

SCHEDULES

SCHEDULE 7

TRANSFER OF ASSETS ABROAD

Income and Corporation Taxes Act 1988

Section 742: interpretation of the Chapter

- 6 (1) Section 742 (interpretation of sections 739 to 741) is amended as follows.
- (2) In subsection (1) (meaning of “associated operations”) for “sections 739 to 741” substitute “this Chapter”.
- (3) At the end of subsection (1), insert—
- “It is immaterial whether the operation is effected before, after, or at the same time as the transfer.”.
- (4) After subsection (1) insert—
- “(1A) The income that becomes payable to, or has become income of, a person resident or domiciled outside the United Kingdom that is referred to in section 739(1) or (3) or section 740(1) includes any income which becomes payable to, or has become income of, the person by virtue or in consequence of—
- (a) the transfer,
 - (b) one or more associated operations, or
 - (c) the transfer and one or more associated operations.
- (1B) The income which an individual has power to enjoy, as mentioned in section 739(2), includes any income which he has power to enjoy by virtue or in consequence of—
- (a) the transfer,
 - (b) one or more associated operations, or
 - (c) the transfer and one or more associated operations.”.

(5) The heading to the section accordingly becomes “Interpretation of this Chapter”.

(6) The amendments made by this paragraph shall be taken to have come into force on 5th December 2005.