

2019 No. 499

INCOME TAX

CORPORATION TAX

The Capital Allowances (Environmentally Beneficial Plant and Machinery) (Amendment) Order 2019

<i>Made</i> - - - -	<i>7th March 2019</i>
<i>Laid before the House of Commons</i>	<i>8th March 2019</i>
<i>Coming into force</i> - -	<i>29th March 2019</i>

The Treasury make the following Order in exercise of the powers conferred by section 45H(3) to (5) of the Capital Allowances Act 2001(a).

Citation and commencement

1. This Order may be cited as the Capital Allowances (Environmentally Beneficial Plant and Machinery) (Amendment) Order 2019 and comes into force on 29th March 2019.

Amendment of the Capital Allowances (Environmentally Beneficial Plant and Machinery) Order 2003

2. The Capital Allowances (Environmentally Beneficial Plant and Machinery) Order 2003(b) is amended as follows.

3. In article 2 (interpretation), in the definitions of “Water Technology Criteria List” and “Water Technology Product List”—

- (a) for “June 2016” substitute “February 2019” in both places, and
- (b) for “6 July 2016” substitute “19th February 2019” in both places.

4. In article 3(2) (description of environmentally beneficial plant and machinery), omit subparagraphs (k) and (l).

Craig Whittaker
Rebecca Harris

7th March 2019

Two of the Lords Commissioners for Her Majesty’s Treasury

(a) 2001 c. 2; section 45H was inserted by paragraph 3 of Schedule 30 to the Finance Act 2003 (c. 14).
(b) S.I. 2003/2076 as amended by S.I. 2004/2094, 2005/2423, 2006/2235, 2007/2166, 2008/1917, 2009/1864, 2010/2483, 2011/2220, 2012/1838, 2013/1762, 2014/1869, 2015/1509 and 2016/952.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Capital Allowances (Environmentally Beneficial Plant and Machinery) Order 2003 (S.I. 2003/2076) (“the principal Order”). The principal Order implemented legislation to introduce a scheme for 100% first-year allowances to encourage businesses to invest in environmentally beneficial plant and machinery (as defined by section 45H of the Capital Allowances Act 2001 (c. 2)).

Section 45H enables the Treasury by order to specify qualifying plant and machinery by reference to a description or criteria given by the Secretary of State in a technology or product list. The Secretary of State for the Environment, Food and Rural Affairs has issued the Water Technology Criteria List and Water Technology Product List. These lists have been revised and replaced by new lists issued on 19th February 2019 which have effect from 29th March 2019.

Article 3 amends the definitions in article 2 of the principal Order of “Water Technology Criteria List” and “Water Technology Product List” to refer to the new lists, which are available online at <https://www.gov.uk/government/publications/water-efficient-enhanced-capital-allowances>. Copies are available from water.resources@defra.gov.uk.

Article 4 removes two technology classes specified in article 3 of the principal Order to reflect changes to the Water Technology Criteria List.

A Tax Information and Impact Note covering this instrument was published on 29 October 2018 and is available online at <https://www.gov.uk/government/collections/tax-information-and-impact-notes-tiins>. It remains an accurate summary of the impacts that apply to this instrument.

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