



Finance Act 1993

1993 CHAPTER 34

PART II

INCOME TAX, CORPORATION TAX AND CAPITAL GAINS TAX

CHAPTER I

GENERAL

Income tax: charge, rates and allowances

^{F1}51 Charge and rates of income tax for 1993-94.

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Textual Amendments

^{F1} S. 51 repealed (6.4.2007) by [Income Tax Act 2007 \(c. 3\)](#), s. 1034(1), [Sch. 3 Pt. 1](#) (with [Sch. 2](#))

^{F2}52 Personal and married couple's allowances.

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Textual Amendments

^{F2} S. 52 repealed (6.4.2007) by [Income Tax Act 2007 \(c. 3\)](#), s. 1034(1), [Sch. 3 Pt. 1](#) (with [Sch. 2](#))

*Changes to legislation: There are currently no known outstanding effects
 for the Finance Act 1993, Chapter I. (See end of Document for details)*

Corporation tax charge and rate

53 Charge and rate of corporation tax for 1993.

Corporation tax shall be charged for the financial year 1993 at the rate of 33 per cent.

^{F3}54 Small companies.

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Textual Amendments

F3 [S. 54](#) repealed (with effect in accordance with s. 1184(1) of the amending Act) by [Corporation Tax Act 2010 \(c. 4\)](#), s. 1184(1), [Sch. 3 Pt. 1](#) (with [Sch. 2](#))

Interest: general

55 Relief for interest.

For the year 1993-94 the qualifying maximum defined in section 367(5) of the Taxes Act 1988 (limit on relief for interest on certain loans) shall be £30,000.

^{F4}56

Textual Amendments

F4 [S. 56](#) repealed (27.7.1999 with effect in relation to any payment of interest falling within [s. 38\(3\)\(4\)](#) of the amending Act) by [1999 c. 16](#), s. 139, [Sch. 20 Pt. III\(7\)](#) Note 4

57 Temporary relief for interest payments.

^{F5}(1)

^{F5}(2)

(3) In section 365 of that Act (relief on interest on loans to buy a life annuity), after subsection (1) there shall be inserted the following subsections—

“(1A) Where, in the case of any loan—

- (a) the condition specified in subsection (1)(d) above would not (apart from this subsection) be fulfilled with respect to any land by reason of its having ceased at any time to be used by a particular person as his only or main residence; and
- (b) the intention at that time of the person to whom the loan was made, or of each of the annuitants owning an estate or interest in that land, was to take steps, before the end of the period of 12 months after the day on which it ceased to be so used, with a view to the disposal of his estate or interest,

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that condition shall be treated in relation to interest on that loan as continuing to be fulfilled with respect to the land from that time until the end of that period or (if sooner) the abandonment by that person or any of those annuitants of his intention to dispose of his estate or interest.

(1B) If it appears to the Board reasonable to do so, having regard to all the circumstances of a particular case, they may direct that in relation to that case subsection (1A) above shall have effect as if for the reference to 12 months there were substituted a reference to such longer period as meets the circumstances of that case.”

^{F5}(4)

(5) This section shall have effect in relation to payments of interest made on or after 16th March 1993 (whenever falling due).

^{F5}(6)

^{F6}(7)

Textual Amendments

F5 S. 57(1)(2)(4)(6) repealed (27.7.1999 with effect in relation to any payment of interest falling within s. 38(3)(4) of the amending Act) by 1999 c. 16, s. 139, **Sch. 20 Pt. III(7)** Note 4

F6 S. 57(7) repealed (3.5.1994 with effect in accordance with s. 81(6) of the amending Act) by 1994 c. 9, ss. 81, 258, **Sch. 9 para. 12, Sch. 26 Pt. V(2)** Note

58 Overclaims in respect of deductions of mortgage interest.

(1) After subsection (6) of section 369 of the Taxes Act 1988 (recovery of amount treated as paid by recipient of interest paid subject to a deduction under that section) there shall be inserted the following subsection—

“(7) The following provisions of the Management Act, namely—

- (a) section 29(3)(c) (excessive relief),
- (b) section 30 (tax repaid in error etc.),
- (c) section 88 (interest), and
- (d) section 95 (incorrect return or accounts),

shall apply in relation to an amount which is paid to any person by the Board as an amount recoverable in accordance with regulations made by virtue of subsection (6) above but to which that person is not entitled as if it were income tax which ought not to have been repaid and, where that amount was claimed by that person, as if it had been repaid as a relief which was not due.”

(2) This section shall not apply in relation to any payment if the payment, or the claim on which it is made, was made before the day on which this Act is passed.

^{F7}59 Interest payments to persons not ordinarily resident in UK.

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*Changes to legislation: There are currently no known outstanding effects
 for the Finance Act 1993, Chapter I. (See end of Document for details)*

Textual Amendments

F7 [S. 59](#) repealed (6.4.2007) by [Income Tax Act 2007 \(c. 3\)](#), s. 1034(1), **Sch. 3 Pt. 1** (with [Sch. 2](#))

F8 **60**

Textual Amendments

F8 [S. 60](#) repealed (1.10.2002) by [2002 c. 23](#), s. 141, **Sch. 40 Pt. 3(10)**, note 2

Interest etc. on debts between associated companies

F9 **61**

Textual Amendments

F9 [S. 61](#) repealed (29.4.1996 with effect in accordance with the provisions of Chapter II of Pt. IV of the repealing Act) by [1996 c. 8](#), s. 205, **Sch. 41 Pt. V(3)** Note

F10 **62**

Textual Amendments

F10 [S. 62](#) repealed (29.4.1996 with effect in accordance with the provisions of Chapter II of Pt. IV of the repealing Act) by [1996 c. 8](#), s. 205, **Sch. 41 Pt. V(3)** Note

F11 **62A**

Textual Amendments

F11 [S. 62A](#) repealed (29.4.1996 with effect in accordance with the provisions of Chapter II of Pt. IV of the repealing Act) by [1996 c. 8](#), s. 205, **Sch. 41 Pt. V(3)** Note

