



Taxation (International and Other Provisions) Act 2010

2010 CHAPTER 8

PART 2

DOUBLE TAXATION RELIEF

CHAPTER 3

MISCELLANEOUS PROVISIONS

When foreign tax disregarded in applying Part for corporation tax purposes

109 Repo cases in which no disregard under section 108

- (1) Tax attributable to interest accruing to a company under a loan relationship is within this section if—
 - (a) at the time when the interest accrues, the company has ceased to be a party to the relationship by reason of having made the initial sale under or in accordance with any debtor repo relating to the relationship, and
 - (b) that time is in the period for which the repo has effect.
- (2) In this section—
 - “debtor repo” has the meaning given by the repo-definition section,
 - “the initial sale”, in relation to a debtor repo, means the sale mentioned in condition C in the repo-definition section, and
 - “the repo-definition section” means section 548 of CTA 2009.
- (3) In this section, a reference to the period for which a debtor repo has effect is to the period from the making of the initial sale until the earlier of—
 - (a) the time when the subsequent purchase mentioned in condition D in the repo-definition section takes place, and

Status: This is the original version (as it was originally enacted).

- (b) the time when it becomes apparent that that subsequent purchase will not take place.