How to fill in the Non-resident Company Tax Return

Tax year 6 April 2016 to 5 April 2017 (2016–17)

This guide has step-by-step instructions to help you fill in the Non-resident Company Tax Return.

We’ll answer most of your questions here. If you need more help, please phone your HM Revenue and Customs office on the number shown on the front of the Non-resident Company Tax Return or read page 3 of this guide for more details.

Filing dates for 2016–17

As the Non-resident Company Tax Return can’t be filed online, you must file the completed paper return by 31 January 2018.

However, if you want us to do the calculation, you must file the return by 31 October 2017.
Main dates for the 2016–17 Non-resident Company Tax Return

2016–17
The company must, by law, keep safe all statements, invoices, vouchers and so on, needed to fill in the 2016–17 Non-resident Company Tax Return. Failure to do so could give rise to penalties.

April 2017
The company should receive the Non-resident Company Tax Return. Using records of the company’s income and expenditure, fill in the tax return. This guide will help you. If you need more help ask your HM Revenue and Customs office or tax adviser. If you have a disability that makes completing the return difficult, we’ll be able to help you complete the form. Please contact us to talk about this.

31 October 2017
If you want us to calculate the tax due, in time for the 31 January 2018 payment, send back the completed Non-resident Company Tax Return by 31 October 2017.

31 January 2018
Send back the completed Non-resident Company Tax Return by 31 January 2018 or we’ll charge you an automatic penalty of £100 even if the company has no tax to pay or has paid all the tax it owes on time.

By 31 January 2018 the company must also:
• pay the balance of any tax owed for the 2016–17 tax year
• pay the first payment on account for the 2017–18 tax year, if appropriate

The company must also pay what it owes by 31 January 2018 or we’ll charge interest and possibly a late payment penalty.

More about late filing penalties
If you still don’t send back the completed Non-resident Company Tax Return on time, we’ll also charge you the following penalties:
• over 3 months late – a penalty of £10 for each additional day that it’s late for a maximum of 90 days (£900)
• over 6 months late – an additional £300 or 5% of the tax due if this is higher
• over 12 months late – a further £300 or a further 5% of the tax due if this is higher, or up to 100% of the tax due if you’re deliberately withholding information to prevent us from assessing the company’s liability – this could be up to 200% if the income or gains not being declared arise outside the UK

How to fill in the Non-resident Company Tax Return
A non-resident company is liable to Income Tax at the basic rate if it’s either:
• not trading in the UK through a permanent establishment but has income arising in the UK
• trading in the UK through a permanent establishment but has income arising in the UK which is not connected to a permanent establishment through which the trade is carried out

Income from, and connected to, a trade which a non-resident company carries on through a permanent establishment, is liable to Corporation Tax and not Income Tax.

Company details
Please give information about the company in boxes 1.1 to 1.6. If you give your adviser’s phone number (including the area code), please also enter their name, address and reference for you in the ‘Additional information’ box, box 11.1, on page 10. Don’t enter any adviser’s details in box 1.4.

We need to know how to contact you, therefore it’s important for you to let us know if you change the company’s registered office or business address. You can make any changes in box 1.1 or the ‘Additional information’ box, box 11.1, on page 10.

UK property income
If the company owns land or property in the UK and enters into any transaction which produces rents or other receipts from the land or property, it is treated as operating a property rental business. The company is taxed on the profits of that business.

The concept of a property rental business is broad. The rental profit or loss takes account of all rental and similar income, and related expenses, resulting from the exploitation of land or property in the UK. All activities by which the company derives income from land and property in the same capacity are treated as one business. It does not matter whether the company has a single property or numerous properties. All form a single business.

If the company receives income from property as part of its income from a partnership, the rental income from each partnership is treated as a separate property rental business. You should
complete a separate copy of pages 2 to 5 of the tax return for each partnership. You should also enter each partnership name, address and UTR (Unique Taxpayer Reference, a 10-digit number) in box 11.1, on page 10.

The following guidance explains what income and what expenses you should include in working out the profits of the property rental business. For more information, go to www.gov.uk or you can phone the Self Assessment Orderline on 0300 200 3610. You can also contact us by fax on 0300 200 3611 or in writing at PO Box 37, St Austell, PL25 5YN.

If you’re phoning from abroad please phone (+44) 161 930 8331 (fax (+44) 161 930 8444).

The list below gives more detailed information about non-resident companies and are available from our website:
• Helpsheet 251, ‘Agricultural land’, go to www.gov.uk and search for ‘HS251’
• ‘Capital allowances and balancing charges’, go to www.gov.uk/business-tax/capital-allowances
• Helpsheet 253, ‘Furnished holiday lettings’, go to www.gov.uk and search for ‘HS253’

You shouldn’t include certain receipts that arise out of the use of land in boxes 2.1 to 2.48. If the company runs one of the following types of business:
• canals, inland navigations and docks
• mines and quarries including sandpits, gravel pits and brickfields
• rights of markets and fairs, tolls, bridges and ferries

fill in boxes 3.1 to 3.24 instead.

This list isn’t comprehensive. For more advice, ask us or your tax adviser.

Gather together:
• records of rent received
• records of expenses
• documents to show that the amount of interest or alternative finance payments claimed don’t exceed the amount which would be payable if you received the loan, or alternative finance arrangement from an independent finance provider entirely at arm’s length

Return period
Include in boxes 2.1 to 2.48 all profits arising in the year from 6 April 2016 to 5 April 2017 from any land or property held in the UK. Income and expenses must be allocated to the correct return period. Please don’t use pence.

If you have accounts for the company’s property income for the period to 5 April 2017, you should transfer the figures in those accounts to boxes 2.1 to 2.48.

If you have accounts for property income for a period ending on any other date, you should apportion figures in the sets of accounts that between them cover the year from 6 April 2016 to 5 April 2017, before putting figures in boxes 2.1 to 2.48.

Accounts are prepared for a variety of reasons and in a variety of ways. It may not be immediately obvious where you should enter figures. The notes that follow are designed to give guidance in the most difficult areas but they aren’t intended to be hard and fast rules.

In some instances you may need to combine or apportion figures to fit the tax return. If you include an expense under one heading where another may be equally appropriate, you should try to be consistent from one year to the next. Make sure that you transfer all the entries in the accounts and that you include them once only. If you don’t have accounts, you should fill in boxes 2.1 to 2.48 bearing in mind that the taxable profit should be worked out using generally accepted accounting practice. If you need help, ask us or your tax adviser.

Furnished holiday lettings (FHL) in the UK
Properties that are let as ‘furnished holiday lettings’ are treated differently for tax purposes from other properties and have certain tax advantages. Read Helpsheet 253, ‘Furnished holiday lettings’ for more about this. Go to www.gov.uk and search for ‘HS253’. Calculate the profit or loss arising from such properties separately from other property rental business income and expenses, to see whether you can take advantage of the special rules.

If there are furnished holiday lettings, start by filling in boxes 2.1 to 2.24. Details of other rental and business income and expenses go in boxes 2.25 to 2.64 (read the notes under the ‘Other property income’ heading starting on page 7).

What is a furnished holiday letting?
We normally regard a letting as a furnished holiday letting if it’s a UK property that is:
• furnished
• available for holiday letting to the public on a commercial basis for 210 days or more during the year (the availability condition)
• actually let commercially as holiday accommodation for 105 days or more during the year (the letting condition)

There are other rules on long-term lettings. If you think your property may qualify as a furnished holiday letting, please read Helpsheet 253.

