



Corporation Tax Act 2010

2010 CHAPTER 4

PART 4

LOSS RELIEF

CHAPTER 2

TRADE LOSSES

Carry forward of trade loss relief

45 Carry forward of [^{F1}pre-1 April 2017] trade loss against subsequent trade profits

- (1) This section applies if, in an accounting period [^{F2}beginning before 1 April 2017], a company carrying on a trade makes a loss in the trade.
- (2) Relief for the loss is given to the company under this section.
- (3) The relief is given for that part of the loss for which no relief is given under section 37 or 42 (“the unrelieved loss”).
- (4) For this purpose—
 - (a) the unrelieved loss is carried forward to subsequent accounting periods (so long as the company continues to carry on the trade), and
 - (b) the profits of the trade of any such period are reduced by the unrelieved loss so far as that loss [^{F3}is not] used under this paragraph to reduce the profits of an earlier period.

[^{F4}(4A) But the company may make a claim that the profits of the trade of an accounting period specified in the claim are not to be reduced by the unrelieved loss, or are not to be reduced by the unrelieved loss by more than an amount specified in the claim.

(4B) A claim under subsection (4A) may specify an accounting period only if it begins on or after 1 April 2017.

Changes to legislation: There are currently no known outstanding effects for the Corporation Tax Act 2010, Section 45. (See end of Document for details)

- (4C) A claim under subsection (4A) is effective if, and only if, it is made—
- (a) within the period of two years after the end of the accounting period specified in the claim, or
 - (b) within such further period as an officer of Revenue and Customs may allow.]
- (5) In this section and [F5, sections 45B, 45F and] 46 references to profits of the trade are references to profits of the trade chargeable to corporation tax.
- (6) Relief under this section is subject to restriction or modification in accordance with provisions of the Corporation Tax Acts.

Textual Amendments

- F1** Words in s. 45 heading inserted (with effect in accordance with Sch. 4 para. 190 of the amending Act) by [Finance \(No. 2\) Act 2017 \(c. 32\)](#), [Sch. 4 para. 10\(2\)](#)
- F2** Words in s. 45(1) inserted (with effect in accordance with Sch. 4 para. 190 of the amending Act) by [Finance \(No. 2\) Act 2017 \(c. 32\)](#), [Sch. 4 para. 10\(3\)](#)
- F3** Words in s. 45(4)(b) substituted (with effect in accordance with Sch. 4 para. 190 of the amending Act) by [Finance \(No. 2\) Act 2017 \(c. 32\)](#), [Sch. 4 para. 10\(4\)](#)
- F4** S. 45(4A)-(4C) inserted (with effect in accordance with Sch. 4 para. 190 of the amending Act) by [Finance \(No. 2\) Act 2017 \(c. 32\)](#), [Sch. 4 para. 10\(5\)](#)
- F5** Words in s. 45(5) substituted (with effect in accordance with Sch. 4 para. 190 of the amending Act) by [Finance \(No. 2\) Act 2017 \(c. 32\)](#), [Sch. 4 para. 10\(6\)](#)

Modifications etc. (not altering text)

- C1** S. 45 applied (retrospective to 1.4.2014) by [Finance Act 2014 \(c. 26\)](#), [Sch. 16 paras. 6, 9\(1\)](#)
- C2** S. 45(4) excluded (with effect in accordance with Sch. 18 para. 63 of the amending Act) by [Finance Act 2016 \(c. 24\)](#), [Sch. 18 para. 20\(10\)](#)

Changes to legislation:

There are currently no known outstanding effects for the Corporation Tax Act 2010, Section 45.