



Corporation Tax Act 2009

2009 CHAPTER 4

PART 3

TRADING INCOME

CHAPTER 9

TRADE PROFITS: OTHER SPECIFIC TRADES

[^{F1}Banking companies

[^{F1}133J Meaning of “customer”

- (1) For the purposes of sections 133A and 133C, a person (“P”) is a “customer” in relation to a company (“company A”) if—
 - (a) P uses, has used or may have contemplated using a financial service provided by company A, or
 - (b) has relevant rights or interests in relation to a financial service provided by company A.
- (2) In subsection (1) “financial service” means a service provided—
 - (a) in carrying on regulated activities,
 - (b) in communicating, or approving the communication by others of, invitations or inducements to engage in investment activity, or
 - (c) in providing relevant ancillary services (if company A is an investment firm or credit institution).
- (3) P has a “relevant right or interest” in relation to any service if P has a right or interest—
 - (a) which is derived from, or is otherwise attributable to, the use of the service by another person, or
 - (b) which may be adversely affected by the use of the service by persons acting on P's behalf or in a fiduciary capacity in relation to P.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Corporation Tax Act 2009. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

- (4) If company A is providing a service as a trustee, the persons who are, have been, or may have been, beneficiaries of the trust are to be treated as persons who use, have used, or may have contemplated using, the service.
- (5) A person who deals with company A in the course of company A providing a service is to be treated as using the service.
- (6) In this section—
- “credit institution” has the meaning given by section 1H(8) of FISMA 2000;
 - “engage in investment activity” has the meaning given in section 21 of FISMA 2000;
 - “investment firm” has the same meaning as in FISMA 2000 (see section 424A of that Act);
 - “regulated activities” has the same meaning as in FISMA 2000 (see section 22 of that Act);
 - “relevant ancillary services” means has the meaning given by section 1H(8) of FISMA 2000.]

Textual Amendments

- F1** Ss. 133A-133N and cross-heading inserted (with effect in accordance with s. 18(2) of the amending Act) by [Finance \(No. 2\) Act 2015 \(c. 33\)](#), [s. 18\(1\)](#)

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to Corporation Tax Act 2009. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

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

- Blanket amendment words substituted by [S.I. 2011/1043 art. 34](#)

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

- s. 322(2A)(zb) inserted by [2016 c. 24 s. 73\(5\)](#)
- s. 934(1A)(1B) inserted by [2023 c. 30 Sch. 2 para. 12\(2\)](#)
- s. 962(3A) inserted by [2023 c. 30 Sch. 2 para. 12\(5\)\(b\)](#)
- s. 962A(3A) inserted by [2023 c. 30 Sch. 2 para. 12\(6\)\(b\)](#)
- s. 963(1A) inserted by [2023 c. 30 Sch. 2 para. 12\(7\)\(a\)](#)
- s. 1058B(5)(ea) inserted by [2023 c. 20 Sch. para. 57](#)
- s. 1094(2A)-(2C) inserted by [2012 c. 14 Sch. 3 para. 13\(3\)](#)
- s. 1106(4A)-(4C) inserted by [2012 c. 14 Sch. 3 para. 14\(3\)](#)
- s. 1138A applied by [S.I. 2024/348 reg. 3](#)