

Bill 5

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A
B I L L

TO

Restate, with minor changes, certain enactments relating to corporation tax []; and for connected purposes.

BE IT ENACTED by the Queen’s most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

PART 1

RELIEF FOR EMPLOYEE SHARE ACQUISITIONS: SIPs, SAYE OPTION SCHEMES, CSOP SCHEMES AND ESOTs

CHAPTER 1

SHARE INCENTIVE PLANS

Overview etc

1 Overview and priority of Chapter [j4301rm]

(1) This Chapter is about deductions relating to approved share incentive plans.

Origin: Drafting.

(2) Section 2 relates to the interpretation of this Chapter.

Origin: Drafting.

(3) Sections 3 and 4 set out—

- (a) how effect is given to deductions allowed under this Chapter, and
- (b) how income treated as received under this Chapter is dealt with.

Origin: Drafting.

(4) Sections 5 and 6 deal with deductions allowed for the costs of setting up plans and their running expenses.

Origin: Drafting.

- (5) Sections 7 to 11 deal with deductions allowed for payments used to acquire shares for plan trusts.

Origin: Drafting.

- (6) Sections 12 to 15 deal with other deductions relating to free shares, matching shares, partnership shares and dividend shares.

Origin: Drafting.

- (7) Section 16 deals with the withdrawal of deductions if approval for a plan is withdrawn.

Origin: Drafting.

- (8) This Chapter takes priority over section [§030701](#) (which provides that, in calculating profits of a trade, deductions are not allowed for items of a capital nature), including as applied by section [§050202](#) (which applies section [§030701](#) for the purpose of calculating profits of a property business).

Origin: Drafting.

2 Chapter to form part of SIP code etc [§4301Arm](#)

- (1) This Chapter forms part of the SIP code (see section 488 of ITEPA 2003).

Origin: ICTA Sch.4AA para.1(1).

- (2) Therefore expressions used in this Chapter and contained in the index at the end of Schedule 2 to ITEPA 2003 have the meaning indicated by that index.

Origin: ICTA Sch.4AA para.1(2).

- (3) Subsection (4) applies if any of a participant's plan shares are forfeited.

Origin: ICTA Sch.4AA para.6(1).

- (4) For the purposes of this Chapter treat the shares as acquired by the trustees –
 (a) when the forfeiture occurs, and
 (b) for no consideration.

Origin: ICTA Sch.4AA para.6(2).

Deductions and income: general

3 References to a deduction being allowed to a company [§4301Brm](#)

- (1) References in this Chapter to a deduction being allowed to a company are to be read in accordance with this section (and references to a deduction being made are to be read in that light).

Origin: Drafting.

- (2) If a deduction is allowed to a company, the deduction is made in calculating for corporation tax purposes the profits of a trade or property business carried on by the company.
 This is subject to subsections (3) and (4).

Origin: ICTA s.21A(2), Sch.4AA para.1(3), (4); drafting.

- (3) If the company is a company with investment business (as defined in section [\[j2000A\]](#)), the amount of the deduction is treated as an expense of management of the company.

But this subsection does not apply if the company's business is a property business (and subsection (2) applies instead).

Origin: ICTA s.21A(2), s.75(2), Sch.4AA para.13(1), (2); drafting.

- (4) If the company is a company in relation to which section 76 of ICTA (expenses of insurance companies) applies, the amount of the deduction is treated as an expense payable falling to be brought into account at Step 1 in subsection (7) of that section.

Origin: ICTA Sch.4AA para.13(1), (2).

4 Income received under Chapter [\[j4301Drm\]](#)

- (1) This section applies if a company receives income under this Chapter.

Origin: Drafting.

- (2) If the company is carrying on a trade or property business in respect of which it is within the charge to corporation tax, the income is treated as a receipt of that trade or business.

Origin: ICTA s.21A(2), Sch.4AA paras.10(2), (8), 11(2), 12(2); Annex 1, Change jc338.

- (3) If the company has permanently ceased to carry on a trade or property business in respect of which it was within the charge to corporation tax, the income is treated as a post-cessation receipt of that trade or business (see Chapter 14 of Part 3).

Origin: ICTA s.21A(2); Annex 1, Change jc338.

- (4) Otherwise, corporation tax is charged on the income under this subsection.

Origin: ICTA Sch.4AA para.13(3); Annex 1, Change jc338.

- (5) Tax is charged under subsection (4) on the full amount of income—
(a) received under this Chapter in the accounting period, and
(b) on which tax is charged under that subsection.

