

**Changes to legislation:** Finance Act 2014, Paragraph 13B is up to date with all changes known to be in force on or before 08 June 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

## SCHEDULES

### SCHEDULE 34

#### PROMOTERS OF TAX AVOIDANCE SCHEMES: THRESHOLD CONDITIONS

#### PART 2

#### MEETING THE THRESHOLD CONDITIONS: BODIES CORPORATE [<sup>F1</sup>AND PARTNERSHIPS]

##### Textual Amendments

- F1** Words in Sch. 34 heading inserted (with effect in accordance with Sch. 19 para. 9 of the amending Act) by [Finance Act 2015 \(c. 11\)](#), [Sch. 19 para. 4\(2\)](#)

*[<sup>F1</sup>Relevant bodies controlled etc by other persons treated as meeting a threshold condition*

##### Textual Amendments

- F1** [Sch. 34 Pt. 2 paras. 13B-13D](#) substituted (with effect in accordance with s. 24(5) of the amending Act) by [Finance Act 2017 \(c. 10\)](#), [s. 24\(2\)](#)

- 13B (1) A relevant body is treated as meeting a threshold condition at the relevant time if any of Conditions A to C is met.
- (2) Condition A is that—
- (a) a person met the threshold condition at a time when the person was a promoter, and
  - (b) the person controls or has significant influence over the relevant body at the relevant time.
- (3) Condition B is that—
- (a) a person met the threshold condition at a time when the person controlled or had significant influence over the relevant body,
  - (b) the relevant body was a promoter at that time, and
  - (c) the person controls or has significant influence over the relevant body at the relevant time.
- (4) Condition C is that—
- (a) two or more persons together controlled or had significant influence over the relevant body at a time when one of those persons met the threshold condition,
  - (b) the relevant body was a promoter at that time, and
  - (c) those persons together control or have significant influence over the relevant body at the relevant time.

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- (5) Where the person referred to in sub-paragraph (2)(a) or (3)(a) or (4)(a) as meeting a threshold condition is an individual [<sup>F2</sup>who does not fall within the case described in paragraph 4 or 5 of Schedule 33A], sub-paragraph (1) only applies if the threshold condition is a relevant threshold condition.
- (6) For the purposes of sub-paragraph (2) it does not matter whether the relevant body existed at the time referred to in sub-paragraph (2)(a).]

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**Textual Amendments**

- F2** Words in [Sch. 34 para. 13B\(5\)](#) inserted (with effect in accordance with s. 121(6) of the amending Act) by [Finance Act 2021 \(c. 26\)](#), [Sch. 30 para. 19](#)

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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. 31 para. 2(3)(b) inserted by [2017 c. 32 Sch. 14 para. 45\(2\)\(a\)\(iii\)](#)
- Sch. 31 para. 2(4A) inserted by [2017 c. 32 Sch. 14 para. 45\(2\)\(c\)](#)
- Sch. 31 para. 3(1A) inserted by [2017 c. 32 Sch. 14 para. 45\(3\)\(b\)](#)
- Sch. 31 para. 5(b) inserted by [2017 c. 32 Sch. 14 para. 45\(4\)\(c\)](#)
- Sch. 31 para. 2(3)(a) words inserted by [2017 c. 32 Sch. 14 para. 45\(2\)\(a\)\(ii\)](#)
- Sch. 31 para. 5(a) words inserted by [2017 c. 32 Sch. 14 para. 45\(4\)\(b\)](#)
- Sch. 31 para. 2(3)(a) words renumbered as Sch. 31 para. 2(3)(a) by [2017 c. 32 Sch. 14 para. 45\(2\)\(a\)\(i\)](#)
- Sch. 31 para. 5(a) words renumbered as Sch. 31 para. 5(a) by [2017 c. 32 Sch. 14 para. 45\(4\)\(a\)](#)
- Sch. 32 para. 1(2)(b) inserted by [2017 c. 32 Sch. 14 para. 46\(2\)\(a\)\(iii\)](#)
- Sch. 32 para. 1(3A) inserted by [2017 c. 32 Sch. 14 para. 46\(2\)\(c\)](#)
- Sch. 32 para. 1(2)(a) words inserted by [2017 c. 32 Sch. 14 para. 46\(2\)\(a\)\(ii\)](#)
- Sch. 32 para. 1(2)(a) words renumbered as Sch. 32 para. 1(2)(a) by [2017 c. 32 Sch. 14 para. 46\(2\)\(a\)\(i\)](#)