

Reorganisation of units in unit trust scheme. CGTA75 s51(1) and Sch2 par2A; FA90 s87 733.—(1) In this section, references to a reorganisation of units in a trust scheme include—

(a) any case where persons are, whether for payment or not, allotted units in the scheme in respect of and in proportion to (or as nearly as may be in proportion to) their holdings of units in the scheme or of any class of units in the scheme, and

(b) any case where there is more than one class of units and the rights attached to units of any class are altered.

(2) (a) Subject to paragraph (b), section 584 shall apply with any necessary modification in relation to a reorganisation or reduction of units in any unit trust scheme registered under the Unit Trusts Act, 1972 , or authorised under the European Communities (Undertakings for Collective Investment in Transferable Securities) Regulations, 1989 ), as if (except as respects subsection (7) of that section)—

(i) that scheme were a company, and

(ii) the units in that scheme were shares in the company.

(b) Where but for this paragraph this section would apply to any reorganisation or reduction of units in a unit trust scheme in a year of assessment so that units which are deemed not to be chargeable assets for that year for the purposes of the Capital Gains Tax Acts would be treated as “original shares” or a “new holding” within the meaning of section 584, that section shall not apply to that reorganisation or reduction of units in the unit trust scheme.

(3) The references in subsection (2) to section 584 do not include references to that section as applied by section 585 or 586.