Origin: ICTA Sch.4AA para.13(3); Annex 1, Change jc338.

Deductions relating to setting up and running costs

5 Deduction for costs of setting up an approved share incentive plan [\[j4306rm\]](#)

- (1) This section applies if a company incurs expenses in setting up a share incentive plan that is approved by an officer of Revenue and Customs.

Origin: ICTA Sch.4AA para.7(1); drafting.

- (2) A deduction for the expenses is allowed to the company.

Origin: ICTA Sch.4AA para.7(1).

- (3) But no deduction is allowed if before the approval—

- (a) an employee acquires rights under the plan, or
- (b) the trustees acquire shares for the purposes of the plan.

Origin: ICTA Sch.4AA para.7(2).

- (4) If the approval is given more than 9 months after the end of the period of account in which the expenses are incurred, the deduction is allowed for the period of account in which the approval is given.

Origin: ICTA Sch.4AA para.7(3).

- (5) No other deduction is allowed in respect of expenses for which a deduction is allowed under this section.

Origin: ICTA Sch.4AA para.7(4).

6 Deductions for running expenses of an approved share incentive plan [j4307rm]

- (1) This section applies if a company incurs expenses in contributing to the expenses of the trustees in running an approved share incentive plan.

Origin: ICTA Sch.4AA para.8(1).

- (2) This Chapter does not affect the deductions that, apart from this Chapter, are allowed to the company in relation to those expenses incurred by it.

Origin: ICTA Sch.4AA para.8(1).

- (3) For the purposes of this section expenses of the trustees in running an approved share incentive plan do not include expenses incurred in acquiring shares for the purposes of the plan other than expenses within subsection (4).

Origin: ICTA Sch.4AA para.8(2).

- (4) The expenses within this subsection are –
 - (a) interest incurred on money borrowed by the trustees, and
 - (b) any of the following –
 - (i) fees,
 - (ii) commission,
 - (iii) stamp duty,
 - (iv) stamp duty reserve tax, and
 - (v) other incidental costs similar to any mentioned in subparagraphs (i) to (iv).

Origin: ICTA Sch.4AA para.8(2), (3); drafting.

Deductions relating to payments used to acquire shares

7 Deduction for contribution to plan trust [j4308rm]

- (1) A deduction is allowed to a company (“the paying company”) if –
 - (a) the paying company makes a payment to the trustees of an approved share incentive plan to enable them to acquire shares in the paying company or a company that controls it,
 - (b) the trustees apply the payment to acquire such shares,

- (c) the trustees do not acquire the shares from a company, and
- (d) at the end of the interim period the following condition is met in relation to the company in which the trustees acquire the shares.

Origin: ICTA Sch.4AA para.9(1), (2).

- (2) The condition is that the trustees hold shares in the company for the plan trust that—
 - (a) constitute at least 10% of the ordinary share capital of the company, and
 - (b) carry rights to at least 10% of—
 - (i) any profits available for distribution to shareholders of the company, and
 - (ii) any assets of the company available for distribution to shareholders on a winding up.

Origin: ICTA Sch.4AA para.9(2).

- (3) For the purposes of subsection (2) treat shares that have been appropriated to, and acquired on behalf of, an employee under the plan as held by the trustees for the plan trust so long as the shares are still subject to the plan.

Origin: ICTA Sch.4AA para.9(3).

- (4) The deduction is allowed for the period of account in which the interim period ends.

Origin: ICTA Sch.4AA para.9(4).

- (5) The amount of the deduction is an amount equal to the payment mentioned in subsection (1)(a).

Origin: ICTA Sch.4AA para.9(4).

- (6) If the deduction is made, no other deduction is allowed in relation to the payment (even if the deduction is withdrawn under section 8).
This is subject to section 9.

Origin: ICTA Sch.4AA paras.9(5), 10(5).

- (7) “The interim period” means the period of 12 months beginning with the date on which the trustees acquire the shares as mentioned in subsection (1)(b).

Origin: ICTA Sch.4AA para.9(2).

8 Withdrawal of deduction under section 7 [j4309rm]

- (1) If—
 - (a) a deduction is made under section 7, and
 - (b) condition A or B is met,an officer of Revenue and Customs may by notice direct that the deduction is withdrawn.

Origin: ICTA Sch.4AA para.10(1); drafting.

- (2) Condition A is that less than 30% of the acquired shares have been awarded under the plan before the end of the period of 5 years beginning with the date on which the trustees acquire them.

