

Restriction of relief to individuals on loans applied in acquiring interest in companies which become quoted companies. FA92 s14(1), (2) and (3); FA97 s10 252.—(1) In this section—

“loan” means a loan applied for any of the purposes specified in the principal section;

“the principal section” means section 248 as extended by section 250;

“quoted company” means a company whose shares or any class of whose shares—

(a) are listed in the official list of the Irish Stock Exchange or any other stock exchange, or

(b) are quoted on an unlisted securities market of any stock exchange;

“the specified date”, in relation to a loan, means—

(a) (i) in a case where the loan was applied on or before the 5th day of April, 1989, the 6th day of April, 1992,

(ii) in a case where the loan was applied on or after the 6th day of April, 1989, but on or before the 5th day of April, 1990, the 6th day of April, 1993, and

(iii) in a case where the loan was applied on or after the 6th day of April, 1990, the 6th day of April, 1994,

or

(b) if later, the 6th day of April in the second year of assessment next after the year of assessment in which the company, part of whose ordinary share capital was acquired or, as the case may be, to which the money was loaned, becomes a quoted company.

(2) Subject to subsection (3), if the company, part of whose ordinary share capital was acquired or, as the case may be, to which the money was loaned, is, at the specified date in relation to the loan, a quoted company, entitlement to relief under the principal section in respect of interest paid on a loan shall be determined subject to the following provisions:

(a) as respects the year of assessment commencing with the specified date, relief shall not be given in respect of the excess of the amount, or of the aggregate amount, of the interest over 70 per cent of the amount, or of the aggregate amount, of the interest in respect of which apart from this paragraph relief would otherwise have been given under the principal section;

(b) as respects the next year of assessment, relief shall not be given in respect of the excess of the amount, or of the aggregate amount, of the interest over 40 per cent of the amount, or of the aggregate amount, of the interest in respect of which apart from this paragraph relief would otherwise have been given

under the principal section;

(c) as respects any subsequent year of assessment, no relief shall be given under the principal section.

(3) Notwithstanding anything in subsection (2) or the principal section, the principal section shall not apply in relation to any payment of interest on a loan applied on or after the 29th day of January, 1992, if, at the time the loan is applied, the company, part of whose ordinary share capital was or is acquired or, as the case may be, to which the money was or is loaned, is a quoted company.