

SCHEDULE 7

PARTNERSHIPS

PART 3

ORDINARY PARTNERSHIP TRANSACTIONS

Joint and several liability of responsible partners

- 11 (1) Where the responsible partners are liable to pay—
- (a) tax or late payment interest on that tax,
 - (b) an amount under section 55 of TCMA (recovery of excessive repayment) or late payment interest on that amount, or
 - (c) a penalty under Part 5 of TCMA or late payment interest on that penalty,
- the liability is a joint and several liability of those partners.
- (2) No amount may be recovered under sub-paragraph (1)(a) or (b) from a person who did not become a responsible partner until after the effective date of the transaction in respect of which the tax is payable.
- (3) No amount may be recovered under sub-paragraph (1)(c) from a person who did not become a partner until after the relevant time.
- (4) The relevant time is—
- (a) in relation to so much of a penalty as is payable in respect of any day, or to late payment interest on so much of a penalty as is so payable, the beginning of that day;
 - (b) in relation to any other penalty, or to late payment interest on the penalty, the time when the act or omission occurred that caused the penalty to become payable.
- (5) In this paragraph, “late payment interest” means late payment interest under Part 6 of TCMA.