

SCHEDULE 2

EUROPEAN CROSS-BORDER MERGERS

PART 1

AMENDMENTS OF TCGA 1992

Held over gains

5. For section 140(6B) (postponement of charge on transfer of assets to non-resident company)
^{M1} substitute —

“(6B) If securities are transferred by a transferor as part of the process of a merger to which section 140E applies—

- (a) the transfer shall be disregarded for the purposes of subsection (4), and
- (b) the transferee shall be treated as if it were the transferor in relation to—
 - (i) any subsequent disposal of the securities, and
 - (ii) any subsequent disposal by the transferee of assets to which subsection (5) applies.

(6C) In subsection (6B) “transferor” and “transferee” have the meaning given by section 140E(9).”.

Marginal Citations

M1 [Section 140\(6B\)](#) was inserted by section 64(2) of the Finance (No. 2) Act 2005.

Changes to legislation:

There are currently no known outstanding effects for the The Corporation Tax (Implementation of the Mergers Directive) Regulations 2007, Paragraph 5.