



Energy Act 2023

2023 CHAPTER 52

PART 14

CIVIL NUCLEAR SECTOR

CHAPTER 4

GREAT BRITISH NUCLEAR

Transfers and pension arrangements etc

326 Transfer schemes: taxation

- (1) The Treasury may by regulations make provision varying the way in which a relevant tax has effect in relation to—
 - (a) anything transferred under a scheme under [section 324](#), or
 - (b) anything done for the purposes of, or in relation to, a transfer under such a scheme.
- (2) The provision that may be made under [subsection \(1\)\(a\)](#) includes, in particular, provision for—
 - (a) a tax provision not to apply, or to apply with modifications, in relation to anything transferred;
 - (b) anything transferred to be treated in a specified way for the purposes of a tax provision;
 - (c) the Secretary of State to be required or permitted to determine, or to specify the method for determining, anything that needs to be determined for the purposes of any tax provision so far as relating to anything transferred.
- (3) The provision that may be made under [subsection \(1\)\(b\)](#) includes, in particular, provision for—

Changes to legislation: There are currently no known outstanding effects for the Energy Act 2023, Section 326. (See end of Document for details)

- (a) a tax provision not to apply, or to apply with modifications, in relation to anything done for the purposes of, or in relation to, the transfer;
 - (b) anything done for the purposes of, or in relation to, the transfer to have or not have a specified consequence or be treated in a specified way;
 - (c) the Secretary of State to be required or permitted to determine, or to specify the method for determining, anything that needs to be determined for the purposes of any tax provision so far as relating to anything done for the purposes of, or in relation to, the transfer.
- (4) In this section—
- (a) “relevant tax” means income tax, corporation tax, capital gains tax, stamp duty, stamp duty reserve tax, stamp duty land tax or value added tax;
 - (b) “tax provision” means any provision—
 - (i) about a relevant tax, and
 - (ii) made by an enactment (within the meaning of [Part 1](#) of this Act);
 - (c) references to the transfer of a property include the grant of the lease.
- (5) A statutory instrument containing regulations under this section is subject to annulment in pursuance of a resolution of the House of Commons.

Commencement Information

II S. 326 in force at Royal Assent, see [s. 334\(2\)\(o\)](#)

Changes to legislation:

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