

Status: Point in time view as at 01/04/2012.

Changes to legislation: Corporation Tax Act 2010, Cross Heading: Income Tax (Earnings and Pensions) Act 2003 is up to date with all changes known to be in force on or before 01 June 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)

SCHEDULES

SCHEDULE 1

MINOR AND CONSEQUENTIAL AMENDMENTS

PART 2

OTHER ENACTMENTS

Income Tax (Earnings and Pensions) Act 2003

- 378 The Income Tax (Earnings and Pensions) Act 2003 is amended as follows.
- 379 In section 24(6)(b) (limit on chargeable overseas earnings where duties of associated employment performed in UK) for “of section 416 of ICTA” substitute “ given by sections 450 and 451 of CTA 2010 ”.
- 380 In section 51(5) (conditions of liability where intermediary is a partnership) for “section 417(1) of ICTA” substitute “ section 454 of CTA 2010 ”.
- 381 In section 60(1)(a) (meaning of associate) for “section 417(3) and (4) of ICTA” substitute “ section 448 of CTA 2010 ”.
- 382 In section 61(1) (interpretation) in the definition of “associated company” for “section 416 of ICTA” substitute “ section 449 of CTA 2010 ”.
- 383 (1) Amend section 68 (meaning of “material interest” in a company) as follows.
- (2) In subsection (2) for “such associates” substitute “ other such associates ”.
- (3) In subsection (3) for “such associates” substitute “ other such associates ”.
- (4) In subsection (4)—
- (a) in the definition of “associate”—
- (i) for “section 417(3) of ICTA” substitute “ section 448 of CTA 2010 ”,
- (ii) for “section 417(3)”, in the second place, substitute “ section 448(1) ”, and
- (b) in the definition of “participator” for “section 417(1) of ICTA” substitute “ section 454 of CTA 2010 ”.
- 384 In section 230(4)(c) (the approved amount for mileage allowance payments) for “of section 416 of ICTA” substitute “ given by section 449 of CTA 2010 ”.
- 385 In section 357(2) (business entertainment and gifts: exception where employer's expenses disallowed)—
- (a) omit “section 505(1)(e) of ICTA or”, and
- (b) after “2007” insert “ or section 478 of CTA 2010 ”.

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- 386 In section 421H(2) (meaning of “employee-controlled” etc) for “same meaning as, by virtue of section 416 of ICTA, it has for the purposes of Part 11 of ICTA” substitute “ meaning given by section 449 of CTA 2010 ”.
- 387 In section 446A(3)(b) (application of Chapter) for “section 402(6) of ICTA” substitute “ section 183(1) of CTA 2010 ”.
- 388 In section 446K(3)(b) (application of Chapter) for “section 402(6) of ICTA” substitute “ section 183(1) of CTA 2010 ”.
- 389 In section 459(3) (transfer of intellectual property by controlled company) for “of section 416 of ICTA” substitute “ given by sections 450 and 451 of CTA 2010 ”.
- 390 In section 479(9)(b) (amount of gain realised on occurrence of chargeable event) for “section 402(6) of ICTA” substitute “ section 183(1) of CTA 2010 ”.
- 391 In section 493(3) (no charge on acquisition of dividend shares) for “Section 234A(4) of ICTA” substitute “ Section 1105(3) of CTA 2010 ”.
- 392 In section 538(4) (share conversions excluded for the purposes of section 536) in the definition of “associated company” for “same meaning as, by virtue of section 416 of ICTA, it has for the purposes of Part 11 of ICTA” substitute “ meaning given by section 449 of CTA 2010 ”.
- 393 In section 549(4)(a) (application of Chapter) for “same meaning as in section 417(3) and (4) of ICTA (expressions relating to close companies)” substitute “ meaning given by section 448 of CTA 2010 (close companies: meaning of “associate”) ”.
- 394 In section 714(2) (meaning of “donations”), in the definition of “charity”, for “section 507 of ICTA” substitute “ section 468 of CTA 2010 ”.
- 395 (1) Amend Schedule 1 (abbreviations and defined expressions) as follows.
- (2) At the end of Part 1 insert—

“CTA 2010

The Corporation Tax Act 2010”

- (3) In Part 2 in the entry for “tax”, in the second column, for “section 832(3) of ICTA (as applied by section 989 of ITA 2007)” substitute “ section 989 of ITA 2007 ”.
- 396 (1) Amend Schedule 2 (approved share incentive plans) as follows.
- (2) In paragraph 20(4)—
- (a) in the definition of “close company”—
- (i) for “section 414(1)(a) of ICTA” substitute “ section 442(a) of CTA 2010 ”, and
- (ii) for “section 415 of ICTA” substitute “ sections 446 and 447 of CTA 2010 ”, and
- (b) in the definition of “participator” for “section 417(1) of ICTA” substitute “ section 454 of CTA 2010 ”.
- (3) In paragraph 29(5) for “section 416(2) to (6) of ICTA” substitute “ sections 450 and 451 of CTA 2010 ”.
- (4) In paragraph 37(6) for “section 416 of ICTA” substitute “ sections 450 and 451 of CTA 2010 ”.
- (5) In paragraph 80(4)—

