



Corporation Tax Act 2009

2009 CHAPTER 4

PART 8 U.K.

INTANGIBLE FIXED ASSETS

CHAPTER 9 U.K.

APPLICATION OF THIS PART TO GROUPS OF COMPANIES

Company ceasing to be member of group

783 [F1Certain associated] companies leaving group at the same time U.K.

[F2(1) Where two companies cease to be members of a group at the same time, section 780 does not apply in relation to a transfer by one of the companies to the other if condition A or B is met.

(1A) Condition A is that the companies—

- (a) are both 75% subsidiaries and effective 51% subsidiaries of another company on the date of the transfer, and
- (b) remain both 75% subsidiaries and effective 51% subsidiaries of that other company until immediately after they cease to be members of the group.

(1B) Condition B is that one of the companies—

- (a) is both a 75% subsidiary and an effective 51% subsidiary of the other on the date of the transfer, and
- (b) remains both a 75% subsidiary and an effective 51% subsidiary of the other until immediately after the companies cease to be members of the group.]

(2) This subsection applies if—

- (a) a company (“the transferee”) that is a member of a group of companies (“the first group”) acquires an asset from another company (“the transferor”) which is a member of that group at the time of the transfer,

Changes to legislation: Corporation Tax Act 2009, Section 783 is up to date with all changes known to be in force on or before 06 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

- (b) the transferee ceases to be a member of the first group,
 - (c) subsection (1) applies in relation to the transferee ceasing to be a member of the first group (so that section 780 does not apply),
 - (d) the transferee subsequently ceases to be a member of another group of companies (“the second group”), and
 - (e) there is a relevant connection between the two groups (see section 784).
- (3) If subsection (2) applies, section 780 applies in relation to the transferee ceasing to be a member of the second group as if both companies had been members of the second group at the time of the transfer.
- (4) This section is subject to section 789 (merger carried out for genuine commercial reasons).

Textual Amendments

- F1** Words in s. 783 heading substituted (19.7.2011) (with effect in accordance with Sch. 10 para. 9 of the amending Act) by [Finance Act 2011 \(c. 11\)](#), [Sch. 10 para. 7\(3\)](#)
- F2** S. 783(1)-(1B) substituted (19.7.2011) for s. 783(1) (with effect in accordance with Sch. 10 para. 9 of the amending Act) by [Finance Act 2011 \(c. 11\)](#), [Sch. 10 para. 7\(3\)](#)

Modifications etc. (not altering text)

- C1** Pt. 8 modified (with effect in accordance with s. 148 of the amending Act) by [Finance Act 2012 \(c. 14\)](#), [s. 88\(1\)\(2\)\(7\)](#) (with s. 147, [Sch. 17](#))

Changes to legislation:

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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\(3\)](#)