

Changes to legislation: There are currently no known outstanding effects for the Finance Act 2021, PART 1. (See end of Document for details)

SCHEDULES

SCHEDULE 24 **U.K.**

PENALTIES FOR FAILURE TO MAKE RETURNS ETC

PART 1 **U.K.**

INTRODUCTION

Introduction

- 1 (1) This Schedule provides for a person who fails to make a return to be liable to penalty points and penalties.
- (2) This Part of this Schedule—
 - (a) identifies groups of returns, and the returns falling within each group, and
 - (b) makes provision about the interpretation of this Schedule.
- (3) Part 2 of this Schedule provides for a person to be liable to penalty points, and penalties, in respect of each group of returns.
- (4) Part 3 of this Schedule makes supplementary provision.

Commencement Information

- I1** Sch. 24 para. 1 in force at 1.1.2023 for specified purposes by S.I. 2022/1278, reg. 2(1)
I2 Sch. 24 para. 1 in force at 6.4.2024 for specified purposes by S.I. 2024/440, reg. 2(1)

Returns

- 2 (1) The Table identifies, for each item listed in column 1 of the Table, one or more groups of returns (according to the frequency with which returns are required to be made).

<i>Item</i>	<i>Tax</i>	<i>Groups of returns</i>		
		<i>Column A (groups of annual etc returns)</i>	<i>Column B (groups of quarterly etc returns)</i>	<i>Column C (groups of monthly etc returns)</i>
1	Income tax or capital gains tax (persons other than trustees or partnerships)	This group applies where there is no requirement to provide information under regulations under paragraph 7	This group applies where there is a requirement to provide information under regulations under paragraph 7	

Changes to legislation: There are currently no known outstanding effects for the Finance Act 2021, PART 1. (See end of Document for details)

		of Schedule A1 to TMA 1970.	of Schedule A1 to TMA 1970.
		(1) Return under section 8 of TMA 1970	(1) Return under section 8 of TMA 1970
		(2) Accounts, statement or document required under section 8(1AB) (b) of TMA 1970	(2) Accounts, statement or document required under section 8(1AB) (b) of TMA 1970
			(3) Statement under regulations under paragraph 8 of Schedule A1 to TMA 1970
			(4) Information required to be provided under regulations under paragraph 7 of Schedule A1 to TMA 1970
2	Income tax or capital gains tax (trustees)	This group applies where there is no requirement to provide information under regulations under paragraph 7 of Schedule A1 to TMA 1970.	This group applies where there is a requirement to provide information under regulations under paragraph 7 of Schedule A1 to TMA 1970.
		(1) Return under section 8A of TMA 1970	(1) Return under section 8A of TMA 1970
		(2) Accounts, statement or document required under section 8A(1AB) (b) of TMA 1970	(2) Accounts, statement or document required under section 8A(1AB) (b) of TMA 1970
			(3) Statement under regulations under paragraph 8 of

Changes to legislation: There are currently no known outstanding effects for the Finance Act 2021, PART 1. (See end of Document for details)

				Schedule A1 to TMA 1970
			(4) Information required to be provided under regulations under paragraph 7 of Schedule A1 to TMA 1970	
3	Income tax or corporation tax (partnerships)	This group applies where there is no requirement to provide information under regulations under paragraph 7 of Schedule A1 to TMA 1970. (1) Return under section 12AA(2) (a) or (3)(a) of TMA 1970 (2) Accounts, statement or document required under section 12AA(2) (b) or (3)(b) of TMA 1970	This group applies where there is a requirement to provide information under regulations under paragraph 7 of Schedule A1 to TMA 1970. (1) Return under regulations under paragraph 10 of Schedule A1 to TMA 1970 (2) Information required to be provided under regulations under paragraph 7 of Schedule A1 to TMA 1970	
4	Value added tax	(1) Return under regulation 50 of the Value Added Tax Regulations 1995 (S.I. 1995/2518) for a current accounting year (2) Return under regulation 25(1)(2) (c) of those regulations	(1) Return under regulation 25(1) of the Value Added Tax Regulations 1995 (S.I. 1995/2518), other than a return under regulation 25(1) (a), (b) or (c) Return under regulation 25(1)	(1) Return under regulation 25(1) (a) of the Value Added Tax Regulations 1995 (S.I. 1995/2518) (2) Return under regulation 25(1) (c) of those regulations for a period which is not more

*Changes to legislation: There are currently no known outstanding effects
 for the Finance Act 2021, PART 1. (See end of Document for details)*

<p>for a period which is more than 20 weeks, and is the period for which returns are (or are to be) usually made by the person in question</p>	<p>(c) of those regulations for a period which is more than 8 weeks but not more than 20 weeks, and is the period for which returns are (or are to be) usually made by the person in question</p>	<p>than 8 weeks, and is the period for which returns are (or are to be) usually made, or a period for which returns are (or are to be) regularly made, by the person in question</p>
--	---	--

- (2) Where an entry in column A, B or C of the Table which refers to legislation uses terms used in the legislation, the terms have the same meaning in the entry as in the legislation.
- (3) Before the coming into force of paragraph 3 of Schedule 14 to F(No.2)A 2017, the references in the Table to section 8(1AB)(b) of TMA 1970 are to be read as references to section 8(1)(b) of TMA 1970.
- (4) Before the coming into force of paragraph 4 of Schedule 14 to F(No.2)A 2017, the references in the Table to section 8A(1AB)(b) of TMA 1970 are to be read as references to section 8A(1)(b) of TMA 1970.

