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**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to Finance Act 2009. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

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## SCHEDULES

### SCHEDULE 30

#### FINANCIAL ARRANGEMENTS AVOIDANCE

##### *Amounts not fully recognised for accounting purposes*

- 2 <sup>F1</sup>(1) .....
- (2) .....
- (3) .....
- (4) .....
- (5) .....
- (6) .....
- (7) In section 317(5) of CTA 2009 (carrying value), before paragraph (a) insert—  
“(za) sections 311 and 312 (amounts not fully recognised for accounting purposes),”.
- (8) The amendments made by this paragraph have effect in relation to periods of account beginning on or after 22 April 2009.
- (9) But for the purposes of sub-paragraph (8) a period of account beginning before, and ending on or after, 22 April 2009 is to be treated as if so much of the period as falls before that date, and so much of the period as falls on or after that date, were separate periods of account.

#### **Annotations:**

##### **Amendments (Textual)**

- F1** Sch. 30 para. 2(1)-(6) omitted (with effect in accordance with Sch. 4 para. 13 of the amending Act) by virtue of Finance Act 2011 (c. 11), Sch. 4 para. 12(a)

- 3 (1) In CTA 2009, after section 599 insert—

##### **“599A Amounts not fully recognised for accounting purposes: introduction**

- (1) Section 599B applies for the purpose of determining the credits and debits which a company is to bring into account for a period for the purposes of this Part in the following case.
- (2) The case is where—
- (a) the company is, or is treated as, a party to a derivative contract in the period,
- (b) condition A or B is met, and

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- (c) an amount is not fully recognised for the period in respect of the contract as a result of the application of generally accepted accounting practice in relation to the contract and the contribution or securities referred to in the condition that is met.
- (3) Condition A is that—
- (a) an amount (a “relevant capital contribution”) has at any time been contributed to the company which forms part of its capital for the period, and
  - (b) an amount is not fully recognised for the period in respect of the relevant capital contribution as a result of the application of generally accepted accounting practice in relation to the derivative contract and the relevant contribution.
- (4) It does not matter for the purposes of subsection (3) whether the contribution forms part of the company's share capital or other capital for the period.
- (5) Condition B is that—
- (a) the company has issued securities that form part of its capital for the period, and
  - (b) an amount is not fully recognised for the period in respect of the securities as a result of the application of generally accepted accounting practice in relation to the derivative contract and the securities.
- (6) For the purposes of this section an amount is not fully recognised for a period in respect of a contract of a company, a contribution to it or securities issued by it if—
- (a) no amount in respect of the contract, contribution or securities is recognised in determining its profit or loss for the period, or
  - (b) an amount is so recognised in respect of only part of the contract, contribution or securities.

### **599B Determination of credits and debits where amounts not fully recognised**

- (1) In determining the credits and debits which a company is to bring into account for the period referred to in section 599A(1) for the purposes of this Part in respect of the derivative contract mentioned in section 599A(2), the assumption in subsection (2) is to be made.
  - (2) The assumption is that an amount in respect of the whole of the contract in question is recognised in determining the company's profit or loss for the period.
  - (3) The credits and debits which are to be brought into account for the purposes of this Part by the company in respect of the contract are to be determined on the basis of fair value accounting.”
- (2) In section 702(3) of CTA 2009 (carrying value), before paragraph (c) insert—
- “(ca) sections 599A and 599B (amounts not fully recognised for accounting purposes),”.
- (3) The amendments made by this paragraph have effect in relation to periods of account beginning on or after 22 April 2009.

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- (4) But for the purposes of sub-paragraph (3) a period of account beginning before, and ending on or after, 22 April 2009 is to be treated as if so much of the period as falls before that date, and so much of the period as falls on or after that date, were separate periods of account.

