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**Changes to legislation:** Finance Act 2011, Cross Heading: Income Tax Act 2007 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) View outstanding changes

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## SCHEDULES

### SCHEDULE 3 **U.K.**

#### TAINTED CHARITY DONATIONS

#### **PART 4** **U.K.**

#### CONSEQUENTIAL AMENDMENTS

##### *Income Tax Act 2007*

- 7 ITA 2007 is amended as follows.
- 8 In section 30 (calculation of income tax liability: additional tax)—
- (a) in subsection (1) before the entry for section 205 of FA 2004 insert—
- “section 809ZN (tainted gift aid donations: charge to tax),  
section 809ZO (tainted charity donations by trustees: charge to tax),”, and
- (b) for subsection (2) substitute—
- “(2) If the taxpayer is a trustee, the provisions referred to at Step 7 of the calculation in section 23 are—  
section 496 (discretionary payments by trustees: tax pool adjustment),  
section 809ZN (tainted gift aid donations: charge to tax), and  
section 809ZO (tainted charity donations by trustees: charge to tax).”
- 9 In section 58 (meaning of “adjusted net income), at the end insert—
- “(4) Subsection (6) of section 809ZM (removal of income tax relief in respect of tainted donations etc) excludes certain donations from being deducted at step 2 in subsection (1).”
- 10 In section 413 (gift aid: overview of Chapter), after subsection (4) insert—
- “(4A) This Chapter is subject to section 809ZM (removal of income tax relief in respect of tainted charity donations etc).”
- 11 In section 431 (gifts of shares, securities and real property to charities etc), after subsection (6) insert—
- “(7) This Chapter is subject to section 809ZM (removal of income tax relief in respect of tainted charity donations etc).”
- 12 In section 543 (meaning of “non-charitable expenditure”), omit subsection (1)(g) and (h).

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- 13 Sections 549 to 557 (substantial donor transactions) are repealed.
- 14 In Schedule 2 (transitionals and savings), omit paragraphs 105 and 106.
- 15 In Schedule 4 (index of defined expressions), at the appropriate places insert—

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| “arrangements (in Chapter 8 of Part 13)                  | section 809ZR”   |
| “charity (in Chapter 8 of Part 13)                       | paragraph 1 of Schedule 6 to FA 2010 (and see also section 809ZR)” |
| “the donor (in Chapter 8 of Part 13)                     | section 809ZJ(3)”  |
| “potentially advantaged person (in Chapter 8 of Part 13) | section 809ZJ(5)”  |
| “relievable charity donation (in Chapter 8 of Part 13)   | section 809ZI(1)”  |
| “tainted donation (in Chapter 8 of Part 13)              | section 809ZJ”.  |

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Sch. 23 para. 45(1)(ia) inserted by [2017 c. 10 Sch. 11 para. 6\(3\)](#)
- Sch. 23 para. 2(1A) inserted by [S.I. 2019/397 reg. 2\(2\)](#) (This amendment not applied to legislation.gvo.uk. Amending Regulations revoked on IP completion day by S.I. 2020/1544, regs. 1, 8; S.I. 2020/1641, reg. 2, Sch.)
- Sch. 23 para. 15A inserted by [S.I. 2019/397 reg. 2\(3\)](#) (This amendment not applied to legislation.gvo.uk. Amending Regulations revoked on IP completion day by S.I. 2020/1544, regs. 1, 8; S.I. 2020/1641, reg. 2, Sch.)