

Income and Corporation Taxes Act 1988

1988 CHAPTER 1

PART VII

GENERAL PROVISIONS RELATING TO TAXATION OF INCOME OF INDIVIDUALS

[F1CHAPTER III

ENTERPRISE INVESTMENT SCHEME

Textual	Amen	dment	c

F1 Pt. 7 Ch. 3 (ss. 289-312), except s. 305A, repealed (6.4.2007 with effect in accordance with s. 1034(1) of the repealing Act) by Income Tax Act 2007 (c. 3), Sch. 1 para. 627, Sch. 3 Pt. 2 (with savings in s. 1034(3), Sch. 2)

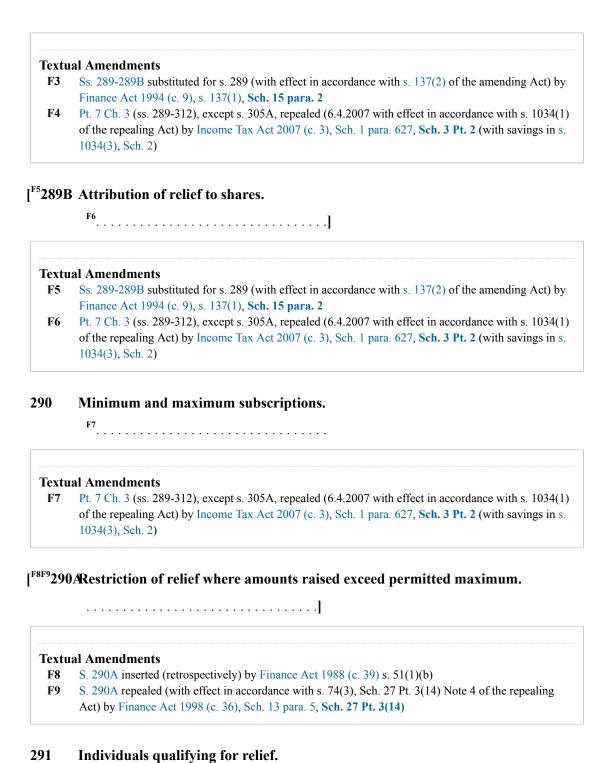
289 Eligibility for relief.

Textual Amendments

F2 Pt. 7 Ch. 3 (ss. 289-312), except s. 305A, repealed (6.4.2007 with effect in accordance with s. 1034(1) of the repealing Act) by Income Tax Act 2007 (c. 3), Sch. 1 para. 627, Sch. 3 Pt. 2 (with savings in s. 1034(3), Sch. 2); and s. 289(9) amended (as saved) (retrospective to 6.4.2007) by Finance Act 2007 (c. 11), Sch. 16 paras. 16(1)(a), 18; and s. 289 further amended (as saved) (17.7.2007 with effect in accordance with art. 1(2) of the amending S.I.) by The Income Tax Act 2007 (Amendment) (No. 2) Order 2007 (S.I. 2007/1820), arts. 1(1), 2(2)

[^{F3} 289A I	Form of relief.
	F4

Changes to legislation: Income and Corporation Taxes Act 1988, CHAPTER III is up to date with all changes known to be in force on or before 29 February 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes



F10

PART VII – GENERAL PROVISIONS RELATING TO TAXATION OF INCOME OF INDIVIDUALS

CHAPTER III – ENTERPRISE INVESTMENT SCHEME

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Changes to legislation: Income and Corporation Taxes Act 1988, CHAPTER III is up to date with all changes known to be in force on or before 29 February 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Textual Amendments F10 Pt. 7 Ch. 3 (ss. 289-312), except s. 305A, repealed (6.4.2007 with effect in accordance with s. 1034(1) of the repealing Act) by Income Tax Act 2007 (c. 3), Sch. 1 para. 627, Sch. 3 Pt. 2 (with savings in s. 1034(3), Sch. 2)

[F11291AConnected persons: directors.

F12	2																															
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Textual Amendments

- F11 Ss. 291-291B substituted for s. 291 (with effect in accordance with s. 137(2) of the amending Act) by Finance Act 1994 (c. 9), s. 137(1), Sch. 15 para. 5
- F12 Pt. 7 Ch. 3 (ss. 289-312), except s. 305A, repealed (6.4.2007 with effect in accordance with s. 1034(1) of the repealing Act) by Income Tax Act 2007 (c. 3), Sch. 1 para. 627, Sch. 3 Pt. 2 (with savings in s. 1034(3), Sch. 2)

[F13291BConnected persons: persons interested in capital etc. of company.

