

NOTES FOR GUIDANCE

CAPITAL ACQUISITIONS TAX CONSOLIDATION ACT 2003

**(as amended by subsequent Acts up to and including the
Finance (No.2) Act 2023)**

Part 12: Repeals



These notes are for guidance only and do not purport to be a definitive legal interpretation of the provisions of the Capital Acquisitions Tax Consolidation Act 2003 (No. 1 of 2003) as amended by subsequent Acts up to and including the Finance (No.2) Act 2023.

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PART 12 REPEALS, ETC.

Overview

This Part contains provisions relating to the commencement of this Act, repeals and transitional arrangements.

118 Repeals

This section provides for the repeal of the Capital Acquisitions Tax Act 1976 following the enactment of this Act. Under *section 2(7)*, the Capital Acquisitions Tax Act 1976 is deemed to include that Act, as amended or extended by any subsequent enactment. (1)

In accordance with section 16(2) of the Interpretation Act 2005, this Act will come into force on the date of its passing. However, the provisions of this Act will not apply to gifts or inheritances taken before the date of passing of this Act. Gifts and inheritances taken before 21 February 2003 (i.e. the date the Consolidation Act became law) will be dealt with under the pre-consolidation legislation. (2)

Those provisions of the repealed enactments which impose a fine, forfeiture, penalty or punishment in respect of an offence are to continue in force in so far as they are concerned with an offence which was committed or began before the date of passing of the Act. (3)

Anything done under the provisions of the repealed enactments corresponding with the provisions of this Act are deemed to have been done under the provisions of the Act to which the provisions of the repealed enactments correspond. (4)

119 Consequential amendments to other enactments

This section contains amendments to other enactments consequential on the passing of this Act.

120 Transitional provisions

The Revenue Commissioners will have all the jurisdictions, powers and duties in relation to capital acquisitions tax under the Act which they had before the passing of the Act. In addition, the section provides for the continuity of the law relating to capital acquisitions tax and things done under that law.