

Accelerated capital allowances in relation to construction or refurbishment of certain industrial buildings or structures. FA95 s47 352.—(1) This section shall apply to a building or structure the site of which is wholly within a qualifying resort area and which is to be an industrial building or structure by reason of its use for the purposes specified in section 268 (1)(d).

(2) Subject to subsection (5), section 271 shall apply in relation to capital expenditure incurred in the qualifying period on the construction or refurbishment of a building or structure to which this section applies as if—

(a) in subsection (1) of that section the definition of “industrial development agency” were deleted,

(b) in subsection (2)(a)(i) of that section “to which subsection (3) applies” were deleted,

(c) subsection (3) of that section were deleted,

(d) the following subsection were substituted for subsection (4) of that section:

“(4) An industrial building allowance shall be of an amount equal to 50 per cent of the capital expenditure mentioned in subsection (2). ”,

and

(e) in subsection (5) of that section “to which subsection (3)(c) applies” were deleted.

(3) Subject to subsection (5), section 272 shall apply in relation to capital expenditure incurred in the qualifying period on the construction or refurbishment of a building or structure to which this section applies as if the following subsection were substituted for subsection (3) of that section:

“(3) A writing down allowance shall be of an amount equal to 5 per cent of the expenditure referred to in subsection (2)(c).”.

(4) Subject to subsection (5), section 273 shall apply in relation to capital expenditure incurred in the qualifying period on the construction or refurbishment of a building or structure to which this section applies as if—

(a) in subsection (1) of that section the definition of “industrial development agency” were deleted,

(b) the following paragraph were substituted for paragraph (b) of subsection (2) of that section:

“(b) As respects any qualifying expenditure, any allowance made under section 272 and increased under paragraph (a) in respect of that expenditure, whether claimed for one chargeable period or more than one such period, shall not in the aggregate exceed 75 per cent of the amount of that qualifying expenditure.”,

and

(c) subsections (3) to (7) of that section were deleted.

(5) In the case where capital expenditure is incurred in the qualifying period on the refurbishment of a building or structure to which this section applies, subsections (2) to (4) shall apply only if the total amount of the capital expenditure so incurred is not less than an amount which is equal to 20 per cent of the market value of the building or structure immediately before that expenditure is incurred.

(6) For the purposes only of determining, in relation to a claim for an allowance under section 271 , 272 or 273, as applied by this section, whether and to what extent capital expenditure incurred on the construction or refurbishment of an industrial building or structure is incurred or not incurred in the qualifying period, only such an amount of that capital expenditure as is properly attributable to work on the construction or, as the case may be, the refurbishment of the building or structure actually carried out during the qualifying period shall (notwithstanding any other provision of the Tax Acts as to the time when any capital expenditure is or is to be treated as incurred) be treated as having been incurred in that period.