

Amendment 1 to Clause 13 and Schedule 1: Disposals by non-UK residents etc

Summary

1. This amendment is in consequence of charging non-UK resident companies to corporation tax on their gains from disposals of interests in UK land.

Details of the clause and Schedule

2. Amendment 1 omits subsection 2(2A) of the Corporation Tax Act (CTA) 2009, which as a consequence of Clause 13 and Schedule 1 is superfluous.

Background note

3. Clause 13 and Schedule 1 introduce from 6 April 2019 new provisions to bring gains from disposals of interests in UK land by non-UK residents into charge.
4. They also charge non-UK resident companies to corporation tax on their gains from disposals of interests in UK land, and abolish the charge to capital gains tax on gains arising on disposals of residential property chargeable to the annual tax on enveloped dwellings (ATED-related gains).
5. Subsection 2(2A) of CTA 2009 currently excludes from the charge to corporation tax those chargeable gains accruing to companies from the disposal of residential property that are chargeable to capital gains tax as ATED-related gains or because the company is not UK resident. As these gains will be chargeable to corporation tax, subsection 2(2A) is no longer necessary.