**Box 2.1 Income from furnished lettings**

Enter in box 2.1 the gross income arising from properties that qualify as holiday lettings in the UK. This includes all the rents that relate to the year ended 5 April 2017 and any monies you received from the provision of any services to tenants.

**Expenses**

If total property income in the year, including furnished holiday letting income before expenses, is less than £15,000 annually, you do not have to list expenses separately. Instead, put total expenses in box 2.8. The following guidelines give an indication of the main types of expenses likely to arise from holiday lettings, and what usually can or can’t be claimed as a deduction.

**Non-allowable expenses**

- Capital costs, such as expenses relating to the purchase of the land or property intended to be let, or the cost of purchasing machinery, furnishings or furniture.
- Any loss made on the sale of a property.

**Allowable expenses**

- In general, any costs incurred for the sole purpose of earning business profits.
- Capital allowances on the cost of buying a capital asset may be claimable.

Expenses must be allocated to the correct return period and it may be necessary to apportion certain expenses to arrive at the correct amount.

If you include any expenses in boxes 2.2 to 2.8, make sure that you do not include them again in boxes 2.30 to 2.36.

**Box 2.2 Rents, rates, insurance, ground rents, etc**

Any rent paid under a lease of a property which is let to someone else as a furnished holiday letting, can be deducted in working out the business profits.

Other expenses connected with the property such as business rates, Council Tax, water rates or ground rents are also allowable. Enter in box 2.2 the total of these expenses incurred in the period for all properties in the business.

Also include in box 2.2 any expenses incurred as landlord to insure the furnished holiday letting and its contents.

Insurance against loss of rents is also an allowable cost but you must include in box 2.1 any income received as a result of taking out such insurance.

Insurances that extend beyond the rental business, such as personal policies or those insuring private belongings, are not allowable costs.

**Box 2.3 Repairs and maintenance**

Expenses that prevent the property from deteriorating can be deducted as repairs. Examples include exterior and interior painting, stone cleaning, damp treatment, roof repairs, furniture repairs and repairs to lifts and other machines that form part of the property.

You can’t deduct the cost of capital expenditure incurred on improvements, additions and alterations to the property. Nor can you claim a deduction for the cost of notional repairs that are no longer needed as a result of this capital expenditure.

If you’re in doubt whether any work on the property is a repair or maintenance, ask us or your tax adviser.

**Renewals**

The renewals allowance which was available for the cost of replacing certain items is no longer available for any items from the tax year 2016 to 2017 onwards. This means that you can’t deduct the cost of replacing domestic items such as furniture, furnishings, appliances and kitchenware here.

You may be able to claim capital allowances on some of your capital items at boxes 2.11 to 2.12A.

Enter in box 2.3 the total of any expenses on repairs and maintenance incurred in the period for all the properties in the business.

**Box 2.4 Interest and alternative finance payments**

Interest incurred on loans you received to buy a property is allowable as a deduction. If you’ve taken out an alternative finance arrangement to buy a property then the alternative finance payments paid under the arrangement are treated the same way as interest on a bank loan. We’ll restrict relief for interest or alternative finance payments to
the amount that would have been payable if you received the loan or alternative finance arrangement from an independent finance provider acting entirely at arm’s length without, for example, guarantees or a backing deposit from a controlling person. This will usually be based on a proportion only of the cost and not 100%. If you’re unsure whether any interest or alternative finance payments are allowable as a deduction, ask us or your tax adviser.

Box 2.5 Other finance charges
Include in box 2.5 expenses that relate to the financial side of the property rental business. Costs incurred in getting a loan or alternative finance arrangement to buy a property that is let are allowable as a deduction. If you’re unsure whether any financial cost is allowable as a deduction, ask us or your tax adviser.

Box 2.6 Legal and professional costs
Below are some examples of expenses you can’t deduct, and those you may.

<table>
<thead>
<tr>
<th>Non-allowable expenses</th>
</tr>
</thead>
<tbody>
<tr>
<td>Expenses in connection with the first letting or subletting of a property for more than one year. These include, for example, legal expenses (such as the cost of drawing up the lease), agents’ and surveyors’ fees and commission.</td>
</tr>
<tr>
<td>Any proportion of the legal, etc costs that relate to the payment of a premium on the renewal of a lease.</td>
</tr>
<tr>
<td>Fees incurred in getting planning permission, or on the registration of title when buying a property.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Allowable expenses</th>
</tr>
</thead>
<tbody>
<tr>
<td>Expenses for the let of a year or less.</td>
</tr>
<tr>
<td>Management fees relating to ongoing costs of letting (for example, rent collection).</td>
</tr>
<tr>
<td>If the lease is for less than 50 years, the usual legal and professional fees incurred on the renewal of a lease.</td>
</tr>
<tr>
<td>Professional fees incurred evicting an unsatisfactory tenant, with a view to reletting, or those on an appeal against a compulsory purchase order.</td>
</tr>
<tr>
<td>Professional fees in drawing up accounts.</td>
</tr>
</tbody>
</table>

If you’re unsure whether any legal or professional fee is allowable as a deduction, ask us or your tax adviser.

Box 2.7 Cost of services provided, including wages
You can claim the cost of any services provided to the tenant wholly and exclusively for the purposes of the letting (such as gardening, porterage, cleaning or even something like communal hot water) that needs a degree of maintenance and therefore expense.

You should enter in box 2.7 the total of any expenses for all properties and their associated services. If you receive any income for any service provided, you should include this in box 2.1.

Box 2.8 Other expenses
Enter in box 2.8 all expenses incurred wholly and exclusively for the purpose of the property rental business that aren’t already included in boxes 2.2 to 2.7. Examples include the costs of rent collection, advertising for tenants, travelling solely for business purposes, stationery, phone calls and other miscellaneous expenses.

Lease premium relief
Where the company (or an earlier tenant) paid a premium to its landlord when the lease was granted, and the company is subletting the property in the property rental business, you may be able to claim a deduction for part of the premium paid. The relief for premiums paid is only due on amounts taxable on the landlord as income (or would be if the landlord were liable to tax). If you think the company is entitled to a deduction for a premium paid, ask us or your tax adviser.

You should enter the amount of the allowable deduction in box 2.8. The notes for box 2.27 explain how to calculate the part of the premium which is taxable as income on the landlord.

Tax adjustments
To arrive at the taxable income (or the loss allowable for tax purposes), you need to make certain adjustments to the net profit or loss arising in the year.

Boxes 2.11 and 2.12 Balancing charges and capital allowances
In working out the profit from furnished holiday lettings (FHL) you must not deduct either:
- the cost of buying, altering, building, installing or improving fixed assets (for example, property and machinery)
- depreciation or any losses that arise when they are sold
Instead, you may be able to claim capital allowances. These reduce a profit or increase a loss. An adjustment, known as a balancing charge, may arise when the company sells, gives away or stops using an item in the business. This increases the profit or reduces the loss.

Please complete the capital allowances summary in boxes 2.18 to 2.23 (read the notes to boxes 2.53 to 2.56 on page 13 to complete these) and transfer the totals for FHL to box 2.12 (capital allowances) and box 2.11 (balancing charges).

Your tax adviser, if you have one, will be able to tell you how to calculate capital allowances and balancing charges. For more information on capital allowances and balancing charges, go to www.gov.uk/business-tax/capital-allowances

Box 2.12A Enhanced capital allowances for environmentally beneficial expenditure

Complete box 2.12A if box 2.12 includes enhanced capital allowances for spending on designated environmentally beneficial plant and machinery.

