



# Income Tax (Trading and Other Income) Act 2005

## 2005 CHAPTER 5

### PART 1

#### OVERVIEW

#### 2 Overview of priority rules

- (1) This Act contains some rules establishing an order of priority in respect of certain amounts which would otherwise—
  - (a) fall within a charge to income tax under two or more Chapters or Parts of this Act, or
  - (b) fall within a charge to income tax under a Chapter or Part of this Act and ITEPA 2003.
- (2) See, in particular—
  - section 4 (provisions which must be given priority over Part 2),
  - section 261 (provisions which must be given priority over Part 3),
  - section 262 (priority between Chapters within Part 3),
  - section 366 (provisions which must be given priority over Part 4),
  - section 367 (priority between Chapters within Part 4),
  - section 575 (provisions which must be given priority over Part 5), and
  - section 576 (priority between Chapters within Part 5).
- (3) But the rules in those sections need to be read with other rules of law (whether in this Act or otherwise) about the scope of particular provisions or the order of priority to be given to them.
- (4) Section 171(2) of FA 1993 (profits of Lloyd's underwriters charged only under Chapter 2 of Part 2 of this Act) [<sup>F1</sup>and sections 16A (voluntary office-holders: compensation for lost profits), 16B (payments to company directors) and 16C (professionals in practice:

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*Status: Point in time view as at 06/04/2018.*

*Changes to legislation: There are currently no known outstanding effects for the Income Tax (Trading and Other Income) Act 2005, Section 2. (See end of Document for details)*

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incidental income from an office or employment) of this Act are each an example] of another rule of law.

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**Textual Amendments**

- F1** Words in s. 2(4) substituted (6.4.2018) by [The Enactment of Extra-Statutory Concessions Order 2018 \(S.I. 2018/282\)](#), arts. 1, [3\(2\)](#)

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