



Income Tax Act 2007

2007 CHAPTER 3

PART 14

INCOME TAX LIABILITY: MISCELLANEOUS RULES

[^{F1}CHAPTER A1

REMITTANCE BASIS

Remittance of income and gains: transfers from mixed funds

[^{F1}809S Section 809Q: anti-avoidance

- (1) This section applies if, by reason of an arrangement the main purpose (or one of the main purposes) of which is to secure an income tax advantage or capital gains tax advantage, a mixed fund would otherwise be regarded as containing income or capital within any of paragraphs (f) to (i) of section 809Q(4).
- (2) Treat the mixed fund as containing so much (if any) of the income or capital as is just and reasonable.
- (3) “Arrangement” includes any scheme, understanding, transaction or series or transactions (whether or not enforceable).
- (4) “Income tax advantage” has the meaning given by section 683.
- (5) “Capital gains tax advantage” means—
 - (a) a relief from capital gains tax or increased relief from capital gains tax,
 - (b) a repayment of capital gains tax or increased repayment of capital gains tax,
 - (c) the avoidance or reduction of a charge to capital gains tax or an assessment to capital gains tax, or
 - (d) the avoidance of a possible assessment to capital gains tax.]

Status: Point in time view as at 21/07/2009. This version of this provision has been superseded.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 809S. (See end of Document for details)

Textual Amendments

- F1** Pt. 14 Ch. A1 inserted (21.7.2008 with effect in accordance with Sch. 7 para. 81 of the amending Act) by [Finance Act 2008 \(c. 9\)](#), **Sch. 7 para. 1** (with Sch. 7 paras. 85-89)

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