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

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## SCHEDULES

### SCHEDULE 24

#### PENALTIES FOR FAILURE TO MAKE RETURNS ETC

#### PART 3

##### SUPPLEMENTARY PROVISION

##### *Partnerships*

- 25 (1) For the purposes of this Schedule—
- (a) the partners in a partnership are together to be treated as if they were a single person (distinct from the persons who are partners in the partnership);
  - (b) a failure by one or more partners in the partnership to make a return on or before the due date is to be treated as a failure by the deemed single person referred to in paragraph (a);
  - (c) other things done by or in relation to a partner in the partnership are also to be treated as done by or in relation to that deemed single person.
- (2) The deemed single person referred to in paragraph (a) is to be treated as continuing in existence even if there is a change in the partnership.
- (3) Where the deemed single person referred to in paragraph (a) is assessed to a penalty, every relevant partner is jointly and severally liable for the penalty.
- (4) For the purposes of sub-paragraph (3)—
- (a) “relevant partner” means a person who is a partner in the partnership on the day on which the penalty is assessed;
  - (b) a person is a relevant partner even if the person was not a partner in the partnership when liability was incurred to one or more of the penalty points by virtue of which liability to the penalty arose;
  - (c) the relevant partners are jointly and severally liable for the penalty even if none of them were partners in the partnership when liability was incurred to the penalty points by virtue of which liability to the penalty arose.

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#### Commencement Information

- I1** Sch. 24 para. 25 in force at 1.1.2023 for specified purposes by S.I. 2022/1278, reg. 2(1)
- I2** Sch. 24 para. 25 in force at 6.4.2024 for specified purposes by S.I. 2024/440, reg. 2(1)

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