HMRC - CTM81275 - Date Of Arrangements

The legislation requires account to be taken of any arrangements in existence at any time material to the claim.

Where relevant arrangements are in existence:

at any time during the parent company’s accounting period in which the relevant dividends were paid,

or

at any time during the subsidiary company’s accounting period in respect of which it makes a claim under ICTA88/S239 (1) or (4) in respect of ACT surrendered to it,

they should be regarded as invalidating the claim.

For this purpose ‘relevant dividends’ means the dividends in respect of which the ACT which the parent company wishes to surrender was paid.

Where arrangements have apparently come into existence after the end of either of the accounting periods referred to above, but there is reason to think that arrangements were in existence in the earlier period the claim should be refused.

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