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Changes to legislation: There are currently no known outstanding effects for the Finance Act 2019, PART 1. (See end of Document for details)

SCHEDULES

SCHEDULE 5

NON-UK RESIDENT COMPANIES CARRYING ON UK PROPERTY BUSINESSES ETC

Modifications etc. (not altering text)

Sch. 5 modified (22.7.2020) by Finance Act 2020 (c. 14), Sch. 6 para. 10

PART 1

EXTENSION OF SCOPE OF CHARGE

1 Section 5 of CTA 2009 (territorial scope of charge to corporation tax) is amended as follows.

Commencement Information

- Sch. 5 para. 1 in force at 6.4.2020, see Sch. 5 para. 35
- 2 In subsection (2) (circumstances in which non-UK resident company is within the charge)
 - omit "or" at the end of paragraph (a), and (a)
 - after paragraph (b) insert ",
 - (c) it carries on a UK property business, or
 - (d) it has other UK property income."

Commencement Information

- Sch. 5 para. 2 in force at 6.4.2020, see Sch. 5 para. 35
- 3 After subsection (3) insert—
 - "(3A) A non-UK resident company which carries on a UK property business is chargeable to corporation tax on income on all its profits that are
 - profits of that business, or
 - profits arising from loan relationships or derivative contracts that (b) the company is a party to for the purposes of that business.
 - (3B) A non-UK resident company which has other UK property income is chargeable to corporation tax on income on all its profits that—
 - (a) consist of that income, or

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(b) are profits arising from loan relationships or derivative contracts that the company is a party to for the purposes of enabling it to generate that income."

Commencement Information

- I3 Sch. 5 para. 3 in force at 6.4.2020, see Sch. 5 para. 35
- 4 In subsection (4) for "(2A) and (3)" substitute " and (2A) to (3B)".

Commencement Information

- I4 Sch. 5 para. 4 in force at 6.4.2020, see Sch. 5 para. 35
- 5 At the end insert—
 - "(6) In this Part "other UK property income" means income dealt with by any of the following Chapters of Part 4—
 - (a) Chapter 7 (rent receivable in connection with a UK section 39(4) concern);
 - (b) Chapter 8 (rent receivable for UK electric-line wayleaves);
 - (c) Chapter 9 (post-cessation receipts arising from a UK property business)."

Commencement Information

15 Sch. 5 para. 5 in force at 6.4.2020, see Sch. 5 para. 35

Changes to legislation:

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