2015 No.

CORPORATION TAX

The Exchange Gains and Losses (Bringing into Account Gains or Losses) (Amendment) Regulations 2015

Made	***
Laid before the House of Commons	***
Coming into force	***

The Treasury make the following Regulations in exercise of the powers conferred by section 151E of the Taxation of Chargeable Gains Act $1992(\mathbf{a})$, paragraph 26(5) of Schedule 23 to the Finance Act $2002(\mathbf{b})$ and sections 328(5) to (7) and 606(5) to (7) of the Corporation Tax Act $2009(\mathbf{c})$.

Citation, commencement and effect

1.—(1) These Regulations may be cited as the Exchange Gains and Losses (Bringing into Account Gains or Losses) (Amendment) Regulations 2015 and come into force on *** 2015.

(2) These Regulations have effect in relation to accounting periods beginning on or after 1 January 2016.

Amendments to the Exchange Gains and Losses (Bringing into Account Gains or Losses) Regulations 2002

2.—(1) The Exchange Gains and Losses (Bringing into Account Gains or Losses) Regulations 2002(**d**) are amended as follows.

- (2) In regulation 4—
 - (a) in paragraph (1) for "paragraph (4)" substitute "paragraphs (4) and (5)",
 - (b) at the end insert—

"(5) Paragraph (1) does not apply so far as the net gain or net loss falls to be brought into account apart from these Regulations.".

- (3) In regulation 13—
 - (a) in paragraph (1), at the start insert "subject to paragraph (3A),",
 - (b) after paragraph (3) insert—

"(3A) This regulation does not apply so far as the net gain or net loss falls to be brought into account apart from this regulation.".

⁽a) 1992 c. 12; section 151E was inserted by paragraph 370 of Schedule 1 to the Corporation Tax Act 2009 (c.4).

⁽b) 2002 c. 23; paragraph 26(5) of Schedule 23 was amended by paragraph 541(3)(b) of Schedule 1 to the Corporation Tax Act 2009.

⁽c) 2009 c. 4.

⁽d) S.I. 2002/1970, relevantly amended by S.I. [2004/3259, 2010/809 and 2014/3325].

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Exchange Gains and Losses (Bringing into Account Gains or Losses) Regulations 2002 which provide for exchange gains or losses on loans or derivatives which hedge foreign exchange risk from a company's investment in a foreign enterprise, and which have previously been disregarded for corporation tax purposes, to be brought back into account in specified circumstances. These amendments....

[A Tax Information and Impact Note covering this instrument]

Date