**Changes to legislation:**

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**Changes and effects yet to be applied to :**

- specified provision(s) amendment to earlier commencing SI 2011/701 art. 3 and 4 by [S.I. 2011/2401 art. 2\(2\)](#)
- specified provision(s) amendment to earlier commencing SI 2011/702, art. 22 by [S.I. 2014/3269 art. 5](#)
- specified provision(s) amendment to earlier commencing SI 2014/3269 art. 1 and 3 by [S.I. 2014/3346 art. 2](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 94(4A)-(4D) inserted by [2016 c. 24 s. 164\(2\)](#)
- s. 94(6A) inserted by [2016 c. 24 s. 164\(4\)](#)
- s. 94(10)(c) and word inserted by [2016 c. 24 s. 164\(5\)\(b\)](#)
- s. 94(10)(aa) inserted by [2016 c. 24 s. 164\(5\)\(a\)](#)
- s. 101(10)(11) inserted by [2014 c. 26 Sch. 22 para. 20\(2\)](#)
- s. 102(4)(za) inserted by [2010 c. 33 Sch. 9 para. 3\(3\)](#)
- s. 103A inserted by [2010 c. 33 Sch. 9 para. 4](#)
- Sch. 16 para. 12(3) inserted by [2012 c. 14 Sch. 20 para. 33\(b\)](#)
- Sch. 19 para. 14(3) inserted by [2016 c. 24 Sch. 1 para. 66\(3\)](#)
- Sch. 53 para. 2A-2D and cross-heading inserted by [2010 c. 33 Sch. 9 para. 7](#)
- Sch. 53 para. 2A-2D and cross-heading inserted by [2010 c. 33 Sch. 9 para. 7](#)
- Sch. 53 para. 6A and cross-heading inserted by [2010 c. 33 Sch. 9 para. 8](#)
- Sch. 53 para. 11A 11B and cross-heading inserted by [2010 c. 33 Sch. 9 para. 17](#)
- Sch. 53 para. 14A and cross-heading inserted by [2010 c. 33 Sch. 9 para. 18](#)
- Sch. 53 para. 11C and cross-heading inserted by [2017 c. 10 Sch. 11 para. 7](#)
- Sch. 54 Pt. A1 amendment to earlier affecting provision 2010 c. 33 Sch. 9 para. 10 by [2017 c. 32 Sch. 4 para. 182](#)
- Sch. 54 Pt. A1 inserted by [2010 c. 33 Sch. 9 para. 10](#)
- Sch. 54 para. 9B 9C and cross-heading inserted by [2010 c. 33 Sch. 9 para. 11](#)
- Sch. 54 para. 12A 12B and cross-heading inserted by [2010 c. 33 Sch. 9 para. 19](#)
- Sch. 54 Pt. A1 inserted by [2010 c. 33 Sch. 9 para. 10](#)
- Sch. 54 para. 9B(1)(b) and word omitted by [2016 c. 24 Sch. 1 para. 66\(5\)\(a\)](#)
- Sch. 54 para. 9D repealed by [2012 c. 14 Sch. 39 para. 28\(1\)](#)
- Sch. 54 para. 9B(2) words omitted by [2016 c. 24 Sch. 1 para. 66\(5\)\(b\)\(i\)](#)
- Sch. 54 para. 9B(2) words omitted by [2016 c. 24 Sch. 1 para. 66\(5\)\(b\)\(ii\)](#)
- Sch. 54A inserted by [2010 c. 33 Sch. 9 para. 12](#)
- Sch. 54A inserted by [2010 c. 33 Sch. 9 para. 12](#)
- Sch. 54A para. 2(2)(h) and word inserted by [2014 c. 26 Sch. 4 para. 14\(a\)](#)
- Sch. 54A para. 2(2)(i) and word inserted by [2016 c. 24 Sch. 8 para. 12\(a\)](#)
- Sch. 54A para. 2(2)(j) and word inserted by [2017 c. 32 Sch. 6 para. 15\(a\)](#)
- Sch. 54A para. 2(2)(f) word omitted by [2014 c. 26 Sch. 4 para. 14\(a\)](#)
- Sch. 54A para. 2(2)(g) word omitted by [2016 c. 24 Sch. 8 para. 12\(a\)](#)
- Sch. 54A para. 2(2)(h) word omitted by [2017 c. 32 Sch. 6 para. 15\(a\)](#)
- Sch. 54A para. 2(4) word substituted by [2014 c. 26 Sch. 4 para. 14\(b\)](#)
- Sch. 54A para. 2(4) word substituted by [2016 c. 24 Sch. 8 para. 12\(b\)](#)
- Sch. 54A para. 2(4) word substituted by [2017 c. 32 Sch. 6 para. 15\(b\)](#)
- Sch. 55 para. 6B Appointed Day(s) by [S.I. 2014/2395 art. 2\(1\)\(b\)](#)
- Sch. 55 para. 6C(5)(7)-(9)(11) Appointed Day(s) by [S.I. 2014/2395 art. 2\(1\)\(a\)](#)

