



Corporation Tax Act 2010

2010 CHAPTER 4

[^{F1}PART 5A

GROUP RELIEF FOR CARRIED-FORWARD LOSSES

CHAPTER 3

CLAIMS FOR GROUP RELIEF FOR CARRIED-FORWARD LOSSES

[^{F1}Giving group relief for carried-forward losses

Textual Amendments

- F1** Pt. 5A 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. 23](#)

188CK Deductions from total profits

- (1) If a claimant company makes a claim under section 188CB or 188CC, the group relief for carried-forward losses is given by the making of a deduction from the claimant company's total profits of the claim period.
- (2) In the case of a claim under section 188CB, the amount of the deduction under subsection (1) is—
 - (a) an amount equal to the surrendering company's surrenderable amounts for the surrender period, or
 - (b) if the claim is in relation to only part of those amounts, an amount equal to that part.
- (3) Subsection (2) is subject to—
 - (a) subsections (6) to (9),
 - (b) the limitations set out in Chapter 4, and

Changes to legislation: *There are currently no known outstanding effects for the Corporation Tax Act 2010, Cross Heading: Giving group relief for carried-forward losses. (See end of Document for details)*

- (c) section 269ZD (restriction on deductions from total profits).
- (4) In the case of a claim under section 188CC, the amount of the deduction under subsection (1) is—
- (a) an amount equal to the surrendering company's surrenderable amounts for the surrender period that are attributable to the specified loss-making period, or
 - (b) if the claim is in relation to only part of those amounts, an amount equal to that part.
- (5) Subsection (4) is subject to—
- (a) subsections (6) to (9),
 - (b) the limitations set out in Chapter 5, and
 - (c) section 269ZD (restriction on deductions from total profits).
- (6) A deduction under subsection (1) is to be made—
- (a) before deductions for relief within subsection (7), but
 - (b) after all other deductions to be made at Step 2 in section 4(2) (apart from deductions for group relief for carried-forward losses on other claims).
- (7) The deductions within this subsection are deductions for relief—
- (a) under section 37 in relation to a loss made in an accounting period after the claim period,
 - (b) under section 260(3) of CAA 2001 in relation to capital allowances for an accounting period after the claim period, and
 - (c) under section 389 or 463B of CTA 2009 in relation to a deficit of a deficit period after the claim period.
- (8) For the purposes of subsection (6)(b) it is to be assumed that the claimant company has claimed all relief available to it for the claim period under section 37 of this Act or section 260(3) of CAA 2001.
- (9) Corporation tax relief is not to be given more than once for the same amount, whether—
- (a) by giving group relief for carried-forward losses and by giving some other relief (for any accounting period) to the surrendering company, or
 - (b) by giving group relief for carried-forward losses more than once.]

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