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- (a) for the words from the beginning to “applies” substitute “ Sections 1105 to 1108 of CTA 2010 (information relating to distributions to be provided by nominee) apply ”, and
 - (b) for “section 234A(4)(b)” substitute “ section 1105(1)(b) of that Act ”.
- (6) In paragraph 86(4)—
- (a) in paragraph (a) for “section 209(2)(c) of ICTA” substitute “ paragraph C or D in section 1000(1) of CTA 2010 ”,
 - (b) in paragraph (b) for “section 210(1) of ICTA” substitute “ section 1022(3) of CTA 2010 ”, and
 - (c) in paragraph (c) for the words from “section 249” to the end substitute “ section 410 of ITTOIA 2005 (stock dividends) applies that is issued in a case where subsection (2) or (3) of that section applies. ”
- (7) In paragraph 94(3) for “section 416(2) to (6) of ICTA” substitute “ sections 450 and 451 of CTA 2010 ”.
- (8) In paragraph 100 in the entry for “tax”, in the second column, for “section 832(3) of ICTA (as applied by section 989 of ITA 2007)” substitute “ section 989 of ITA 2007 ”.
- 397 (1) Amend Schedule 3 (approved SAYE option schemes) as follows.
- (2) In paragraph 11(4)—
- (a) in paragraph (a) for “section 414(1)(a) of ICTA” substitute “ section 442(a) of CTA 2010 ”, and
 - (b) in paragraph (b) for “section 415 of ICTA” substitute “ sections 446 and 447 of CTA 2010 ”.
- (3) In paragraph 12(4) for “section 417(1) of ICTA” substitute “ section 454 of CTA 2010 ”.
- (4) In paragraph 35(4) for “section 416(2) to (6) of ICTA” substitute “ sections 450 and 451 of CTA 2010 ”.
- (5) In paragraph 47(2) for “section 416(2) to (6) of ICTA” substitute “ sections 450 and 451 of CTA 2010 ”.
- (6) In paragraph 49 in the entry for “tax”, in the second column, for “section 832(3) of ICTA (as applied by section 989 of ITA 2007)” substitute “ section 989 of ITA 2007 ”.
- 398 (1) Amend Schedule 4 (approved CSOP schemes) as follows.
- (2) In paragraph 9(4)—
- (a) in paragraph (a) for “section 414(1)(a) of ICTA” substitute “ section 442(a) of CTA 2010 ”, and
 - (b) in paragraph (b) for “section 415 of ICTA” substitute “ sections 446 and 447 of CTA 2010 ”.
- (3) In paragraph 10(4) for “section 417(1) of ICTA” substitute “ section 454 of CTA 2010 ”.
- (4) In paragraph 35(2) for “section 416(2) to (6) of ICTA” substitute “ sections 450 and 451 of CTA 2010 ”.
- 399 (1) Amend Schedule 5 (enterprise management incentives) as follows.

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- (2) In paragraph 10(3) for “section 416(2) to (6) of ICTA” substitute “ sections 450 and 451 of CTA 2010 ”.
- (3) In paragraph 11A for sub-paragraph (3) substitute—
- “(3) In sub-paragraph (2) “property deriving its value from land” has the meaning given by section 188(3) of ITA 2007.”
- (4) In paragraph 23—
- (a) in sub-paragraph (4)(c)—
- (i) for “section 344(2) of ICTA (company reconstructions: supplemental)” substitute “ section 942 of CTA 2010 (options for purposes of ownership condition) ”, and
- (ii) for the words from “section 343” to the end substitute “ section 941 of that Act (trade transfers without change of ownership: ownership condition) ”,
- (b) in sub-paragraph (6) for “section 416(2) to (6) of ICTA” substitute “ sections 450 and 451 of CTA 2010 ”,
- (c) in sub-paragraph (8) in the definition of “associate”—
- (i) for “in section 417(3) and (4) of ICTA” substitute “ by section 448 of CTA 2010 ”, and
- (ii) for “those subsections as they apply” substitute “ that section as it applies ”, and
- (d) in sub-paragraph (8) in the definition of “director” for “section 417(5) of ICTA” substitute “ section 452 of CTA 2010 ”.
- (5) In paragraph 29(4)—
- (a) in the definition of “close company”—
- (i) for “section 414(1)(a) of ICTA” substitute “ section 442(a) of CTA 2010 ”,
- (ii) for “section 415 of ICTA” substitute “ sections 446 and 447 of CTA 2010 ”, and
- (b) in the definition of “participator” for “section 417(1) of ICTA” substitute “ section 454 of CTA 2010 ”.
- (6) In paragraph 59 in the entry for “tax”, in the second column, for “section 832(3) of ICTA (as applied by section 989 of ITA 2007)” substitute “ section 989 of ITA 2007 ”.

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