F14	ļ																1	ĺ

Textual Amendments

- F13 Ss. 291-291B substituted for s. 291 (with effect in accordance with s. 137(2) of the amending Act) by Finance Act 1994 (c. 9), s. 137(1), Sch. 15 para. 5
- F14 Pt. 7 Ch. 3 (ss. 289-312), except s. 305A, repealed (6.4.2007 with effect in accordance with s. 1034(1) of the repealing Act) by Income Tax Act 2007 (c. 3), Sch. 1 para. 627, Sch. 3 Pt. 2 (with savings in s. 1034(3), Sch. 2); and s. 291B amended (as saved) (17.7.2007 with effect in accordance with art. 1(2) of the amending S.I.) by The Income Tax Act 2007 (Amendment) (No. 2) Order 2007 (S.I. 2007/1820), arts. 1(1), 2(2)

292 Parallel trades.

F1:	5																															
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Textual Amendments

F15 Pt. 7 Ch. 3 (ss. 289-312), except s. 305A, repealed (6.4.2007 with effect in accordance with s. 1034(1) of the repealing Act) by Income Tax Act 2007 (c. 3), Sch. 1 para. 627, Sch. 3 Pt. 2 (with savings in s. 1034(3), Sch. 2)

293 Qualifying companies.

F16	ó																		
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 $PART\ VII-GENERAL\ PROVISIONS\ RELATING\ TO\ TAXATION\ OF\ INCOME\ OF\ INDIVIDUALS$ $CHAPTER\ III-ENTERPRISE\ INVESTMENT\ SCHEME$

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Textual Amendments

F16 Pt. 7 Ch. 3 (ss. 289-312), except s. 305A, repealed (6.4.2007 with effect in accordance with s. 1034(1) of the repealing Act) by Income Tax Act 2007 (c. 3), Sch. 1 para. 627, Sch. 3 Pt. 2 (with savings in s. 1034(3), Sch. 2); and s. 293 amended (as saved) (17.7.2007 with effect in accordance with art. 1(2) of the amending S.I.) by The Income Tax Act 2007 (Amendment) (No. 2) Order 2007 (S.I. 2007/1820), arts. 1(1), 2(2)

294	Compani	es with	interests	in	land.

F17

Textual Amendments

F17 Pt. 7 Ch. 3 (ss. 289-312), except s. 305A, repealed (6.4.2007 with effect in accordance with s. 1034(1) of the repealing Act) by Income Tax Act 2007 (c. 3), Sch. 1 para. 627, Sch. 3 Pt. 2 (with savings in s. 1034(3), Sch. 2)

Valuation of interests in land for purposes of section 294(1)(b).

F18

Textual Amendments

F18 Pt. 7 Ch. 3 (ss. 289-312), except s. 305A, repealed (6.4.2007 with effect in accordance with s. 1034(1) of the repealing Act) by Income Tax Act 2007 (c. 3), Sch. 1 para. 627, Sch. 3 Pt. 2 (with savings in s. 1034(3), Sch. 2)

Section 294 disapplied where amounts raised total £50,000 or less.

F19

Textual Amendments

F19 Pt. 7 Ch. 3 (ss. 289-312), except s. 305A, repealed (6.4.2007 with effect in accordance with s. 1034(1) of the repealing Act) by Income Tax Act 2007 (c. 3), Sch. 1 para. 627, Sch. 3 Pt. 2 (with savings in s. 1034(3), Sch. 2)

297 Qualifying trades.

F20

Textual Amendments

F20 Pt. 7 Ch. 3 (ss. 289-312), except s. 305A, repealed (6.4.2007 with effect in accordance with s. 1034(1) of the repealing Act) by Income Tax Act 2007 (c. 3), Sch. 1 para. 627, Sch. 3 Pt. 2 (with savings in s. 1034(3), Sch. 2); and s. 297 amended (as saved) (retrospective to 6.4.2007) by Finance Act 2007 (c. 11), Sch. 16 paras. 11(1), 13, Sch. 27 Pt. 2(16), Note

