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STATUTORY INSTRUMENTS

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**1995 No. 1211**

**INCOME TAX**

**The Life Assurance (Apportionment of Receipts of Participating Funds) (Applicable Percentage) (Amendment) Order 1995**

<i>Made</i>	- - - -	<i>2nd May 1995</i>
<i>Laid before the House of Commons</i>	- - - -	<i>3rd May 1995</i>
<i>Coming into force</i>	- -	<i>24th May 1995</i>

The Treasury, in exercise of the powers conferred on them by section 432E(4) of the Income and Corporation Taxes Act 1988(1), hereby make the following Order:

1. This Order may be cited as the Life Assurance (Apportionment of Receipts of Participating Funds) (Applicable Percentage) (Amendment) Order 1995 and shall come into force on 24th May 1995.

2. In the Life Assurance (Apportionment of Receipts of Participating Funds) (Applicable Percentage) Order 1990(2), in article 5—

- (a) for the words “section 83(1) of the Finance Act 1989” there shall be substituted the words “section 83(2) of the Finance Act 1989(3)”,
- (b) for the words “assets linked solely to a particular category of business” there shall be substituted the words “linked assets”, and
- (c) for the words “assets of the relevant business linked solely to a particular category of business” there shall be substituted the words “assets of the relevant business which are linked assets”.

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(1) 1988 c. 1; section 432E was inserted by paragraph 4 of Schedule 6 to the Finance Act 1990 (c. 29) and amended by paragraphs 12(1)(a), 16(3) and 17(2) of Schedule 8 to the Finance Act 1995 (c. 4).

(2) S.I. 1990/1541, amended by S.I. 1990/2546.

(3) 1989 c. 26; section 83 was substituted by paragraph 16(1) of Schedule 8 to the Finance Act 1995.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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2nd May 1995

*Tim Wood*  
*Derek Conway*  
Two of the Lords Commissioners of Her  
Majesty's Treasury

## **EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order amends article 5 of the Life Assurance (Apportionment of Receipts of Participating Funds) (Applicable Percentage) Order 1990 (S.I.1990/1541). In addition to amending a statutory reference following legislative changes made by the Finance Act 1995, the Order provides for the calculation of the net investment yield specified in article 5 to be made by reference to “linked assets” within the meaning of section 432ZA of the Income and Corporation Taxes Act 1988 (inserted by paragraph 11(2) of Schedule 8 to the Finance Act 1995) and not by reference to assets linked solely to a particular category of business.