

Proceedings where penalty recoverable cannot be definitely ascertained. ITA67 s510; CTA76 s147(3) and (4) 1062.—Notwithstanding that the amount of a penalty recoverable under the Tax Acts cannot be definitely ascertained by reason of the fact that the amount of income tax or, as the case may be, corporation tax by reference to which such penalty is to be calculated has not been finally ascertained, proceedings may be instituted for the recovery of such penalty and, if at the hearing of such proceedings the amount of such tax has not then been finally ascertained, the Court may, if it is of the opinion that such penalty is recoverable, adjourn such proceedings and shall not give any judgment or make any order for the payment of such penalty until the amount of such tax has been finally ascertained.