F12 **63**

Textual Amendments

F12 [S. 63](#) repealed (29.4.1996 with effect in accordance with the provisions of Chapter II of Pt. IV of the repealing Act) by [1996 c. 8](#), s. 205, **Sch. 41 Pt. V(3)** Note

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for the Finance Act 1993, Chapter I. (See end of Document for details)

^{F13}**64**

Textual Amendments

F13 [S. 64](#) repealed (29.4.1996 with effect in accordance with the provisions of Chapter II of Pt. IV of the repealing Act) by [1996 c. 8, s. 205](#), [Sch. 41 Pt. V\(3\)](#) Note (with Sch. 15 para. 19(3))

Modifications etc. (not altering text)

C1 [S. 64](#) amended (27.7.1999 with application as mentioned in [s. 67\(8\)](#) of the amending Act) by [1999 c. 16, s. 67\(4\)\(8\)](#)

^{F14}**65**

Textual Amendments

F14 [S. 65](#) repealed (29.4.1996 with effect in accordance with the provisions of Chapter II of Pt. IV of the repealing Act) by [1996 c. 8, s. 205](#), [Sch. 41 Pt. V\(3\)](#) Note (with Sch. 15 para. 20(2))

Modifications etc. (not altering text)

C2 [S. 65](#) amended (27.7.1999 with application as mentioned in [s. 67\(8\)](#) of the amending Act) by [1999 c. 16, s. 67\(4\)\(8\)](#)

^{F15}**66**

Textual Amendments

F15 [S. 66](#) repealed (29.4.1996 with effect in accordance with the provisions of Chapter II of Pt. IV of the repealing Act) by [1996 c. 8, s. 205](#), [Sch. 41 Pt. V\(3\)](#) Note

Charitable donations

^{F16}**67** **Donations from companies and individuals.**

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Textual Amendments

F16 [S. 67](#) repealed (31.1.2013) by [Statute Law \(Repeals\) Act 2013 \(c. 2\)](#), s. 3(2), [Sch. 1 Pt. 10](#) Group 1

^{F17}**68** **Payroll deduction schemes.**

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*Changes to legislation: There are currently no known outstanding effects
for the Finance Act 1993, Chapter I. (See end of Document for details)*

Textual Amendments

F17 S. 68 repealed (with effect in accordance with s. 723(1)(a)(b) of the amending Act) by [Income Tax \(Earnings and Pensions\) Act 2003 \(c. 1\)](#), s. 723, **Sch. 8 Pt. 1** (with [Sch. 7](#))

^{F18}**69 Contributions to agent's expenses.**

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Textual Amendments

F18 S. 69 repealed (with effect in accordance with s. 1329(1) of the amending Act) by [Corporation Tax Act 2009 \(c. 4\)](#), s. 1329(1), **Sch. 3 Pt. 1** (with [Sch. 2 Pts. 1, 2](#))

Benefits in kind

70 Car benefits: 1993-94.

(1) In Schedule 6 to the Taxes Act 1988 (taxation of directors and others in respect of cars) for Part I (tables of flat rate cash equivalents) there shall be substituted—

“PART I

TABLES OF FLAT RATE CASH EQUIVALENTS

Table A

*CARS WITH AN ORIGINAL MARKET VALUE UP
TO £19,250 AND HAVING A CYLINDER CAPACITY*

<i>Cylinder capacity of car in cubic centimetres</i>	<i>Age of car at end of relevant year of assessment</i>	
	<i>Under 4 years</i>	<i>4 years or more</i>
1,400 or less	£2,310	£1,580
More than 1,400 but not more than 2,000	£2,990	£2,030
More than 2,000	£4,800	£3,220

Table B

*CARS WITH AN ORIGINAL MARKET VALUE UP TO
£19,250 AND NOT HAVING A CYLINDER CAPACITY*

<i>Original market value of car</i>	<i>Age of car at end of relevant year of assessment</i>
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Changes to legislation: There are currently no known outstanding effects for the Finance Act 1993, Chapter I. (See end of Document for details)

	Under 4 years	4 years or more
Less than £6,000	£2,310	£1,580
£6,000 or more but less than £8,500	£2,990	£2,030
£8,500 or more but not more than £19,250	£4,800	£3,220

Table C

CARS WITH AN ORIGINAL MARKET VALUE OF MORE THAN £19,250

Original market value of car	Age of car at end of relevant year of assessment	
	Under 4 years	4 years or more
More than £19,250 but not more than £29,000	£6,210	£4,180
More than £29,000	£10,040	£6,660

(2) This section shall have effect for the year 1993-94.

71 Car fuel: 1993-94.

(1) In section 158 of the Taxes Act 1988 (car fuel) for the Tables in subsection (2) (tables of cash equivalents) there shall be substituted—

“TABLE A

Cylinder capacity of car in cubic centimetres	Cash equivalent
1,400 or less	£600
More than 1,400 but not more than 2,000	£760
More than 2,000	£1,130

TABLE AB

Cylinder capacity of car in cubic centimetres	Cash equivalent
2,000 or less	£550
More than 2,000	£710

TABLE B

Original market value of car	Cash equivalent
Less than £6,000	£600

*Changes to legislation: There are currently no known outstanding effects
for the Finance Act 1993, Chapter I. (See end of Document for details)*

£6,000 or more but less than £8,500	£760
£8,500 or more	£1,130”

(2) In subsection (5) of that section (reductions in cash equivalents) the words “or 3” shall be omitted.

(3) This section shall have effect for the year 1993-94.

F19 72 Car and car fuel benefits: 1994-95 onwards.

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Textual Amendments

F19 S. 72 repealed (with effect in accordance with s. 381(1) of the amending Act) by [Taxation \(International and Other Provisions\) Act 2010 \(c. 8\)](#), s. 381(1), **Sch. 10 Pt. 13** (with [Sch. 9](#) paras. 1-9, 22)

F20 73 Vans.