Origin: ICTA Sch.4AA para.10(1).

- (3) Condition B is that not all the acquired shares have been awarded under the plan before the end of the period of 10 years beginning with the date on which the trustees acquire them.

Origin: ICTA Sch.4AA para.10(1).

- (4) If a direction is made, the paying company is treated as receiving an amount of income equal to the deduction.

Origin: ICTA Sch.4AA para.10(2); Annex 1, Change jc338.

- (5) The income is treated as received when the direction is made.

Origin: ICTA Sch.4AA para.10(2); Annex 1, Change jc338.

- (6) For the purposes of this section and sections 9 to 11 –
- (a) “the acquired shares” means the shares acquired by the trustees as mentioned in section 7(1)(b), and
 - (b) if the trustees acquire shares on different days, assume that shares acquired on an earlier day are awarded under the plan before those acquired on a later day.

Origin: ICTA Sch.4AA para.10(10); drafting.

9 Another deduction to be allowed if all acquired shares are awarded [\[j4310rm\]](#)

- (1) This section applies if –
- (a) a direction is made under section 8, and
 - (b) at any time after the making of the direction the following condition is met.

Origin: ICTA Sch.4AA para.10(3).

- (2) The condition is that all the acquired shares are awarded under the plan.

Origin: ICTA Sch.4AA para.10(3).

- (3) A deduction is allowed to the paying company for the period of account in which the condition is first met.

Origin: ICTA Sch.4AA para.10(3), (4).

- (4) The amount of the deduction is an amount equal to the payment mentioned in section 7(1)(a).

Origin: ICTA Sch.4AA para.10(4).

10 Award of shares to excluded employee [\[j4311rm\]](#)

- (1) This section applies if –
- (a) a deduction is made under section 7 or 9, and
 - (b) a number of the acquired shares are awarded under the plan to an excluded employee.

Origin: ICTA Sch.4AA para.10(6), (7).

- (2) An employee is excluded if, at the time the shares are awarded to the employee, not all the earnings from the relevant employment are (or would be if there were any) general earnings –

- (a) to which section 15 of ITEPA 2003 applies, or
- (b) to which a section listed in section 20(1) of ITEPA 2003 applies.

Origin: ICTA Sch.4AA para.10(6), (7).

- (3) “The relevant employment” means the employment because of which the shares are awarded to the employee.

Origin: ICTA Sch.4AA para.10(6), (7).

- (4) The paying company is treated as receiving an amount of income equal to the relevant proportion of the deduction.

Origin: ICTA Sch.4AA para.10(8); Annex 1, Change jc338.

- (5) The relevant proportion is the proportion that the number of shares awarded to the excluded employee bears to the total number of the acquired shares.

Origin: ICTA Sch.4AA para.10(9).

- (6) The income is treated as received when the shares are awarded to the excluded employee.

Origin: ICTA Sch.4AA para.10(8); Annex 1, Change jc338.

11 Termination plan notice [j4311Arm]

- (1) This section applies if—
 - (a) a deduction has been made under section 7,
 - (b) the deduction has not been withdrawn under section 8,
 - (c) the paying company issues a plan termination notice under paragraph 89 of Schedule 2 to ITEPA 2003 in relation to the plan, and
 - (d) not all the acquired shares have been awarded under the plan before the issue of that notice.

Origin: ICTA Sch.4AA para.12(1), (2).

- (2) The paying company is treated as receiving an amount of income equal to the relevant proportion of the deduction.

Origin: ICTA Sch.4AA para.12(2); Annex 1, Change jc338.

- (3) The relevant proportion is the proportion that the number of the acquired shares not awarded bears to the total number of the acquired shares.

Origin: ICTA Sch.4AA para.12(3).

- (4) The income is treated as received when the paying company issues the plan termination notice.

Origin: ICTA Sch.4AA para.12(2); Annex 1, Change jc338.

Deductions relating to the provision of certain types of shares

12 Deduction for providing free or matching shares [j4302rm]

- (1) This section applies if under an approved share incentive plan, shares are awarded to employees as free or matching shares because of their employment with a company (“the employing company”).

Origin: ICTA Sch.4AA para.2(1).

- (2) A deduction is allowed to the employing company for the period of account in which the shares are awarded to the employees.

Origin: ICTA Sch.4AA para.2(1), (2).

- (3) The amount of the deduction is an amount equal to the market value of the shares awarded to the employees.

Origin: ICTA Sch.4AA para.2(2).

