

*Status: Point in time view as at 19/07/2011.*

*Changes to legislation: Finance Act 2011, Paragraph 8 is up to date with all changes known to be in force on or before 15 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)*

## SCHEDULES

### SCHEDULE 13

#### PROFITS OF FOREIGN PERMANENT ESTABLISHMENTS ETC

##### PART 1

##### AMENDMENTS OF CTA 2009

8 After section 848 insert—

**“848A Assets held for purposes of exempt foreign permanent establishments**

- (1) This section applies if—
- (a) subsection (1) of section 775 (transfers within a group) would apply in relation to the transfer but for paragraph (c) of subsection (4) of that section, and
  - (b) the asset has not at all times when the election under section 18A had effect been held by the transferor wholly for the purposes of a permanent establishment such as is mentioned in that paragraph.
- (2) The transfer is treated for the purposes of this Part as being at the following value—

### WDV + FPEA

where—

WDV is the tax written-down value of the asset, and

FPEA is the amount which, for the purposes of Chapter 3A of Part 2, would in the case of the transferor be the foreign permanent establishments amount attributable to the transfer for the accounting period in which it took place if the transfer were at market value.”

**Status:**

Point in time view as at 19/07/2011.

**Changes to legislation:**

Finance Act 2011, Paragraph 8 is up to date with all changes known to be in force on or before 15 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.