



# Finance (No. 2) Act 2017

## 2017 CHAPTER 32

### PART 1

#### DIRECT TAXES

##### *Domicile, overseas property etc*

### **32 Exemption from attribution of carried interest gains**

- (1) TCGA 1992 is amended as follows.
- (2) In section 13(1A) (attribution of gains to members of non-resident companies)—
  - (a) omit the “or” at the end of paragraph (a), and
  - (b) at the end of paragraph (b), insert “, or
  - (c) a chargeable gain treated as accruing under section 103KA(2) or (3) (carried interest gains).”
- (3) In section 86 (attribution of gains to settlors with interest in non-resident or dual resident settlements), after subsection (4ZA) insert—

“(4ZB) Where (apart from this subsection) the amount mentioned in subsection (1) (e) would include an amount of chargeable gains treated as accruing under section 103KA(2) or (3) (carried interest gains), the amount of the gains is to be disregarded for the purposes of subsection (1)(e).”
- (4) In section 87 (non-UK resident settlements: attribution of gains to beneficiaries), after subsection (5A) insert—

“(5B) Where (apart from this subsection) the amount mentioned in subsection (4) (a) would include an amount of chargeable gains treated as accruing under section 103KA(2) or (3) (carried interest gains), the amount of the gains is to be disregarded for the purposes of determining the section 2(2) amount.”

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*Changes to legislation: Finance (No. 2) Act 2017, Section 32 is up to date with all changes known to be in force on or before 05 April 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) View outstanding changes*

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- (5) The amendments made by this section have effect in relation to chargeable gains treated as accruing under section 103KA(2) or (3) of TCGA 1992 at any time before, as well as after, the passing of this Act.

**Changes to legislation:**

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

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

- Sch. A1 para. 8(6)(b) omitted by [2022 c. 3 Sch. 1 para. 32\(b\)](#)
- Sch. A1 para. 8(2) substituted by [2022 c. 3 Sch. 1 para. 32\(a\)](#)