
Changes to legislation: There are currently no known outstanding effects for the Finance Act 2006, Paragraph 4. (See end of Document for details)

SCHEDULES

SCHEDULE 12

SETTLEMENTS: AMENDMENT OF TCGA 1992 ETC

PART 1

SETTLORS, TRUSTEES AND SETTLEMENTS

Interests in settlements

- 4 (1) In section 169F of TCGA 1992 (meaning of “interest in a settlement” for purposes of sections 169B to 169D)—
- (a) in subsection (1) for “or (3)” substitute “, (3) or (3A)”,
 - (b) in subsection (2)(a) after “any property which” insert “ is or ”,
 - (c) after subsection (3) insert—
 - “(3A) This subsection applies if—
 - (a) any property which is or may at any time be comprised in the settlement, or any derived property, is, or will or may become, payable to or applicable for the benefit of a child of the individual, at a time when that child is a dependent child of his, in any circumstances whatsoever, or
 - (b) a dependent child of the individual enjoys a benefit deriving directly or indirectly from any property which is comprised in the settlement or any derived property.”, and
 - (d) after subsection (4) insert—
 - “(4A) In this section—
 - (a) “dependent child” means a child who—
 - (i) is under the age of 18 years,
 - (ii) is unmarried, and
 - (iii) does not have a civil partner, and
 - (b) “child” includes a stepchild.
- (4B) For the purposes of subsection (3A) above no account shall be taken of a term of a settlement relating to dependent children of an individual in respect of any time at which he has no dependent child.”
- (2) Sub-paragraph (1) shall have effect for the purpose of determining whether for the purposes of sections 169B to 169D and 169F an individual is to be regarded as having an interest in a settlement (whenever created) on or after 6th April 2006.
- (3) But sub-paragraph (1) shall not have effect in relation to section 169C if the relevant disposal (within the meaning of section 169C(1)) is made on or before 5th April 2006.

Changes to legislation:

There are currently no known outstanding effects for the Finance Act 2006, Paragraph 4.