For more information on this type of expenditure, capital allowances and balance charges go to, www.gov.uk/business-tax/capital-allowances

Losses

Box 2.14 Loss brought forward used against this year’s profits

If you have any unused FHL losses from last year, or earlier, record them here up to the level of the FHL profit. You can also put any non-FHL property income losses up to the level of the FHL profits here. See boxes 2.46 and 2.48.

Box 2.17 Total loss to carry forward

Add to the figure in box 2.16 any unused FHL losses of earlier year.

Boxes 2.18, 2.20 and 2.22 Capital allowances

You can claim capital allowances for the cost of equipment and tools that you buy to use in your business. The type of capital allowance and amount that you can claim will depend on the cost, type of asset and other circumstances. For example, you can only claim capital allowances for furniture and fixtures or other equipment for use in a dwelling house if it qualifies as a furnished holiday letting (FHL).

Put your total capital allowances in box 2.23.

You may be able to claim some of these allowances:
- 100% allowance for energy saving equipment
- new cars with low CO2 emissions (up to 75g per kilometre)
- 18% writing down allowance (WDA) on the balance of your purchases after deducting any Annual Investment Allowance (AIA) if your total costs were more than the maximum amount
- 8% WDA for ‘special rate’ equipment such as electrical systems and cars with higher CO2 emissions (over 130g per kilometre)
- use box 2.18 to claim 100% first year allowances on expenditure for investment in electric charge points for electric vehicles allowable from 23 November 2016

Fixtures

From April 2012, if you sell a business property or if you buy a second hand business property containing fixtures (such as kitchen fittings, electrical or heating systems), you must agree the part of the purchase price to be attributed to those fixtures with the other party to the sale.

Normally, agreement will be fixed by means of a joint section 198 CAA 2001 election, which must be notified to HMRC within 2 years of the property transaction. The amount the seller can bring in to any pool as the disposal value, will be the same amount as the amount the buyer can bring in as the acquisition value for capital allowances purposes.

It’s likely to be very much easier to agree the part of the purchase price to be attributed to the fixtures as part of the actual sale or purchase negotiations, when both sides have maximum negotiating power. If, exceptionally, the parties are unable to reach an agreement, then either party can refer the matter to a First-tier Tribunal, within 2 years, to secure an independent determination.

If one of the specified ways of determining the value of the fixtures has not been used, then the buyer will be unable to claim allowances on this expenditure. If the company is contemplating buying or selling or leasing a business property containing fixtures, it may wish to consider contacting its tax adviser.

From April 2014, if you buy or sell a property the new owner won’t be able to claim allowances for fixtures if the past owner didn’t pool their qualifying expenditure on the fixtures. Pooling includes making a claim for first year allowance or annual investment allowance for the expenditure.
It isn’t necessary for the last owner to claim writing down allowances. As a rule, the past owner is the last person who was entitled to claim capital allowances on fixtures.

For more information, go to
www.gov.uk/business-tax/capital-allowances

Boxes 2.19, 2.21 and 2.23 Balancing charges
If you sold, gave away or stopped using an item in your business that you claimed capital allowances for, you may have to include a balancing charge. Put these amounts in box 2.19 or 2.21 depending on where the expenditure was initially pooled.

For more information, go to
www.gov.uk/business-tax/capital-allowances

Box 2.24 Period of grace election

Other property income
If the company owns land or property in the UK and enters into any transaction which produces rents or other receipts from that land or property, it’s treated as operating a property rental business, and is taxable on the profits of that business.

The concept of a property rental business is broad. The rental profit or loss takes account of all rental and similar income, and related expenses, resulting from the exploitation of land or property in the UK. All activities by which income from land and property is derived in the same capacity are treated as activities of the one business (rental income received as a trustee, personal representative or partner is not in the same capacity). It doesn’t matter whether the company has a single property or numerous properties. All form a single business.

The guidance below tells you what income and what expenses should be included in the profits or losses of the property rental business.

**Income**

**Box 2.25 Rents and other property income**
Enter in box 2.25 the total of all income arising to the business from any land and property in the UK, except income arising from holiday lettings, chargeable premiums and reverse premiums (read the notes on boxes 2.27 and 2.28).

Income includes receipts in cash or in kind. It’s taxable when it’s earned, even if the money or goods aren’t received until later. Include in box 2.25 any rent received (or to be received) after 5 April 2017 which is payment for the year ended 5 April 2017 (because it’s paid in arrears). Exclude from box 2.25 any rent received which relates to any period after 5 April 2017 (because it’s paid in advance). It must be included in the income for the year to which it relates. Make sure you don’t count money received in this year if it was included in an earlier year.

Generally, most income will be rental income from a tenancy or from leasing or licensing agreements over land or property. You should include all rental income from furnished, unfurnished, commercial and domestic accommodation, and from any land, in the overall total. If property is let furnished, any sums that a tenant may pay for the use of furniture will be taxable as income of the business. You should add together all this income and enter it in box 2.25.

If way leaves are received and rents are also received from some or all of the land to which the way leaves relate, include the way leaves in box 2.25. If a trade is being conducted and the land to which the way leaves relate is used in that trade, include the way leaves as part of the trading income. Otherwise, include the way leaves in box 4.3. Enter rents from Trusts in boxes 4.1 and 4.3.

**Receipts other than rent**

Receipts other than rents are also taxable. Some of the main categories are:

- rent charges, ground rents and feu duties
- income arising from the grant of sporting rights
- income arising from letting others tip waste on the company’s land
- income from letting someone use company land when no lease or licence is created, for example, receipts from a film crew who pay to film on the company’s land
• grants received from local authorities towards the cost of repairs of a property – read the notes for box 2.31 for guidance on claiming relief for expenses on repairs
• income from land and property from any enterprise zone trusts (include interest from enterprise zone trusts in boxes 4.1 to 4.3 on page 6 of this tax return)

This list isn’t comprehensive. If you don’t know whether to include a particular sum, ask us or your tax adviser.

If the company’s agent or tenant has accounted for tax on the property income, you should enter the gross income before deduction of tax in box 2.25. Put the figure of tax deducted in box 2.26.

Box 2.26 Tax taken off box 2.25
Certain income from property is received after tax has been deducted and accounted to us. The main type of income from which tax may be deducted is rental income received by a landlord whose usual place of abode is outside the UK.

If the income in box 2.25 includes payments from which tax has been deducted, enter in box 2.26 the amount of tax deducted.

You should make sure that the amount of income entered in the tax return is the total payment before tax has been deducted. In other words, it should be the total amount received plus the tax that has been deducted. It shouldn’t be just the amount received after the tax has been deducted.

The UK letting agent (or tenant, if there is no agent) should account for basic rate tax on rental income unless they have written authority from us to pay it gross.

If they have accounted for tax, they must give a certificate showing the amount of tax. Enter this figure in box 2.26.

Box 2.27 Chargeable premiums
The income of the property rental business may include premiums paid for the grant of a lease and certain other lump sum payments and other forms of consideration, given in connection with the right to possession of a property. These are taxable on a special basis.

Broadly, for leases over 50 years the entire premium is treated as a capital receipt and so doesn’t form part of the business’s income. For leases of up to 50 years the premium is treated as partly capital and partly rent; only the rent is taxable.

Use the working sheet below to arrive at the taxable amount.

![Working sheet for chargeable premiums – leases up to 50 years](image)

If you’re in doubt about whether any payment received constitutes a premium, ask us or your tax adviser. There can be a premium charge where the company has assigned a lease but not required the payment of a premium. If the company has assigned a lease and you aren’t sure of the consequences of that assignment, ask us or your tax adviser.

