



Taxation (International and Other Provisions) Act 2010

2010 CHAPTER 8

PART 4

TRANSFER PRICING

CHAPTER 4

POSITION, IF ONLY ONE AFFECTED PERSON POTENTIALLY ADVANTAGED, OF OTHER AFFECTED PERSON

Notification to persons who may be disadvantaged

185 Notice to potential claimants

- (1) Subsection (2) applies if—
 - (a) a relevant notice (see section 190) is given to any person,
 - (b) the notice, or anything contained in it, takes account of a transfer-pricing determination, and
 - (c) it appears to an officer that there is a person (“DP”) who is or may be a disadvantaged person by reference to the subject-matter of the determination.
- (2) The officer must give to DP a notice containing particulars of the determination.
- (3) A contravention of subsection (2) does not affect the validity—
 - (a) of the relevant notice, or
 - (b) of any determination to which the notice relates.
- (4) For the purposes of this section, a person is a disadvantaged person by reference to the subject-matter of a transfer-pricing determination if (and only if) the person—

Changes to legislation: There are currently no known outstanding effects for the Taxation (International and Other Provisions) Act 2010, Section 185. (See end of Document for details)

- (a) is entitled, in consequence of the making of the determination, to make or amend a claim under section 174, or
 - (b) will be entitled, because of section 212(3), to be a party to any proceedings on an appeal relating to the determination.
- (5) In this section—
- “officer” means officer of Revenue and Customs, and
 - “transfer-pricing determination” means a determination of an amount that is to be brought into account for tax purposes in respect of—
 - (a) any assumption made under section 147(3) or (5), or
 - (b) any advance-pricing-agreement assumptions (see section 222(6)).

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