



# Corporation Tax Act 2010

## 2010 CHAPTER 4

### PART 24

#### CORPORATION TAX ACTS DEFINITIONS ETC

### CHAPTER 2

#### PERMANENT ESTABLISHMENTS

#### *Investment managers*

#### **1148 Section 1147: interpretation**

- (1) This section applies for the purposes of section 1147.
- (2) A “qualifying period” means—
  - (a) the accounting period of the non-UK resident company in which the transaction in question is carried out, or
  - (b) a period of not more than 5 years comprising two or more complete accounting periods including that one.
- (3) The “relevant disregarded income” of the non-UK resident company for a qualifying period is the total of the non-UK resident company's income for the accounting periods comprised in the qualifying period which derives from transactions—
  - (a) carried out by the investment manager on the non-UK resident company's behalf, and
  - (b) in relation to which the investment manager does not (apart from the requirements of the 20% rule) fall to be treated as a permanent establishment of the company.
- (4) A person has a “beneficial entitlement” to relevant disregarded income if the person has or may acquire a beneficial entitlement that is, or would be, attributable to the

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**Changes to legislation:** There are currently no known outstanding effects for the Corporation Tax Act 2010, Section 1148. (See end of Document for details)

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relevant disregarded income as a result of having an interest or other rights mentioned in subsection (5).

- (5) The interests and rights referred to in subsection (4) are—
- (a) an interest (whether or not an interest giving a right to an immediate payment of a share in the profits or gains) in property in which the whole or any part of the relevant disregarded income is represented, or
  - (b) an interest in, or other rights in relation to, the non-UK resident company.

**Changes to legislation:**

There are currently no known outstanding effects for the Corporation Tax Act 2010, Section 1148.