Box 2.28 Reverse premiums
If you receive a payment or other benefit as an inducement to take an interest in any property other than your main residence, for letting, the receipt will be chargeable as income from property.

If you’re in any doubt about the proper tax treatment of a reverse premium, ask us or your tax adviser.

Expenses
If total property income in the year, including furnished holiday letting income, before expenses, is less than £15,000 annually, you don’t have to list expenses separately. Instead, put the total expenses in box 2.36.

The following guidelines give an indication of the main types of expenses that are likely to arise in a property rental business and what usually can or can’t be claimed as a deduction.
Non-allowable expenses

Capital costs, such as expenses relating to the purchase of the land or property intended to be let, or the cost of purchasing machinery, furnishings or furniture.

Any loss made on the sale of a property.

Allowable expenses

In general, any costs incurred for the sole purpose of earning business profits.

Capital allowances may be available for expenditure incurred on certain qualifying expenditure on the cost of buying a capital asset. The cost of replacing domestic items may be claimed for residential lettings. You can't claim capital allowances for assets in a dwelling house unless it's a part of a furnished holiday lettings business.

Expenses must be allocated to the correct return period so it may be necessary to apportion certain expenses to arrive at the correct amount.

Make sure you don’t put in boxes 2.30 to 2.36 any expenses you have already included in boxes 2.2 to 2.8.

Box 2.30 Rents, rates, insurance, ground rents, etc

Any rent paid under a lease of a property that is let to someone else can be deducted in working out the business profits.

Other expenses connected with the property such as business rates, Council Tax, water rates, ground rents or feu duties are also allowable. Enter in box 2.30 the total of any such expenses incurred in the period for all properties in the business.

Include in box 2.30 any expenses the company incurred as landlord to insure any let property and its contents. Insurance against loss of rents is also an allowable cost but you must include in box 2.25 any income received as a result of taking out such insurance. Insurances that extend beyond the property rental business, such as personal policies or those insuring private belongings, are not allowable costs.

Box 2.31 Repairs and maintenance

Expenses that prevent the property from deteriorating can be deducted as a repair. Examples include exterior and interior painting, stone cleaning, damp treatment, roof repairs, furniture repairs and repairs to lifts and other machines that form part of the property.

You can’t deduct the cost of capital expenditure incurred on improvements, additions and alterations to the property. Nor can you claim a deduction for the cost of notional repairs that are no longer needed as a result of this capital expenditure.

If you’re in doubt whether any work on the property is a repair or maintenance, ask us or your tax adviser.

Renewals

The renewals allowance is no longer available. This means you can’t deduct the cost of replacing domestic items such as furniture, furnishings, appliances and kitchenware here. You may be able to claim these costs at box 2.42.

Enter in box 2.31 the total of any expenses on repairs and maintenance incurred in the period for all the properties in the business.

Box 2.32 Interest and alternative finance payments

Interest incurred on loans you received to buy a property is allowable as a deduction. If you have taken out an alternative finance arrangement to buy a property then the alternative finance payments paid under the arrangement are treated the same way as interest on a bank loan.

We’ll restrict the relief for the interest or alternative finance payments to the amount that would have been payable if you received the loan or alternative finance arrangement from an independent finance provider acting entirely at arm’s length without, for example, guarantees or a backing deposit from a controlling person.

If you’re unsure whether any interest or alternative finance payments are allowable as a deduction, ask us or your tax adviser.

Box 2.33 Other finance charges

Include in box 2.33 expenses that relate to the financial side of the property rental business. Costs incurred in getting a loan or an alternative finance arrangement to buy a let property are allowable as a deduction. If you’re unsure about this, ask us or your tax adviser.

Box 2.34 Legal and professional costs

In the next column are some examples of expenses you can’t deduct and those you may.
Non-allowable expenses

Expenses in connection with the first letting or subletting of a property for more than one year. These include, for example, legal expenses (such as the cost of drawing up the lease), agents’ and surveyors’ fees and commission. Any proportion of the legal, etc costs that relate to the payment of a premium on the renewal of a lease. Fees incurred in getting planning permission, or on the registration of title when buying a property.

Allowable expenses

Expenses for the let of a year or less.

Management fees relating to the ongoing costs of letting (for example, rent collection).

The normal legal and professional fees the company incurs on the renewal of a lease, if the lease is for less than 50 years.

Professional fees incurred evicting an unsatisfactory tenant, with a view to reletting, or those on an appeal against a compulsory purchase order.

Professional fees in drawing up accounts.

If you’re unsure whether any legal or professional fee is allowable as a deduction, ask us or your tax adviser.

Box 2.35 Cost of services provided, including wages

If, in addition to letting a property, any service is provided to the tenant (such as gardening, porterage, cleaning or even something like communal hot water) that needs a degree of maintenance and therefore expense, you can claim the cost of these services to the extent that they are provided wholly and exclusively for the purposes of the letting.

You should enter in box 2.35 the total of any expenses for all properties and their associated services. If you receive any income for any service provided, you should include this in box 2.25.

Box 2.36 Other expenses

Enter in box 2.36 all expenses incurred wholly and exclusively for the purpose of the property rental business that aren’t already included in boxes 2.30 to 2.35. Examples include the costs of rent collection, advertising for tenants, travelling solely for business purposes, stationery, phone calls and other miscellaneous expenses.

Lease premium relief

Where the company (or an earlier tenant) paid a premium to its landlord when the lease was granted, and it’s subletting the property in the property rental business, you may be able to claim a deduction for part of the premium paid. The relief for premiums paid is only due on amounts which are chargeable on the landlord as income (or would be, if the landlord was liable to tax). If you think the company is entitled to a deduction for a premium paid, ask us or your tax adviser. You should enter the amount of the allowable deduction in box 2.36. The notes for box 2.27 explain how to calculate the part of the premium which is taxable as income on the landlord.

Tax adjustments

To arrive at the taxable income (or the loss allowable for tax purposes) you need to make certain adjustments to the net profit or loss arising in the year.

Boxes 2.39 and 2.40 Balancing charges and capital allowances

In working out the property rental business profits you must not deduct either:

• the cost of buying, altering, building, installing or improving fixed assets (for example, property and machinery)
• depreciation or any losses that arise when they are sold

Instead, you may be able to claim capital allowances. These reduce a profit or increase a loss. An adjustment, known as a balancing charge, may arise when you sell an item, give it away or stop using it in the business. This increases the profit or reduces the loss.

Please complete the capital allowances summary in boxes 2.51 to 2.64 and transfer the totals for other property income to box 2.40 (capital allowances) and box 2.39 (balancing charges).

The writing down allowance (WDA) for ‘special rate’ expenditure is 8% a year and this expenditure is pooled in the special rate pool. ‘Special rate’ expenditure includes expenditure on specific ‘integral features’ of a building or structure (such as electrical, water, central heating or air conditioning systems, escalators and lifts) and also ‘long-life’ assets, which comprise machinery or plant which has an expected working life, when new, of 25 years or longer. Long-life asset treatment doesn’t
apply to expenditure on the provision of plant and machinery which is a fixture in a building used mainly as a dwelling house, retail shop, showroom, hotel or office, although integral features within such properties will still need to be dealt with as special rate expenditure.

If you let any residential accommodation (such as a house or flat) in the UK (other than as furnished holiday accommodation), capital allowances aren’t available on any machines, furniture or furnishings or other equipment for use in a dwelling house. However, read the notes on box 2.42 (10% wear and tear).

