
STATUTORY INSTRUMENTS

2008 No. 1579

CORPORATION TAX

**The Corporation Tax (Implementation of
the Mergers Directive) Regulations 2008**

<i>Made</i>	- - - -	<i>16th June 2008</i>
<i>Laid before the House of Commons</i>	- -	<i>17th June 2008</i>
<i>Coming into force</i>		<i>8th July 2008</i>

**THE CORPORATION TAX (IMPLEMENTATION OF
THE MERGERS DIRECTIVE) REGULATIONS 2008**

1. Citation, commencement and effect
 2. Interpretation
 3. Amendments to primary legislation
 4. Commencement of 2007 Regulations
 5. Revocation
 6. Transitional: references to Companies Act 2006
- Signature

SCHEDULE 1 — AMENDMENTS TO TCGA 1992

1. TCGA 1992 is amended as follows.
2. In section 116(8A) (reorganisations, conversions and reconstructions) at the end...
3. In section 140F(2) (merger: assets outside UK tax charge)—
4. After section 140G (treatment of securities issued on merger) insert—...
5. In section 140I(1)(a) (division of business or transfer of assets)...
6. In section 140J(1)(a) (mergers) for “to which section 140E(1) applies”...
7. In section 140L(1) (interpretation) after “140K” insert “and this section”....

SCHEDULE 2 — AMENDMENTS TO FA 1996

1. Schedule 9 to FA 1996 (loan relationships: special computational provisions)...
2. In paragraph 12A(5A) (transferee leaving group after replacing transferor as...

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

3. (1) Paragraph 12B (European cross-border merger) is amended as follows....
4. In paragraph 12C(2) (double taxation relief on European cross-border merger)—...
5. (1) Paragraph 12D (cross-border transfer of business within European Community)...
6. In paragraph 12E(5) (double taxation relief on cross-border transfer of...
7. In paragraph 12F(3) (cross-border transfer of business within European Community):...
8. For paragraph 12G (exchanges etc: treatment of loan relationships) substitute—...
9. (1) Paragraph 12H (transparent entities) is amended as follows.
10. (1) Paragraph 12I (double taxation relief on European cross-border merger)...
11. (1) Paragraph 12J (interpretation) is amended as follows.
12. In paragraph 19A(4B)(g) (adjustment on change of accounting policy) after...

SCHEDULE 3 — AMENDMENTS TO FA 2002

PART 1 — AMENDMENTS TO SCHEDULE 26 TO FA 2002

1. Schedule 26 to FA 2002 (derivative contracts) is amended as...
2. In paragraph 30A(5A) (transferee leaving group after replacing transferor as...
3. (1) Paragraph 30B (European cross-border merger) is amended as follows....
4. In paragraph 30C(2) (double taxation relief on European cross-border merger)—...
5. (1) Paragraph 30D (cross-border transfer of business within European Community)...
6. (1) Paragraph 30G (transparent entities) is amended as follows.
7. (1) Paragraph 30H (double taxation relief on European cross-border merger)...
8. (1) Paragraph 30I (interpretation) is amended as follows.
9. In paragraph 50A(3B) (adjustment on change of accounting policy) for...

PART 2 — AMENDMENTS TO SCHEDULE 29 TO FA 2002

10. Schedule 29 to FA 2002 (gains and losses of a...
11. In paragraph 85 (transfer of UK business between companies resident...
12. (1) Paragraph 85A (European cross-border merger: transfer of UK business)...
13. (1) Paragraph 85B (transparent entities) is amended as follows.
14. (1) Paragraph 85C (double taxation relief on European cross-border merger)...
15. (1) Paragraph 85D (interpretation of paragraphs 85B and 85C) is...
16. (1) Paragraph 87 (transfer of non-UK business) is amended as...
17. (1) Paragraph 87A (European cross-border merger: transfer of non-UK business)...
18. In paragraph 88(1) (procedure on application for clearance) for “85A(7)”...

SCHEDULE 4 — TRANSITIONAL: REFERENCES TO COMPANIES ACT 2006

1. The provisions mentioned in regulation 6 are as follows.
2. In TCGA 1992— (a) section 140A(1C) (transfer of a UK...
3. In FA 1996— (a) paragraph 12B(2)(d) of Schedule 9 (European...
4. In FA 2002— (a) paragraph 30B(2)(d) of Schedule 26 (European...

Document Generated: 2023-05-25

Status: *This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

Explanatory Note