
Changes to legislation: There are currently no known outstanding effects for the Finance Act 2019, Cross Heading: CTA 2009. (See end of Document for details)

SCHEDULES

SCHEDULE 1

CHARGEABLE GAINS ACCRUING TO NON-RESIDENTS ETC

PART 2

CONSEQUENTIAL AMENDMENTS

CTA 2009

- 108 CTA 2009 is amended as follows.
- 109 In section 2 (charge to corporation tax), omit subsection (2A).
- 110 (1) Section 5 of CTA 2009 (territorial scope of charge to corporation tax) is amended as follows.
- (2) In subsections (1), (2A) and (3), for “chargeable to corporation tax” substitute “chargeable to corporation tax on income”.
- (3) In subsection (2), for “within the charge to corporation tax” substitute “within the charge to corporation tax on income”.
- (4) After subsection (4) insert—
- “(5) The territorial scope of the charge to corporation tax on chargeable gains is given by section 2B of TCGA 1992.”
- 111 In section 18A (exemption for profits or losses of foreign permanent establishments), after subsection (2A) insert—
- “(2B) Profits and losses are not to be left out of account as mentioned in subsection (2) so far as, if the company were non-UK resident, they would be gains or losses accruing on disposals of assets within section 2B(4)(a) or (b) of TCGA 1992 (interests in UK land or other assets deriving at least 75% of their value from UK land).”
- 112 (1) Section 19 (chargeable profits) is amended as follows.
- (2) In subsection (1), after “applies” insert “for the purposes of the charge to corporation tax on income”.
- (3) In subsection (3)—
- (a) at the end of paragraph (a), insert “and”, and
- (b) omit paragraph (c).
- (4) After subsection (3) insert—

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- “(4) For the purposes of the charge to corporation tax on chargeable gains accruing to the company, see section 2B(3) of TCGA 1992.
- (5) That subsection provides (among other things) that the gains are chargeable to corporation tax only so far as they are attributable to the permanent establishment in accordance with sections 20 to 32 of this Act.”

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