

Exclusion of mining and construction operations. FA80 s50 444.—(1) For the purposes of relief under this Part, income from the sale of goods shall not include income from—

(a) any mining operations for the purpose of obtaining, whether by underground or surface working, any scheduled mineral, mineral compound or mineral substance of the Minerals Development Act, 1940 ), or

(b) any construction operations of Part 18).

(2) Where a company carries on a trade which consists of or includes the manufacture of goods and—

(a) in the course of the trade, it carries on any mining operations (within the meaning of subsection (1)(a)) from which it obtains any scheduled mineral, mineral compound or mineral substance of the kind referred to in that subsection, and

(b) any such mineral, mineral compound or mineral substance is not sold by the company in the course of the trade but forms the whole or part of the materials used in the manufacture of such goods or is to any extent incorporated in the goods in the course of their manufacture,

then, part of the income which apart from this subsection would be income from the sale of goods for the purposes of section 448 shall be deemed for the purposes of subsection (1) to be income from such mining operations, and that part shall be such amount as appears to the inspector or on appeal to the Appeal Commissioners to be just and reasonable.

(3) Where the amount receivable from a sale of goods includes consideration for the carrying out in relation to those goods of any construction operations of Part 18), then, part of the income which apart from this subsection would be income from the sale of goods for the purposes of section 448 shall be deemed for the purposes of subsection (1) to be income from such construction operations, and that part shall be such amount as appears to the inspector or on appeal to the Appeal Commissioners to be just and reasonable.