



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.