

*Changes to legislation: There are currently no known outstanding effects for the Finance Act 1998, Cross Heading: Assessment on other claimant companies. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 18

#### COMPANY TAX RETURNS, ASSESSMENTS AND RELATED MATTERS

##### Modifications etc. (not altering text)

- C1 Sch. 18 restricted (31.7.1998) by 1988 c. 1, s. 754B(10) (as inserted (31.7.1998 with effect as mentioned in Sch. 17 para. 37 of 1998 c. 36) by 1998 c. 36, s. 113, Sch. 17 para. 11)
- C1 Sch. 18 modified (18.4.2005) by Commissioners for Revenue and Customs Act 2005 (c. 11), s. 53(1), Sch. 4 para. 68(c); S.I. 2005/1126, art. 2(2)(h)
- C1 Sch. 18 applied (20.7.2005) by Finance (No. 2) Act 2005 (c. 22), s. 61
- C1 Sch. 18 applied (with modifications) (6.4.2006) by The Registered Pension Schemes (Accounting and Assessment) Regulations 2005 (S.I. 2005/3454), regs. 1, 13
- C1 Sch. 18 excluded (17.7.2013) by Finance Act 2013 (c. 29), s. 210(6)(b)
- C1 Sch. 18: power to amend conferred (12.2.2019) by Finance Act 2019 (c. 1), s. 87(5)(a)(6)
- C1 Sch. 18 applied (with modifications) (22.7.2020) by Finance Act 2020 (c. 14), Sch. 16 para. 11(4) (with Sch. 16 para. 11(5))
- C1 Sch. 18 applied (with modifications) (11.7.2023) by Finance (No. 2) Act 2023 (c. 30), s. 303(7)(8) (with s. 303(6))

### PART VIII

#### CLAIMS FOR GROUP RELIEF <sup>F1</sup> AND GROUP RELIEF FOR CARRIED-FORWARD LOSSES]

##### Textual Amendments

- F1 Words in Sch. 18 Pt. 8 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. 109

##### Modifications etc. (not altering text)

- C1 Sch. 18 Pt. 8 (except paras. 70(4), 71(4)) applied (with modifications) (23.11.1999) by The Corporation Tax (Simplified Arrangements for Group Relief) Regulations 1999 (S.I. 1999/2975), reg. 10(3) (as amended (30.1.2018) by S.I. 2018/9, regs. 1, 8)
- C1 Sch. 18 Pt. 8 (except para. 77) applied (28.7.2000) by Finance Act 2000 (c. 17), s. 82, Sch. 22 Pt. IX para. 81(3)
- C1 Sch. 18 Pt. 8 applied (with modifications) (11.7.2023) by Finance (No. 2) Act 2023 (c. 30), s. 305

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<sup>F1</sup>[Assessment on other claimant companies]

**Textual Amendments**

**F1** Sch. 18 para. 75A and crossheading inserted (27.7.1999 with effect in relation to accounting periods ending on or after 1.7.1999) by [1999 c. 16, s. 92\(3\)\(7\)](#)

- <sup>F2</sup>75A(1) This paragraph applies where, after the surrendering company has given notice of consent to surrender, a claimant company (“the chargeable company”) has become liable to tax in consequence of receiving—
- (a) notice of the withdrawal of consent, or a copy of a new notice of consent, under paragraph 75(3), or
  - (b) a copy of a notice containing directions by <sup>F3</sup>an officer of Revenue and Customs] under paragraph 75(4).
- (2) If any of the tax is unpaid six months after the chargeable company’s time limit for claims, <sup>F3</sup>an officer of Revenue and Customs] may make an assessment to tax in the name of the chargeable company on any other company that has obtained <sup>F4</sup>... relief as a result of the surrender.
- (3) The assessment may not be made more than two years after that time limit.
- (4) The amount of the assessment must not exceed—
- (a) the amount of the unpaid tax, or
  - (b) if less, the amount of tax which the other company saves by virtue of the surrender.
- (5) A company assessed to an amount of tax under sub-paragraph (2) is entitled to recover from the chargeable company—
- (a) a sum equal to that amount, and
  - (b) any interest on that amount which it has paid under section 87A of the <sup>M1</sup>Taxes Management Act 1970 (interest on unpaid corporation tax).
- (6) For the purposes of this paragraph the chargeable company’s time limit for claims is the last of the dates mentioned in paragraph 74(1) on which the chargeable company could make or withdraw a claim <sup>F5</sup>... for the accounting period for which the claim in question is made.]

**Textual Amendments**

- F2** Sch. 18 Pt. VIII para. 75A inserted (27.7.1999 with effect in relation to accounting periods ending on or after 1.7.1999) by [1999 c. 16, s. 92\(3\)\(7\)](#)
- F3** Words in Sch. 18 substituted (18.4.2005) by [Commissioners for Revenue and Customs Act 2005 \(c. 11\), s. 53\(1\), Sch. 4 para. 68\(a\)](#); [S.I. 2005/1126, art. 2\(2\)\(h\)](#)
- F4** Word in Sch. 18 para. 75A(2) omitted (with effect in accordance with Sch. 4 para. 190 of the amending Act) by virtue of [Finance \(No. 2\) Act 2017 \(c. 32\), Sch. 4 para. 120\(2\)](#)
- F5** Words in Sch. 18 para. 75A(6) omitted (with effect in accordance with Sch. 4 para. 190 of the amending Act) by virtue of [Finance \(No. 2\) Act 2017 \(c. 32\), Sch. 4 para. 120\(3\)](#)

**Modifications etc. (not altering text)**

- C1** Sch. 18 para. 75A applied (with modifications) (31.3.2001 with effect as mentioned in reg. 1(2) of the commencing Regulations) by [S.I. 2001/1163, regs. 1, 8](#)

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**Marginal Citations**

**M1** 1970 c.9.

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