PART VII – GENERAL PROVISIONS RELATING TO TAXATION OF INCOME OF INDIVIDUALS

 $CHAPTER\ III-ENTERPRISE\ INVESTMENT\ SCHEME$

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298	Provisions supplementary to sections 293 and 297.
	al Amendments
F21	Pt. 7 Ch. 3 (ss. 289-312), except s. 305A, repealed (6.4.2007 with effect in accordance with s. 1034(1) of the repealing Act) by Income Tax Act 2007 (c. 3), Sch. 1 para. 627, Sch. 3 Pt. 2 (with savings in s. 1034(3), Sch. 2); and s. 298 amended (as saved) (17.7.2007 with effect in accordance with art. 1(2) of the amending S.I.) by The Income Tax Act 2007 (Amendment) (No. 2) Order 2007 (S.I. 2007/1820), arts. 1(1), 2(3)
299	Disposal of shares.
	F22
Toytu	al Amendments
F22	Pt. 7 Ch. 3 (ss. 289-312), except s. 305A, repealed (6.4.2007 with effect in accordance with s. 1034(1) of the repealing Act) by Income Tax Act 2007 (c. 3), Sch. 1 para. 627, Sch. 3 Pt. 2 (with savings in s. 1034(3), Sch. 2); and s. 299 (as saved) applied (with modifications) by s. 149(1)(a) of that repealing Act
[^{F23} 299/	ALoan linked investments.
	F24
Textu	al Amendments
F23	S. 299A inserted (27.7.1993 with application in relation to any case in which the claim for relief is made on or after 16.3.1993) by 1993 c. 34, s. 111(1)(4)
F24	Pt. 7 Ch. 3 (ss. 289-312), except s. 305A, repealed (6.4.2007 with effect in accordance with s. 1034(1) of the repealing Act) by Income Tax Act 2007 (c. 3), Sch. 1 para. 627, Sch. 3 Pt. 2 (with savings in s. 1034(3), Sch. 2)
[^{F25} 2991	3Pre-arranged exits.
	F26
Textu F25	al Amendments S. 299B inserted (with effect in accordance with s. 71(5) of the amending Act) by Finance Act 1998 (c. 36), s. 71(1)

- F26 Pt. 7 Ch. 3 (ss. 289-312), except s. 305A, repealed (6.4.2007 with effect in accordance with s. 1034(1) of the repealing Act) by Income Tax Act 2007 (c. 3), Sch. 1 para. 627, Sch. 3 Pt. 2 (with savings in s. 1034(3), Sch. 2)

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300	Value received from company.
	F27
Textu	al Amendments
F27	Pt. 7 Ch. 3 (ss. 289-312), except s. 305A, repealed (6.4.2007 with effect in accordance with s. 1034(1) of the repealing Act) by Income Tax Act 2007 (c. 3), Sch. 1 para. 627, Sch. 3 Pt. 2 (with savings in s. 1034(3), Sch. 2)
[^{F28} 300 <i>A</i>	AReceipt of replacement value
	F29
Textu	al Amendments
F28	S. 300A inserted (with effect in accordance with Sch. 15 para. 40(3) of the amending Act) by Finance Act 2001 (c. 9), Sch. 15 para. 16
F29	Pt. 7 Ch. 3 (ss. 289-312), except s. 305A, repealed (6.4.2007 with effect in accordance with s. 1034(1) of the repealing Act) by Income Tax Act 2007 (c. 3), Sch. 1 para. 627, Sch. 3 Pt. 2 (with savings in s. 1034(3), Sch. 2)
301	Provisions supplementary to section 300.
	F30
Textu	al Amendments
F30	Pt. 7 Ch. 3 (ss. 289-312), except s. 305A, repealed (6.4.2007 with effect in accordance with s. 1034(1) of the repealing Act) by Income Tax Act 2007 (c. 3), Sch. 1 para. 627, Sch. 3 Pt. 2 (with savings in s. 1034(3), Sch. 2)
[^{F31} 301]	AReceipts of insignificant value: supplementary provision
	F32
Textu	al Amendments
F31	S. 301A inserted (with effect in accordance with Sch. 15 para. 40(3) of the amending Act) by Finance Act 2001 (c. 9), Sch. 15 para. 18
F32	Pt. 7 Ch. 3 (ss. 289-312), except s. 305A, repealed (6.4.2007 with effect in accordance with s. 1034(1) of the repealing Act) by Income Tax Act 2007 (c. 3), Sch. 1 para. 627, Sch. 3 Pt. 2 (with savings in s. 1034(3), Sch. 2)
302	Replacement capital.
	F33

CHAPTER III – ENTERPRISE INVESTMENT SCHEME

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Textual Amendments F33 Pt. 7 Ch. 3 (ss. 289-312), except s. 305A, repealed (6.4.2007 with effect in accordance with s. 1034(1) of the repealing Act) by Income Tax Act 2007 (c. 3), Sch. 1 para. 627, Sch. 3 Pt. 2 (with savings in s. 1034(3), Sch. 2)

