



Income Tax Act 2007

2007 CHAPTER 3

PART 10

SPECIAL RULES ABOUT CHARITABLE TRUSTS ETC

Restrictions on exemptions

540 The non-exempt amount

- (1) A charitable trust has a non-exempt amount for a tax year if it has—
 - (a) non-charitable expenditure for the tax year (amount A), and
 - (b) attributable income and gains for the tax year (amount B).
- (2) The non-exempt amount for the tax year is—
 - (a) amount A, or
 - (b) if less, amount B.
- (3) For the purposes of this Part—
 - (a) a charitable trust's "attributable income" for a tax year is the charitable trust's income for the tax year that is exempt from income tax as a result of any of the exemptions under this Part,
 - (b) a charitable trust's "attributable gains" for a tax year are any gains accruing to the charitable trust in the tax year that as a result of section 261 of TCGA 1992, are not chargeable gains, and
 - (c) a charitable trust's "attributable income and gains" for a tax year is the sum of its attributable income for the tax year and its attributable gains for the tax year.
- (4) In applying subsection (3)(a) ignore any restrictions on the exemptions under this Part which result from section 539(2).
- (5) In applying subsection (3)(b) ignore any restriction on the exemption under section 256(1) of TCGA 1992 which results from section 256(4) of that Act.

Status:

Point in time view as at 06/04/2007. This version of this provision has been superseded.

Changes to legislation:

There are currently no known outstanding effects for the Income Tax Act 2007, Section 540.