HMRC - CFM97220 - Infrastructure: Fully Taxed In The UK

TIOPA10/S433(11)-(12)

The third condition a company must meet to be a qualifying infrastructure company is that it is fully taxed in the UK. This means every activity carried on at any time in the accounting period must be within the charge to UK corporation tax. Unlike the public infrastructure income test this test also includes chargeable gains. Any chargeable gains made by the company must be fully taxed in the UK for this condition to be met.

Furthermore it must not have:

made an election to exempt its profits or losses from an overseas permanent establishment (under CTA09/S18A) which has effect for that accounting period; nor

made an claim for double taxation relief (under TIOPA10/Part 2/Chapter 2) for that same accounting period.

Non-resident companies

There is a relaxation for non-resident companies, in that income from a source that could be reasonably regarded as insignificant will not in itself mean the test is failed.

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