Your tax adviser, if you have one, will tell you how to calculate capital allowances and balancing charges.

For more information on capital allowances and balancing charges, go to www.gov.uk/business-tax/capital-allowances

Box 2.40A Enhanced capital allowances for environmentally beneficial expenditure

Complete box 2.40A if box 2.40 includes enhanced capital allowances for spending on designated environmentally beneficial plant and machinery.

For more information on capital allowances and balance charges, go to www.gov.uk/business-tax/capital-allowances

Box 2.40B Section 198 CAA 2001

A section 198 CAA 2001 election fixes the part of a sale price to be treated as relating to the fixtures. The elections need to be notified to us within 2 years of the date when the interest is acquired by the buyer. They should accompany the tax return for the first period affected by it, where they are prepared by the date the tax return is submitted.

Please note that from April 2012, if the company sells a business property or if it buys a second-hand business property containing fixtures (such as kitchen fittings, electrical or heating systems) it must agree the part of the purchase price to be attributed to those fixtures with the other party to the sale.

Normally, agreement will be fixed by means of a joint section 198 CAA 2001 election, which, as noted above, must be notified to us within 2 years of the property transaction. The amount the seller can bring in to any pool as the disposal value will be the same amount as the amount the buyer can bring in as the acquisition value for capital allowances purpose.

It’s likely to be very much easier to agree the part of the purchase price to be attributed to the fixtures as part of the actual sale/purchase negotiations, when both sides have maximum negotiating power. If, exceptionally, the parties are unable to reach an agreement, then either party can refer the matter to a First-tier Tribunal, within 2 years, to secure an independent determination.

If one of the specified ways of determining the value of the fixtures has not been used, then the buyer will be unable to claim allowances on this expenditure. If the company is contemplating buying or selling or leasing a business property containing fixtures, it may wish to consider contacting its tax adviser.

From April 2014, if you buy or sell a property, the new owner won’t be able to claim allowances for fixtures if the past owner didn’t pool their qualifying expenditure on the fixtures. Pooling includes making a claim for first year allowance or annual investment allowance for the expenditure. It isn’t necessary for the last owner to claim writing down allowances. As a rule, the past owner is the last person who was entitled to claim capital allowances on fixtures.

Box 2.42 Costs of replacing domestic items

If you let any residential property (other than furnished holiday lettings), you can’t claim capital allowances on any machines, furniture or furnishings supplied, or on any fixtures that are part of the building. The 10% wear and tear allowance is not available for the tax year 2016 to 2017 onwards.

Instead, you may claim the cost of replacing domestic items in the accommodation by making an entry in box 2.42. This cost can be claimed where:

- the cost is actually incurred on purchasing a replacement domestic item – you can’t claim the initial cost for an item provided for use in the accommodation for the first time
- the new item is provided solely for the use of the tenants in the accommodation and the old item is no longer available for use
- the new item is an improvement on the old item, the cost you can claim is limited to the cost of purchasing an equivalent replacement to the old item
• the new item is an improvement if there is a substantial upgrade in the function, materials or quality over the old item, unless this is due to the new item being the nearest available modern equivalent

Include domestic items such as:
• moveable furniture for example, beds, free-standing wardrobes
• furnishings for example, curtains, linens, carpets, floor coverings
• household appliances for example, televisions, fridges, freezers
• kitchenware for example, crockery, cutlery

You can claim capital allowances if you let furnished, but not residential, accommodation. If you do, you can’t claim the cost of replacing domestic items.

Losses
The way tax relief is given for any losses varies. The following guidance deals with the more common types of loss relief.

In general, any property rental business loss made is available to be carried forward and set against future property rental business profits. Read the notes on box 2.50. However, the company can get sideways relief against general income for that part of a loss made up of capital allowances.

Box 2.46 Adjusted loss
Work out the loss following the note for this box on the return and enter it in box 2.46. If you have UK FHL profits you can set the loss off against that profit. Include the loss in the figure in box 2.14 but make sure that the total in that box doesn’t exceed the FHL profit. Reduce the figure in box 2.50 by the same amount.

Box 2.47 Loss brought forward from previous year
Enter the total loss brought forward from the year ended 5 April 2016, relating to all properties in the property rental business. Exclude from this figure any losses brought forward from 2015–16 that you’re now setting against total income in 2016–17. Include them in box 2.49 and read the note for box 2.49.

Please note that any pooled expenses from a ‘one-estate election’ carried forward at 5 April 2016 aren’t allowable in the year ended 5 April 2017 and should be excluded from the total loss brought forward.

Box 2.48 Profit for the year
If you entered a figure of profit in box 2.45, you should deduct any figure in box 2.47 to arrive at the total taxable profit for the year. If any losses brought forward in box 2.47 are greater than the profits in box 2.45, enter ‘0’ in box 2.48 and put the balance of the losses, after subtracting the profits, in box 2.50.

However, if you have UK FHL profits you can set the remaining loss off against that profit. Include it in the figure at box 2.14 but make sure that the total in that box doesn’t exceed the FHL profit. Reduce the figure in box 2.50 by the same amount.

If losses brought forward don’t exceed the profits, subtract the figure in box 2.47 from the figure in box 2.45, and enter the difference in box 2.48.

Box 2.49 Loss offset against total income
You can only claim to have the loss from your rental business set off against your total income if:
• your property rental business includes land used for agricultural purposes and the loss is due to certain agricultural expenses (read Helpsheet 251, ‘Agricultural land’, go to www.gov.uk and search for ‘HS251’ or phone the Self Assessment Orderline on 0300 200 3610), or
• the loss arises as a result of certain claims to capital allowances

If you haven’t claimed capital allowances this year, and you had property rental business profits last year, you should ignore box 2.49 and go to box 2.50. If you have claimed capital allowances, sideways relief (against other taxable UK income for 2016–17) is limited to whichever is the lowest of the following 3 figures:
• the amount of capital allowances in box 2.40 after deduction of any balancing charges in box 2.39
• the amount of the loss in box 2.46
• the amount of general income available arising in the year ended 5 April 2017

So, if capital allowances do not exceed the balancing charges entered in box 2.39, no sideways relief is available even though the company made a loss in box 2.46.

But, for example, if the company had capital allowances of £3,000 and a balancing charge of £1,000, you can claim sideways relief up to £2,000, depending on the amount of loss made (in box 2.46) and the total taxable UK income arising in the year ended 5 April 2017 against which it can be set.
If you want to set the loss against general income of the same year, that is, the year ended 5 April 2017, enter the amount of the relief in box 2.49 together with any loss brought forward from last year (read the notes for box 2.47).

You can deduct the loss entered in box 2.46 from your total income for the year ended 5 April 2018 if it derives from an excess of capital allowances over balancing charges and the company has not already used that excess against 2016–17 income. Include the loss in the 2017–18 tax return.

**Box 2.50 Loss carried forward to the following year**

You can carry forward any unused losses and set them against future profits from the same property rental business. To arrive at the total remaining losses to carry forward to the year ending 5 April 2018:

- if the company made a profit in box 2.45 and has unused losses brought forward from an earlier year, enter in box 2.50 the balance of losses after subtracting the profits in box 2.45
- if the company made a loss in box 2.46, subtract from this figure any part of the loss used against general income in box 2.49, and add the result to the figure of earlier losses brought forward in box 2.47 – enter the total in box 2.50 – remember to reduce the figure in box 2.50 by any losses set against FHL profits in box 2.14

**Box 2.52 Zero-emission goods vehicle allowance**

You can claim the cost of a new, not second hand zero-emission goods vehicle in box 2.52.

