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*Changes to legislation:* There are currently no known outstanding effects for the Finance Act 1989, Cross Heading: Other features. (See end of Document for details)

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## SCHEDULES

### SCHEDULE 5

#### EMPLOYEE SHARE OWNERSHIP TRUSTS

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##### Modifications etc. (not altering text)

- C1** Sch. 5 applied (6.3.1992 with effect as mentioned in s. 289(1)(2) of the applying Act) by [Taxation of Chargeable Gains Act 1992 \(c. 12\)](#), [ss. 228\(7\)](#), 235(8), 289 (with [ss. 60](#), 101(1), 171, 201(3))

##### *Other features*

- 10 The trust deed must not contain features which are not essential or reasonably incidental to the purpose of acquiring sums and securities, [<sup>F1</sup>granting rights to acquire shares to persons who are eligible to participate in [<sup>F2</sup>SAYE option schemes approved under Schedule 3 to the Income Tax (Earnings and Pensions) Act 2003], transferring shares to such persons,] transferring sums and securities to employees and directors, and transferring securities to the trustees of profit sharing schemes approved under [<sup>F3</sup>Schedule 9 to the Taxes Act 1988].

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##### Textual Amendments

- F1** Words in Sch. 5 para. 10 inserted (29.4.1996 with effect in relation to trusts established on or after 29.4.1996) by [1996 c. 8, s. 120\(11\)\(a\)\(12\)](#)
- F2** Words in Sch. 5 para. 10 substituted (with effect in accordance with s. 723(1)(a)(b) of the amending Act) by [Income Tax \(Earnings and Pensions\) Act 2003 \(c. 1\)](#), s. 723, [Sch. 6 para. 163\(4\)\(a\)](#) (with Sch. 7)
- F3** Words in Sch. 5 para. 10 substituted (with effect in accordance with s. 723(1)(a)(b) of the amending Act) by [Income Tax \(Earnings and Pensions\) Act 2003 \(c. 1\)](#), s. 723, [Sch. 6 para. 163\(4\)\(b\)](#) (with Sch. 7)

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##### Modifications etc. (not altering text)

- C1** See [Finance Act 1990 \(c. 29\)](#) ss.31–40—*roll-over relief for disposal of shares to employee share ownership trusts*

**Changes to legislation:**

There are currently no known outstanding effects for the Finance Act 1989, Cross Heading:  
Other features.