

## SCHEDULE 2

### AMENDMENTS TO FA 1996

**5.—**(1) Paragraph 12D(1) (cross-border transfer of business within European Community) is amended as follows.

(2) In sub-paragraph (1) for paragraph (d) substitute—

“(d) the transferee—

(i) is resident in the United Kingdom immediately after the transfer, or

(ii) is within the charge to corporation tax immediately after the transfer in accordance with section 11 of the Taxes Act 1988.”.

(3) In sub-paragraph (3) after “exchange for” insert “the issue of”.

(4) Omit sub-paragraph (5).

(5) In sub-paragraph (6) after “determining” insert “the”.

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(1) Paragraphs 12D to 12G were inserted by paragraph 16 of Schedule 1 to [S.I. 2007/3186](#).