

APPENDIX 19: ENTERPRISE ZONE DESIGNATION ORDER

STATUTORY INSTRUMENTS

2015 No. 2047

CORPORATION TAX

The Capital Allowances (Designated Assisted Areas) Order 2015

<i>Made</i>	- - - -	<i>16th December 2015</i>
<i>Laid before the House of Commons</i>	- - - -	<i>17th December 2015</i>
<i>Coming into force</i>	- -	<i>7th January 2016</i>

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⁽¹⁾.

Citation, commencement, effect and interpretation

1.—(1) This Order may be cited as the Capital Allowances (Designated Assisted Areas) Order 2015.

(2) This Order comes into force on 7th January 2016.

(3) An area designated by virtue of Schedule 1 to this Order is to be treated as having been designated on 1st April 2012.

(4) An area designated by virtue of Schedule 2 to this Order is to be treated as having been designated on 1st April 2015.

(5) In this Order “CAA 2001” means the Capital Allowances Act 2001.

Designation of areas

2.—(1) The area 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 CAA 2001 (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 CAA 2001 by the Treasury with the responsible authority listed in column 1 of the tables in Schedule 1 or Schedule 2 to this Order on the date listed in column 2 of those tables.

(1) 2001 c. 2; section 45K was inserted by paragraph 3 of Schedule 11 to the Finance Act 2012 (c. 14) and amended by sections 64(1) and (5) and paragraphs 1 and 3 of Schedule 13 to Finance Act 2014.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(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

Mel Stride

Two of the Lords Commissioners of Her
Majesty's Treasury

16th December 2015

SCHEDULE 1

Articles 1(3) and 2(2)

Table 1

<i>Name of responsible authority</i>	<i>of</i>	<i>Date of memorandum of understanding</i>	<i>Area included in the map</i>	<i>Enterprise Zone within which area falls</i>	<i>Assisted area within which area falls</i>
Redcar and Cleveland Borough Council	and	16th July 2013	South Bank Wharf site	Tees Valley Enterprise Zone	North East
Redcar and Cleveland Borough Council	and	16th July 2013	Wilton site	Tees Valley Enterprise Zone	North East
Wirral Metropolitan Borough Council		9th March 2015	Wirral Waters site	Mersey Waters Enterprise Zone	North West
Walsall Metropolitan Borough Council		2nd March 2015	George Dyke site	Black Country Enterprise Zone	West Midlands
Walsall Metropolitan Borough Council		2nd March 2015	Gasholder site	Black Country Enterprise Zone	West Midlands
Walsall Metropolitan Borough Council		2nd March 2015	Phoenix 10 site	Black Country Enterprise Zone	West Midlands

SCHEDULE 2

Articles 1(4) and 2(2)

Table 2

<i>Name of responsible authority</i>	<i>of</i>	<i>Date of memorandum of understanding</i>	<i>Area included in the map</i>	<i>Enterprise Zone within which area falls</i>	<i>Assisted area within which area falls</i>
Redcar and Cleveland Borough Council	and	16th June 2015	Prairie site	Tees Valley Enterprise Zone	North East

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 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 if the area is listed in Schedule 1 and on or after 1st April 2015 if the area is listed in Schedule 2, 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 for areas listed in Schedule 1 and on or after 1st April 2015 for areas listed in Schedule 2.

A Tax Information and Impact Note covering enterprise zones was published on 29th November 2011 alongside the Autumn Statement 2011 and is available on the HMRC website at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/192108/capital_allowance_enterprise_zones.pdf. It remains an accurate summary of the impacts that apply to this instrument.