

Changes to legislation: There are currently no known outstanding effects for the Finance Act 1998, Cross
Heading: Claims or elections affecting a single accounting period. (See end of Document for details)

SCHEDULES

SCHEDULE 18

COMPANY TAX RETURNS, ASSESSMENTS AND RELATED MATTERS

Modifications etc. (not altering text)

- C1 Sch. 18 restricted (31.7.1998) by 1988 c. 1, s. 754B(10) (as inserted (31.7.1998 with effect as mentioned in Sch. 17 para. 37 of 1998 c. 36) by 1998 c. 36, s. 113, Sch. 17 para. 11)
- C1 Sch. 18 modified (18.4.2005) by Commissioners for Revenue and Customs Act 2005 (c. 11), s. 53(1), Sch. 4 para. 68(c); S.I. 2005/1126, art. 2(2)(h)
- C1 Sch. 18 applied (20.7.2005) by Finance (No. 2) Act 2005 (c. 22), s. 61
- C1 Sch. 18 applied (with modifications) (6.4.2006) by The Registered Pension Schemes (Accounting and Assessment) Regulations 2005 (S.I. 2005/3454), regs. 1, 13
- C1 Sch. 18 excluded (17.7.2013) by Finance Act 2013 (c. 29), s. 210(6)(b)
- C1 Sch. 18: power to amend conferred (12.2.2019) by Finance Act 2019 (c. 1), s. 87(5)(a)(6)
- C1 Sch. 18 applied (with modifications) (22.7.2020) by Finance Act 2020 (c. 14), Sch. 16 para. 11(4) (with Sch. 16 para. 11(5))
- C1 Sch. 18 applied (with modifications) (11.7.2023) by Finance (No. 2) Act 2023 (c. 30), s. 303(7)(8) (with s. 303(6))

PART VII

GENERAL PROVISIONS AS TO CLAIMS AND ELECTIONS

Claims or elections affecting a single accounting period

- 57 (1) This paragraph applies to a claim or election for tax purposes which affects only one accounting period (“the relevant accounting period”).

[^{F1}This is subject to sub-paragraphs (1A) to (1C).]

[^{F2}(1A) This paragraph does not apply to a claim by a company for repayment of income tax treated as having been paid by virtue of—

- (a) section 471 of the Corporation Tax Act 2010 (gifts qualifying for gift aid relief: charitable companies),
- (b) section 475 of that Act (gifts qualifying for gift aid relief: eligible bodies), or
- (c) section 661D of that Act (gifts qualifying for gift aid relief: community amateur sports clubs).

(1B) This paragraph also does not apply to a claim by a company for repayment of income tax deducted at source from income which is exempt from tax by virtue of—

- (a) section 486 of the Corporation Tax Act 2010 (investment income and non-trading profits from loan relationships),
- (b) section 487 of that Act (public revenue dividends),

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- (c) section 488 of that Act (certain miscellaneous income),
 - (d) section 489 of that Act (income from estates in administration), or
 - (e) section 664 of that Act (interest and gift aid income: community amateur sports clubs).
- (1C) This paragraph also does not apply to a claim by a company for an amount to be exempt from tax by virtue of—
- (a) section 472 of the Corporation Tax Act 2010 (gifts qualifying for gift aid relief: charitable companies),
 - (b) section 475 of that Act (gifts qualifying for gift aid relief: eligible bodies), or
 - (c) any of the provisions mentioned in sub-paragraph (1B).]
- (2) If notice has been given under paragraph 3 requiring a company to deliver a company tax return for the relevant accounting period, a claim or election by the company which can be made by being included in the return (as originally made or by amendment) must be so made.
- (3) If a company has delivered a company tax return for the relevant accounting period, a claim or election made by the company which could be made by amending the return is treated as an amendment of the return.

The provisions of paragraph 15 (amendment of return by company) apply.

- (4) Schedule 1A to the ^{M1}Taxes Management Act 1970 (claims and elections not included in returns) applies to a claim or election made by a company which cannot be included in a company tax return for the relevant accounting period.

This applies in particular to a claim or election made—

- (a) before any notice is given under paragraph 3 requiring a company tax return for the relevant accounting period, or
- (b) at a time when its return for the relevant accounting period cannot be amended.

Textual Amendments

- F1** Words in Sch. 18 para. 57(1) inserted (with effect in accordance with Sch. 15 para. 17(6) of the amending Act) by [Finance Act 2012 \(c. 14\)](#), [Sch. 15 para. 15\(2\)](#)
- F2** Sch. 18 para. 57(1A)-(1C) substituted for Sch. 18 para. 57(1A) (with effect in accordance with Sch. 15 para. 17(6) of the amending Act) by [Finance Act 2012 \(c. 14\)](#), [Sch. 15 para. 15\(3\)](#)

Modifications etc. (not altering text)

- C1** Sch. 18 para. 54-60 excluded (27.7.1999 with effect in relation to accounting periods ending on or after 1.7.1999) by [1990 c. 1, s. 59C\(7\)\(b\)](#) (as substituted (27.7.1999 with effect in relation to accounting periods ending on or after 1.7.1999) by [1999 c. 16, s. 93\(1\)\(2\)](#), [Sch. 11 para. 6](#))
- Sch. 18 paras. 54-60 excluded (28.7.2000) by [1990 c. 1, s. 76B\(5\)\(b\)](#) (as inserted (28.7.2000) by [2000 c. 17, s. 77\(1\)](#))
- Sch. 18 paras. 54-60 applied (22.3.2001 with effect as mentioned in [s. 579\(1\)](#) of the amending Act) by [2001 c. 2, s. 3\(5\)\(6\)](#)
- Sch. 18 paras. 54-60 excluded (22.3.2001 with effect as mentioned [s. 579\(1\)](#) of the amending Act) by [2001 c. 2, s. 201 \(5\)\(b\)](#) (with Sch. 3 Pt. 4 paras. 54, 55)
- Sch. 18 paras. 54-60 excluded (22.3.2001 with effect as mentioned in [s. 579\(1\)](#) of the amending Act) by [2001 c. 2, s. 227\(5\)\(b\)](#) (with Sch. 3 Pt. 4 paras. 54, 55)

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C2 Sch. 18 paras. 54-60 excluded by Income and Corporation Taxes Act 1988 (c. 1), s. 444ABBA(3) (as inserted (with effect in accordance with art. 1(4) of the amending S.I.) by S.I. 2008/381, arts. 1(1), 14)

Marginal Citations

M1 1970 c. 9.

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