HMRC - CTM94030 - CTSA: Concessionary Period

Under ESC/B46 you do not charge a late filing penalty if the return is in the Revenue’s hands (see CTM93080) soon after the statutory filing date. When the return is due after 30 September 1995 the concessionary period is the period ending with the last business day falling within seven days after the statutory filing date.

The text of the relevant parts of the concession is as follows:

‘Under TMA70/S11 any company may be required to deliver a return within a specified time limit and, for returns required by notices served after 31 December 1993, automatic penalties are chargeable under TMA70/S94 if that time limit is not met.

The Inland Revenue do not propose to charge a penalty in the case of any of these returns received in their hands on or before the last business day within seven days following the statutory filing date. A business day, for these purposes, is any day other than a Saturday, a Sunday, Christmas Eve, Good Friday or any bank or other public holiday. This concession applies to those company returns having a statutory filing date under TMA70/S11(4) after 30 September 1995.

The concession does not apply to any other statutory date, which may trigger higher oradditional penalties under Section 94.

This concession should not be regarded as an extension of the statutory time limits. It will be kept under review’.

Note: The Revenue has no plans to dis-apply ESC/B46 to returns for CTSA periods.

Do not charge a penalty for any return received in the concessionary period, regardless of the reason for the delay.

For the relationship between the concessionary period and other provisions that might relieve a company from liability to a penalty see CTM94160.

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