



Corporation Tax Act 2009

2009 CHAPTER 4

PART 8

INTANGIBLE FIXED ASSETS

CHAPTER 9

APPLICATION OF THIS PART TO GROUPS OF COMPANIES

Transfers within a group treated as tax-neutral

775 Transfers within a group

- (1) A transfer of an intangible fixed asset from one company (“the transferor”) to another company (“the transferee”) is tax-neutral for the purposes of this Part if—
 - (a) at the time of the transfer both companies are members of the same group,
 - (b) immediately before the transfer the asset is a chargeable intangible asset in relation to the transferor, and
 - (c) immediately after the transfer the asset is a chargeable intangible asset in relation to the transferee.
- (2) For the consequences of a transfer being tax-neutral for the purposes of this Part, see section 776.
- (3) [^{F1}Part 4 of TIOPA 2010] (provision not at arm's length) does not apply in relation to a transfer to which subsection (1) applies.
- (4) Subsection (1) does not apply if—
 - (a) the transferor or transferee is a qualifying society within the meaning of section 461A of ICTA (incorporated friendly societies entitled to exemption from tax), ^{F2}...
 - (b) the transferee is a dual resident investing company within the meaning of [^{F3}section 949 of CTA 2010 (dual resident investing companies)] [^{F4}, or

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- (c) an election under section 18A has effect in relation to the transferor and the asset has at any time been held by the transferor wholly or partly for the purposes of a permanent establishment in a territory outside the United Kingdom through which the transferor carries on business.]

Textual Amendments

- F1** Words in s. 775(3) substituted (with effect in accordance with s. 381(1) of the amending Act) by [Taxation \(International and Other Provisions\) Act 2010 \(c. 8\), s. 381\(1\)](#), **Sch. 8 para. 146** (with [Sch. 9 paras. 1-9, 22](#))
- F2** Word in s. 775(4)(a) omitted (19.7.2011) by virtue of [Finance Act 2011 \(c. 11\)](#), **Sch. 13 paras. 5, 31**
- F3** Words in s. 775(4)(b) substituted (with effect in accordance with s. 1184(1) of the amending Act) by [Corporation Tax Act 2010 \(c. 4\), s. 1184\(1\)](#), **Sch. 1 para. 648** (with [Sch. 2](#))
- F4** S. 775(4)(c) and word inserted (19.7.2011) by [Finance Act 2011 \(c. 11\)](#), **Sch. 13 paras. 5, 31**

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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](#)