For more information, go to www.gov.uk/business-tax/capital-allowances

**Boxes 2.53 to 2.56 Capital allowances summary**

Qualifying expenditure incurred on cars on or after 6 April 2013 will be allocated to one of the 2 general plant and machinery pools depending on the car’s CO2 emissions. Expenditure on cars purchased on or after 6 April 2014 with CO2 emissions exceeding 130g per kilometre will be dealt with in the special rate pool and attract WDA at 8%. Expenditure on cars purchased on or after 6 April 2015 with CO2 emissions of 130g per kilometre or less will be added to the main rate pool and attract WDA at 18% per annum.

For information on the CO2 emissions thresholds applicable to cars, go to www.gov.uk/capital-allowances/business-cars

**Boxes 2.61 and 2.62**

For information on Business Premises Renovation Allowance read the notes for boxes 7.4 and 7.5 on page 18.

---

**Income from trading in the UK – other than through a UK permanent establishment**

If at any time during the 2016–17 tax year the company carried on a trade in the UK other than through a permanent establishment, you should attach the accounts and tax computations for the basis period (read the notes below) and also complete boxes 3.1 to 3.24 of this tax return.

If the company carries on more than one trade in the UK other than through a permanent establishment, you may need to complete more than one series of income from trading boxes (boxes 3.1 to 3.24). If so, photocopy pages 5 and 6 and attach the copy to this return.

If you need help to arrive at the company’s total taxable profits, ask us or your tax adviser. The company should have records of all its business transactions. You must keep these until at least 31 January 2021 in case we ask to see them.

**Business details**

**Basis period for 2016–17**

The company pays tax for 2016–17 according to the profits, or losses, for its basis period. These notes will help you decide the basis period.

After the first 2 or 3 years in business the basis period will be the 12-month period up to the date you choose as the company’s annual accounting date. For example, if the company has been in business for a number of years and its annual accounting date is 31 December, the basis period for 2016–17 is the 12 months from 1 January 2016 to 31 December 2016.

Ask us or your tax adviser for guidance if the business started after 5 April 2016, or the accounting date is not the same as used in 2015–16, or there was no accounting date in 2016–17, or the business ceased in 2016–17.

**Box 3.1**

Make sure you complete this box for each set of trading details you complete.
Boxes 3.2 and 3.3
Enter the details of the accounting period to which the information relates. Make sure that you read the guidance headed ‘Basis period for 2016–17’ above before continuing. Work out the basis period to decide the periods of account for which you need to attach accounts and computations.

Box 3.4
Complete box 3.4 if the business name or address has changed since your last tax return.

Box 3.5
If the business started after 5 April 2016, enter the start date.

Box 3.6
If the business was sold or closed down between 6 April 2016 and 5 April 2017, enter the date it ceased.

Box 3.7
Complete box 3.7 if there is a gap between the end of the previous accounting period and the beginning of this one. Explain why in the ‘Additional information’ box, box 11.1, on page 10.

Boxes 3.8 and 3.9
If the company’s accounting date has changed, complete box 3.8 or box 3.9, as appropriate.

Adjustments to arrive at taxable profit or loss
You should only calculate the taxable profit or loss for 2016–17 once, even if you’re providing details from more than one set of accounts for this year.

Boxes 3.10 and 3.11
Enter in box 3.10 the beginning, and in box 3.11 the end, of the basis period for 2016–17.

Boxes 3.12 to 3.14 Overlap profit and relief
If the company’s annual accounting date is a date other than 5 April, then overlaps in its basis periods may occur either:
• in the first 3 years after its business starts up
• in a year in which the company changes its accounting date

The company may be able to claim overlap relief for the profit (the overlap profit) which arises in any overlap period.
Overlap relief may be due for 2016–17 if the company’s business closed down or was sold in 2016–17, or the company changed its accounting date and its basis period, as shown in boxes 3.10 and 3.11, exceeds 12 months.
Enter in box 3.12 any unused overlap profit (including any unused transitional overlap profit) brought forward from 2015–16; in box 3.13 any overlap profit used in 2016–17; and in box 3.14 any unused overlap profit carried forward to 2017–18.

Boxes 3.15 and 3.16
Enter in box 3.15 the company’s net profit for 2016–17. If the result is a loss, enter ‘0’ in box 3.15 and the amount of the loss in box 3.16.
If the company has made a loss it may be able to claim tax relief. Some claims for a 2016–17 loss must be made by 31 January 2019. Make sure that any claims are made within the time limit prescribed. If you need help ask us or your tax adviser. We don’t usually accept late claims.
If you can’t complete box 3.15 or box 3.16 because it’s impossible to prepare the figures from which the taxable profit is to be calculated before the latest date for sending the tax return, you should provide an estimate of the taxable profit in box 3.22. Please explain in the ‘Additional information’ box, box 11.1, on page 10, why you can’t provide final figures and when you expect to do so.

Box 3.17
If you want to offset the 2016–17 loss against other income of 2016–17, enter in box 3.17 the amount the company is claiming to offset.

Box 3.18
If you want to claim for relief to be calculated by reference to an earlier year, or years, enter the amount of the loss in box 3.18. If you’ve already made a claim for the relief to be calculated in this way, you should still enter the loss in box 3.18 and provide details in the ‘Additional information’ box, box 11.1, on page 10.

Box 3.19
Enter in box 3.19 any losses sustained in 2016–17 that the company claims to carry forward against later profits.
Boxes 3.20 and 3.21
Enter in box 3.20 any losses sustained in the same business in earlier years, which the company claimed to carry forward against later profits, and which have not already been used.
The company can use that loss to offset any profit entered at box 3.15. Enter in box 3.21 the amount you’re deducting up to the figure in box 3.15.

Box 3.23
Enter any amounts not included elsewhere in this section but which are needed to calculate the taxable profits received in the year to 5 April 2017.

Box 3.24
Enter the total of boxes 3.22 and 3.23.

Other UK income
Boxes 4.1 to 4.4
These boxes should be used for all other chargeable income arising to the company, but it isn’t necessary to enter ‘excluded income’ here.
In general, excluded income consists of receipts such as dividends from UK companies, interest or alternative finance receipts from UK banks and building societies, income from UK unit trusts, and profits from public revenue dividends.
Income from royalties is not excluded income, and so should be entered here. You should also enter certain receipts from trusts in these boxes.
Where the company is entitled to income from a trust as it arises, all income arising to the trustees which is not excluded income must be entered in these boxes. In particular, you should enter here trust income derived from property, royalties or trading activities.
Discretionary payments from trusts are excluded income. In box 4.4 specify the source(s) of the income in boxes 4.1 to 4.3.

Tax calculation (optional)
If the completed tax return reaches us by 31 October 2017, you don’t have to calculate the company’s tax.
If we receive the tax return after 31 October and you haven’t done the tax calculation, we’ll do it for you but you may not receive it in time to know what to pay by 31 January. If the company doesn’t pay enough, it will also have to pay interest and perhaps a late payment penalty.
If you choose to calculate the company’s tax, complete the ‘Yes’ box, then do your calculation and fill in boxes 5.1 to 5.11.
As with any other part of the tax return, you can ask us for help if you have difficulty with particular parts of the calculation.

Box 5.1
The chargeable income and Capital Gains Tax is the sum of the net profit from UK property, income from trading in the UK (other than through a permanent establishment) and any other income (other than ‘excluded’ income), for example, from royalties or trusts. Add together boxes 2.15, 2.48, 3.24, 4.3 and 9.1. Enter the total in box 5.1.

