



Finance Act 2022

2022 CHAPTER 3

PART 1

INCOME TAX, CORPORATION TAX AND CAPITAL GAINS TAX

Creative reliefs

16 Film tax relief: films produced to be television programmes

- (1) Part 15 of CTA 2009 (film production) is amended as follows.
- (2) In section 1195 (availability and overview of film tax relief)—
 - (a) in subsection (2)—
 - (i) omit paragraph (a), and
 - (ii) after that paragraph insert—

“(aa) section 1196A (intended release or broadcast),” and
 - (b) in subsection (3A)—
 - (i) omit “or” at the end of paragraph (a), and
 - (ii) at the end insert “, or
 - (c) relief is available to the company under Chapter 3 of Part 15A (television tax relief) in respect of the expenditure.”
- (3) Omit section 1196 (intended theatrical release).
- (4) After that section insert—

“1196A Intended release or broadcast

- (1) The film must—
 - (a) be intended for theatrical release, or

Changes to legislation: There are currently no known outstanding effects for the Finance Act 2022, Section 16. (See end of Document for details)

(b) be a television programme intended for broadcast to the general public that meets conditions A to D in section 1216AB (meaning of “relevant programme”).

(2) For this purpose—

- (a) “theatrical release” means exhibition to the paying public at the commercial cinema,
- (b) a film is not regarded as intended for theatrical release unless it is intended that a significant proportion of the earnings from the film should be obtained by such exhibition, and
- (c) “television programme” has the same meaning as in Part 15A (see section 1216AA).

(3) Whether the condition in subsection (1) is met is determined for each accounting period of the company during which film-making activities are carried on in relation to the film, in accordance with the following rules.

(4) If the condition in subsection (1) is met at the end of an accounting period, it is treated as having been met throughout that period (subject to subsection (5)(b)).

(5) If the condition in subsection (1) is not met at the end of an accounting period—

- (a) it is treated as having been not met throughout that period, and
- (b) it cannot be met in any subsequent accounting period.

This does not affect any entitlement of the company to relief in an earlier accounting period for which the condition in subsection (1) was met.”

(5) The amendments made by this section have effect in relation to accounting periods ending on or after 1 April 2022, subject to subsection (6).

(6) The amendments made by this section do not have effect in relation to a film in relation to which film-making activities are carried on before 1 April 2022 if—

- (a) the principal photography of the film is completed before that date, or
- (b) film tax relief is not available in connection with the film for an accounting period ending before that date by virtue of section 1196(5) of CTA 2009 (films not intended for theatrical release at the end of an accounting period).

Changes to legislation:

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