303 Value received by persons other than claimants.

F34

Textual Amendments

F34 Pt. 7 Ch. 3 (ss. 289-312), except s. 305A, repealed (6.4.2007 with effect in accordance with s. 1034(1) of the repealing Act) by Income Tax Act 2007 (c. 3), Sch. 1 para. 627, Sch. 3 Pt. 2 (with savings in s. 1034(3), Sch. 2)

[F35303A] Insignificant repayments disregarded for purposes of s.303(1)

Textual Amendments

- F35 S. 303AA inserted (with effect in accordance with Sch. 15 para. 40(3) of the amending Act) by Finance Act 2001 (c. 9), Sch. 15 para. 20
- **F36** Pt. 7 Ch. 3 (ss. 289-312), except s. 305A, repealed (6.4.2007 with effect in accordance with s. 1034(1) of the repealing Act) by Income Tax Act 2007 (c. 3), Sch. 1 para. 627, **Sch. 3 Pt. 2** (with savings in s. 1034(3), Sch. 2)

[F37303ARestriction on withdrawal of relief under section 303.

Textual Amendments

- F37 S. 303A inserted (with effect in accordance with s. 63(4) of the amending Act) by Finance Act 2000 (c. 17), Sch. 16 para. 2(3)
- F38 Pt. 7 Ch. 3 (ss. 289-312), except s. 305A, repealed (6.4.2007 with effect in accordance with s. 1034(1) of the repealing Act) by Income Tax Act 2007 (c. 3), Sch. 1 para. 627, Sch. 3 Pt. 2 (with savings in s. 1034(3), Sch. 2)

304 [F39Spouses and civil partners.]

F40

Textual Amendments

F39 S. 304 heading substituted (5.12.2005) by The Tax and Civil Partnership Regulations 2005 (S.I. 2005/3229), **regs. 1(1)**, 65(c)

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F40 Pt. 7 Ch. 3 (ss. 289-312), except s. 305A, repealed (6.4.2007 with effect in accordance with s. 1034(1) of the repealing Act) by Income Tax Act 2007 (c. 3), Sch. 1 para. 627, Sch. 3 Pt. 2 (with savings in s. 1034(3), Sch. 2)

	F42
Textu	al Amendments
F41	S. 304A inserted (with effect in accordance with s. 74(3), Sch. 13 para. 17(2) of the amending Act) by Finance Act 1998 (c. 36), Sch. 13 para. 17(1) ; and see also the s. 304A inserted (with effect in accordance with s. 74(3), Sch. 13 para. 41(2) of the amending Act) by Finance Act 1998 (c. 36), Sch. 13 paras. 37, 41(1)
F42	Pt. 7 Ch. 3 (ss. 289-312), except s. 305A, repealed (6.4.2007 with effect in accordance with s. 1034(1) of the repealing Act) by Income Tax Act 2007 (c. 3), Sch. 1 para. 627, Sch. 3 Pt. 2 (with savings in s. 1034(3), Sch. 2); and s. 304A amended (as saved) (retrospective to 6.4.2007) by Finance Act 2007 (c. 11), Sch. 16 paras. 11(2), 13
305	Reorganisation of share capital.
Textu	al Amendments
F43	Pt. 7 Ch. 3 (ss. 289-312), except s. 305A, repealed (6.4.2007 with effect in accordance with s. 1034(1) of the repealing Act) by Income Tax Act 2007 (c. 3), Sch. 1 para. 627, Sch. 3 Pt. 2 (with savings in s. 1034(3), Sch. 2)
^{F44} 305 <i>A</i>	ARelief for loss on disposal of shares.
	F45
Textu	al Amendments
F44	S. 305A inserted (with effect in accordance with s. 137(2) of the amending Act) by Finance Act 1994 (c. 9), s. 137(1), Sch. 15 para. 20
F45	S. 305A repealed (6.4.2007 with effect in accordance with s. 1034(1) of the repealing Act) by Income Tax Act 2007 (c. 3), Sch. 1 para. 43, Sch. 3 Pt. 1 (with Sch. 2)

306 Claims.

CHAPTER III – ENTERPRISE INVESTMENT SCHEME

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Textual Amendments

F46 Pt. 7 Ch. 3 (ss. 289-312), except s. 305A, repealed (6.4.2007 with effect in accordance with s. 1034(1) of the repealing Act) by Income Tax Act 2007 (c. 3), Sch. 1 para. 627, **Sch. 3 Pt. 2** (with savings in s. 1034(3), Sch. 2)