- (4) But if the shares are awarded to the employees under a group plan, the amount of the deduction is an amount equal to the relevant proportion of the total market value of the shares included in the award.

Origin: ICTA Sch.4AA para.2(4).

- (5) The relevant proportion is the proportion that the number of shares awarded to the employees bears to the total number of shares included in the award.

Origin: ICTA Sch.4AA para.2(5).

- (6) For the purposes of this section –
- (a) the market value of shares is their market value when they are acquired by the trustees of the plan trust, and
 - (b) if the trustees acquire shares on different days, assume that shares acquired on an earlier day are awarded before those acquired on a later day.

Origin: ICTA Sch.4AA para.2(2), (6); drafting.

- (7) No deduction, other than one under this section, is allowed to the employing company or any associated company in relation to the provision of the shares awarded to the employees.

Origin: ICTA Sch.4AA para.2(3).

- (8) But subsection (7) –
- (a) does not prevent a deduction being allowed under section 5 in relation to expenses incurred by a company in setting up a share incentive plan, and
 - (b) is subject to section 6.

Origin: ICTA Sch.4AA para.2(3).

- (9) If the shares are awarded to the employees because of their employment with two or more companies, only one of those companies can make a deduction under this section in relation to the award.

Origin: ICTA Sch.4AA para.2(7).

- (10) This section is subject to section 14.

Origin: ICTA Sch.4AA para.2(8).

13 Deduction for additional expense in providing partnership shares [j4303rm]

- (1) This section applies if –

- (a) under an approved share incentive plan, partnership shares are awarded to employees because of their employment with a company (“the employing company”), and
- (b) the market value of the shares when they were acquired by the trustees of the plan trust exceeds the partnership share money paid by the participants to acquire those shares.

Origin: ICTA Sch.4AA para.3(1).

- (2) A deduction is allowed to the employing company for the period of account in which the shares are awarded.

Origin: ICTA Sch.4AA para.3(1), (2).

- (3) The amount of the deduction is an amount equal to the excess mentioned in subsection (1)(b).

Origin: ICTA Sch.4AA para.3(2).

- (4) No deduction, other than one under this section, is allowed to the employing company or any associated company in relation to the provision of the shares.

Origin: ICTA Sch.4AA para.3(3).

- (5) But subsection (4) –
 - (a) does not prevent a deduction being allowed under section 5 in relation to expenses incurred by a company in setting up a share incentive plan, and
 - (b) is subject to section 6.

Origin: ICTA Sch.4AA para.3(3).

- (6) If the shares are awarded to the employees because of their employment with two or more companies, only one of those companies can make a deduction under this section in relation to the award.

Origin: ICTA Sch.4AA para.3(4).

- (7) This section is subject to section 14.

Origin: ICTA Sch.4AA para.3(5).

14 Shares excluded from sections 12 and 13 [\[j4304rm\]](#)

No deduction is allowed under section 12 or 13 in relation to any of the following.

Exclusion 1

Shares awarded to an excluded employee.

An employee is excluded if, at the time the shares are awarded to the employee, not all the earnings from the employee’s employment with the employing company are (or would be if there were any) general earnings –

- (a) to which section 15 of ITEPA 2003 applies, or
- (b) to which a section listed in section 20(1) of ITEPA 2003 applies.

Exclusion 2

Shares in a company that are liable to depreciate substantially in value for reasons that do not apply generally to shares in that company.

Exclusion 3

Shares in relation to which a deduction has been made by the employing company or an associated company in relation to the provision of the shares for the plan trust or for another trust.

For this purpose it does not matter upon what basis that deduction was made or what the nature or purpose of the other trust is.

If the trustees of the plan trust acquire shares on different days, in determining if the same shares have been provided to more than one trust, assume that shares acquired on an earlier day are awarded under the plan trust before those acquired on a later day.

Exclusion 4

Shares acquired by the trustees of the plan trust as a result of a payment in relation to which a deduction is made under section 7 (even if the deduction is withdrawn under section 8).

Exclusion 5

Shares awarded after having been forfeited by a participant.

Origin: ICTA Sch.4AA paras.4, 6(1), (3), 9(5); drafting.

15 No deduction for expenses in providing dividend shares [j4305rm]

No deduction is allowed to a company for expenses in providing shares that are acquired on behalf of employees under an approved share incentive plan as dividend shares.

This is subject to section 6.

