
STATUTORY INSTRUMENTS

2007 No. 3338

The Securitisation Companies (Application of Section 83(1) of the Finance Act 2005: Accounting Standards) Regulations 2007

Modification of provisions of, and made under, the Corporation Tax Acts

3.—(1) This regulation applies in relation to the first period of account of a securitisation company in the case of which section 83(1) of the Finance Act 2005 does not apply by virtue of that section itself or regulation 2 (“the first period”) where—

- (a) the company continues to be party to a capital market arrangement or a related transaction, or
 - (b) the company would continue to be a warehouse company if that section continued to apply.
- (2) Where this regulation applies—
- (a) there shall be treated as arising any adjustment that would have been made in accordance with section 64 of the Finance Act 2002 (adjustment on change of basis)⁽¹⁾ in any previous period of account had section 83 of the Finance Act 2005 not applied to that period;
 - (b) in relation to the Loan Relationships and Derivative Contracts (Change of Accounting Practice) Regulations 2004⁽²⁾—
 - (i) the prescribed period in regulation 3A shall be treated as beginning with the first period, and
 - (ii) there shall be treated as prescribed by regulation 4 any debit or credit that would have been brought into account in accordance with regulation 3 in any previous period had section 83 of the Finance Act 2005 not applied to that period.

This is subject to paragraph (3).

(3) Any amount brought into account on the application of this regulation must be just and reasonable in the circumstances and with regard to whether as a result any amounts cease to be brought into account or are brought into account more than once.

(1) 2002 c. 23; section 64 was amended by paragraphs 575 and 576 of Schedule 1 to, the Income Tax (Trading and Other Income) Act 2005 (c. 5).

(2) S.I. 2004/3271, amended by S.I. 2004/3347, S.I. 2005/3383, 2006/3238 and 2007/950.