

Changes to legislation: Finance Act 1998, Paragraph 9 is up to date with all changes known to be in force on or before 09 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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 II

COMPANY TAX RETURN

Claims that cannot be made without a return

- 9 (1) No claim to which this paragraph applies may be made by a company before it delivers a company tax return for the period to which the claim relates.
- (2) This paragraph applies to a claim by a company for any repayment of income tax called for by virtue of—
- (a) [F¹section 3 of the Corporation Tax Act 2009] (exclusion of income tax charge in case of UK resident company or income within chargeable profits for corporation tax), or
 - (b) exemptions from income tax conferred by the Corporation Tax Acts.
- [F²This is subject to sub-paragraphs (2A) and (2B).]
- [F³(2A) This paragraph does not apply to a claim by a company for repayment of income tax treated as having been paid by virtue of—
- (a) section 471 of the Corporation Tax Act 2010 (gifts qualifying for gift aid relief: charitable companies),
 - (b) section 475 of that Act (gifts qualifying for gift aid relief: eligible bodies), or

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- (c) section 661D of that Act (gifts qualifying for gift aid relief: community amateur sports clubs).
- (2B) This paragraph also does not apply to a claim by a company for repayment of income tax deducted at source from income which is exempt from tax by virtue of—
- (a) section 486 of the Corporation Tax Act 2010 (investment income and non-trading profits from loan relationships),
 - (b) section 487 of that Act (public revenue dividends),
 - (c) section 488 of that Act (certain miscellaneous income),
 - (d) section 489 of that Act (income from estates in administration), or
 - (e) section 664 of that Act (interest and gift aid income: community amateur sports clubs).]

^{F4}(3)

[^{F5}(4) This paragraph applies to a claim by a company for relief under Part V of Schedule 15 to the Finance Act 2000 (corporate venturing scheme: investment relief).]

Textual Amendments

- F1** Words in Sch. 18 para. 9(2) substituted (with effect in accordance with s. 1329(1) of the amending Act) by [Corporation Tax Act 2009 \(c. 4\)](#), s. 1329(1), [Sch. 1 para. 454\(2\)](#) (with [Sch. 2 Pts. 1, 2](#))
- F2** Words in Sch. 18 para. 9(2) inserted (with effect in accordance with Sch. 15 para. 17(6) of the amending Act) by [Finance Act 2012 \(c. 14\)](#), [Sch. 15 para. 14\(2\)](#)
- F3** Sch. 18 para. 9(2A)(2B) substituted for Sch. 18 para. 9(2A) (with effect in accordance with Sch. 15 para. 17(6) of the amending Act) by [Finance Act 2012 \(c. 14\)](#), [Sch. 15 para. 14\(3\)](#)
- F4** Sch. 18 para. 9(3) omitted (with effect in accordance with Sch. 1 para. 73 of the amending Act) by virtue of [Finance Act 2016 \(c. 24\)](#), [Sch. 1 para. 58\(3\)\(a\)](#)
- F5** Sch. 18 para. 9(4) inserted (28.7.2000 with application as mentioned in [s. 63\(4\)](#) of the amending Act) by [2000 c. 17, s. 63\(2\)](#), [Sch. 16 para. 5\(3\)](#)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Sch. 18 para. 52(2B)(b)-(d) omitted by [2024 c. 3 Sch. 2 para. 10\(3\)](#)
- Sch. 18 Pt. 9C repealed by [2009 c. 4 Sch. 1 para. 454\(1\)](#)[Sch. 3 Pt. 1](#) (This amendment not applied to [legislation.gov.uk](#). Sch. 18 Pt. 9C repealed (with effect in accordance with s. 1329(1) of the amending Act) by Corporation Tax Act 2009 (c. 4), s. 1329(1), Sch. 1 para. 454(1), Sch. 3 Pt. 1 (with Sch. 2 Pts. 1, 2))
- Sch. 18 Pt. 9C title substituted by [2006 c. 25 Sch. 3 para. 9](#) (This amendment not applied to [legislation.gov.uk](#). Sch. 18 Pt. 9C repealed (with effect in accordance with s. 1329(1) of the amending Act) by Corporation Tax Act 2009 (c. 4), s. 1329(1), Sch. 1 para. 454(1), Sch. 3 Pt. 1 (with Sch. 2 Pts. 1, 2))