



# Income Tax (Trading and Other Income) Act 2005

## 2005 CHAPTER 5

### PART 4

#### SAVINGS AND INVESTMENT INCOME

### CHAPTER 9

#### GAINS FROM CONTRACTS FOR LIFE INSURANCE ETC.

##### *Personal portfolio bonds*

#### **519 The index selection conditions**

- (1) The index selection conditions are—
  - (a) the general selection condition (see subsection (2)), and
  - (b) the class selection condition (see subsection (3)).
- (2) An index meets the general selection condition if, at the time when it may be selected, the opportunity to select the same index is available to—
  - (a) all policy holders of the insurance company, or
  - (b) persons acting on behalf of those policy holders.
- (3) An index meets the class selection condition if, at the time when it may be selected, the opportunity to select the same index is available to—
  - (a) a particular class or classes of policy holders of the insurance company, or
  - (b) persons acting on behalf of the members of that class or those classes.
- (4) A group of policy holders to whom the opportunity to select an index is available is a “class” for the purposes of subsection (3) if—

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**Status:** Point in time view as at 06/04/2005.

**Changes to legislation:** There are currently no known outstanding effects for the Income Tax (Trading and Other Income) Act 2005, Section 519. (See end of Document for details)

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- (a) neither membership of the class nor the opportunity are limited to connected persons,
  - (b) the question whether a policy holder is a member of the class, or has the opportunity, is determined solely by the insurance company, and
  - (c) the opportunity is clearly identified in marketing or other promotional material published by the insurance company to members of the public, or members of the public who are intending investors, as available generally to any person falling within its terms.
- (5) In this section—
- “holder” has the meaning given by section 516(5), and
  - “policy holder” includes a holder of a life annuity contract.

**Status:**

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