Box 5.2
Enter in box 5.2 any land and property or trading losses to be offset against total 2016–17 company income (from boxes 2.49 and 3.17).

Box 5.3
The total income chargeable to Income Tax and Capital Gains Tax is box 5.1 minus box 5.2.

Box 5.4
Some tax may have been deducted from other income and gains before the company received it. Credit is given for this tax. Enter in box 5.4 the total amount of tax deducted (from box 4.2 plus box 9.2).

Box 5.5
Tax is due at the basic rate only. The total Income Tax and Capital Gains Tax due is box 5.3 x 20% minus box 5.4. Enter the result in box 5.5.

Box 5.6
Enter in box 5.6 any tax deducted at source under the Non-resident Landlord Scheme.

Box 5.7
Deduct box 5.6 from box 5.5. Enter the result in box 5.7. This is the amount of tax due for 2016–17. If the result is negative, read the section ‘Overpayments and repayment claims’ starting in the next column if you want to claim a repayment.

Working out payments on account for 2017–18
Box 5.8
Some companies will need to make 2 payments on account for 2017–18, each equal to one half of the Income Tax liability for 2016–17 (excluding Capital Gains Tax). The first payment is due on 31 January 2018 and the second on 31 July 2018.
Example

Box 5.7 shows £20,000
Capital Gains Tax is box 9.1 x 20% £2,000
Income Tax liability (excluding Capital Gains Tax) £18,000
Payment on account due on 31 January 2018 £9,000
Payment on account due on 31 July 2018 £9,000

The company won’t have to make payments on account for 2017–18 if its tax bill for 2016–17 (box 5.7 less any Capital Gains Tax) is less than £1,000 or if most (80%) of its tax bill is deducted at source.

If the company had tax deducted from its 2016–17 rental income, the payments on account for 2017–18 will be zero if box 5.6 is greater than 80% of box 5.5.

We’ll charge you interest on late payments of payments on account (read ‘If the company doesn’t pay its tax on time’ on page 19 of this guide).

Reducing payments on account
Box 5.9

If box 5.7 includes Capital Gains Tax, complete box 5.9 and enter in the ‘Additional information’ box, box 11.1, on page 10 of the tax return, “box 5.7 includes Capital Gains Tax”.

You also need to complete box 5.9 if box 5.7 doesn’t include Capital Gains Tax and the company claims to make reduced payments on account. This might happen if the company expects its income in 2017–18 to be lower than its income in 2016–17 and/or it expects that more of its income will be taxed at source.

If the company wants to reduce its payments on account it must make a reasonable estimate, on the basis of information held, of the difference between the Income Tax it expects to pay for 2017–18 and its Income Tax for 2016–17 on this tax return. It can reduce each of its payments on account by half this difference. Enter the amount of each reduced payment on account in box 5.8 and give the reasons in the ‘Additional information’ box, box 11.1, on page 10 of the tax return.

Tax owed or overpaid for 2016–17
Box 5.10

If the company has made payments on account for 2016–17, the payments will be shown on the Statement of Account. Add up the payments which have been used to offset the 2016–17 liability and put the total in box 5.10. Don’t include payments of interest, penalties, surcharges or liabilities arising from earlier years.

Overpayments and repayment claims
Complete the ‘Yes’ box to claim a repayment. Complete boxes 6.1 to 6.13, as appropriate.

Boxes 6.1 to 6.13

Complete box 6.1 if you want the repayment sent to the company’s UK bank or building society. (We’ll only make payments to a UK bank or building society account.) The company will receive the repayment sooner if we make it direct to an account. But complete box 6.3 if you want the repayment to be sent by payable order to the company.

Complete box 6.2 if you want the repayment sent direct to a nominee’s bank or building society account in the UK. Complete box 6.4 if you want a payable order sent to a nominee, and complete box 6.10A if the nominee is the company’s adviser. Complete boxes 6.5 to 6.9 to give details of the company’s or the nominee’s UK account.

Please note that:
• we reserve the right not to make a repayment to your nominee
• if you claim a repayment this doesn’t change your liability to make further payments when they fall due

Other information

Estimates (including valuations)
Box 7.1

Don’t delay sending the tax return just because you don’t have all the information you need. You must do your best to get the information, but if you can’t provide final figures by the time you need to send your tax return, then provide provisional figures.

Complete box 7.1 and say in the ‘Additional information’ box, box 11.1, which figures are provisional (refer to appropriate box numbers in the tax return) and it would be helpful if you:
• say why you couldn’t give final figures
• give an appropriate date on which you expect to provide your final figures
If you use provisional figures, you must have taken all reasonable steps to get the final figures and make sure that they are sent as soon as they are available. We could charge you a penalty if you didn’t have a good reason for using a provisional figure or you didn’t take sufficient care to calculate the provisional figure in a reasonable amount. We wouldn’t regard pressure of work on either you or your tax adviser or the complexity of your tax affairs as reasons for using a provisional figure.

You must make sure that any provisional figures you do include are reasonable and take account of all the information available to you.

If you carelessly submit a provisional figure which is either inaccurate, or unnecessary, you may be liable to a penalty.

Other estimates (including valuations)

In some situations you may need to provide an estimated figure or valuation which you don’t intend to amend at a later date. Broadly, this will be the case when:

• a valuation is required (for example, of an asset at a certain date for the purposes of calculating Capital Gains Tax liability), or

• there is inadequate information to allow you to arrive at a reliable figure (for example, where the records concerned have been lost or destroyed), or

• while there is inadequate information to arrive at a precise figure, a reliable estimate can be made (for example, where the other records are used to support the figure).

You should identify any valuations you have used by entering the figure in the ‘Additional information’ box, box 11.1, on page 10 of your tax return, giving details of the valuation. Don’t tick box 7.1.

You should also identify any figures in the tax return which may not be very reliable. Where appropriate, explain how the figure has been arrived at. But if you’re including an estimate which, while not a precise figure, is sufficiently reliable to allow you to make an accurate tax return, there is no need to make specific reference to it.

Disclosure of tax avoidance schemes

Boxes 7.2 and 7.3

Enter in box 7.2 the scheme reference number (SRN) of any scheme or arrangement the company has used to get a tax or National Insurance contributions advantage now or in the future. In most cases you will have received the SRN from the scheme promoter on form AAG6, but in some cases you may have received the SRN from HM Revenue and Customs.

Advantage here means:

• relief or increased relief from, or

• repayment or increased repayment of, or

• the avoidance or reduction of a charge to, or

• the avoidance of an assessment, or possible assessment to, or

• the deferral of any payment, or the advancement of any repayment of, or

• the avoidance of any obligation to deduct or account for

Corporation Tax, Income Tax or National Insurance contributions.

If you’re an employer and the notifiable arrangements concerned are arrangements connected with employment, you shouldn’t enter the SRN in this return. You should notify the SRNs for employment products separately using form AAG4. If you were party to more than 3 schemes, you must report details of additional schemes on form AAG4.

You can get form AAG4 online. Go to www.hmrc.gov.uk/aiu/aag4net.pdf

If you fail to report the SRN for a scheme or arrangement, you will be liable to a penalty.

Enter in box 7.3 the accounting period in which the expected tax advantage first arises. This may be the year to 5 April 2017 or a future year. It may be an earlier year if this is the first time you have reported the SRN. Even if you’ve reported the SRN in a previous return, you must continue to report it until there is no longer a tax advantage (for example, until losses produced by the scheme have been used up).

