



Taxation (International and Other Provisions) Act 2010

2010 CHAPTER 8

PART 4

TRANSFER PRICING

CHAPTER 7

OIL-RELATED RING-FENCE TRADES

205 Provision made or imposed between ring-fence trade and other activities

- (1) Subsections (2) to (4) apply if—
 - (a) a person carries on an oil-related ring-fence trade (see section 206), and
 - (b) any provision is made or imposed by the person as between—
 - (i) the oil-related ring-fence trade, and
 - (ii) any other activities carried on by the person.
- (2) Chapters 1 and 3 to 6 (read in accordance with Chapters 2 and 8) apply in relation to the provision as if—
 - (a) the oil-related ring-fence trade, and the person's other activities, were carried on by two different persons,
 - (b) the provision were made or imposed as between those two persons by means of a transaction,
 - (c) those two persons were both controlled by the same person at the time when the provision was made or imposed, and
 - (d) a potential advantage in relation to United Kingdom taxation were conferred by the provision on each of those two persons.
- (3) Subsection (2) has effect subject to subsection (4).

Changes to legislation: There are currently no known outstanding effects for the Taxation (International and Other Provisions) Act 2010, Section 205. (See end of Document for details)

- (4) Chapters 1 and 3 to 6 apply in relation to the provision only if the effect of their applying is—
- (a) that a larger amount is taken for tax purposes to be the amount of the profits of the oil-related ring-fence trade for any chargeable period, or
 - (b) that a smaller amount (including nil) is taken for tax purposes to be the amount for any chargeable period of any losses of the oil-related ring-fence trade.
- (5) In subsection (4)(a), the reference to a larger amount includes, if there would not otherwise have been profits, an amount of more than nil.

Changes to legislation:

There are currently no known outstanding effects for the Taxation (International and Other Provisions) Act 2010, Section 205.