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Textual Amendments

F20 Ss. 73-76 repealed (with effect in accordance with s. 723(1)(a)(b) of the amending Act) by [Income Tax \(Earnings and Pensions\) Act 2003 \(c. 1\)](#), s. 723, **Sch. 8 Pt. 1** (with [Sch. 7](#))

F20 74 Heavier commercial vehicles.

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Textual Amendments

F20 Ss. 73-76 repealed (with effect in accordance with s. 723(1)(a)(b) of the amending Act) by [Income Tax \(Earnings and Pensions\) Act 2003 \(c. 1\)](#), s. 723, **Sch. 8 Pt. 1** (with [Sch. 7](#))

F20 75 Sporting and recreational facilities.

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Textual Amendments

F20 Ss. 73-76 repealed (with effect in accordance with s. 723(1)(a)(b) of the amending Act) by [Income Tax \(Earnings and Pensions\) Act 2003 \(c. 1\)](#), s. 723, **Sch. 8 Pt. 1** (with [Sch. 7](#))

F20 76 Removal expenses and benefits.

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Textual Amendments

- F20** Ss. 73-76 repealed (with effect in accordance with s. 723(1)(a)(b) of the amending Act) by [Income Tax \(Earnings and Pensions\) Act 2003 \(c. 1\)](#), s. 723, **Sch. 8 Pt. 1** (with Sch. 7)

Taxation of distributions etc.

77 Application of lower rate.

F21(1)

F21(2)

F22(3)

F23(4)

- (5) This section shall apply in relation to the year 1993-94 and subsequent years of assessment.

Textual Amendments

- F21** S. 77(1)(2) repealed (29.4.1996 with effect in accordance with s. 73 and [Sch. 6](#) of the amending Act) by [1996 c. 8, s. 205](#), **Sch. 41 Pt. V(1)** Note 1
- F22** S. 77(3) repealed (with effect in accordance with s. 883(1) of the amending Act) by [Income Tax \(Trading and Other Income\) Act 2005 \(c. 5\)](#), s. 883(1), **Sch. 3** (with Sch. 2)
- F23** [S. 77\(4\)](#) repealed (with effect in accordance with s. 1184(1) of the amending Act) by [Corporation Tax Act 2010 \(c. 4\)](#), s. 1184(1), **Sch. 3 Pt. 1** (with Sch. 2)

F24**78**

Textual Amendments

- F24** [S. 78](#) repealed (31.7.1998 with effect in accordance with Sch. 3 of the repealing Act) by [1998 c. 36, s. 165](#), **Sch. 27 Pt. III(2)**, Note

79 Provisions supplemental to sections 77 and 78.

- (1) Schedule 6 to this Act (which makes further provision for the purposes of and in connection with the provisions of sections 77 and 78 above) shall have effect.

F25(2)

F26(3)

Textual Amendments

- F25** [S. 79\(2\)](#) repealed (31.1.2013) by [Statute Law \(Repeals\) Act 2013 \(c. 2\)](#), s. 3(2), **Sch. 1 Pt. 10** Group 1

*Changes to legislation: There are currently no known outstanding effects
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F26 S. 79(3) repealed (29.4.1996 with effect in accordance with s. 73 and [Sch. 6](#) of the amending Act) by 1996 c. 8, s. 205, [Sch. 41 Pt. V\(1\)](#) Note 1

F27 80 Transitional relief for charities etc.

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Textual Amendments

F27 S. 80 repealed (6.4.2007) by [Income Tax Act 2007 \(c. 3\)](#), s. 1034(1), [Sch. 1 para. 355](#), [Sch. 3 Pt. 1](#) (with [Sch. 2](#))

F28 81

Textual Amendments

F28 S. 81 repealed (31.7.1998 with effect in accordance with [Sch. 3](#) of the repealing Act) by 1998 c. 36, s. 165, [Sch. 27 Pt. III\(2\)](#), Note

Chargeable gains

82 Annual exempt amount for 1993-94.

For the year 1993-94 section 3 of the ^{M1}Taxation of Chargeable Gains Act 1992 (annual exempt amount) shall have effect as if the amount specified in subsection (2) were £5,800, and accordingly subsection (3) of that section (indexation) shall not apply for that year.

Marginal Citations

M1 1992 c. 12.

83 Annual exempt amount: indexation for 1994-95 onwards.

(1) In section 3(3) of the ^{M2}Taxation of Chargeable Gains Act 1992 (indexation of annual exempt amount) for “December” (in each place) there shall be substituted “September”.

(2) This section shall have effect for the year 1994-95 and subsequent years of assessment.

Marginal Citations

M2 1992 c. 12.

Changes to legislation: There are currently no known outstanding effects for the Finance Act 1993, Chapter I. (See end of Document for details)

84 Re-organisations etc. involving debentures.

- (1) In section 117 of the Taxation of Chargeable Gains Act 1992 (meaning of qualifying corporate bond), after subsection (6) there shall be inserted the following subsection—

“(6A) For the purposes of this section “corporate bond” also includes, except in relation to a person who acquires it on or after a disposal in relation to which section 115 has or has had effect in accordance with section 116(10)(c), any debenture issued on or after 16th March 1993 which is not a security (as defined in section 132) but—

- (a) is issued in circumstances such that it would fall by virtue of section 251(6) to be treated for the purposes of section 251 as such a security; and
- (b) would be a corporate bond if it were a security as so defined.”

- (2) In section 251 of that Act (general provisions in relation to debts), after subsection (5) there shall be inserted the following subsection—

“(6) For the purposes of this section a debenture issued by any company on or after 16th March 1993 shall be deemed to be a security (as defined in section 132) if—

- (a) it is issued on a reorganisation (as defined in section 126(1)) or in pursuance of its allotment on any such reorganisation;
- (b) it is issued in exchange for shares in or debentures of another company and in a case unaffected by section 137 where one or more of the conditions mentioned in paragraphs (a) to (c) of section 135(1) is satisfied in relation to the exchange;
- (c) it is issued under any such arrangements as are mentioned in subsection (1)(a) of section 136 and in a case unaffected by section 137 where section 136 requires shares or debentures in another company to be treated as exchanged for, or for anything that includes, that debenture; or
- (d) it is issued in pursuance of rights attached to any debenture issued on or after 16th March 1993 and falling within paragraph (a), (b) or (c) above.”

