

Finance Act, 2008

Section 71 - Thermal insulation of buildings

1) Section 28 of CAA 2001 (thermal insulation of industrial buildings) is amended as follows. (2) In subsection (1)- (a) for "consisting of a trade" substitute "other than an ordinary property business or an overseas property business", (b) for "an industrial" substitute "a", and (c) for "the trade" substitute "the qualifying activity". (3) In subsection (2), for "an industrial" substitute "a". (4) After that subsection insert- "(2A) Subsection (2) is subject to section 35 (expenditure on plant or machinery for use in dwelling-house not qualifying expenditure). (2B) This section does not apply to expenditure within subsection (2) if a deduction for that expenditure is allowable- (a) under section 31ZA of ICTA, or (b) under section 312 of ITTOIA 2005, (deductions for expenditure on energy-saving items). (2C) For the purposes of subsection (2B), whether such a deduction is allowable is to be determined without regard to subsection (1)(e) of the section in question." (5) Omit subsection (3). (6) In the heading, omit "industrial". (7) In section 23(2) of CAA 2001 (expenditure unaffected by sections 21 and 22), in the entry for section 28, omit "industrial". (8) The amendments made by this section have effect- (a) for corporation tax purposes, in relation to expenditure incurred on or after 1 April 2008, and (b) for income tax purposes, in relation to expenditure incurred on or after 6 April 2008.