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SCHEDULES

SCHEDULE 53

LATE PAYMENT INTEREST

Commencement Information

- II Sch. 53 in force at 1.4.2022 for specified purposes by S.I. 2021/1409, **reg. 2(a)**
- II Sch. 53 in force at 1.5.2023 for specified purposes by S.I. 2023/385, **art. 2**
- II Sch. 53 in force at 6.9.2019 for specified purposes by S.I. 2019/1238, **art. 2** (with art. 3)
- II Sch. 53 in force at 1.1.2023 for specified purposes by S.I. 2022/1277, **reg. 2(2)(b)** (with reg. 3)
- II Sch. 53 in force at 6.4.2021 for specified purposes by S.I. 2021/445, **reg. 2**;
Sch. 53 in force at 6.4.2021 for specified purposes by 2020 c. 14, **Sch. 1 para. 29** (with Sch. 1 paras. 30-34);
Sch. 53 in force retrospectively at 6.4.2021 for specified purposes by 2022 c. 3, **Sch. 10 para. 29**
- II Sch. 53 in force at 5.10.2020 for specified purposes by S.I. 2020/979, **art. 3(1)**
- II Sch. 53 in force at 1.1.2015 for specified purposes by S.I. 2014/3269, **art. 4(1)** (with art. 4(2))
- II Sch. 53 in force at 6.4.2018 for specified purposes by S.I. 2018/468, **art. 2(a)**
- II Sch. 53 in force at 31.8.2010 for specified purposes by S.I. 2010/1878, **art. 2** (with art. 3)
- II Sch. 53 in force at 1.10.2013 for specified purposes by S.I. 2013/2472, **art. 2**
- II Sch. 53 in force at 1.6.2019 for specified purposes by S.I. 2019/918, **art. 2**
- II Sch. 53 in force at 6.10.2011 for specified purposes by S.I. 2011/2391, **art. 2(c)**
- II Sch. 53 in force at 31.10.2011 for specified purposes by S.I. 2011/701, **art. 3(1)** (with art. 4)
- II Sch. 53 in force at 1.2.2013 for specified purposes by S.I. 2013/67, **art. 2**
- II Sch. 53 in force at 1.1.2015 for specified purposes by S.I. 2014/3324, **art. 3**
- II Sch. 53 in force at 1.4.2015 for specified purposes by S.I. 2015/974, **art. 2**
- II Sch. 53 in force at 6.5.2014 for specified purposes by S.I. 2014/992, **art. 3(1)**
- II Sch. 53 in force retrospectively at 6.5.2014 for further specified purposes by Finance Act 2019 (c. 1), **s. 88(6)**
- II Sch. 53 in force at 1.4.2013 for specified purposes by S.I. 2013/280, **art. 2**
- II Sch. 53 in force at 6.4.2019 for specified purposes by 2019 c. 1, **Sch. 2 para. 31**
- II Sch. 53 in force at 1.6.2019 for specified purposes by S.I. 2019/921, **art. 2**
- II Sch. 53 in force at 30.9.2023 for specified purposes by S.I. 2023/997, **art. 2**
- II Sch. 53 in force at 4.3.2024 for specified purposes by S.I. 2024/133, **art. 2**

PART 1

SPECIAL PROVISION: AMOUNT CARRYING LATE PAYMENT INTEREST

Payments on account and balancing payment

- 1 (1) This paragraph applies where as regards a tax year—
 - (a) payments on account are payable by a person (“P”),
 - (b) P makes a claim under section 59A(3) or (4) of TMA 1970 (reduction of payments on account) in respect of those amounts, and

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- (c) a balancing payment becomes payable by P.
- (2) Late payment interest is to be calculated as if each of the payments on account had been equal to the lesser of the following amounts—
- (a) the aggregate of that payment on account and 50% of the balancing payment, and
 - (b) the amount which would have been payable as a payment on account if the claim under section 59A(3) or (4) had not been made.
- (3) In determining for the purposes of this paragraph what amount (if any) is payable by P as a balancing payment—
- (a) it is to be assumed that both of the payments on account have been paid,
 - (b) no account is to be taken of any amount which has been paid on account otherwise than under section 59A(2) of TMA 1970, and
 - (c) no account is to be taken of any amount which is payable by way of capital gains tax.
- (4) In this paragraph—
- “balancing payment” means an amount payable—
 - (a) in accordance with section 59B(3), (4) or (5) of TMA 1970, or
 - (b) in accordance with section 59B(6) of that Act in respect of income tax assessed under section 29 of that Act;
 - “payment on account” means an amount payable in accordance with section 59A(2) of TMA 1970.

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

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

- s. 102(4)(za) inserted by [2010 c. 33 Sch. 9 para. 3\(3\)](#)
- Sch. 53 para. 2A-2D and cross-heading inserted by [2010 c. 33 Sch. 9 para. 7](#)
- Sch. 53 para. 6A and cross-heading inserted by [2010 c. 33 Sch. 9 para. 8](#)
- Sch. 53 para. 11A11B and cross-heading inserted by [2010 c. 33 Sch. 9 para. 17](#)
- Sch. 53 para. 14A and cross-heading inserted by [2010 c. 33 Sch. 9 para. 18](#)
- Sch. 54 para. 9B9C and cross-heading inserted by [2010 c. 33 Sch. 9 para. 11](#) (Sch. 54 para. 9B is amended before it comes into force by [2016 c. 24, Sch. 1 para. 66\(5\)](#))
- Sch. 54 para. 12A12B and cross-heading inserted by [2010 c. 33 Sch. 9 para. 19](#)
- Sch. 54 Pt. A1 inserted by [2010 c. 33 Sch. 9 para. 10](#) (Sch. 9 para. 10 is amended before it comes into force by [2017 c. 32, Sch. 4 para. 182](#))
- Sch. 55 para. 6(3A)(za) inserted by [2015 c. 11 Sch. 20 para. 15\(2\)\(a\)](#)
- Sch. 55 para. 6(4A)(za) inserted by [2015 c. 11 Sch. 20 para. 15\(3\)\(a\)](#)
- Sch. 55 para. 17(4)(ba) inserted by [2015 c. 11 Sch. 20 para. 19](#)
- Sch. 56 para. 3(1)(d) omitted by [2021 c. 26 Sch. 27 para. 40\(4\)\(c\)](#)