

SCHEDULES

SCHEDULE 3

FILMS: RESTRICTIONS ON RELIEF FOR PRODUCTION AND ACQUISITION EXPENDITURE

PART 1

RESTRICTIONS ON CIRCUMSTANCES IN WHICH RELIEF MAY BE OBTAINED

Transitional provision for films in production

- 8 (1) This paragraph applies in relation to relief under section 138 of ITTOIA 2005 in respect of any expenditure incurred on the acquisition of the original master version of a film which was in production on 2nd December 2004.
- (2) No deduction is allowed under that section in respect of expenditure incurred by a person on the acquisition of that version if—
- (a) the acquisition is not the first acquisition by that person of the original master version of the film, or
 - (b) a deduction has already been made under section 138, 138A or 140 of ITTOIA 2005, or a claim has already been made under section 42 of F(No 2)A 1992, in respect of expenditure incurred on another acquisition of that version.
- (3) Where, in relation to any particular film, more than one deduction of the kind mentioned in sub-paragraph (2)(b) is made at the same time, the Inland Revenue may determine which of the deductions is to be regarded as made first for the purposes of this paragraph.
- In this sub-paragraph references to a deduction of the kind mentioned in sub-paragraph (2)(b) are to be read as including references to a claim under section 42 of F(No 2)A 1992.
- (4) For the purposes of this paragraph “the Inland Revenue” means any officer of the Board.
- (5) This paragraph has effect for the year 2005-06 and subsequent years of assessment.