



# Finance Act 2009

## 2009 CHAPTER 10

### PART 2

#### INCOME TAX, CORPORATION TAX AND CAPITAL GAINS TAX

##### *Miscellaneous anti-avoidance provisions*

#### **67 Deductions for employee liabilities**

- (1) ITEPA 2003 is amended as follows.
- (2) In section 346 (deduction for employee liabilities), after subsection (2) insert—

“(2A) Nor is a deduction allowed for a payment which falls within paragraph A, B or C if the payment is made in pursuance of arrangements the main purpose, or one of the main purposes, of which is the avoidance of tax.”
- (3) After section 556 insert—

#### **“556A Deductible payments made pursuant to tax avoidance arrangements**

No deduction may be made under section 555 if the deductible payment is made in pursuance of arrangements the main purpose, or one of the main purposes, of which is the avoidance of tax.”

- (4) The amendments made by this section have effect in relation to payments made on or after 12 January 2009 (irrespective of when the arrangements are made).