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Corporation Tax Act 2010

2010 CHAPTER 4

PART 25

DEFINITIONS FOR PURPOSES OF ACT AND FINAL PROVISIONS

VALID FROM 01/04/2010

Definitions for the purposes of Act

1174 Abbreviated references to Acts

In this Act—

"CAA 2001" means the Capital Allowances Act 2001,

"CTA 2009" means the Corporation Tax Act 2009,

"FA", followed by a year, means the Finance Act of that year,

"F(No.2)A", followed by a year, means the Finance (No.2) Act of that year,

"FISMA 2000" means the Financial Services and Markets Act 2000,

"ICTA" means the Income and Corporation Taxes Act 1988,

"ITA 2007" means the Income Tax Act 2007,

"ITEPA 2003" means the Income Tax (Earnings and Pensions) Act 2003,

"ITTOIA 2005" means the Income Tax (Trading and Other Income) Act 2005,

"TCGA 1992" means the Taxation of Chargeable Gains Act 1992,

"TIOPA 2010" means the Taxation (International and Other Provisions) Act 2010, and

"TMA 1970" means the Taxes Management Act 1970.

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1175 Claims and elections

In this Act any reference to a claim or election is to a claim or election in writing.

1176 Meaning of "connected" persons and "control"

(1) Section 1122 (how to tell whether persons are connected) applies for the purposes of this Act unless otherwise indicated (whether expressly or by implication).

(2) Section 1124 (meaning of control in relation to a body corporate or partnership) applies for the purposes of this Act unless otherwise indicated (whether expressly or by implication).

Final provisions

VALID FROM 01/04/2010

1177 Minor and consequential amendments

Schedule 1 (minor and consequential amendments) has effect.

1178 Power to make consequential provision

(1) The Treasury may by order make provision in consequence of this Act.

(2) The power conferred by subsection (1) may not be exercised after 31 March 2013.

(3) An order under this section may amend, repeal or revoke any provision made by or under an Act.

(4) An order under this section may contain provision having retrospective effect.

(5) An order under this section may contain incidental, supplemental, consequential and transitional provision and savings.

(6) In subsection (3) "Act" includes an Act of the Scottish Parliament and Northern Ireland legislation.

1179 Power to undo changes

(1) The Treasury may by order make provision, in relation to a case in which the Treasury consider that a provision of this Act changes the effect of the law, for the purpose of returning the effect of the law to what it would have been if this Act had not been passed.

(2) The power conferred by subsection (1) may not be exercised after 31 March 2013.

(3) An order under this section may amend, repeal or revoke any provision made by or under—

(a) this Act, or

(b) any other Act.

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(4) An order under this section may contain provision having retrospective effect.

(5) An order under this section may contain incidental, supplemental, consequential and transitional provision and savings.

(6) In subsection (3)(b) "Act" includes an Act of the Scottish Parliament and Northern Ireland legislation.

1180 Transitional provisions and savings

(1) Schedule 2 (transitional provisions and savings) has effect.

(2) The Treasury may by order make transitional or saving provision in connection with the coming into force of this Act.

(3) An order under subsection (2) may contain provision having retrospective effect.

(4) The following (which provide for negative resolution procedure in relation to Treasury orders under certain enactments) do not apply in relation to an order under subsection (2)—

(a) section 828(3) of ICTA (orders under the Corporation Tax Acts before 1 April 2010),

(b) section 287(3) of TCGA 1992 (orders under enactments relating to the taxation of chargeable gains), and

(c) section 1014(4) of ITA 2007 (orders under the Income Tax Acts).

Commencement Information

I1 S. 1180 wholly in force at 1.4.2010; s. 1180(2)-(4) in force at Royal Assent and s. 1180(1) in force at 1.4.2010 see s. 1184(1)(2)(c)

VALID FROM 01/04/2010

1181 Repeals and revocations

(1) Schedule 3 (repeals and revocations, including of spent enactments) has effect.

(2) The repeals and revocations specified in Part 2 of Schedule 3 have effect for corporation tax purposes only.

VALID FROM 01/04/2010

1182 Index of defined expressions

(1) Schedule 4 (index of defined expressions that apply for the purposes of this Act) has effect.

(2) That Schedule lists the places where some of the expressions used in this Act are defined or otherwise explained.

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1183 Extent

(1) This Act extends to England and Wales, Scotland and Northern Ireland (but see subsection (2)).

(2) An amendment, repeal or revocation contained in Schedule 1 or 3 has the same extent as the provision amended, repealed or revoked.

1184 Commencement

(1) This Act comes into force on 1 April 2010 and has effect—
- (a) for corporation tax purposes, for accounting periods ending on or after that day, and
- (b) for income tax and capital gains tax purposes, for the tax year 2010-11 and subsequent tax years.

(2) Subsection (1) does not apply to the following provisions (which therefore come into force on the day on which this Act is passed)—
- (a) section 1178,
- (b) section 1179,
- (c) section 1180(2) to (4),
- (d) section 1183,
- (e) this section, and
- (f) section 1185.

(3) Subsection (1) is subject to Schedule 2.

(4) The reference in subsection (1)(a) to corporation tax includes amounts due or chargeable as if they were corporation tax.

1185 Short title

This Act may be cited as the Corporation Tax Act 2010.

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