

2022 No. 973

INCOME TAX

CORPORATION TAX

STAMP DUTY LAND TAX, ENGLAND

**The Designation of Freeport Tax Sites (Solent Freeport) (No. 2)
Regulations 2022**

Made - - - - - *22nd September 2022*

Laid before the House of Commons *23rd September 2022*

Coming into force - - - *14th October 2022*

The Treasury make the following Regulations in exercise of the powers conferred by section 113 of the Finance Act 2021(a).

The area designated by these Regulations is either situated in a freeport or considered by the Treasury as being used, or likely to be used, for purposes connected with activities carried on, or likely to be carried on, in a freeport(b).

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Designation of Freeport Tax Sites (Solent Freeport) (No. 2) Regulations 2022 and come into force on 14th October 2022.

(2) In these Regulations, a reference to an area “shown edged and hatched in red” on a map is a reference to the hatched area extending up to the red edging, but not including the red edging itself.

(a) 2021 c. 26.

(b) “Freeport” is defined in section 113(5) of the Finance Act 2021 (“FA 2021”). The relevant freeport for this designation is the area known as the “Solent Freeport”, which comprises the areas identified edged in blue on the map entitled “Solent Freeport” and dated 23rd June 2022, published with the consent of the Treasury for the purposes of section 113 of FA 2021. The map is available electronically at <https://www.gov.uk/government/publications/maps-of-uk-freeports>. A person unable to access the document electronically can arrange access to a hard copy by inspection free of charge at 1 Horse Guards Road, London SW1A 2HQ.

Designation of freeport tax site

2.—(1) The area shown edged and hatched in red on the map entitled “Navigator Quarter Tax Site” and dated 8th June 2022^(a) is designated as a special area^(b) for the purposes referred to in section 113(1)(a), (b) and (c) of the Finance Act 2021.

(2) The designation made by paragraph (1) takes effect on 14th October 2022.

Craig Whittaker

Gareth Johnson

22nd September 2022

Two of the Lords Commissioners of His Majesty’s Treasury

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations designate an area, known as a “freeport tax site”, as a special area for the purposes of Parts 2 (plant and machinery allowances) and 2A (structures and buildings allowances) of the Capital Allowances Act 2001 (c. 2) (“CAA 2001”) and Part 4 (stamp duty land tax) of the Finance Act 2003 (c. 14) (“FA 2003”).

Section 450 in Part 2 of CAA 2001 provides that expenditure incurred by a company on the provision of plant and machinery for use in a freeport tax site qualifies for enhanced capital allowances if certain conditions are met.

Section 270BNA in Part 2A of CAA 2001 provides that expenditure incurred on non-residential structures and buildings situated in a freeport tax site qualifies for an enhanced annual rate of structures and buildings allowances if certain conditions are met.

Section 61A in Part 4 of and Schedule 6C to FA 2003 provides for relief from stamp duty land tax for acquisition of land situated in a freeport tax site if certain conditions are met.

A Tax Information and Impact Note covering these instruments was published on 3rd March 2021 alongside Spring Budget 2021 and is available on the website at: <https://www.gov.uk/government/publications/designation-of-freeport-tax-sites/designation-of-freeport-tax-sites>. It remains an accurate summary of the impacts that apply to this instrument.

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(a) The map entitled “Navigator Quarter Tax Site” and dated 8th June 2022 is available electronically at <https://www.gov.uk/government/publications/maps-of-solent-freeport-tax-sites>. A person unable to access the document electronically can arrange access to a hard copy by inspection free of charge at 1 Horse Guards Road, London SW1A 2HQ. The area designated is known as the “Navigator Quarter Tax Site”.

(b) Areas so designated are known as “freeport tax sites” under section 113(3) of FA 2021.

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