Origin: ICTA Sch.4AA para.5

*Withdrawal of approval for a plan***16 Withdrawal of deductions if approval for share incentive plan withdrawn [j4312rm]**

- (1) This section applies if –
- (a) a deduction is made by a company under section 7, 9, 12 or 13 in relation to an approved share incentive plan, and
 - (b) the approval for the plan is withdrawn.
- “Deduction” does not include a deduction withdrawn under section 8.

Origin: ICTA Sch.4AA para.11(1).

- (2) An officer of Revenue and Customs may by notice direct that the deduction is withdrawn.

Origin: ICTA Sch.4AA para.11(1); drafting.

- (3) If a direction is made, the company is treated as receiving an amount of income equal to the deduction.

Origin: ICTA Sch.4AA para.11(2); Annex 1, Change jc338.

- (4) The income is treated as received when the direction is made.

Origin: ICTA Sch.4AA para.11(2); Annex 1, Change jc338.

CHAPTER 2

SAYE OPTION SCHEMES, CSOP SCHEMES AND ESOTs

17 Deduction for costs of setting up SAYE option scheme or CSOP scheme [j4401rm]

- (1) This section applies if –
- (a) a company incurs expenses in setting up a scheme within subsection (2) that is approved by an officer of Revenue and Customs, and
 - (b) no employee or director acquires rights under the scheme before it is approved.

Origin: ICTA s.84A(1); drafting.

- (2) The schemes within this subsection are –
- (a) SAYE option schemes within the meaning of the SAYE code (see section 516(4) of ITEPA 2003), and
 - (b) CSOP schemes within the meaning of the CSOP code (see section 521(4) of ITEPA 2003).

The references in subsection (1) to a scheme being approved are to it being approved under Schedule 3 or 4 to ITEPA 2003 (as the case may be).

Origin: ICTA s.84A(3A), (4).

- (3) A deduction for the expenses is to be made in calculating for corporation tax purposes the profits of a trade or property business carried on by the company. This is subject to subsections (4) and (5).

Origin: ICTA s.21A(2), s.84A(2); drafting.

- (4) If the company is a company with investment business (as defined in section [j2000A]), the expenses are treated as expenses of management of the company. But this subsection does not apply if the company's business is a property business (and subsection (3) applies instead).

Origin: ICTA s.21A(2), s.75(2), s.84A(2); drafting.

- (5) If the company is a company in relation to which section 76 of ICTA (expenses of insurance companies) applies, the expenses are treated as expenses payable falling to be brought into account at Step 1 in subsection (7) of that section.

Origin: ICTA s.84A(2).

- (6) If the approval is given more than 9 months after the end of the period of account in which the expenses are incurred –
- (a) for the purposes of subsection (3) the deduction is to be made for the period of account in which the approval is given, or
 - (b) for the purposes of subsection (4) or (5) the expenses are treated as referable to the accounting period in which the approval is given.

Origin: ICTA s.84A(3), (3ZA).

- (7) This section takes priority over section [j030701] (which provides that, in calculating profits of a trade, deductions are not allowed for items of a capital nature), including as applied by section [j050202] (which applies section [j030701] for the purpose of calculating profits of a property business).

Origin: Drafting.

18 Deduction for costs of setting up employee share ownership trust [j4402rm]

- (1) This section applies if a company incurs expenses in setting up a qualifying employee share ownership trust (within the meaning of Schedule 5 to FA 1989).

Origin: ICTA s.85A(1), (4).

- (2) A deduction for the expenses is to be made in calculating for corporation tax purposes the profits of a trade or property business carried on by the company. This is subject to subsections (3) and (4).

Origin: ICTA s.21A(2), s.85A(2); drafting.

- (3) If the company is a company with investment business (as defined in section {j2000A}), the expenses are treated as expenses of management of the company. But this subsection does not apply if the company's business is a property business (and subsection (2) applies instead).

Origin: ICTA s.21A(2), s.75(2), s.85A(2); drafting.

- (4) If the company is a company in relation to which section 76 of ICTA (expenses of insurance companies) applies, the expenses are treated as expenses payable falling to be brought into account at Step 1 in subsection (7) of that section.

Origin: ICTA s.85A(2).

- (5) If the trust is set up more than 9 months after the end of the period of account in which the expenses are incurred –
- (a) for the purposes of subsection (2) the deduction is to be made for the period of account in which the trust is set up, or
 - (b) for the purposes of subsection (3) or (4) the expenses are treated as referable to the accounting period in which the trust is set up.

For this purpose a trust is set up when the deed under which it is set up is executed.

Origin: ICTA s.85A(3), (3A), (5).

