



Revenue Scotland and Tax Powers Act 2014

2014 asp 16

PART 5

THE GENERAL ANTI-AVOIDANCE RULE

Counteracting tax advantages

66 Counteracting tax advantages

- (1) Revenue Scotland may make such adjustments as it considers just and reasonable to counteract the tax advantages that would (ignoring this Part) arise from a tax avoidance arrangement that is artificial.
- (2) The adjustments may be made in respect of the tax in question or any other devolved tax.
- (3) The adjustments that may be made include (but are not restricted to) those that impose or increase a liability to tax in any case where (ignoring this Part) there would be no liability or a smaller liability, and tax is to be charged in accordance with any such adjustment.
- (4) Any adjustments required to be made under this section (whether by Revenue Scotland or the person to whom the tax advantage would arise) may be made by—
 - (a) the amendment of a return (see sections 83, 87 and 93),
 - (b) the correction of a return (see section 84),
 - (c) the making of a Revenue Scotland determination (see section 95),
 - (d) the making of a tax return (see section 97),
 - (e) the making of a Revenue Scotland assessment (see section 100),
 - (f) the entering into of a contract settlement (see section 118), or
 - (g) such other method as Revenue Scotland considers appropriate.
- (5) No steps may be taken by Revenue Scotland unless the procedural requirements of sections 68 and 69 have been complied with.

Status: This is the original version (as it was originally enacted).

- (6) The power to make adjustments by virtue of this section is subject to any time limit imposed by or under Part 6, any other provision of this Act or any other enactment.