



Value Added Tax Act 1994

1994 CHAPTER 23

PART V

[^{F1}REVIEWS AND APPEALS]

[^{F1}83F Nature of review etc

- (1) This section applies if HMRC are required to undertake a review under section 83C or 83E.
- (2) The nature and extent of the review are to be such as appear appropriate to HMRC in the circumstances.
- (3) For the purpose of subsection (2), HMRC must, in particular, have regard to steps taken before the beginning of the review—
 - (a) by HMRC in reaching the decision, and
 - (b) by any person in seeking to resolve disagreement about the decision.
- (4) The review must take account of any representations made by P, or the other person, at a stage which gives HMRC a reasonable opportunity to consider them.
- (5) The review may conclude that the decision is to be—
 - (a) upheld,
 - (b) varied, or
 - (c) cancelled.

[See section 83FA concerning additional conclusions a review can reach in the case of
^{F2}(5A) penalties under Schedule 24 to the Finance Act 2021.]

- (6) HMRC must give P, or the other person, notice of the conclusions of the review and their reasoning within—
 - (a) a period of 45 days beginning with the relevant date, or
 - (b) such other period as HMRC and P, or the other person, may agree.
- (7) In subsection (6) “relevant date” means—

Changes to legislation: There are currently no known outstanding effects for the Value Added Tax Act 1994, Section 83F. (See end of Document for details)

- (a) the date HMRC received P's notification accepting the offer of a review (in a case falling within section 83A), or
 - (b) the date HMRC received notification from another person requiring review (in a case falling within section 83B), or
 - (c) the date on which HMRC decided to undertake the review (in a case falling within section 83E).
- (8) Where HMRC are required to undertake a review but do not give notice of the conclusions within the time period specified in subsection (6), the review is to be treated as having concluded that the decision is upheld.
- (9) If subsection (8) applies, HMRC must notify P or the other person of the conclusion which the review is treated as having reached.]

Textual Amendments

- F1** Ss. 83A-83G inserted (1.4.2009) by [The Transfer of Tribunal Functions and Revenue and Customs Appeals Order 2009 \(S.I. 2009/56\)](#), art. 1(2), **Sch. 1 para. 220**
- F2** [S. 83F\(5A\)](#) inserted (1.1.2023 for specified purposes, 6.4.2024 for specified purposes) by [Finance Act 2021 \(c. 26\)](#), s. 118(2), **Sch. 27 para. 24**; [S.I. 2022/1278](#), reg. 2(3)(4)(a); [S.I. 2024/440](#), reg. 2

Modifications etc. (not altering text)

- C1** [Pt. 5](#) applied (with modifications) (31.12.2020) by [The Value Added Tax \(Accounting Procedures for Import VAT for VAT Registered Persons and Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/60\)](#), regs. 1, **10(2)** (with reg. 3(1)(2)); [S.I. 2020/1641](#), reg. 2, **Sch.**

Changes to legislation:

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