



# Corporation Tax Act 2010

## 2010 CHAPTER 4

### PART 6

#### CHARITABLE DONATIONS RELIEF

### CHAPTER 3

#### CERTAIN DISPOSALS TO CHARITY

##### *Value of net benefit to charity*

#### **209 Value of net benefit to charity**

- (1) For the purposes of this Chapter the value of the net benefit to a charity is—
- the [<sup>F1</sup>relevant] value of the qualifying investment, or
  - if the charity is, or becomes, subject to a disposal-related obligation, the [<sup>F1</sup>relevant] value of the qualifying investment reduced by the total amount of the disposal-related liabilities of the charity.

[<sup>F2</sup>(1A) In subsection (1) “relevant value” means—

- where subsection (1B) applies, the lower of the market value and the acquisition value, and
- otherwise, the market value.

(1B) This subsection applies where—

- the qualifying investment, or anything from which it derives or which it represents (whether in whole or in part and whether directly or indirectly), was acquired by the company making the disposal within the period of 4 years ending with the day on which the disposal is made,
- the acquisition was made as part of a scheme, and

*Status: Point in time view as at 17/07/2012.*

*Changes to legislation: Corporation Tax Act 2010, Section 209 is up to date with all changes known to be in force on or before 27 July 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)*

- (c) the main purpose, or one of the main purposes, of the company in entering into the scheme was to obtain relief, or an increased amount of relief, as a result of this Chapter.
- (1C) In subsection (1B) “ scheme ” includes any scheme, arrangement or understanding of any kind, whether or not legally enforceable, involving a single transaction or two or more transactions. ]
- (2) This section is supplemented by—
- (a) section 210 (market value of qualifying investments),
  - [<sup>F3</sup>(aa) section 210A (acquisition value of qualifying investments),]
  - (b) section 211 (meaning of disposal-related obligation), and
  - (c) section 212 (meaning and amount of disposal-related liability).

#### **Textual Amendments**

- F1** Word in s. 209(1) substituted (with effect in accordance with Sch. 7 paras. 9, 10 of the amending Act) by [Finance Act 2010 \(c. 13\)](#), [Sch. 7 para. 6\(2\)](#)
- F2** S. 209(1A)-(1C) inserted (with effect in accordance with Sch. 7 paras. 9, 10 of the amending Act) by [Finance Act 2010 \(c. 13\)](#), [Sch. 7 para. 6\(3\)](#)
- F3** S. 209(2)(aa) inserted (with effect in accordance with Sch. 7 paras. 9, 10 of the amending Act) by [Finance Act 2010 \(c. 13\)](#), [Sch. 7 para. 6\(4\)](#)

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