
STATUTORY INSTRUMENTS

2007 No. 3186

**The Corporation Tax (Implementation of
the Mergers Directive) Regulations 2007**

Citation, commencement and effect

1.—(1) These Regulations may be cited as the Corporation Tax (Implementation of the Mergers Directive) Regulations 2007.

(2) These Regulations shall come into force on 29th November 2007 and shall have effect as set out in regulation 3.

Interpretation

2. In these Regulations—

“TCGA 1992” means the Taxation of Chargeable Gains Act 1992(1);

“ICTA” means the Income and Corporation Taxes Act 1988(2);

“CAA 2001” means the Capital Allowances Act 2001(3);

“FA 1988” means the Finance Act 1988(4);

“FA 1996” means the Finance Act 1996(5); and

“FA 2002” means the Finance Act 2002(6).

Amendments of primary legislation

3.—(1) Schedule 1, which contains amendments to TCGA 1992, ICTA, FA 1996, FA 2002, CAA 2001 relating to cross-border transfers of business, has effect in relation to transfers which take place on or after 1st January 2007.

(2) Schedule 2, which contains amendments to TCGA 1992, ICTA, FA 1988, FA 1996, FA 2002 and CAA 2001 relating to cross-border mergers, has effect but subject as follows—

(a) paragraphs 1 to 14 have effect—

(i) in relation to mergers relating to the formation of an SE or SCE which take place on or after 18th August 2006, and

(ii) in relation to all other mergers which take place on or after 1st January 2007;

(b) paragraph 15 has effect in relation to transfers of a registered office which take effect on or after 18th August 2006.

(3) Schedule 3, which contains amendments to TCGA 1992, FA 1996 and FA 2002 relating to mergers and treatment of transparent entities, has effect—

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- (1) 1992 c.12.
(2) 1988 c. 1.
(3) 2001 c. 2.
(4) 1988 c. 39.
(5) 1996 c. 8.
(6) 2002 c. 23.

- (a) in relation to mergers relating to the formation of an SE or SCE which take place on or after 18th August 2006, and
- (b) in relation to all other mergers which take place on or after 1st January 2007.

8th November 2007

Dave Watts
Frank Roy
Two of the Lords Commissioners of Her
Majesty's Treasury