
STATUTORY INSTRUMENTS

1995 No. 1283

INCOME TAX

**The Income Tax (Stock Lending)
(Amendment) Regulations 1995**

<i>Made</i>	- - - -	<i>11th May 1995</i>
<i>Laid before the House of Commons</i>	- - - -	<i>12th May 1995</i>
<i>Coming into force</i>	- -	<i>19th June 1995</i>

The Treasury, in exercise of the powers conferred on them by section 129(4) of the Income and Corporation Taxes Act 1988(1), hereby make the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Income Tax (Stock Lending) (Amendment) Regulations 1995 and shall come into force on 19th June 1995.

Interpretation

2. In these Regulations “the principal Regulations” means the Income Tax (Stock Lending) Regulations 1989(2) and “regulation” means a regulation of those Regulations.

Amendments to the principal Regulations

3. In regulation 2(1), in the definition of “other United Kingdom securities”(3), for the word “Third” there shall be substituted the words “Alternative Investment”.

4. In regulation 6A(1)(k)(i)(4), for the words “required as a hedge against the likelihood of his having to deliver” there shall be substituted the words “required to be sold as a hedge against the likelihood of his having to receive”.

(1) 1988 c. 1; section 129 was amended by section 57 of the Finance Act 1991 (c. 31), by paragraph 14(8) of Schedule 10 to the Taxation of Chargeable Gains Act 1992 (c. 12) and by section 84(1) to (4) of, and Part VIII(9) of Schedule 29 to, the Finance Act 1995 (c. 4).

(2) S.I. 1989/1299, amended by S.I. 1990/2552, 1992/572, 1993/2003.

(3) The definition of “other United Kingdom securities” in regulation 2(1) was amended by regulation 3(1)(b) of S.I. 1990/2552.

(4) Regulation 6A was inserted by regulation 5 of S.I. 1992/572.

Status: This is the original version (as it was originally made).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

11th May 1995

Derek Connay
Timothy Kirkhope
Two of the Lords Commissioners of Her
Majesty's Treasury

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make two amendments to the Income Tax (Stock Lending) Regulations 1989 (S.I.1989/1299) (“the principal Regulations”) which specify the conditions which must be fulfilled before the tax reliefs conferred by section 129(3) of the Income and Corporation Taxes Act 1988 and section 271(9) of the Taxation of Chargeable Gains Act 1992 (c. 12) (“the tax reliefs”) are obtained.

The first amendment is to the definition of “other United Kingdom securities” in regulation 2(1) of the principal Regulations. The amendment removes an obsolete reference to the Third Market of the Stock Exchange, a market which closed on 31st December 1990, and substitutes a new reference to the Alternative Investment Market of the Stock Exchange which is to be opened for trading on 19th June 1995. Regulation 4(1) of the principal Regulations (as substituted by regulation 5 of S.I. 1993/2003) provides that the tax reliefs do not apply to stock lending arrangements relating to other United Kingdom securities unless the conditions specified in regulation 6 of the principal Regulations are fulfilled.

The second amendment, which is of a drafting nature, is to regulation 6A of the principal Regulations which specifies the conditions to be fulfilled where the transfer is of United Kingdom equity securities to members of the London International Financial Futures and Options Exchange.