- (3) This section shall have effect in relation to any chargeable period ending on or after 16th March 1993 but, in relation to any accounting period of a company which began before 6th April 1992, this section shall have effect as if the references in this section, and in the amendments made by this section, to provisions of the Taxation of Chargeable Gains Act 1992 were references to such of the provisions of the ^{M3}Capital Gains Tax Act 1979 and the ^{M4}Finance Act 1984 as correspond to those provisions and have effect in relation to that accounting period.

Marginal Citations

M3 1979 c. 14.

M4 1984 c. 43.

*Changes to legislation: There are currently no known outstanding effects
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85 Personal equity plans.

After subsection (3) of section 151 of the Taxation of Chargeable Gains Act 1992 (personal equity plans) there shall be inserted the following subsection—

“(4) Regulations under this section may include provision which, for cases where a person subscribes to a plan by transferring or renouncing shares or rights to shares—

- (a) modifies the effect of this Act in relation to their acquisition and their transfer or renunciation; and
- (b) makes consequential modifications of the effect of this Act in relation to anything which (apart from the regulations) would have been regarded on or after their acquisition as an indistinguishable part of the same asset.”

86 Roll-over relief.

- (1) In section 155 of the ^{M5}Taxation of Chargeable Gains Act 1992 (classes of assets for the purposes of roll-over relief), after Class 5 there shall be inserted—

“CLASS 6

Ewe and suckler cow premium quotas (that is, rights in respect of any ewes or suckler cows to receive payments by way of any subsidy entitlement to which is determined by reference to limits contained in [^{F29}an EU] instrument).”

- [^{F30}(2) The Treasury may by order made by statutory instrument amend section 155 of the Taxation of Chargeable Gains Act 1992 (roll-over relief: relevant classes of assets) so as to add to or amend the classes of assets specified in that section.

(2A) But an order under subsection (2) may not restrict the assets which fall within a class listed in that section (whether by virtue of subsection (2) or otherwise).

(2B) An order under subsection (2) may make such consequential amendments of section 156ZB of, or Schedule 7AB to, the Taxation of Chargeable Gains Act 1992 as appear to the Treasury to be appropriate.]

(3) A statutory instrument containing an order under subsection (2) above shall be subject to annulment in pursuance of a resolution of the House of Commons.

(4) Subsection (1) above shall apply where the disposal of the old assets (or an interest in them) or the acquisition of the new assets (or an interest in them) is on or after 1st January 1993; but, in relation to any accounting period of a company which began before 6th April 1992, subsection (1) above shall have effect as if the inserted class were numbered 5 and were inserted after Class 4 in section 118 of the ^{M6}Capital Gains Tax Act 1979.

Textual Amendments

F29 Words in Act substituted (22.4.2011) by [The Treaty of Lisbon \(Changes in Terminology\) Order 2011 \(S.I. 2011/1043\)](#), arts. 2, 3, 6 (with art. 3(2)(3), 4(2), 6(4)(5))

F30 S. 86(2)-(2B) substituted for s. 86(2) (17.7.2012) by [Finance Act 2012 \(c. 14\)](#), s. 37(2)

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Marginal Citations

M5 1992 c. 12.

M6 1979 c. 14.

87 Relief on retirement or re-investment.

- (1) Schedule 7 to this Act (which amends the provisions of the Taxation of Chargeable Gains Act 1992 with respect to retirement relief and makes new provision in relation to relief on the re-investment of certain gains) shall have effect.
- (2) This section and that Schedule shall have effect in relation to any disposal made on or after 16th March 1993.

88 Restriction on set-off of pre-entry losses.

- (1) After section 177 of the Taxation of Chargeable Gains Act 1992 there shall be inserted the following section—

“177A Restriction on set-off of pre-entry losses.

Schedule 7A to this Act (which makes provision in relation to losses accruing to a company before the time when it becomes a member of a group of companies and losses accruing on assets held by any company at such a time) shall have effect.”

- (2) The Schedule set out in Schedule 8 to this Act shall be inserted after Schedule 7 to that Act.
- (3) This section and that Schedule—
 - (a) shall apply for the calculation of the amount to be included in respect of chargeable gains in a company’s total profits for any accounting period ending on or after 16th March 1993; but
 - (b) shall so apply only in relation to the deduction from chargeable gains accruing on or after 16th March 1993 of amounts in respect of, or of amounts carried forward in respect of—
 - (i) pre-entry losses accruing before it became a member of the relevant group to a company whose membership of that group began or begins at a time on or after 1st April 1987; and
 - (ii) losses accruing on the disposal of any assets so far as it is by reference to such a company that the assets fall to be treated as being or having been pre-entry assets or assets incorporating a part referable to pre-entry assets.
- (4) In relation to accounting periods beginning before 6th April 1992 this section and that Schedule shall have effect as if—
 - (a) the section and Schedule inserted by subsections (1) and (2) above were inserted in the ^{M7}Capital Gains Tax Act 1979; and
 - (b) references in the Schedule so inserted to provisions of the ^{M8}Taxation of Chargeable Gains Act 1992 were references to such of the provisions of that Act of 1979 or of any other enactment as correspond to the provisions referred to and have effect in relation to that accounting period.

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Marginal Citations

- M7** 1979 c. 14.
M8 1992 c. 12.

