



Finance (No. 2) Act 2005

2005 CHAPTER 22

PART 2

INCOME TAX, CORPORATION TAX AND CAPITAL GAINS TAX

CHAPTER 5

CHARGEABLE GAINS

Miscellaneous

35 Exercise of options etc

Schedule 5 (which makes provision, for the purposes of the taxation of chargeable gains, in relation to options) has effect.

36 Notional transfers within a group

(1) Section 171A of TCGA 1992 (notional transfers within a group) is amended as follows.

(2) After subsection (3) insert—

“(3ZA) In a case where B—

- (a) is not resident in the United Kingdom, but
- (b) is carrying on a trade in the United Kingdom through a permanent establishment there,

the asset or part deemed to be transferred to B by A is to be treated for the purposes of subsections (2)(c) and (3) above as having been acquired by B for use by or for the purposes of the permanent establishment; but that shall not be taken to affect the question whether or not the asset or part is situated in the United Kingdom at any time.”.

Status: *Point in time view as at 20/07/2005.*

Changes to legislation: *There are currently no known outstanding effects for the Finance (No. 2) Act 2005, Cross Heading: Miscellaneous. (See end of Document for details)*

- (3) The amendment made by this section has effect in relation to disposals made on or after 16th March 2005.

Status:

Point in time view as at 20/07/2005.

Changes to legislation:

There are currently no known outstanding effects for the Finance (No. 2) Act 2005, Cross
Heading: Miscellaneous.