

Explanatory Note

Amendments 136 and 137 to Clause 155: General Anti-Abuse Rule: Provisional Counteractions

Summary

1. These amendments ensure that the General Anti-Abuse Rule (GAAR) procedural changes work as intended, and ensure that consequences that already result from a provisional GAAR counteraction apply equally for the new GAAR counteraction procedures.

Details of the amendments

2. Amendments 136 and 137 make a small change to new section 209B (4) to include a "pooling notice" under new paragraph 1 of Schedule 43A within the provisional counteraction rules.

Background note

3. The procedural changes in new Section 209A to 209F FA13 enable HMRC to provisionally counteract under GAAR whilst maintaining the procedural safeguards in Schedule 43 and new Schedules 43A and 43B for taxpayers.