89 De-grouping charges.

(1) In section 179(4) of the Taxation of Chargeable Gains Act 1992 (time at which de-grouping charges accrue), for the words from “as follows” onwards there shall be substituted “at whichever is the later of the following, that is to say—

- (a) the time immediately after the beginning of the accounting period of that company in which or, as the case may be, at the end of which the company ceases to be a member of the group; and
- (b) the time when under subsection (3) above it is treated as having reacquired the asset;

and subsection (2) of section 409 of the Taxes Act (group relief) shall require any apportionment under that subsection to be made accordingly but shall not require any reference in this subsection to an accounting period to have effect for any of the purposes specified in subsection (3) of that section as a reference to any accounting period other than a true accounting period.”

(2) This section shall have effect in relation to accounting periods ending after the day appointed for the purposes of section 180(1)(b) of that Act.

F3190

Textual Amendments

- F31** **S. 90** repealed (28.7.2000 with effect as mentioned in Sch. 40 Pt. II(12), note 10 of the amending Act) by 2000 c. 17, s. 156, **Sch. 40 Pt. II(12)**

91 Deemed disposals of unit trusts by insurance companies.

(1) Section 212 of the Taxation of Chargeable Gains Act 1992 (annual deemed disposal by insurance companies of unit trusts) shall have effect in relation to accounting periods beginning on or after 1st January 1993; and neither that section nor section 46 of the ^{M9}Finance Act 1990 (which is consolidated in that section) shall have effect in relation to any earlier accounting period in relation to which either of them would have applied apart from this subsection.

F32(2)

(3) In subsection (7) of that section 212, in the words after paragraph (b) (application of definitions in the Taxes Act 1988), for “and 214” there shall be substituted “to 214A”.

(4) After section 213(1) of that Act of 1992 (spreading of gains and losses), there shall be inserted the following subsection—

“(1A) Subsection (1) above shall not apply to chargeable gains or allowable losses except so far as they are gains or losses which—

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- (a) are referable to basic life assurance and general annuity business; or
- (b) would (apart from that subsection) be taken into account in computing the profits of any business treated as a separate business under section 458 of the Taxes Act;

and that subsection shall apply separately in relation to the gains and losses falling within paragraph (a) above and those falling within paragraph (b) above for the purpose of determining what chargeable gains or allowable losses so referable are to be treated as accruing under that subsection and what chargeable gains or allowable losses to be so taken into account are to be treated as so accruing.”

F33(5)

F34(6)

Textual Amendments

- F32 S. 91(2) omitted (17.7.2012) by virtue of Finance Act 2012 (c. 14), Sch. 16 para. 91
- F33 S. 91(5) repealed (19.7.2007) by Finance Act 2007 (c. 11), Sch. 27 Pt. 2(10)
- F34 S. 91(6) repealed (19.7.2007) by Finance Act 2007 (c. 11), Sch. 27 Pt. 2(10)

Marginal Citations

- M9 1990 c. 29.

Corporation tax: currency

F3592 The basic rule: sterling to be used

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Textual Amendments

- F35 Ss. 92-92E repealed (with effect in accordance with s. 1184(1) of the amending Act) by Corporation Tax Act 2010 (c. 4), s. 1184(1), Sch. 1 para. 277, Sch. 3 Pt. 1 (with Sch. 2)

F3592A Company operating in sterling and preparing accounts in another currency

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Textual Amendments

- F35 Ss. 92-92E repealed (with effect in accordance with s. 1184(1) of the amending Act) by Corporation Tax Act 2010 (c. 4), s. 1184(1), Sch. 1 para. 277, Sch. 3 Pt. 1 (with Sch. 2)

F3592B Company operating in currency other than sterling and preparing accounts in another currency

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Changes to legislation: There are currently no known outstanding effects
for the Finance Act 1993, Chapter I. (See end of Document for details)

Textual Amendments

F35 Ss. 92-92E repealed (with effect in accordance with s. 1184(1) of the amending Act) by [Corporation Tax Act 2010 \(c. 4\)](#), s. 1184(1), Sch. 1 para. 277, **Sch. 3 Pt. 1** (with Sch. 2)

F35 92C Company preparing accounts in currency other than sterling

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Textual Amendments

F35 Ss. 92-92E repealed (with effect in accordance with s. 1184(1) of the amending Act) by [Corporation Tax Act 2010 \(c. 4\)](#), s. 1184(1), Sch. 1 para. 277, **Sch. 3 Pt. 1** (with Sch. 2)

F35 92D Sterling equivalents: the basic rule

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Textual Amendments

F35 Ss. 92-92E repealed (with effect in accordance with s. 1184(1) of the amending Act) by [Corporation Tax Act 2010 \(c. 4\)](#), s. 1184(1), Sch. 1 para. 277, **Sch. 3 Pt. 1** (with Sch. 2)

F35 92DA Sterling equivalents: carried-back amounts

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Textual Amendments

F35 Ss. 92-92E repealed (with effect in accordance with s. 1184(1) of the amending Act) by [Corporation Tax Act 2010 \(c. 4\)](#), s. 1184(1), Sch. 1 para. 277, **Sch. 3 Pt. 1** (with Sch. 2)

F35 92DB Sterling equivalents: carried-forward amounts

.....

Textual Amendments

F35 Ss. 92-92E repealed (with effect in accordance with s. 1184(1) of the amending Act) by [Corporation Tax Act 2010 \(c. 4\)](#), s. 1184(1), Sch. 1 para. 277, **Sch. 3 Pt. 1** (with Sch. 2)

F35 92DC Adjustment of sterling losses: carried-back amounts

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Changes to legislation: There are currently no known outstanding effects
for the Finance Act 1993, Chapter I. (See end of Document for details)

Textual Amendments

F35 Ss. 92-92E repealed (with effect in accordance with s. 1184(1) of the amending Act) by [Corporation Tax Act 2010 \(c. 4\)](#), s. 1184(1), [Sch. 1 para. 277](#), **Sch. 3 Pt. 1** (with [Sch. 2](#))

F35 92DD Adjustment of sterling losses: carried-forward amounts

.....

