



Finance (No. 2) Act 2023

2023 CHAPTER 30

PART 1

INCOME TAX, CORPORATION TAX AND CAPITAL GAINS TAX

Chargeable gains

40 Contracts completed after ordinary notification period

- (1) In TCGA 1992, after section 28 (time of disposal and acquisition where asset disposed of under contract) insert—

“28A Contracts completed after ordinary notification period

- (1) This section applies in relation to chargeable gains or allowable losses accruing on the disposal and acquisition of an asset under a contract where the asset is conveyed or transferred after the ordinary notification period relating to the chargeable period in which the asset was disposed of and acquired in accordance with section 28.
- (2) The following references are to be read as references to the chargeable period in which the conveyance or transfer takes place—
- the references in section 7(1C) of the Management Act (income tax and capital gains tax: period for giving notice of chargeability) to the year of assessment;
 - the references in sections 34(1) and 36(1) and (1A) of the Management Act (income tax and capital gains tax: time limits for assessments) to the year of assessment to which an assessment relates;
 - the reference in section 43(1) of the Management Act (income tax and capital gains tax: time limit for making claims) to the year of assessment to which a claim relates;

Changes to legislation: There are currently no known outstanding effects for the Finance (No. 2) Act 2023, Section 40. (See end of Document for details)

- (d) the reference in paragraph 2(2) of Schedule 18 to the Finance Act 1998 (corporation tax: period for giving notice of chargeability) to the accounting period;
 - (e) the references in paragraph 46(1), (2) and (2A) of Schedule 18 to the Finance Act 1998 (corporation tax: time limits for assessments) to the accounting period to which an assessment relates;
 - (f) the reference in paragraph 55 of Schedule 18 to the Finance Act 1998 (general time limit for making claims) to the accounting period to which a claim for relief relates.
- (3) For the purposes of [subsection \(1\)](#), the “ordinary notification period” relating to a chargeable period is—
- (a) in the case of capital gains tax, the period of 6 months from the end of the chargeable period, and
 - (b) in the case of corporation tax, the period of 12 months from the end of the chargeable period.
- (4) Where a claim, election, application or notice is made, given, revoked or varied by virtue of this section, all such adjustments shall be made, whether by way of discharge or repayment of tax or the making of amendments, assessments or otherwise, as are required to take account of the effect of the taking of that action on any person’s liability to tax for any chargeable period.”
- (2) The amendment made by [subsection \(1\)](#) has effect—
- (a) for the purposes of corporation tax, in relation to any disposal and acquisition of an asset under a contract that is entered into on or after 1 April 2023, and
 - (b) for all other purposes, in relation to any disposal and acquisition of an asset under a contract that is entered into on or after 6 April 2023.

Changes to legislation:

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