



# Corporation Tax Act 2009

## 2009 CHAPTER 4

### PART 6

#### RELATIONSHIPS TREATED AS LOAN RELATIONSHIPS ETC

### CHAPTER 3

#### OEICS, UNIT TRUSTS AND OFFSHORE FUNDS

##### *The qualifying investments test*

#### **494 Meaning of “qualifying investments”**

- (1) In section 493 “qualifying investments”, in relation to an open-ended investment company, a unit trust scheme or an offshore fund, means investments of the company, scheme or fund of any of the following descriptions—
- (a) money placed at interest,
  - (b) securities,
  - (c) shares in a building society,
  - (d) qualifying holdings in an open-ended investment company, a unit trust scheme or an offshore fund,
  - (e) alternative finance arrangements,
  - (f) derivative contracts whose underlying subject matter consists wholly of any one or more of—
    - (i) the matters referred to in paragraphs (a) to (e) (other than diminishing shared ownership arrangements), and
    - (ii) currency,
  - (g) contracts for differences whose underlying subject matter consists wholly of any one or more of—
    - (i) interest rates,
    - (ii) creditworthiness, and

---

**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to Corporation Tax 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) [View outstanding changes](#)

---

- (iii) currency, and
  - (h) derivative contracts not within paragraph (f) or (g) where there is a hedging relationship between the contract and an asset within paragraphs (a) to (d).
- (2) In this section—
- “contract for differences” has the same meaning as in Part 7 (derivative contracts) (see section 582),
  - “diminishing shared ownership arrangements” means arrangements to which section 504 applies,
  - “hedging relationship” has the meaning given by section 496,
  - “qualifying holding” has the meaning given by section 495(1),
  - “security” does not include shares in a company, and
  - “underlying subject matter” has the same meaning as in Part 7 (derivative contracts) (see section 583).

**Changes to legislation:**

There are outstanding changes not yet made by the legislation.gov.uk editorial team to Corporation Tax Act 2009. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

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

- Blanket amendment words substituted by [S.I. 2011/1043 art. 34](#)

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

- s. 322(2A)(zb) inserted by [2016 c. 24 s. 73\(5\)](#)
- s. 934(1A)(1B) inserted by [2023 c. 30 Sch. 2 para. 12\(2\)](#)
- s. 962(3A) inserted by [2023 c. 30 Sch. 2 para. 12\(5\)\(b\)](#)
- s. 962A(3A) inserted by [2023 c. 30 Sch. 2 para. 12\(6\)\(b\)](#)
- s. 963(1A) inserted by [2023 c. 30 Sch. 2 para. 12\(7\)\(a\)](#)
- s. 1058B(5)(ea) inserted by [2023 c. 20 Sch. para. 57](#)
- s. 1094(2A)-(2C) inserted by [2012 c. 14 Sch. 3 para. 13\(3\)](#)
- s. 1106(4A)-(4C) inserted by [2012 c. 14 Sch. 3 para. 14\(3\)](#)
- s. 1138A applied by [S.I. 2024/348 reg. 3](#)