



Corporation Tax Act 2009

2009 CHAPTER 4

[^{F1}PART 15C

THEATRICAL PRODUCTIONS

Theatre tax credits

[^{F1}1217KB] **Payment in respect of theatre tax credit**

- (1) If a company—
 - (a) is entitled to a theatre tax credit for an accounting period, and
 - (b) makes a claim,the Commissioners for Her Majesty's Revenue and Customs (“the Commissioners”) must pay the amount of the credit to the company.
- (2) An amount payable in respect of—
 - (a) a theatre tax credit, or
 - (b) interest on a theatre tax credit under section 826 of ICTA,may be applied in discharging any liability of the company to pay corporation tax.

To the extent that it is so applied the Commissioners' liability under subsection (1) is discharged.
- (3) If the company's company tax return for the accounting period is enquired into by the Commissioners, no payment in respect of a theatre tax credit for that period need be made before the Commissioners' enquiries are completed (see paragraph 32 of Schedule 18 to FA 1998).

In those circumstances the Commissioners may make a payment on a provisional basis of such amount as they consider appropriate.
- (4) No payment need be made in respect of a theatre tax credit for an accounting period before the company has paid to the Commissioners any amount that it is required to pay for payment periods ending in that accounting period—

Changes to legislation: Corporation Tax Act 2009, Section 1217KB is up to date with all changes known to be in force on or before 03 July 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

- (a) under PAYE regulations,
- (b) under section 966 of ITA 2007 (visiting performers), or
- (c) in respect of Class 1 national insurance contributions under Part 1 of the Social Security Contributions and Benefits Act 1992 or Part 1 of the Social Security Contributions and Benefits (Northern Ireland) Act 1992.

[For the purposes of subsection (4), a “payment period” is—

- ^{F2}(4A) (a) in relation to PAYE regulations or Class 1 national insurance contributions, a period—
- (i) which ends on the fifth day of a month, and
 - (ii) for which the company is liable to account for income tax and national insurance contributions to an officer of Revenue and Customs;
- (b) in relation to section 966 of ITA 2007, a period for which the company is required to make a return as described in section 969(1)(b) of that Act.]

- (5) A payment in respect of a theatre tax credit is not income of the company for any tax purpose.]

Textual Amendments

- F1** Pt. 15C inserted (17.7.2014 for specified purposes and with effect in accordance with Sch. 4 para. 16 of the amending Act, 22.8.2014 in so far as not already in force) by [Finance Act 2014 \(c. 26\)](#), [Sch. 4 paras. 1, 16](#); [S.I. 2014/2228](#), [art. 2](#)
- F2** [S. 1217KB\(4A\)](#) inserted (22.2.2024) by [Finance Act 2024 \(c. 3\)](#), [Sch. 3 para. 9](#)

Modifications etc. (not altering text)

- C1** [Pt. 15C](#) modified (with application in accordance with s. 17(1)(4) of the amending Act) by [Finance Act 2022 \(c. 3\)](#), [s. 17\(1\)\(4\)](#)

Changes to legislation:

Corporation Tax Act 2009, Section 1217KB is up to date with all changes known to be in force on or before 03 July 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.

[View outstanding changes](#)

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

- Blanket amendment words substituted by [S.I. 2011/1043 art. 34](#)

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

- s. 322(2A)(zb) inserted by [2016 c. 24 s. 73\(5\)](#)
- s. 1058B(5)(ea) inserted by [2023 c. 20 Sch. para. 57](#)
- s. 1094(2A)-(2C) inserted by [2012 c. 14 Sch. 3 para. 13\(3\)](#)
- s. 1106(4A)-(4C) inserted by [2012 c. 14 Sch. 3 para. 14\(3\)](#)