity.
- (3) Any allowance or charge is to be made to or on the present partners.
- (4) The amount of any allowance or charge arising under subsection (3) is to be calculated as if—

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*Status: Point in time view as at 06/04/2005. This version of this provision has been superseded.*

*Changes to legislation: There are currently no known outstanding effects for the Capital Allowances Act 2001, Section 558. (See end of Document for details)*

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- (a) the present partners had at all times been carrying on the relevant activity, and
- (b) everything done to or by their predecessors in carrying on the relevant activity had been done to or by the present partners.

(5) In this section “ relevant activity ” means a trade, property business, profession or vocation.

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#### **Textual Amendments**

- F1** S. 558(1)(c) substituted (with effect as mentioned in s. 69(2) of the amending Act) by [Finance Act 2001 \(c. 9\)](#), s. 69(1), **Sch. 21 para. 4(2)**
- F2** S. 558(1)(c)(i) (ii) substituted for words in para. (c) (with effect in accordance with s. 883(1) of the amending Act) by [Income Tax \(Trading and Other Income\) Act 2005 \(c. 5\)](#), **Sch. 1 para. 571** (with [Sch. 2](#) )

**Status:**

Point in time view as at 06/04/2005. This version of this provision has been superseded.

**Changes to legislation:**

There are currently no known outstanding effects for the Capital Allowances Act 2001, Section 558.