Commencement Information

- I3** Sch. 24 para. 2 in force at 1.1.2023 for specified purposes by S.I. 2022/1278, reg. 2(1)
I4 Sch. 24 para. 2 in force at 6.4.2024 for specified purposes by S.I. 2024/440, reg. 2(1)

Interpretation

- 3 (1) This paragraph applies for the interpretation of this Schedule.
- (2) References to the Table are to the Table in paragraph 2 (unless otherwise specified).
- (3) References to “return” include any return, information, statement, account or other document specified in column A, B or C of the Table.
- (4) Each entry in Column A, B or C of the Table is a “group” of returns, and references to returns in or belonging to a group of returns are to be read accordingly.
- (5) References to group 1A are to the group of returns in item 1, column A, to group 1B are to the group of returns in item 1, column B, and so on.
- (6) Each numbered paragraph in group 1B, 2B or 3B is a “digital reporting sub-group” of returns, and references to returns in or belonging to a digital reporting sub-group of returns are to be read accordingly.

Changes to legislation: There are currently no known outstanding effects for the Finance Act 2021, PART 1. (See end of Document for details)

- (7) References to digital reporting sub-group (1) of group 1B are to the returns in paragraph (1) in item 1, column B, to digital reporting sub-group (2) of group 1B are to the returns in paragraph (2) in item 1, column B, and so on.
- (8) Any reference to making a return includes a reference to filing, delivering or submitting a return.
- (9) “Due date”, in relation to a return, means the date by which it is required to be made.
- (10) A failure to make a return on or before the due date is treated as occurring on the day after the due date.
- (11) “HMRC” means Her Majesty's Revenue and Customs.

Commencement Information

- I5** Sch. 24 para. 3 in force at 1.1.2023 for specified purposes by S.I. 2022/1278, reg. 2(1)
- I6** Sch. 24 para. 3 in force at 6.4.2024 for specified purposes by S.I. 2024/440, reg. 2(1)

Application of Schedule to persons with multiple businesses etc

- 4 (1) Sub-paragraphs (2) to (4) apply for the interpretation of this Schedule where a person—
 - (a) carries on more than one business, and
 - (b) in relation to two or more of those businesses (the “relevant businesses”), is required to make returns belonging to the same group of returns.
- (2) If the group of returns mentioned in sub-paragraph (1)(b) is group 1A, 2A, 3A, 4A, 4B or 4C, the person makes a single return belonging to that group for all of the relevant businesses and so there is a single group of returns of that description for those businesses.
- (3) If the group of returns mentioned in sub-paragraph (1)(b) is group 1B, 2B or 3B, there is a single group of returns of that description for all of the relevant businesses notwithstanding that the person makes separate returns belonging to that group for each of the relevant businesses.
- (4) Where there is a single group of returns of a particular description for two or more relevant businesses (see sub-paragraphs (2) and (3))—
 - (a) the person has a single liability for points and penalties for those businesses;
 - (b) any change to the number of relevant businesses does not affect the continuity of the group of returns or the penalty points that the person has for the group of returns.
- (5) For the purposes of this Schedule, references to a person who carries on more than one business include references to a person who is treated as carrying on more than one business by section 43(1) of VATA 1994 (groups of companies).
- (6) If a body corporate carries on a business in several divisions and the registration of the body corporate under VATA 1994 is in the names of those divisions, such that the body corporate makes separate returns belonging to group 4A, 4B or 4C for each of those divisions—
 - (a) there is a separate group of returns of that description for each division, and

*Changes to legislation: There are currently no known outstanding effects
for the Finance Act 2021, PART 1. (See end of Document for details)*

- (b) the body corporate has a separate liability for points and penalties for each division.
- (7) Accordingly, it follows from sub-paragraph (6) that where, in paragraph 5—
- (a) a limit on a person's liability to penalty points for a group of returns is specified, the limit applies separately in relation to the group of returns of that description for each division, and
 - (b) a maximum number of penalty points for a group of returns is specified, the maximum applies separately in relation to the group of returns of that description for each division.

Commencement Information

- I7** Sch. 24 para. 4 in force at 1.1.2023 for specified purposes by [S.I. 2022/1278](#), **reg. 2(1)**
- I8** Sch. 24 para. 4 in force at 6.4.2024 for specified purposes by [S.I. 2024/440](#), **reg. 2(1)**

Changes to legislation:

There are currently no known outstanding effects for the Finance Act 2021, PART 1.