

SCHEDULES

SCHEDULE 16

RECOVERY OF UNPAID DIVERTED PROFITS TAX DUE FROM NON-UK RESIDENT COMPANY

PART 2

RECOVERY OF DIVERTED PROFITS TAX FROM RELATED COMPANIES

Notice requiring payment of unpaid tax

- 5 (1) An officer of Revenue and Customs may serve a notice on a related company requiring it, within 30 days of the service of the notice, to pay—
- (a) in a case which is not a consortium case, the amount of the unpaid tax, or
 - (b) in a consortium case, the proportion of that amount found under paragraph 7.
- (2) The notice must state—
- (a) the amount of diverted profits tax charged on the taxpayer company for the accounting period in question that remains unpaid,
 - (b) the date when it first became payable, and
 - (c) the amount which is to be paid by the company on which the notice is served.
- (3) The notice has effect—
- (a) for the purposes of the recovery from that company of the amount required to be paid and of interest on that amount, and
 - (b) for the purposes of appeals,
- as if it were a charging notice and that amount were an amount of diverted profits tax charged on that company.
- (4) In this Part of this Schedule “consortium case” means a case where the related company is not within paragraph 4(1)(a).