

SCHEDULES

SCHEDULE 22

REMEDIATION OF CONTAMINATED LAND

PART 5

SUPPLEMENTARY PROVISIONS

Artificially inflated claims for deduction, relief or tax credit

- 29 (1) To the extent that a transaction is attributable to arrangements entered into wholly or mainly for a disqualifying purpose, it shall be disregarded in determining for an accounting period the amount of—
- (a) any deduction for capital expenditure which is allowed under paragraph 1,
 - (b) any land remediation relief to which a company is entitled under paragraph 12,
 - (c) any land remediation tax credit to which a company is entitled under paragraph 14,
 - (d) any relief to which a company carrying on life assurance business is entitled under paragraph 22, and
 - (e) any life assurance company tax credit to which such a company is entitled under paragraph 24.
- (2) Arrangements are entered into wholly or mainly for a “disqualifying purpose” if their main object, or one of their main objects, is to enable a company to obtain—
- (a) a deduction for capital expenditure which would not otherwise be allowed or of a greater amount than that which would otherwise be allowed;
 - (b) land remediation relief to which the company would not otherwise be entitled or of a greater amount than that to which it would otherwise be entitled;
 - (c) a land remediation tax credit to which it would not otherwise be entitled or of a greater amount than that to which it would otherwise be entitled;
 - (d) relief under paragraph 22 to which it would not otherwise be entitled or of a greater amount than that to which it would otherwise be entitled; or
 - (e) a life assurance company tax credit to which it would not otherwise be entitled or of a greater amount than that to which it would otherwise be entitled.
- (3) In this paragraph “arrangements” includes any scheme, agreement or understanding, whether or not legally enforceable.