



# Finance (No. 2) Act 2005

## 2005 CHAPTER 22

### PART 2

#### INCOME TAX, CORPORATION TAX AND CAPITAL GAINS TAX

### CHAPTER 3

#### AUTHORISED INVESTMENT FUNDS ETC

#### **20 Unauthorised unit trusts: chargeable gains**

- (1) Section 100 of TCGA 1992 (exemption for authorised unit trusts, etc) shall be amended as follows.
- (2) After subsection (2) insert—
  - “(2A) In determining whether subsection (2) applies no account shall be taken of units in a scheme which—
    - (a) have been disposed of by a unit holder, and
    - (b) are held by the managers of the scheme (in that capacity) pending disposal.
  - (2B) In determining whether subsection (2) applies no account shall be taken of the possibility of a charge to corporation tax on income in respect of a gain accruing on a disposal by—
    - (a) an insurance company (within the meaning given by section 431 of the Taxes Act), or
    - (b) a friendly society (being an incorporated friendly society or registered friendly society within the meaning given by section 466(2) of the Taxes Act).”
- (3) This section shall have effect for the year 2005-06 and subsequent years of assessment.