



Corporation Tax Act 2009

2009 CHAPTER 4

PART 8

INTANGIBLE FIXED ASSETS

CHAPTER 11

TRANSFER OF BUSINESS OR TRADE

The genuine commercial transaction requirement and clearance

833 Decision on application for clearance

- (1) The Commissioners for Her Majesty's Revenue and Customs must notify their decision on an application under section 831(2) to the applicant—
 - (a) within 30 days of receiving the application, or
 - (b) if they give a notice under section 832(3), within 30 days of the notice being complied with.
- (2) If the Commissioners for Her Majesty's Revenue and Customs—
 - (a) notify the applicant that they are not satisfied that the conditions in section 831(1) will be met, or
 - (b) do not notify their decision to the applicant within the time required by subsection (1),the applicant may within 30 days of the notification or of that time require them to transmit the application to the tribunal, together with any notice given and further particulars provided under section 832(3).
- (3) In that case any notification by the tribunal has effect for the purposes of section 831(2)
 - (b) as if it were a notification by the Commissioners for Her Majesty's Revenue and Customs.

Status: Point in time view as at 01/04/2009.

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)

- (4) If any particulars provided under section 832 do not fully and accurately disclose all facts and considerations material for the decision—
- (a) of the Commissioners for Her Majesty's Revenue and Customs, or
 - (b) of the tribunal,
- any resulting notification by the Commissioners for Her Majesty's Revenue and Customs or the tribunal is void.

Status:

Point in time view as at 01/04/2009.

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.