



Taxation (International and Other Provisions) Act 2010

2010 CHAPTER 8

PART 2

DOUBLE TAXATION RELIEF

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DOUBLE TAXATION RELIEF BY WAY OF CREDIT

Limits on credit: general rules

33 Limit on credit: minimisation of the foreign tax

- (1) The credit under section 18(2) must not exceed the credit which would be allowed had all reasonable steps been taken—
 - (a) under the law of the non-UK territory, and
 - (b) under double taxation arrangements made in relation to that territory, to minimise the amount of tax payable in that territory.
- (2) The steps mentioned in subsection (1) include—
 - (a) claiming, or otherwise securing the benefit of, reliefs, deductions, reductions or allowances, and
 - (b) making elections for tax purposes.
- (3) For the purposes of subsection (1), any question as to the steps which it would have been reasonable for a person to take is to be determined on the basis of what the person might reasonably be expected to have done in the absence of relief under this Part.

Changes to legislation:

There are currently no known outstanding effects for the Taxation (International and Other Provisions) Act 2010, Section 33.