STATUTORY INSTRUMENTS

# 2014 No. 3183

# CORPORATION TAX

## The Capital Allowances (Designated Assisted Areas) Order 2014

| | |
|---|---|
| *Made - - - -* | *1st December 2014* |
| *Laid before the House of Commons* | *2nd December 2014* |
| *Coming into force - -* | *23rd December 2014* |

The Treasury make the following Order in exercise of the powers conferred by section 45K(2)(a), (3) and (4) of the Capital Allowances Act 2001(**a**).

**Citation, commencement, effect and interpretation**

**1.**—(1) This Order may be cited as the Capital Allowances (Designated Assisted Areas) Order 2014.

(2) This Order comes into force on 23rd December 2014 and an area designated by this Order is to be treated as having been designated on 1st April 2012.

(3) In this Order "Capital Allowances Act" means the Capital Allowances Act 2001.

**Designation of areas**

**2.**—(1) The areas shown enclosed by a red line on the map of a scale of 1:1250 included in the schedule to each memorandum of understanding described in paragraph (2) are designated as designated assisted areas for the purposes of section 45K of the Capital Allowances Act (expenditure on plant and machinery for use in designated assisted areas).

(2) In paragraph (1) references to a "memorandum of understanding" are to a memorandum of understanding entered into for the purposes of section 45K of the Capital Allowances Act by the Treasury with the responsible authority listed in column 1 of the table in the Schedule to this Order on the date listed in column 2 of that table.

(3) Each memorandum of understanding referred to in paragraph (2) is kept at the offices of HM Treasury at 1 Horse Guards Road, London SW1A 2HQ, where they (or a copy of them) may be inspected by members of the public at reasonable hours without charge.

*David Evennett*
*Alun Cairns*
1st December 2014 — Two of the Lords Commissioners of Her Majesty's Treasury

(**a**) 2001 c. 2; section 45K was inserted by paragraph 3 of Schedule 11 to the Finance Act 2012 (c. 14).

# SCHEDULE

Article 2(2)

**Table**

| *Name of responsible authority* | *Date of memorandum of understanding* | *Area included in the map* | *Enterprise Zone within which area falls* | *Assisted area within which area falls* |
|---|---|---|---|---|
| Welsh Ministers | 19th April 2013 | Deeside Enterprise Zone | Deeside Enterprise Zone | Sealand |
| | | Ebbw Vale Enterprise Zone | Ebbw Vale Enterprise Zone | Rassau and Badminton |
| | | Haven Waterway Enterprise Zone | Haven Waterway Enterprise Zone | Milford East and Neyland West |
| Scottish Ministers | 5th June 2013 | Dundee Port, | Low Carbon / Renewables East Enterprise Area | East Port |
| | | Dundee Camperdown, | Low Carbon / Renewables East Enterprise Area | East Port |
| | | Dundee Claverhouse | Low Carbon / Renewables East Enterprise Area | Longhaugh |
| | | Nigg | Low Carbon / Renewables North Enterprise Area | Seaboard |
| | | Irvine | Life Sciences Enterprise Area | Irvine Townhead |
| East Riding of Yorkshire Council | 21st May 2014 | Paull | Humber Green Port Corridor | South West Holderness |
| Hartlepool Borough Council | 21st May 2014 | Hartlepool Port Estates | Tees Valley | Headland and Harbour |
| Kingston upon Hull City Council | 21st May 2014 | Green Port Hull | Humber Renewable Energy Super Cluster | Marfleet |
| Kingston upon Hull City Council | 21st May 2014 | Queen Elizabeth Dock South | Humber Renewable Energy Super Cluster | Marfleet |

| | | | | |
|---|---|---|---|---|
| Newcastle City Council | 21st May 2014 | Neptune Yard | North East | Walkergate |
| North Lincolnshire Council | 21st May 2014 | Able Marine Energy Park | Humber Renewable Energy Super Cluster | Ferry |
| Northumberland County Council | 21st May 2014 | Port of Blyth - Bates | North East | Cowpen |
| Northumberland County Council | 21st May 2014 | Port of Blyth - East Sleekburn | North East | Sleekburn |
| North Tyneside Council | 21st May 2014 | North Bank of the Tyne (Port of Tyne) | North East | Riverside |
| Stockton on Tees Borough Council | 21st May 2014 | New Energy and Technology Park | Tees Valley | Billingham South |

## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order designates areas as designated assisted areas for the purposes of section 45K of the Capital Allowances Act 2001 (c. 2) ("CAA 2001").

Section 45K CAA 2001 provides for 100 per cent first-year capital allowances (FYAs) for companies investing in plant or machinery for use primarily in designated assisted areas within Enterprise Zones. To qualify for this new relief, the expenditure must be incurred at a time when an area is designated.

Article 2 designates areas for the purposes of section 45K of CAA 2001. The designated areas are those identified on maps included in memoranda of understanding entered into for the purposes of section 45K of CAA 2001. Article 2(3) sets out that the memoranda of understanding are deposited and available for inspection by members of the public at the address shown in that provision.

Section 45K(4) provides that, where appropriate, the order may have retrospective effect. Article 1 provides that an area designated by this Order is to be treated as having been so designated at times falling on or after 1st April 2012, so that this Order will ensure that the relevant FYAs provisions may have effect in relation to expenditure incurred on or after 1st April 2012.

A Tax Information and Impact Note covering this instrument was published on 29th November 2011 alongside the Autumn Statement 2011 and is available on the HMRC website at www.hmrc.gov.uk/tiin/tiin690.pdf. It remains an accurate summary of the impacts that apply to this instrument.

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