



Finance Act 2016

2016 CHAPTER 24

PART 11

ADMINISTRATION, ENFORCEMENT AND SUPPLEMENTARY POWERS

Assessment and returns

167 Simple assessments

- (1) Schedule 23 contains provisions about simple assessments by HMRC.
- (2) Paragraphs 1 to 8 of that Schedule have effect in relation to the 2016-17 tax year and subsequent years.
- (3) Paragraph 9 of that Schedule comes into force on such day as the Treasury may appoint by regulations made by statutory instrument.
- (4) Regulations under subsection (3) may—
 - (a) commence paragraph 9 generally or only for specified purposes, and
 - (b) appoint different days for different purposes.

168 Time limit for self assessment tax returns

- (1) TMA 1970 is amended as follows.
- (2) In section 34 (ordinary time limit of 4 years for assessments), after subsection (2) insert—
 - “(3) In this section “assessment” does not include a self-assessment.”
- (3) After that section insert—

Status: This is the original version (as it was originally enacted).

“34A Ordinary time limit for self-assessments

- (1) Subject to subsections (2) and (3), a self assessment contained in a return under section 8 or 8A may be made and delivered at any time not more than 4 years after the end of the year of assessment to which it relates.
- (2) Nothing in subsection (1) prevents—
 - (a) a person who has received a notice under section 8 or 8A within that period of 4 years from delivering a return including a self-assessment within the period of 3 months beginning with the date of the notice,
 - (b) a person in respect of whom a determination under section 28C has been made from making a self-assessment in accordance with that section within the period allowed by subsection (5)(a) or (b) of that section.
- (3) Subsection (1) has effect subject to the following provisions of this Act and to any other provisions of the Taxes Acts allowing a longer period in any particular class of case.
- (4) This section has effect in relation to self-assessments for a year of assessment earlier than 2012-13 as if—
 - (a) in subsection (1) for the words from “not more” to the end there were substituted “on or before 5 April 2017”, and
 - (b) in subsection (2)(a) for the words “within that period of 4 years” there were substituted “on or before 5 April 2017.””

169 HMRC power to withdraw notice to file a tax return

- (1) Section 8B of TMA 1970 (withdrawal of notice under section 8 or 8A) is amended as follows.
- (2) In subsection (2) for the words from “the person” to the end substitute “HMRC may withdraw the notice (whether at the request of the person or otherwise)”.
- (3) In subsection (3) for “no request may be made” substitute “the notice may not be withdrawn”.
- (4) In subsection (4) omit “, on receiving a request,”.
- (5) In subsection (6)(b) for “agree with the person” substitute “determine”.
- (6) In paragraph 17A of Schedule 55 to the Finance Act 2009 (penalty for failure to make returns etc), in sub-paragraph (1)(b) for the words from the beginning to “withdraw” substitute “HMRC decide to give P a notice under section 8B withdrawing”.
- (7) The amendments made by this section have effect in relation to any notice under section 8 or 8A of TMA 1970 given in relation to the 2014-15 tax year or any subsequent year (and it is immaterial whether the notice was given before or after the passing of this Act).