

## CHAPTER 5 Capital gains tax: returns, information, etc.

Application of income tax provisions relating to returns, etc. CGTA75 s51(1) and Sch4 par3(1), (2) (part of) and (3) to (5), par10(1) and par19; FA92 s246 913.—(1) The provisions of the Income Tax Acts relating to the making or delivery of any return, statement, declaration, list or other document, the furnishing of any particulars, the production of any document, the making of anything available for inspection, the delivery of any account or the making of any representation, shall, subject to any necessary modifications, apply in relation to capital gains tax as they apply in relation to income tax.

(2) In particular and without prejudice to subsection (1), sections 876 to 880, sections 888 and 900 and paragraph 1 of Schedule 1 shall, subject to any necessary modifications, apply in relation to capital gains tax.

(3) A notice under any provision of the Income Tax Acts as applied by this section may require particulars of any assets acquired by the person on whom the notice was served, as so applied by this section, of any assets acquired by that other person) in the period specified in the notice, being a period beginning not earlier than the 6th day of April, 1974, but excluding—

(a) any assets exempted by section 607 or 613, or

(b) any assets acquired as trading stock.

(4) The particulars required under this section may include particulars of the person from whom the asset was acquired and of the consideration for the acquisition.

(5) (a) An event which, apart from section 584 (3) as applied by section 586 or 587, would constitute the disposal of an asset shall for the purposes of this section constitute such a disposal.

(b) An event which, apart from section 584 (3) as applied by section 586 or 587, would constitute the acquisition of an asset shall for the purposes of this section constitute such an acquisition.

(6) Section 888 as applied by this section shall apply to property or leases of property other than premises as it applies to premises or leases of premises.

(7) A return of income of a partnership under section 880 shall include—

(a) with respect to any disposal of partnership assets during a period to which any part of the return relates, the like particulars as if the partnership were liable to tax on any chargeable gain accruing on the disposal, and

(b) with respect to any acquisition of partnership assets, the particulars required by subsection (3).

(8) A return under section 879 as applied by this section in relation to chargeable gains accruing to a

married woman in a year of assessment, or part of a year of assessment, during which she is a married woman and living with her husband may be required either from her or, if her husband is liable under section 1028 (1), from him.