Textual Amendments

F35 Ss. 92-92E repealed (with effect in accordance with s. 1184(1) of the amending Act) by [Corporation Tax Act 2010 \(c. 4\)](#), s. 1184(1), [Sch. 1 para. 277](#), **Sch. 3 Pt. 1** (with [Sch. 2](#))

F35 92DE Meaning of “carried-back amount” and “carried-forward amount”

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Textual Amendments

F35 Ss. 92-92E repealed (with effect in accordance with s. 1184(1) of the amending Act) by [Corporation Tax Act 2010 \(c. 4\)](#), s. 1184(1), [Sch. 1 para. 277](#), **Sch. 3 Pt. 1** (with [Sch. 2](#))

F35 92E Interpretation of sections 92A to 92DD

.....

Textual Amendments

F35 Ss. 92-92E repealed (with effect in accordance with s. 1184(1) of the amending Act) by [Corporation Tax Act 2010 \(c. 4\)](#), s. 1184(1), [Sch. 1 para. 277](#), **Sch. 3 Pt. 1** (with [Sch. 2](#))

F36 95

Textual Amendments

F36 Ss. 92-94 substituted (28.7.2000 with effect as mentioned in 105(2)-(5) of the amending Act) for ss. 92-95 by [2000 c. 17](#), **s. 105(1)**

[F37 96 Foreign companies: trading currency.

- (1) In Schedule 24 to the Taxes Act 1988 (assumptions for calculating chargeable profits, creditable tax and corresponding United Kingdom tax of foreign companies) the following paragraph shall be inserted after paragraph 4—

*Changes to legislation: There are currently no known outstanding effects
 for the Finance Act 1993, Chapter I. (See end of Document for details)*

- “4A (1) Sub-paragraph (2) below applies where—
- (a) the company carries on a trade, and
 - (b) the currency used in the accounts of the company for an accounting period is a currency other than sterling.
- (2) It shall be assumed that by virtue of regulations under section 93 of the Finance Act 1993 (corporation tax: currency to be used) the basic profits or losses of the trade for the accounting period are to be computed and expressed for the purposes of corporation tax in the currency used in the accounts of the company for the period.
- (3) References in this paragraph to the accounts of a company—
- (a) are to the accounts which the company is required by the law of its home State to keep, or
 - (b) if the company is not required by the law of its home State to keep accounts, are to the accounts of the company which most closely correspond to the individual accounts which companies formed and registered under the ^{M10}Companies Act 1985 are required by that Act to keep;
- and for the purposes of this paragraph the home State of a company is the country or territory under whose law the company is incorporated.
- (4) The reference in sub-paragraph (2) above to the basic profits or losses of the trade for the accounting period shall be construed in accordance with section 93 of the Finance Act 1993.”
- (2) This section applies in relation to any accounting period beginning on or after the day appointed under section 165(7)(b) below.]

Textual Amendments

F37 S. 96 repealed (*retrospectively*) by 1995 c. 4, s. 162, **Sch. 29 Pt. VIII(18)**, Note

Marginal Citations

M10 1985 c. 6.

Overseas life insurance companies

F38 97 **Modification of Taxes Act 1988.**

.....

Textual Amendments

F38 S. 97 repealed (with effect in accordance with reg. 1 of the amending S.I.) by **The Overseas Life Insurance Companies Regulations 2006 (S.I. 2006/3271)**, reg. 1, **Sch. Pt. 1**

Changes to legislation: There are currently no known outstanding effects for the Finance Act 1993, Chapter I. (See end of Document for details)

F³⁹98 Modification of section 440 of Taxes Act 1988.

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Textual Amendments

F39 [S. 98](#) repealed (with effect in accordance with reg. 1 of the amending S.I.) by [The Overseas Life Insurance Companies Regulations 2006 \(S.I. 2006/3271\)](#), reg. 1, [Sch. Pt. 1](#)

F⁴⁰99

Textual Amendments

F40 [S. 99](#) repealed (1.5.1995 with effect in accordance with Sch. 8 para. 57 of the repealing Act) by [1995 c. 4, s. 162, Sch. 29 Pt. VIII\(5\)](#), Note 2

100 Income from investments attributable to BLAGAB, etc.

F⁴¹(1)

(2) In section 475 of that Act (tax-free Treasury securities: exclusion of interest on borrowed money), in subsection (6)—

F⁴¹(a)

(b) for the words “of the life assurance fund”, in each place where they occur, there shall be substituted the words “attributable to basic life assurance and general annuity business”.

(3) This section shall apply in relation to accounting periods beginning after 31st December 1992.

Textual Amendments

F41 [S. 100\(1\)\(2\)\(a\)](#) repealed (1.5.1995 with effect in accordance with Sch. 8 para. 57 of the repealing Act) by [1995 c. 4, s. 162, Sch. 29 Pt. VIII\(5\)](#), Note 2

F⁴²101 Modification of Finance Act 1989.

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Textual Amendments

F42 [S. 101](#) repealed (with effect in accordance with reg. 1 of the amending S.I.) by [The Overseas Life Insurance Companies Regulations 2006 \(S.I. 2006/3271\)](#), reg. 1, [Sch. Pt. 1](#)

F⁴³102 Modification of Taxation of Chargeable Gains Act 1992.

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Changes to legislation: There are currently no known outstanding effects
for the Finance Act 1993, Chapter I. (See end of Document for details)

Textual Amendments

F43 S. 102 repealed (with effect in accordance with reg. 1 of the amending S.I.) by [The Overseas Life Insurance Companies Regulations 2006](#) (S.I. 2006/3271), reg. 1, **Sch. Pt. 1**

103 Amendment of definition and repeals.

- ^{F44}(1)
- (2) The following provisions of that Act shall cease to have effect—
- (a) section 445 (charge to tax on investment income of overseas life insurance company);
 - (b) section 446(1) (qualifying distributions part of profits of pension business of overseas life insurance company);
 - (c) section 447(1), (2) and (4) (set-off of income tax and tax credits against corporation tax assessed under section 445);
 - (d) section 448 (qualifying distributions and tax credits);
 - (e) section 449 (double taxation agreements);
 - (f) section 724(5) to (8) (special provisions of accrued income scheme for overseas life insurance companies);
 - (g) section 811(2)(c) (provision about deduction of foreign tax not to affect overseas life insurance company charged under section 445);
 - (h) paragraph 1(9) of Schedule 19AB (payments on account of tax credits in case of pension business: special provision for overseas life insurance companies).
- ^{F45}(3)
- ^{F46}(4)

