STATUTORY INSTRUMENTS

2014 No. 1929

INCOME TAX

The Venture Capital Trust (Amendment) Regulations 2014

Made - - - -	*21st July 2014*
Laid before the House of Commons	*22nd July 2014*
Coming into force - -	*12th August 2014*

The Treasury make the following Regulations in exercise of the powers conferred by sections 272(2) and (3) and 284 of the Income Tax Act 2007(**a**).

Citation and commencement

1. These Regulations may be cited as the Venture Capital Trust (Amendment) Regulations 2014 and come into force on 12th August 2014.

Amendments to the Venture Capital Trust Regulations 1995

2.—(1) The Venture Capital Trust Regulations 1995(**b**) are amended as follows.

(2) In paragraph (1) of regulation 2 (interpretation) for the definition of "investor" substitute—

""investor" means a person—

(a) who holds or has held shares in a company which is or has been a trust company, or

(b) for whom a nominee holds or has held shares in a company which is or has been a trust company;".

(3) In regulation 9 (certificate to be given to investor)—

(a) in paragraph (1)—

(i) for "individual" substitute "investor (who is an individual)", and

(ii) after "whom" insert "(or to whose nominee)",

(b) in paragraph (2)(c) after "him" insert "(or to his nominee)", and

(c) in paragraph (3)(a) after "investor" insert "(or to his nominee)".

(4) For paragraph (1) of regulation 24 (information to be provided to the Board) substitute—

"(1) The Board may by notice require—

(a) any company which is or has been a trust company,

(b) any investor, or

(c) any nominee for an investor,

(**a**) 2007 c. 3; section 284 was amended by paragraph 21 of Schedule 16 and paragraph 16 of Part 2 of Schedule 27 to the Finance Act 2007 (c. 11), and by paragraph 5 of Schedule 10 to the Finance Act 2014 (c. 26).

(**b**) S.I. 1995/1979; relevant amending instruments are S.I. 1999/819 and 2008/1893.

within such period as may be specified in the notice, to furnish them with such information as they may reasonably require for the purposes of Part 6 or these Regulations.".

(5) For paragraph (1) of regulation 25 (inspection of records by officer of the Board) substitute—

"(1) The Board may by notice require—

(a) any company which is or has been a trust company,

(b) any investor, or

(c) any nominee for an investor,

within such period as may be specified in the notice, to make available for inspection by an officer of the Board authorised for that purpose such accounts, records and other information as are in that person's possession or under that person's control as the Board may reasonably require for the purposes of Part 6 or these Regulations.".

Mark Lancaster
David Evennett

21st July 2014 — Two of the Lords Commissioners of Her Majesty's Treasury

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Venture Capital Trust Regulations 1995 (S.I. 1995/1979) ("the principal Regulations").

Paragraph 5 of Schedule 10 to the Finance Act 2014 (c. 26) inserted into the Income Tax Act 2007 (c. 3) a new provision (section 330A) which provides that shares in a venture capital trust may be held through a nominee. As a consequence, these Regulations make a number of amendments to the principal Regulations.

Regulation 1 of these Regulations provides for citation and commencement.

Regulation 2 of these Regulations makes the following amendments to the principal Regulations:

(a) the definition of "investor" in regulation 2 of the principal Regulations is amended so as to include persons who hold shares in a venture capital trust through a nominee;

(b) regulation 9 of the principal Regulations is amended to make provision for the giving of certificates containing the specified particulars in cases where shares in a venture capital trust are issued to a nominee for an investor; and

(c) regulations 24 and 25 of the principal Regulations are amended so as to provide that where shares in a venture capital trust are held by a nominee for an investor, both the nominee and the investor may be required to furnish information to the Board or make records available to the Board for inspection.

A Tax Information and Impact Note covering this instrument was published on 10 December 2013 alongside draft legislation for Finance Bill 2014 and is available at https://www.gov.uk/government/collections/tax-information-and-impact-notes-tiins. It remains an accurate summary of the impacts that apply to this instrument.

© Crown copyright 2014

Printed and published in the UK by The Stationery Office Limited under the authority and superintendence of Carol Tullo, Controller of Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament.

£4.25

UK2014072131 07/2014 19585

http://www.legislation.gov.uk/id/uksi/2014/1929

ISBN 978-0-11-111901-3

9 780111 119013