STATUTORY INSTRUMENTS

2013 No. 2819

The Unauthorised Unit Trusts (Tax) Regulations 2013

PART 4

Transitional provisions

CHAPTER 2

Transitional provisions for non-exempt unauthorised unit trusts

Part 5 not to apply to mixed unauthorised unit trusts

32.—(1) An unauthorised unit trust is not a non-exempt unauthorised unit trust, and Part 5 does not apply in relation to the trust, if at all times in the period beginning with 24 May 2012 and ending with 5 April 2014 it had at least one unit holder which was, and at least one unit holder which was not, an eligible investor.

(2) But paragraph (1) ceases to apply in relation to the trust if subsequently it no longer has any unit holders which are eligible investors.

[[F1](3) Where paragraph (1) applies, section 504 of ITA 2007 shall be read as if it included after subsection (4)—

> "(4A) Subsections (1) to (4) of section 272A of ITTOIA 2005 (restricting deductions for finance costs related to residential property) do not apply in relation to calculating the profits of a UK property business, or overseas property business, for the purposes of charging the trustees to income tax on those profits."**]**

F1 Reg. 32(3) inserted (7.1.2016) by The Unauthorised Unit Trusts (Tax) (Amendment No. 2) Regulations 2015 (S.I. 2015/2053), regs. 1, **4**

Changes to legislation:
There are currently no known outstanding effects for the The Unauthorised Unit Trusts (Tax) Regulations 2013, Section 32.