- Sch. 55 para. 13A-13J and cross-heading amendment to earlier affecting provision 2010 c. 33 Sch. 10 para. 7 by 2014 c. 26 Sch. 22 para. 21(3)
- Sch. 55 para. 13A-13J and cross-heading inserted by 2010 c. 33 Sch. 10 para. 7
- Sch. 55 para. 1(4A) inserted by 2013 c. 29 Sch. 50 para. 3(b)
- Sch. 55 para. 27(2A) inserted by 2013 c. 29 Sch. 50 para. 9(2)
- Sch. 55 para. 17(c) and word inserted by 2014 c. 26 Sch. 33 para. 5
- Sch. 55 para. 6A(4A)(4B) inserted by 2015 c. 11 Sch. 20 para. 16(5)
- Sch. 55 para. 17(4)(ba) inserted by 2015 c. 11 Sch. 20 para. 19
- Sch. 55 para. 6(3A)(za) inserted by 2015 c. 11 Sch. 20 para. 15(2)(a)
- Sch. 55 para. 6(4A)(za) inserted by 2015 c. 11 Sch. 20 para. 15(3)(a)
- Sch. 55 para. 6A(4A)(4B) inserted by 2015 c. 11 Sch. 20 para. 16(5)
- Sch. 55 para. 6AA 6AB inserted by 2015 c. 11 Sch. 20 para. 17
- Sch. 55 para. 17(4)(ba) inserted by 2015 c. 11 Sch. 20 para. 19
- Sch. 55 para. 14(A1) inserted by 2016 c. 24 Sch. 21 para. 10(2)
- Sch. 55 para. 14(1A)(1B) inserted by 2016 c. 24 Sch. 21 para. 10(4)
- Sch. 55 para. 14(2A)-(2E) inserted by 2016 c. 24 Sch. 21 para. 10(5)
- Sch. 55 para. 14(5) inserted by 2016 c. 24 Sch. 21 para. 10(6)
- Sch. 55 para. 15A(1) inserted by 2016 c. 24 Sch. 21 para. 12
- Sch. 55 para. 17(2)(d) and word inserted by 2016 c. 24 Sch. 22 para. 20(5)
- Sch. 55 para. 6A(8) omitted by 2015 c. 11 Sch. 20 para. 16(8)
- Sch. 55 para. 6A(8) omitted by 2015 c. 11 Sch. 20 para. 16(8)
- Sch. 55 para. 6A(A1)(1) substituted for Sch. 55 para. 6A(1) by 2015 c. 11 Sch. 20 para. 16(2)
- Sch. 55 para. 17(4)(b) word omitted by 2015 c. 11 Sch. 20 para. 19
- Sch. 55 para. 17(4)(b) word omitted by 2015 c. 11 Sch. 20 para. 19
- Sch. 55 para. 13F(1) word substituted by 2012 c. 14 Sch. 24 para. 32(c)
- Sch. 55 para. 6(3A)(a) word substituted by 2015 c. 11 Sch. 20 para. 15(2)(b)
- Sch. 55 para. 6(4A)(a) word substituted by 2015 c. 11 Sch. 20 para. 15(3)(b)
- Sch. 55 para. 6(6) word substituted by 2015 c. 11 Sch. 20 para. 15(4)
- Sch. 55 para. 6A(6)(a) words inserted by 2015 c. 11 Sch. 20 para. 16(7)
- Sch. 55 para. 6A(9) words inserted by 2015 c. 11 Sch. 20 para. 16(9)
