

SCHEDULES

SCHEDULE 5

NON-UK RESIDENT COMPANIES CARRYING ON UK PROPERTY BUSINESSES ETC

PART 3

COMMENCEMENT AND TRANSITIONAL PROVISIONS

Transitional provisions

- 50 (1) This paragraph applies if—
- (a) a company enters into an arrangement of a kind mentioned in paragraph 49(1),
 - (b) the arrangements are effected by taking only ordinary commercial steps in accordance with a generally prevailing commercial practice,
 - (c) the tax advantage that the arrangements secure is the benefit of a relief expressly conferred by Part 10 of TIOPA 2010 (corporate interest restriction), and
 - (d) securing that tax advantage is wholly consistent with the policy objectives of that Part.
- (2) If the arrangement is entered into on or after 29 October 2018, the tax advantage is not to be counteracted by means of adjustments under paragraph 49.
- (3) In addition, the tax advantage is not to be counteracted by means of adjustments under section 461 of TIOPA 2010 irrespective of the date on which the arrangement was entered into.