



Corporation Tax Act 2010

2010 CHAPTER 4

[^{F1}PART 5A

GROUP RELIEF FOR CARRIED-FORWARD LOSSES

CHAPTER 5

LIMITATIONS ON RELIEF: CLAIMS UNDER SECTION 188CC

Further limitations on amount of relief that apply in particular cases

[^{F1}188EI] **Condition 4: companies in link company's group**

- (1) Where—
 - (a) the claimant company makes a claim under section 188CC, and
 - (b) the claim is based on consortium condition 4the amount of relief to be given on the claim is limited by subsections (2) and (3).
- (2) There is a limit on the amount of group relief for carried-forward losses that can be given, in total, on relevant consortium claims made by the link company and group companies.
- (3) That limit is the maximum amount of group relief for carried-forward losses that could be given to the link company on relevant consortium claims—
 - (a) assuming that no relevant consortium claims were made by group companies based on consortium condition 4,
 - (b) assuming that the link company was UK related, and
 - (c) ignoring any lack of profits of the link company from which deductions could be made as mentioned in section 188CK(1).
- (4) In this section—

Changes to legislation: There are currently no known outstanding effects for the Corporation Tax Act 2010, Section 188EI. (See end of Document for details)

“consortium claim” means a claim made under section 188CC for group relief for carried-forward losses,

“group company” means a company that is a member of the same group of companies as the link company (other than the link company),

“relevant consortium claim” means a consortium claim in relation to which the surrendering company, the surrender period and the specified loss-making period are the same as is the case for the claim mentioned in subsection (1), and

“UK related”, in relation to a company, has the meaning given by section 188CJ.]

Textual Amendments

- F1** Pt. 5A inserted (with effect in accordance with Sch. 4 para. 190 of the amending Act) by [Finance \(No. 2\) Act 2017 \(c. 32\)](#), [Sch. 4 para. 23](#)

Changes to legislation:

There are currently no known outstanding effects for the Corporation Tax Act 2010, Section 188EI.