307 Withdrawal of relief.

F47

Textual Amendments

F47 Pt. 7 Ch. 3 (ss. 289-312), except s. 305A, repealed (6.4.2007 with effect in accordance with s. 1034(1) of the repealing Act) by Income Tax Act 2007 (c. 3), Sch. 1 para. 627, Sch. 3 Pt. 2 (with savings in s. 1034(3), Sch. 2)

308 Application to subsidiaries.

148

Textual Amendments

F48 Pt. 7 Ch. 3 (ss. 289-312), except s. 305A, repealed (6.4.2007 with effect in accordance with s. 1034(1) of the repealing Act) by Income Tax Act 2007 (c. 3), Sch. 1 para. 627, Sch. 3 Pt. 2 (with savings in s. 1034(3), Sch. 2); and s. 308 amended (as saved) (17.7.2007 with effect in accordance with art. 1(2) of the amending S.I.) by The Income Tax Act 2007 (Amendment) (No. 2) Order 2007 (S.I. 2007/1820), arts. 1(1), 2(2)

309 Further provisions as to subsidiaries.

F49

Textual Amendments

F49 S. 309 repealed (with effect as mentioned in s. 137(1)(2), Sch. 26 Pt. 5(17) Note of the repealing Act) by Finance Act 1994 (c. 9), Sch. 15 para. 24, Sch. 26 Pt. 5(17)

310 Information.

F50

Textual Amendments

F50 Pt. 7 Ch. 3 (ss. 289-312), except s. 305A, repealed (6.4.2007 with effect in accordance with s. 1034(1) of the repealing Act) by Income Tax Act 2007 (c. 3), Sch. 1 para. 627, Sch. 3 Pt. 2 (with savings in s. 1034(3), Sch. 2)

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311	Nominees, bare trustees and approved investment funds.
	F51

Textual Amendments

F51 Pt. 7 Ch. 3 (ss. 289-312), except s. 305A, repealed (6.4.2007 with effect in accordance with s. 1034(1) of the repealing Act) by Income Tax Act 2007 (c. 3), Sch. 1 para. 627, **Sch. 3 Pt. 2** (with savings in s. 1034(3), Sch. 2)

312 Interpretation of Chapter III.

F52	2																	
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Textual Amendments

Pt. 7 Ch. 3 (ss. 289-312), except s. 305A, repealed (6.4.2007 with effect in accordance with s. 1034(1) of the repealing Act) by Income Tax Act 2007 (c. 3), Sch. 1 para. 627, Sch. 3 Pt. 2 (with savings in s. 1034(3), Sch. 2); and s. 312 amended (as saved) (6.4.2007 with effect in accordance with s. 1034(1) of the amending Act) by Income Tax Act 2007 (c. 3), Sch. 1 para. 44 (with Sch. 2); and s. 312 further amended (as saved) (retrospective to 6.4.2007) by Finance Act 2007 (c. 11), Sch. 16 paras. 16(1)(b), 18, Sch. 27 Pt. 2(16), Note; and s. 312 further amended (as saved) (17.7.2007 with effect in accordance with art. 1(2) of the amending S.I.) by The Income Tax Act 2007 (Amendment) (No. 2) Order 2007 (S.I. 2007/1820), arts. 1(1), 2(4)(5); and s. 312 further amended (as saved) (19.7.2007) by Finance Act 2007 (c. 11), Sch. 26 para. 7(3)

Changes to legislation:

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View outstanding changes

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Act Tax Acts: power to modify conferred by 2004 c. 25 s. 18
- Act Taxes Acts modified by 1970 c. 9, Sch. A1 para. 10(7) (as inserted) by 2017 c.
 32 s. 60(3)
- Act Taxes Acts modified by 1970 c. 9, s. 8(7) (as inserted) by 2017 c. 32 Sch. 14 para. 3(15)
- Act Taxes Acts modified by 1970 c. 9, s. 8A(7) (as inserted) by 2017 c. 32 Sch. 14 para. 4(12)
- Act applied (with modifications) by S.I. 2010/875 reg. 16Sch. 2 (This amendment not applied to legislation.gov.uk. S.I. 2010/875 was revoked (27.8.2010) by SI 2010/1906, reg. 2 without having come into force)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 109A(4B) inserted by 2005 c. 7 Sch. 4 para. 6(3) (This amendment not applied to legislation.gov.uk. The amending provision (2005 c. 7, Sch. 4 para. 6) repealed retrospectively by 2005 c. 22, Sch. 6 para. 4(1)(6))
- Sch. 19AB para. 5(5)(a)(b) words substituted by S.I. 2001/3629 art. 52(2)(n) (This amendment not applied to legislation.gov.uk. The words to be substituted do not occur in Sch. 19AB para. 5)