

SCHEDULES

SCHEDULE 18

COMPANY TAX RETURNS, ASSESSMENTS AND RELATED MATTERS

PART VII

GENERAL PROVISIONS AS TO CLAIMS AND ELECTIONS

Consequential claims, etc. arising out of certain Revenue amendments or assessments

- 61 (1) Paragraphs 62 to 64 have effect to allow certain claims, elections, applications and notices to be made or given, or if previously given to be revoked or varied, where—
- (a) an amendment of a company tax return is made under paragraph 34(2)(b) (amendments of other returns required in consequence of closure notice) which has the effect of increasing the amount of tax payable by a company,
 - (b) a discovery assessment is made, or
 - (c) an assessment is made under paragraph 76 (recovery of excessive group relief).
- (2) Paragraphs 62 to 64 do not apply in relation to an assessment made in a case involving fraudulent or negligent conduct on the part of—
- (a) the company, or
 - (b) a person acting on behalf of the company, or
 - (c) a person who was a partner of the company at the relevant time.
- In such a case more limited provision is made by paragraph 65.
- (3) In paragraphs 62 to 64 “the relevant accounting period”, in relation to the time limit for making a consequential claim, election, application or notice, means—
- (a) in relation to an amendment of a company tax return under paragraph 34(2) (b), the accounting period in which the closure notice was issued;
 - (b) in relation to an assessment, the accounting period in which the assessment was made.