
STATUTORY INSTRUMENTS

2004 No. 3256

The Loan Relationships and Derivative Contracts (Disregard and Bringing into Account of Profits and Losses) Regulations 2004

Exchange gains or losses arising from derivative contracts hedging shares etc.

4.—(1) For the purposes of paragraph 16(3A) and 17C(1)(a) of Schedule 26 to the Finance Act 2002 there is prescribed an exchange gain or loss arising to a company in an accounting period in relation to a derivative contract of the company which is matched with the whole or part of any shares, ships or aircraft.

(2) This regulation does not apply if movements in the fair value of any shares, ships or aircraft which are an asset falling within regulation 4(1) are brought into account by the company in computing, for the purposes of corporation tax, the profits of a trade carried on by it which consists of or includes dealing in shares, ships or aircraft.

(3) Shares, ships or aircraft are matched with a derivative contract if any of the following conditions are satisfied.

Commencement Information

II Reg. 4 in force at 1.1.2005, see [reg. 1\(1\)](#)

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Loan Relationships and Derivative Contracts (Disregard and Bringing into Account of Profits and Losses) Regulations 2004. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- regs 34 defn(s) am by [S.I. 2005/3374](#) regs 23
- regs 34 am by [S.I. 2005/3374](#) regs 245
- reg 4 defn(s) added by [S.I. 2005/2012](#) regs 25(1)5(5)(b)
- reg 4 defn(s) rev by [S.I. 2005/2012](#) regs 25(1)5(5)(a)
- reg. 4(1) words substituted by [S.I. 2014/3188](#) reg. 8(4)
- reg. 4(3) word substituted by [S.I. 2011/698](#) reg. 4
- reg. 4(3) words omitted by [S.I. 2011/2912](#) reg. 5(2)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- reg. 2(3A) inserted by [S.I. 2011/2912](#) reg. 3
- reg. 3(1A) omitted by [S.I. 2014/3188](#) reg. 3
- reg. 3(1ZA) inserted by [S.I. 2011/2912](#) reg. 4(1)
- reg. 3(5) words substituted by [S.I. 2013/2781](#) reg. 2(3)
- reg. 3(5) words substituted by [S.I. 2014/3188](#) reg. 8(3)
- reg. 3(5)(c) words substituted by 2019 c. 1 Sch. 20 para. 9(3)
- reg. 3(5)(c) words substituted by [S.I. 2013/3209](#) reg. 10(3)
- reg. 4(1A) inserted by [S.I. 2011/2912](#) reg. 5(1)
- reg. 4(4A) words substituted by [S.I. 2013/2781](#) reg. 2(3)
- reg. 4(4A) words substituted by [S.I. 2014/3188](#) reg. 8(5)
- reg. 4(4A)(c) words substituted by 2019 c. 1 Sch. 20 para. 9(4)
- reg. 4(4A)(c) words substituted by [S.I. 2013/3209](#) reg. 10(3)
- reg. 4(4C) inserted by [S.I. 2022/239](#) reg. 2(3)
- reg 4A added by [S.I. 2005/3374](#) regs 26
- reg. 4A(7)-(7C) substituted for reg. 4A(7) by [S.I. 2014/3188](#) reg. 4(2)
- reg. 4A(7) words inserted by [S.I. 2011/698](#) reg. 5(2)
- reg. 4A(8)-(8B) omitted by [S.I. 2014/3188](#) reg. 4(3)
- reg. 4A(8A)(8B) inserted by [S.I. 2011/698](#) reg. 5(3)
- reg. 4A(9) second reg. 4A(6) renumbered as reg. 4A(9) by [S.I. 2011/698](#) reg. 5(4)
- reg. 4A(9) words substituted by [S.I. 2014/3188](#) reg. 8(6)
- reg. 4C substituted by [S.I. 2011/698](#) reg. 6
- reg. 4C(1) words substituted by [S.I. 2014/3188](#) reg. 5
- reg. 5(4) words substituted by [S.I. 2014/3188](#) reg. 8(7)(a)
- reg. 5(4) words substituted by [S.I. 2014/3188](#) reg. 8(7)(b)
- reg. 5(4) words substituted by [S.I. 2014/3188](#) reg. 8(7)(c)
- reg. 5A inserted by [S.I. 2015/1961](#) reg. 4
- reg. 5ZA inserted by [S.I. 2022/239](#) reg. 2(4)
- reg. 6-6B substituted for reg. 6 by [S.I. 2014/3188](#) reg. 6
- reg. 6(5A)(a) word omitted by [S.I. 2013/3209](#) reg. 10(4)(a)
- reg. 6(5A)(c) and word inserted by [S.I. 2013/3209](#) reg. 10(4)(b)
- reg. 6(5C)(a) word omitted by [S.I. 2013/3209](#) reg. 10(4)(a)
- reg. 6(5C)(c) and word inserted by [S.I. 2013/3209](#) reg. 10(4)(b)
- reg. 6A(3)(b) words substituted by [S.I. 2015/1961](#) reg. 5(a)
- reg. 6A(4)(b) words substituted by [S.I. 2015/1961](#) reg. 5(b)
- reg. 6A(5)(a) words substituted by [S.I. 2015/1961](#) reg. 5(c)(i)

