



Finance Act 2022

2022 CHAPTER 3

PART 2

RESIDENTIAL PROPERTY DEVELOPER TAX

Profits and losses

39 Adjusted trading profits and losses

- (1) For the purposes of this Part “adjusted trading profits” and “adjusted trading losses” mean the amounts that would be the RP developer’s trading profits or trading losses (as the case may be) for corporation tax purposes for an accounting period if the matters mentioned in subsection (2) were ignored.
- (2) The matters referred to in subsection (1) are—
 - (a) so far as they are derived from or related to activities other than RPD activities—
 - (i) profits and losses, and
 - (ii) allowances or charges under CAA 2001;
 - (b) profits of a charitable trade carried on by a charitable company (within the meanings of Part 11 of CTA 2010) so far as they are applied to the purposes of the charitable company only;
 - (c) any amounts of loss relief, group relief or group relief for carried forward losses under Parts 4 to 5A of CTA 2010 that would otherwise be available to the RP developer;
 - (d) any credits or debits that would otherwise be brought into account in relation to loan relationships as a result of Part 5 of CTA 2009;
 - (e) any credits or debits that would otherwise be brought into account in accordance with Part 7 of CTA 2009 (derivative contracts).
- (3) For the purposes of subsection (2)(a) an RP developer may apportion profits and losses, or amounts of allowances or charges, derived from or related to RPD activities and other activities on a just and reasonable basis.

Changes to legislation:

There are currently no known outstanding effects for the Finance Act 2022, Section 39.