Textual Amendments

F44 S. 103(1) omitted (17.7.2012) by virtue of [Finance Act 2012](#) (c. 14), **Sch. 16 para. 247(e)**

F45 S. 103(3) omitted (17.7.2012) by virtue of [Finance Act 2012](#) (c. 14), **Sch. 16 para. 247(e)**

F46 S. 103(4) repealed (29.4.1996 with effect in accordance with the provisions of Chapter II of Pt. IV of the repealing Act) by [1996 c. 8](#), s. 205, **Sch. 41 Pt. V(3)** Note

Approved share option schemes

104 Calculation of consideration.

After section 149 of the ^{M11}Taxation of Chargeable Gains Act 1992 there shall be inserted the following section—

“149A Approved share option schemes.

- (1) This section applies where—
- (a) an option is granted on or after 16th March 1993,

Changes to legislation: There are currently no known outstanding effects for the Finance Act 1993, Chapter I. (See end of Document for details)

- (b) the option consists of a right to acquire shares in a body corporate and is obtained as mentioned in section 185(1) of the Taxes Act (approved share option schemes), and
 - (c) section 17(1) would (apart from this section) apply for the purposes of calculating the consideration for the grant of the option.
- (2) The grantor of the option shall be treated for the purposes of this Act as if section 17(1) did not apply for the purposes of calculating the consideration and, accordingly, as if the amount or value of the consideration was its actual amount or value.
- (3) Where the option is granted wholly or partly in recognition of services or past services in any office or employment, the value of those services shall not be taken into account in calculating the actual amount or value of the consideration.
- (4) The preceding provisions of this section shall not affect the treatment for the purposes of this Act of the person to whom the option is granted.”

Marginal Citations

M11 1992 c. 12.

105 Expenditure on shares.

F47 (1)

F47 (2)

- (3) In section 32A(5) of the ^{M12}Capital Gains Tax Act 1979 (expenditure: amounts to be included as consideration)—
- (a) for the words “section 185(6)” there shall be substituted the words “ the applicable provision ”, and
 - (b) at the end there shall be inserted “; and in this subsection “the applicable provision” means—
 - (a) subsection (6) of section 185 of the Taxes Act (as that subsection had effect before the coming into force of section 39(5) of the ^{M13}Finance Act 1991), or
 - (b) subsection (6A) of that section.”
- (4) The ^{M14}amendments made by subsection (3) above shall be deemed to have come into force on 1st January 1992 (but shall have effect subject to the repeals made by the Taxation of Chargeable Gains Act 1992).

Textual Amendments

F47 S. 105(1)(2) repealed (with effect in accordance with s. 723(1)(a)(b) of the amending Act) by [Income Tax \(Earnings and Pensions\) Act 2003 \(c. 1\)](#), s. 723, [Sch. 8 Pt. 1](#) (with [Sch. 7](#))

Changes to legislation: There are currently no known outstanding effects
for the Finance Act 1993, Chapter I. (See end of Document for details)

Commencement Information

- II** S. 105 in force at Royal Assent. the amendments made by s. 105(1) are deemed always to have had effect, see s. 105(2); the amendments made by S. 105(3) are deemed to have come into force on 1.1.1992, see s. 105(4)

Marginal Citations

- M12** 1979 c. 14.
M13 1991 c. 31.
M14 1992 c. 12.

Indexation: miscellaneous

^{F48}**106 Earnings cap etc: no indexation in 1993-94.**

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Textual Amendments

- F48** S. 106 repealed (6.4.2006) by [Finance Act 2004 \(c. 12\)](#), **Sch. 42 Pt. 3** (with [Sch. 36](#))

107 Indexation of allowances etc. for 1994-95 onwards.

- (1) The Taxes Act 1988 shall be amended as mentioned in subsections (2) to (6) below.
- ^{F49}(2)
- (3) In section 257C—
- ^{F50}(a)
(b) subsection (2) (no change required for PAYE before 18th May) shall be omitted.
- ^{F51}(4)
- ^{F51}(5)
- ^{F51}(6)
- ^{F51}(7)
- (8) This section shall have effect for the year 1994-95 and subsequent years of assessment.

Textual Amendments

- F49** S. 107(2) repealed (31.1.2013) by [Statute Law \(Repeals\) Act 2013 \(c. 2\)](#), s. 3(2), **Sch. 1 Pt. 10** Group 1
- F50** S. 107(3)(a) omitted (with effect in accordance with Sch. 1 para. 7 of the amending Act) by virtue of [Finance Act 2009 \(c. 10\)](#), **Sch. 1 para. 6(e)**
- F51** S. 107(4)-(7) repealed (6.4.2006) by [Finance Act 2004 \(c. 12\)](#), **Sch. 42 Pt. 3** (with [Sch. 36](#))

Changes to legislation: There are currently no known outstanding effects for the Finance Act 1993, Chapter I. (See end of Document for details)

Miscellaneous provisions about reliefs

F52 108 Counselling services for employees.

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Textual Amendments

F52 S. 108 repealed (with effect in accordance with s. 1329(1) of the amending Act) by Corporation Tax Act 2009 (c. 4), s. 1329(1), Sch. 3 Pt. 1 (with Sch. 2 Pts. 1, 2)

109 Pre-trading expenditure.

- F53 (1)
- F53 (2)
- F54 (3)
- F55 (4)

Textual Amendments

- F53 S. 109(1)(2) repealed (with effect in accordance with s. 1329(1) of the amending Act) by Corporation Tax Act 2009 (c. 4), s. 1329(1), Sch. 3 Pt. 1 (with Sch. 2 Pts. 1, 2)
- F54 S. 109(3) repealed (with effect in accordance with s. 1184(1) of the amending Act) by Corporation Tax Act 2010 (c. 4), s. 1184(1), Sch. 3 Pt. 1 (with Sch. 2)
- F55 S. 109(4) repealed (with effect in accordance with s. 1329(1) of the amending Act) by Corporation Tax Act 2009 (c. 4), s. 1329(1), Sch. 3 Pt. 1 (with Sch. 2 Pts. 1, 2)

F56 110 Waste disposal expenditure.