- (6) This section takes priority over section {j030701} (which provides that, in calculating profits of a trade, deductions are not allowed for items of a capital nature), including as applied by section {j050202} (which applies section {j030701} for the purpose of calculating profits of a property business).

Origin: Drafting.

SCHEDULES

SCHEDULE 1

Section [ref]

CONSEQUENTIAL AMENDMENTS (SCHEDULE 4AA) [JSCHEDULE4AACONSEQUENTIALS]

PART 1

INCOME AND CORPORATION TAXES ACT 1988 (SCHEDULE 4AA)

- 1 The Income and Corporation Taxes Act 1988 (c. 1) is amended as follows.
- 2 Omit section 84A (relief for costs of establishing share option or profit sharing schemes).
- 3 Omit section 85A (relief for costs of establishing employee share ownership trust).
- 4 Omit section 85B (which introduces Schedule 4AA).
- 5 Omit Schedule 4AA (share incentive plans: corporation tax deductions).

PART 2

OTHER ENACTMENTS (SCHEDULE 4AA)

Taxation of Chargeable Gains Act 1992 (c. 12)

- 6 The Taxation of Chargeable Gains Act 1992 is amended as follows.
- 7 In paragraph 2(4) of Schedule 7D (approved share schemes and share incentives) for “paragraph 9 of Schedule 4AA to the Taxes Act” substitute “section 7 or 9 of [Bill 5]”.

Income Tax (Earnings and Pensions) Act 2003 (c. 1)

- 8 The Income Tax (Earnings and Pensions) Act 2003 is amended as follows.
- 9 (1) Amend section 515 (which refers to other provisions which deal with share incentive plans) as follows.
 - (2) Omit subsection (1).
 - (3) In subsection (2) –
 - (a) omit the “and” after paragraph (c), and
 - (b) after paragraph (d) insert “, and
 - (e) Chapter [1] of Part [1] of [Bill 5] (share incentive plans)”.

- 10 In paragraph 85(1)(c) of Schedule 2 (approved share incentive plans) for “paragraph 11 of Schedule 4AA to ICTA” substitute “section 16 of [\[Bill 5\]](#)”.

Income Tax Act 2007

- 11 The Income Tax Act 2007 is amended as follows.
- 12 In section 489(6) (which defines the “applicable period” in relation to shares for the purposes of section 488) for “paragraph 9 of Schedule 4AA to ICTA” substitute “section 7 or 9 of [\[Bill 5\]](#)”.

SCHEDULE 2

Section [\[ref\]](#)

TRANSITIONAL PROVISIONS (SCHEDULE 4AA) [[JSCHEDULE4AATRANSITIONALS](#)]

PART 1

RELIEF FOR EMPLOYEE SHARE ACQUISITIONS: SIPs

Deduction for contribution to plan trust

- 1 Section 7(1)(a) applies only in relation to payments made on or after 6 April 2003.

[Origin: ICTA Sch.4AA para.9\(1\).](#)

Award of shares to excluded employee

- 2 (1) This paragraph applies if income is received by a company under section 10 as a result of shares having been awarded to an excluded employee in an accounting period that ends on or before [\[31 March 2009\]](#).
- (2) Section 4 does not apply in relation to the income.
- (3) The income is treated as a trading receipt of the company for the period of account in which the shares were awarded to the excluded employee.

[Origin: ICTA Sch.4AA para.10\(8\); Annex 1, Change jc338.](#)

SCHEDULE 3

Section [\[999998\]](#)

REPEALS AND REVOCATIONS [[JSCHEDULE4AAREPEALS](#)]

REPEALS (SCHEDULE 4AA)

<i>Reference</i>	<i>Extent of repeal or revocation</i>
Income and Corporation Taxes Act 1988 (c. 1)	Section 84A. Section 85A. Section 85B. Schedule 4AA.
Finance Act 1991 (c. 31)	Section 42. Section 43.

<i>Reference</i>	<i>Extent of repeal or revocation</i>
Finance Act 1998 (c. 36)	In Schedule 7, in paragraph 1, “84A(2)(a),” and “85A(2)(a),”.
Income Tax (Earnings and Pensions) Act 2003 (c. 1)	In section 515— (a) subsection (1), and (b) the “and” after subsection (2)(c). In Schedule 6, paragraphs 11, 12 and 109.
Income Tax (Trading and Other Income) Act 2005 (c. 5)	In Schedule 1, paragraph 59.
Income Tax Act 2007	In Schedule 1, paragraph 439(2)(a).