

**Enquiry Into Company Tax Return Paragraph 24 Schedule 18 Finance Act 1998 as amended by Section 96 (3), (4) & (6) Finance Act 2007**

**Paragraph 24 Schedule 18 Finance Act 1998 – before Finance Act 2007**

*Notice of enquiry*

- (1) The Inland Revenue may enquire into a company tax return if they give notice to the company of their intention to do so (“notice of enquiry”) within the time allowed.
- (2) If the return was delivered on or before the filing date, notice of enquiry may be given at any time up to twelve months from the filing date.
- (3) If the return was delivered after the filing date, notice of enquiry may be given at any time up to and including the 31<sup>st</sup> January, 30<sup>th</sup> April, 31<sup>st</sup> July or 31<sup>st</sup> October next following the first anniversary of the day on which the return was delivered.
- (4) If the company amends its return, notice of enquiry may be given at any time up to and including the 31<sup>st</sup> January, 30<sup>th</sup> April, 31<sup>st</sup> July or 31<sup>st</sup> October next following the first anniversary of the day on which the amendment was made.
- (5) A return which has been the subject of one notice of enquiry may not be the subject of another, except one given in consequence of an amendment (or another amendment) by the company of its return.

**Section 96 (3), (4) & (6) Finance Act 2007 amendments to Para 24 Schedule 18 Finance Act 1998 for APs ending after 31 March 2008**

*Enquiry Into Returns*

- (3) In paragraph 24(2) of Schedule 18 to FA 1998 (period during which HMRC can open enquiry into company tax return), for “from the filing date.” Substitute “from the day on which the return was delivered (subject to sub-paragraph (6)).”
- (4) In paragraph 24 of that Schedule, insert at the end –
  - “(6) In the case of a company which is a member of a group other than a small group, the 12-month period in sub-paragraph (2) shall start not from the day on which the return was delivered but from the filing date.
  - (7) In sub-paragraph (6) “group” and “small group” have the same meaning as in sections 383(2) and 474(1) of the Companies Act 2006 (or, until their commencement, as in the provisions that they replicate).”
- (6) The amendments made by subsections (3) and (4) apply to returns which relate to accounting periods ending after 31<sup>st</sup> March 2008.