# Corporation Tax Act 2009

## 2009 CHAPTER 4

## PART 8

INTANGIBLE FIXED ASSETS

## [F1CHAPTER 15A

DEBITS IN RESPECT OF GOODWILL AND CERTAIN OTHER ASSETS

*[F1Restrictions on debits: no business or no qualifying IP assets acquired*

**Textual Amendments**

**F1** Pt. 8 Ch. 15A inserted (with effect in accordance with Sch. 9 para. 7 of the amending Act) by Finance Act 2019 (c. 1), **Sch. 9 para. 6**

### 879I Restrictions on debits: no business or no qualifying IP assets acquired

(1) This section applies in respect of a relevant asset of a company if the company acquires the asset on or after 1 April 2019 otherwise than as part of the acquisition of a business.

(2) This section also applies in respect of a relevant asset of a company if—

(a) the company acquires the asset on or after 1 April 2019 as part of the acquisition of a business, and

(b) the company does not acquire any qualifying IP assets as part of the acquisition of the business for use on a continuing basis in the course of the business.

(3) No debits in respect of the asset are to be brought into account by the company for tax purposes under Chapter 3 (debits in respect of intangible fixed assets) or Chapter 15 (adjustments on change of accounting policy).

***Changes to legislation:*** *Corporation Tax Act 2009, Cross Heading: Restrictions on debits: no business or no qualifying IP assets acquired is up to date with all changes known to be in force on or before 20 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

(4) Any debit in respect of the asset that is brought into account by the company for tax purposes under Chapter 4 (realisation of intangible fixed assets) is treated for the purposes of Chapter 6 as a non-trading debit.

### 879J Meaning of qualifying IP asset

(1) In section 879I "qualifying IP asset", in relation to a company, means an intangible fixed asset that meets the following two conditions.

(2) The first condition is that the asset is—

(a) a patent, registered design, copyright or design right, plant breeders' right, or right under section 7 of the Plant Varieties Act 1997,

(b) a right under the law of a country or territory outside the United Kingdom corresponding or similar to a right within paragraph (a), or

(c) a licence or other right in respect of anything within paragraph (a) or (b).

(3) The second condition is that in the hands of the company the asset—

(a) is not to any extent excluded from this Part by Chapter 10, and

(b) is not a pre-FA 2002 asset (see section 881).

(4) The reference in subsection (2)(c) to a licence or other right does not include a licence or other right that permits the use of computer software but does not permit its manufacture, adaptation or supply.

(5) The Treasury may by regulations amend the meaning of qualifying IP asset for the purposes of this Chapter.**]**

**Changes to legislation:**
Corporation Tax Act 2009, Cross Heading: Restrictions on debits: no business or no qualifying IP assets acquired is up to date with all changes known to be in force on or before 20 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.
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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

– Blanket amendment words substituted by S.I. 2011/1043 art. 34

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

– s. 322(2A)(zb) inserted by 2016 c. 24 s. 73(5)
– s. 1058B(5)(ea) inserted by 2023 c. 20 Sch. para. 57
– s. 1094(2A)-(2C) inserted by 2012 c. 14 Sch. 3 para. 13(3)
– s. 1106(4A)-(4C) inserted by 2012 c. 14 Sch. 3 para. 14(3)