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Textual Amendments

F56 S. 110 repealed (with effect in accordance with s. 1329(1) of the amending Act) by Corporation Tax Act 2009 (c. 4), s. 1329(1), Sch. 3 Pt. 1 (with Sch. 2 Pts. 1, 2)

F57 111 Business expansion scheme: loan linked investments.

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Textual Amendments

F57 S. 111 repealed (6.4.2007) by Income Tax Act 2007 (c. 3), s. 1034(1), Sch. 3 Pt. 2 (with Sch. 2)

F58 112 Employers' pension contributions.

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Changes to legislation: There are currently no known outstanding effects for the Finance Act 1993, Chapter I. (See end of Document for details)

Textual Amendments

F58 S. 112 repealed (6.4.2006) by Finance Act 2004 (c. 12), Sch. 42 Pt. 3 (with Sch. 36)

Capital allowances

F59 113

Textual Amendments

F59 S. 113 repealed (22.3.2001 with effect as mentioned in s. 579(1) of the amending Act) by 2001 c. 2, s. 580, Sch. 4

F60 114

Textual Amendments

F60 S. 114 repealed (22.3.2001 with effect as mentioned in s. 579(1) of the amending Act) by 2001 c. 2, s. 580, Sch. 4

F61 115

Textual Amendments

F61 S. 115 repealed (22.3.2001 with effect as mentioned in s. 579(1) of the amending Act) by 2001 c. 2, s. 580, Sch. 4

F62 116

Textual Amendments

F62 S. 116 repealed (22.3.2001 with effect as mentioned in s. 579(1) of the amending Act) by 2001 c. 2, s. 580, Sch. 4

F63 117 Transactions between connected persons etc.
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Textual Amendments

F63 S. 117 repealed (22.3.2001 with effect as mentioned in s. 579(1) of the amending Act) by 2001 c. 2, s. 580, Sch. 4

Changes to legislation: There are currently no known outstanding effects
for the Finance Act 1993, Chapter I. (See end of Document for details)

Miscellaneous

^{F64}118 Scottish trusts.

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Textual Amendments

F64 S. 118 repealed (6.4.2007) by [Income Tax Act 2007 \(c. 3\)](#), s. 1034(1), Sch. 1 para. 356, **Sch. 3 Pt. 1**
(with [Sch. 2](#))

119 Controlled foreign companies.

- (1) In section 750(1) of the Taxes Act 1988 (meaning of lower level of taxation for purposes of provisions relating to controlled foreign companies) for “one-half” there shall be substituted “three-quarters”.
- (2) Subsection (1) above shall apply in relation to accounting periods beginning on or after 16th March 1993.
- (3) Where a company is by virtue of section 749(1) or (2) of the Taxes Act 1988 regarded as resident in a territory outside the United Kingdom and (apart from this section)—
 - (a) an accounting period of the company would begin before 16th March 1993 and end on or after that date, and
 - (b) the company would not be considered to be subject, by virtue of section 750(1) of that Act, to a lower level of taxation in that accounting period in the territory in which it is regarded as resident,for the purposes of Chapter IV of Part XVII of that Act that accounting period shall be treated as ending on 15th March 1993.

120 Pay and file: miscellaneous amendments.

Schedule 14 to this Act (which makes various amendments of the ^{M15}Taxes Management Act 1970, the Taxes Act 1988 and the ^{M16}Finance Act 1989 with a view to, or in connection with, the introduction of “pay and file”) shall have effect.

Marginal Citations

M15 1970 c. 9.

M16 1989 c. 26.

^{F65}121

Textual Amendments

F65 S. 121 repealed (11.5.2001 with effect in accordance with [s. 87](#) of the amending Act) by [2001 c. 9](#), s. 110, **Sch. 33 Pt. II(12)**, note

Changes to legislation: There are currently no known outstanding effects for the Finance Act 1993, Chapter I. (See end of Document for details)

122 Application of Income Tax Acts etc. to public departments.

- (1) In subsection (2) of section 829 of the Taxes Act 1988 (restriction on application of Income Tax Acts to public departments), at the end there shall be inserted “ unless it is tax which would not have been so borne but for a failure by a public office or department of the Crown to make a deduction required by virtue of subsection (1) above. ”
- (2) The provisions of Parts IX and X of the Taxes Management Act 1970 (interest and penalties) shall apply in relation to public offices and departments of the Crown for the purposes, so far as they so apply, of the other provisions of that Act and of the provisions of the Income Tax Acts mentioned in section 829(1) of the Taxes Act 1988.
- (3) This section shall have effect in relation to the year 1993-94 and subsequent years of assessment.

^{F66}**123 Expenditure involving crime.**

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Textual Amendments
F66 [S. 123](#) repealed (with effect in accordance with s. 1329(1) of the amending Act) by [Corporation Tax Act 2009 \(c. 4\)](#), s. 1329(1), [Sch. 3 Pt. 1](#) (with [Sch. 2 Pts. 1, 2](#))

^{F67}**124 Expenses of Members of Parliament.**

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Textual Amendments
F67 [S. 124](#) repealed (with effect in accordance with s. 723(1)(a)(b) of the amending Act) by [Income Tax \(Earnings and Pensions\) Act 2003 \(c. 1\)](#), s. 723, [Sch. 8 Pt. 1](#) (with [Sch. 7](#))

Changes to legislation:

There are currently no known outstanding effects for the Finance Act 1993, Chapter I.