
STATUTORY INSTRUMENTS

2011 No. 1785

**The Corporation Tax (Instalment
Payments) (Amendment) Regulations 2011**

Insertion of regulation 9A

13. After regulation 9 insert—

“Entity not liable to the bank levy

9A.—(1) This regulation applies where—

- (a) a relevant entity (E) has made a payment for an accounting period which includes an amount in respect of the bank levy for the chargeable period; but
- (b) another member of the relevant group (OM) is the responsible member for that chargeable period.

(2) Where this regulation applies—

- (a) no repayment of the amount paid by E in respect of the bank levy shall be made to or be due to E;
- (b) E shall not be entitled, as a result of the payment of the amount in respect of the bank levy, to set off or otherwise treat as discharged any liability to corporation tax or to any other tax or duty for any period;
- (c) the amount of the payment made by E in respect of the bank levy for the chargeable period shall be treated as if it were a payment made by OM, on the date on which the payment was made by E; and
- (d) if OM does not have an applicable accounting period which is the same as the chargeable period,
 - (i) the payment made by E shall be treated as a payment of an amount of the bank levy due and payable in respect of the earliest instalment payment in relation to the earliest applicable accounting period of OM for the chargeable period; and
 - (ii) the balance, if any, shall be treated as a payment of the bank levy due and payable in respect of OM’s next instalment payment in relation to the earliest applicable accounting period and so on in relation to that applicable accounting period and any subsequent applicable accounting period.

(3) In paragraph (2)(d) the reference to an applicable accounting period being the same as the chargeable period shall be construed in accordance with paragraph 54 of Schedule 19.”.