



Corporation Tax Act 2009

2009 CHAPTER 4

PART 8

INTANGIBLE FIXED ASSETS

CHAPTER 13

TRANSACTIONS BETWEEN RELATED PARTIES

Transfers treated as being at market value

847 Transfers involving other taxes

- (1) This section applies if—
 - (a) in a case where section 845(1) applies and the asset is transferred from the company to a related party, the transfer is at less than its market value,
 - (b) in a case where that section applies and the asset is transferred to the company from the related party, the transfer is at more than its market value, and
 - (c) conditions A and B apply.
- (2) Condition A is that the related party—
 - (a) is not a company, or
 - (b) is a company in relation to which the asset is not a chargeable intangible asset immediately after the transfer to it or, as the case may be, immediately before the transfer from it.
- (3) Condition B is that the transfer—
 - (a) gives rise to an amount to be taken into account in calculating any person's income, profits or losses for tax purposes because of a relevant provision, or
 - (b) would do so apart from section 845(1).

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- (4) If this section applies, section 845(1) does not apply in relation to the calculation referred to in subsection (3) for the purposes of any relevant provision.
- (5) In this section “relevant provision” means—
- (a) [^{F1}Chapter 2 of Part 23 of CTA 2010 (matters which are distributions), except section 1000(2),] and
 - (b) Part 3 of ITEPA 2003 (employment income: earnings and benefits etc treated as earnings).

Textual Amendments

- F1** Words in s. 847(5)(a) 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. 658](#) (with [Sch. 2](#))

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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](#)