

Changes to legislation: There are currently no known outstanding effects for the Finance Act 2013, Paragraph 3. (See end of Document for details)

SCHEDULES

[^{F1}SCHEDULE 43A

PROCEDURAL REQUIREMENTS: POOLING NOTICES AND NOTICES OF BINDING

Textual Amendments

- F1** Sch. 43A inserted (15.9.2016 with effect in accordance with s. 157(30) of the amending Act) by [Finance Act 2016 \(c. 24\), s. 157\(2\)](#)

Notice of proposal to bind arrangements to counteracted arrangements

- 3 (1) The decision [^{F2}of a designated HMRC officer] whether or not to give R a pooling notice or notice of binding must be taken, and any notice must be given, as soon as is reasonably practicable after [^{F3}the officer] becomes aware of the relevant facts.
- (2) A pooling notice or notice of binding must—
- specify the tax arrangements in relation to which the notice is given and the tax advantage,
 - explain why the officer considers R's arrangements to be equivalent to the lead arrangements or the counteracted arrangements (as the case may be),
 - explain why the officer considers that a tax advantage has arisen to R from tax arrangements that are abusive,
 - set out the counteraction that the officer considers ought to be taken, and
 - explain the effect of—
 - paragraphs 4 to 10,
 - subsection (9) of section 209, and
 - section 212A.
- (3) A pooling notice or notice of binding may set out steps that R may (subject to subsection (9) of section 209) take to avoid the proposed counteraction.]

Textual Amendments

- F2** Words in Sch. 43A para. 3(1) inserted (5.12.2017) by [The General Anti-Abuse Rule Procedure \(Amendment\) Regulations 2017 \(S.I. 2017/1090\), regs. 1, 5\(a\)](#)
- F3** Words in Sch. 43A para. 3(1) substituted (5.12.2017) by [The General Anti-Abuse Rule Procedure \(Amendment\) Regulations 2017 \(S.I. 2017/1090\), regs. 1, 5\(b\)](#)

Changes to legislation:

There are currently no known outstanding effects for the Finance Act 2013, Paragraph 3.