

THE RECOGNISED STOCK EXCHANGE (MICEX STOCK EXCHANGE) (RUSSIA) DESIGNATION REVOCATION ORDER 2022

The Commissioners for Her Majesty's Revenue and Customs(a), make the following Order in exercise of the powers conferred by section 1005 of the Income Tax Act 2007(b):

Citation and commencement

1. This Order may be cited as the Recognised Stock Exchange (MICEX Stock Exchange) (Russia) Designation Revocation Order 2022 and comes into force on 5th May 2022 ("the revocation date").

Revocation

2. The Recognised Stock Exchange (MICEX Stock Exchange) (Russia) Designation Order 2010(c) ("the Designation Order") is revoked.

Savings and consequential provisions

3.—(1) Subject to paragraph (2), article 2 does not apply in relation to—

- (a) securities acquired or arrangements entered into before the revocation date,
- (b) any new holding within Chapter 2 of Part 4 of the Taxation of Chargeable Gains Act 1992(d) (reorganisation of share capital, conversion of securities etc) where the original shares were acquired before the revocation date,
- (c) a quoted option, traded option or financial option within section 144 of the Taxation of Chargeable Gains Act 1992(e) (options and forfeited deposits) for the purposes of that section where the option was acquired before the revocation date,
- (d) shares in a company listed and dealt with on the relevant exchange before the revocation date, for the purposes of section 446(1)(b) of the Corporation Tax Act 2010(f) (particular types of quoted company),
- (e) an interest in a non-reporting fund acquired before the revocation date, for the purposes of—
 - (i) regulation 14ZD of the Authorised Investment Funds (Tax) Regulations 2006(g) (index tracking funds),
 - (ii) regulation 45 of Investment Trust (Approved Company) (Tax) Regulations 2011(h) (index tracking funds), and
 - (iii) regulation 23 of the Unauthorised Unit Trusts (Tax) Regulations 2013(i) (no tax charge for disposal of interests in offshore non-reporting funds: qualifying index).

(2) The savings in paragraph (1) do not apply for the purposes of the Stamp Duty Reserve Tax (UK Depository Interests in Foreign Securities) Regulations 1999(j) in relation to a transfer of a UK depository interest in foreign securities except where paragraph (3) applies.

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- (a) Section 13(1) of the Commissioners for Revenue and Customs Act 2005 (c. 11) provides that an officer of Revenue and Customs may exercise any function of the Commissioners.
 - (b) 2007 c. 3; section 1005 was substituted by paragraph 1 of Schedule 26 to the Finance Act 2007 (c. 11) and amended by paragraphs 50 and 55 of Schedule 2 to the Taxation (International and Other Provisions) Act 2010 (c. 8).
 - (c) The Recognised Stock Exchange (MICEX Stock Exchange) (Russia) Designation Order 2010 was made on 5 January 2011.
 - (d) 1992 c. 12.
 - (e) Section 144 was amended by paragraph 10 of Schedule 38 to the Finance Act 1996 (c. 8), paragraph 8 of Schedule 26 and Part 6(5) of Schedule 27 to the Finance Act 2007 (c. 11) and S.I. 2001/3629.
 - (f) 2010 c. 4.
 - (g) S.I. 2006/964; regulation 14ZD was inserted by S.I. 2011/2192 and amended by S.I. 2019/689 and 2019/818.
 - (h) S.I. 2011/2999; regulation 45 was amended by S.I. 2019/689 and 2019/818.
 - (i) S.I. 2013/2819; regulation 23 was amended by S.I. 2019/689 and 2019/818.
 - (j) S.I. 1999/2383; regulation 2 was amended by S.I. 2000/1871, 2001/3755, 2001/3779, 2007/12 and 2008/954.

(3) This paragraph applies in relation to a transfer of a UK depository interest in foreign securities by a borrower back to a lender under an agreement to transfer that interest entered into before the revocation date.

(4) For the purposes of the savings in paragraph (1), references in the Designation Order to the MICEX Stock Exchange are to be read as references to the market in the Russian Federation operated by the company which has the name "Moscow Exchange MICEX-RTS" (Primary State Registration number 1027739387411).

(5) In this article—

"arrangements" means arrangements including loan relationships (as defined in section 302 of the Corporation Tax Act 2009(a), relevant contracts (as defined in section 577 of the Corporation Tax Act 2009 and alternative finance arrangements (as defined in section 564A of the Income Tax Act 2007(b) or section 501 of the Corporation Tax Act 2009 as the case may be);

"new holding" and "original shares" have the meanings given in section 126 of the Taxation of Chargeable Gains Act 1992;

"non-reporting fund" has the meaning given in regulation 4(2) of the Offshore Funds (Tax) Regulations 2009(c);

"relevant exchange" means the market referred to in paragraph (2);

"UK depository interest" and "foreign securities" have the meanings given in regulation 2 of the Stamp Duty Reserve Tax (UK Depository Interests in Foreign Securities) Regulations 1999.



Richard Thomas
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Business, Assets and International
HM Revenue and Customs
(an officer of Revenue and Customs)

4 May 2022

(a) 2009 c. 4; section 302 was amended by paragraphs 140 to 143 of Schedule 4 to the Co-operative and Community Benefit Societies Act 2014 (c. 14).

(b) Section 465A was inserted by paragraph 2 of Schedule 2 to the Taxation (International and Other Provisions) Act 2010 (c. 8).

(c) S.I. 2009/3001; regulation 4(2) was amended by S.I. 2011/1211.