- reg. 6A(5)(b) words inserted by 2020 c. 14 Sch. 6 para. 8(a)
- reg. 6A(5)(b) words substituted by S.I. 2015/1961 reg. 5(c)(ii)
- reg. 6A(6) inserted by 2020 c. 14 Sch. 6 para. 8(b)
- reg. 6B-6D substituted for reg. 6B by S.I. 2015/1961 reg. 6
- reg. 7(4) omitted by S.I. 2015/1961 reg. 7(a)
- reg. 7(4) words substituted by S.I. 2014/3188 reg. 8(10)
- reg. 7(5) inserted by S.I. 2015/1961 reg. 7(b)
- reg. 7(5) words inserted by S.I. 2022/239 reg. 2(5)(a)
- reg. 7(5) words substituted by S.I. 2022/239 reg. 2(5)(b)
- reg 7A added (with transtl provns) by S.I. 2009/1886 regs 357
- reg. 7A(7A) inserted by S.I. 2022/239 reg. 2(6)
- reg. 9(2A) words inserted by S.I. 2015/1961 reg. 8(a)
- reg. 9(2A) words substituted by S.I. 2014/3188 reg. 8(11)
- reg 9A added by S.I. 2005/3374 regs 210
- reg 9A am by S.I. 2006/3236 reg 5
- reg. 9A cross-heading inserted by S.I. 2014/3188 reg. 7(1)
- reg. 9A omitted by S.I. 2015/1961 reg. 9
- reg. 9A(1) words substituted by S.I. 2014/3188 reg. 8(8)(d)
- reg. 9A(1)(c) substituted by S.I. 2014/3188 reg. 7(2)(a)
- reg. 9A(2) words substituted by S.I. 2014/3188 reg. 8(8)(d)
- reg. 9A(3) words substituted by S.I. 2014/3188 reg. 8(8)(d)
- reg. 9A(3A) substituted by S.I. 2014/3188 reg. 7(2)(b)
- reg. 10(3C) words substituted by S.I. 2014/3188 reg. 8(14)
- reg 10A added by S.I. 2009/1886 regs 36
- regs 1112 added by S.I. 2005/2012 regs 211
- reg 11 am by S.I. 2006/3236 reg 6
- reg. 11(1) words substituted by S.I. 2014/3188 reg. 8(17)(a)
- reg. 11(1A) words substituted by S.I. 2014/3188 reg. 8(17)(a)
- reg. 11(4) words substituted by S.I. 2014/3188 reg. 8(18)
- reg 12 am by S.I. 2006/3236 reg 7
- reg. 12(1) words substituted by S.I. 2014/3188 reg. 8(17)(b)
- reg. 12(1A) words substituted by S.I. 2014/3188 reg. 8(17)(b)
- reg. 12(3) words substituted by S.I. 2014/3188 reg. 8(18)
- reg. 12A inserted by S.I. 2014/3325 reg. 3(2)
- reg 13 added by S.I. 2009/1886 regs 37