- Sch. 55 para. 6A(2)(a) words inserted by 2015 c. 11 Sch. 20 para. 16(3)(a)
- Sch. 55 para. 6A(3)(a) words inserted by 2015 c. 11 Sch. 20 para. 16(4)(a)
- Sch. 55 para. 6A(6)(a) words inserted by 2015 c. 11 Sch. 20 para. 16(7)
- Sch. 55 para. 6A(9) words inserted by 2015 c. 11 Sch. 20 para. 16(9)
- Sch. 55 para. 6B words inserted by 2016 c. 24 s. 113(7)
- Sch. 55 para. 6B cross-heading words inserted by 2016 c. 24 s. 113(8)
- Sch. 55 para. 6A(5) words substituted by 2015 c. 11 Sch. 20 para. 16(6)
- Sch. 55 para. 6A(2)(c) words substituted by 2015 c. 11 Sch. 20 para. 16(3)(b)
- Sch. 55 para. 6A(3)(c) words substituted by 2015 c. 11 Sch. 20 para. 16(4)(b)
- Sch. 55 para. 6A(5) words substituted by 2015 c. 11 Sch. 20 para. 16(6)
- Sch. 55 para. 17A(1)(b) words substituted by 2016 c. 24 s. 169(6)
- Sch. 56 para. 8-8J and cross-heading amendment to earlier affecting provision 2010 c. 33 Sch. 11 para. 7 by 2014 c. 26 Sch. 22 para. 22(6)
- Sch. 56 para. 8K and cross-heading inserted by 2010 c. 33 Sch. 11 para. 8
- Sch. 56 para. 3(1)(d) and word inserted by 2010 c. 33 Sch. 11 para. 5(5)
- Sch. 56 para. 3(1A) inserted by 2010 c. 33 Sch. 11 para. 5(6)
- Sch. 56 para. 8A-8J and cross-heading inserted by 2010 c. 33 Sch. 11 para. 7
- Sch. 56 para. 8K and cross-heading inserted by 2010 c. 33 Sch. 11 para. 8
- Sch. 56 para. 6(8A)(8B) inserted by 2013 c. 29 Sch. 50 para. 12(6)
- Sch. 56 para. 6(9A) and cross-heading inserted by 2013 c. 29 Sch. 50 para. 13
- Sch. 56 para. 3(1)(aa) inserted by 2015 c. 11 s. 104(3)
- Sch. 56 para. 3(1)(ca) inserted by 2016 c. 24 s. 113(11)(b)
- Sch. 56 para. 6(2)(ba) inserted by 2016 c. 24 s. 113(14)
- Sch. 56 para. 11(4A)(4B) substituted for Sch. 56 para. 11(4A) by 2013 c. 29 Sch. 50 para. 14(2)
- Sch. 56 para. 6(3)-(7A) substituted for Sch. 56 para. 6(3)-(7) by 2013 c. 29 Sch. 50 para. 12(4)

- Sch. 56 para. 8A(1) word substituted by [2012 c. 14 Sch. 24 para. 34\(d\)](#)
- Sch. 56 para. 6(2)(a) words inserted by [2013 c. 29 Sch. 50 para. 12\(3\)\(b\)](#)
- Sch. 61 para. 1(1A) substituted by [2014 c. 29 Sch. 2 para. 14\(3\)](#)