You can find more information on the rules for disclosure of tax avoidance schemes and arrangements. Go to www.gov.uk/disclosure-of-tax-avoidance-schemes-overview
Business Premises Renovation Allowance (BPRA) Boxes 7.4 and 7.5

The Business Premises Renovation Allowance (BPRA) scheme took effect from 11 April 2007, so expenditure must be incurred on or after 11 April 2007 to qualify for BPRA. If the company carries out conversion or renovation works to an empty business property which brings it back into business use, or makes it ready and available for business use, it is entitled to claim an initial 100% allowance against the costs incurred, subject to the following rules.

To qualify for BPRA, premises must:
- not have been used for any trading or other business activity, or as offices, for at least one year before the works began
- be in an Assisted Area; these are areas which are considered to be disadvantaged and eligible for regional aid – the whole of Northern Ireland qualifies as an Assisted Area – to see whether an area in England, Wales and Scotland qualifies, go to www.gov.uk/government/publications/assisted-area-look-up
- be in use or available for business or commercial use after the works are complete (but must not be used for farming, fisheries and aquaculture, the manufacture of substitute milk products or synthetic fibres, shipbuilding, steel or coal industries)

BPRA can’t be claimed if the renovation expenditure has been incurred on any residential property, or on the costs of acquiring the land, extending the business premises, or developing land next to the business premises.

For more information about BPRA and the conditions you must satisfy to claim the allowance, read CA45100 in the Capital Allowances Manual. Go to www.gov.uk/government/collections/hmrc-manuals or www.gov.uk/business-premises-renovation-allowance-bpra

Disposals of UK residential property subject to non-resident Capital Gains Tax

Boxes 9.1 and 9.2

Non-resident gains or losses may arise if on or after 6 April 2015 you have disposed of the whole or part of an interest in a UK residential property in the year 6 April 2016 to 5 April 2017, when non-resident.

A NRCGT return should be completed for each disposal and any amendments. If the interest in the UK residential property was held jointly, each individual must notify their own share separately.

You must notify us 30 days from the date the property is conveyed (conveyancing is the legal and administrative process of transferring property title from one party to another) on a NRCGT return. Go to online.hmrc.gov.uk/shortforms/form/NRCGT_Return

Please note that you need to complete these sections even if you’ve submitted a non-resident Capital Gains Tax (NRCGT) return. If you also paid Capital Gains tax via your NRCGT return could you enter the tax paid in box 5.7, tick box 5.9 and provide further information in box 11.1 to indicate whether a NRCGT return has been sent.

Unless you are a company claiming exemption from tax, you must provide a computation with this return, if not already submitted with:
- an NRCGT return
- an Annual Tax on Enveloped Dwellings (ATED related Capital Gains Tax) return

You'll need to provide a separate computation for each property you disposed of during the tax year 6 April 2016 to 5 April 2017 and for any amendments.

Your computation should include details of how you have utilised any losses or Annual Exempt Amount due.

You can claim exemptions if you’re:
- a qualifying diversely-held company
- a qualifying open-ended investment company
- a life assurance company holding the property as part of your portfolio of investments to provide policy holder benefits, and not otherwise exempted as diversely-held companies

For more help go to - and search for ‘Capital Gains Tax for non-residents’.

Acquisitions and disposals

Please provide a breakdown of any properties acquired or sold by the company during the period of the return. Please also confirm if the property or properties have been sold and whether any more properties are still owned in the UK. This information is needed to help us establish the company’s future intentions and also whether we need to issue tax returns for subsequent years.
Declaration
The declaration in box 10.1 should be signed by the proper officer of the company, usually the company secretary, or by any other person authorised by the company. Enter the capacity in which the tax return is signed in box 10.2.
If the tax return is signed by someone authorised by the company, then as well as completing box 10.2, that person should also enter their name and address in the ‘Additional information’ box, box 11.1, on page 10.

Additional information

Box 11.1
You should include all additional information about the company in this box.
If you’ve been sent a return but aren’t in receipt of rental income, please use this box to tell us why. For example, the property may be vacant and hasn’t been let for the period covering the return.

Paying the tax

The company’s Statement of Account
If we receive the completed tax return by 31 October 2017, we’ll send a Statement of Account showing how much tax the company owes us, or we owe the company, before any final payment is due on 31 January 2018. It will also explain how to pay.
If we receive the completed tax return after 31 October 2017, we can’t guarantee to process it in time to let you know how much to pay on 31 January 2018. This might mean that you have to estimate how much to pay.
We’ll send you a payslip with either a Statement of Account or a Reminder. If the company pays too little tax, it will have to pay interest and perhaps a late payment penalty. If the company pays too much tax and has claimed a repayment, we’ll repay it with any interest due. If the company doesn’t claim a repayment we’ll set the amount due, plus any interest, against its next tax bill.

If you make payments on account
Some companies will need to make 2 payments on account for 2017–18, each equal to one half of the Income Tax liability for 2016–17. The first payment is due on 31 January 2018 and the second on 31 July 2018.
The company won’t have to make payments on account for 2017–18 if its tax bill for 2016–17 (box 5.7) is less than £1,000 or if most (80%) of it is deducted at source.

Ways to pay
You can pay by one of the following methods:
- Direct Debit
- your bank’s online or phone banking facility
- online using your debit or credit card
- at your own bank branch
- at a Post Office
- by post
For more payment information, go to www.gov.uk/topic/dealing-with-hmrc/paying-hmrc

If the company doesn’t pay its tax on time
We’ll charge interest on all late payments from the date the tax becomes due until it’s paid.
You will have to pay a late payment penalty on any tax for the year ending 5 April 2017, which is due by 31 January 2018, but is not paid by 2 March 2018.
This late payment penalty will be 5% of the tax paid late, and 5% of any tax paid later than 2 August 2018, and 5% of any tax paid later than 2 February 2019.

If the company pays too much tax
If you don’t claim a repayment, we’ll take the amount we owe you, plus any interest, off your next tax bill.
If you do claim a repayment, please complete whichever of boxes 6.1, 6.2, 6.3 or 6.4 is appropriate and we’ll repay it, plus any interest due on the amount overpaid. Please note, if you have an amount to pay that is due in the near future then we’ll generally offset any repayment against this liability. Also, we would prefer not to make repayments of small amounts (below £10) because of administrative costs. If you don’t agree with these set-offs, please contact us.
If the tax return is incorrect

If the tax return is incorrect and the company hasn't paid enough tax, then we'll ask for more tax. We may charge the company interest from the original due date, penalties and a late payment penalty.

If the notice requiring the company to make its tax return was given after 31 July 2017

If the notice requiring the company to make its tax return was given after 31 July 2017, we must receive it from the company by the later of 3 months from the date the notice was given, or 31 January 2018.
Any tax due must also be paid by the same date.
We'll charge the company interest on any tax paid after the due date. We'll also charge you a late payment penalty of 5% on any tax still unpaid more than 30 days after the due date.
The notice requiring the company to make its tax return is ‘given’ on the day it’s delivered to the company. We’ll normally assume, for example, for the purpose of charging automatic penalties for the late submission of the tax return, that delivery will have taken place not more than 7 days after the date of issue shown on the front of it.

If you have a complaint

Problems can usually be settled most quickly and easily by the office you’ve been dealing with. We’ll always give you a contact name or number in any correspondence we send you. If you can’t settle a matter with the office you’ve been dealing with, you can write to either:
• the director with overall responsibility for that office or unit
• if the problem concerns the service you’ve been given by an Accounts Office, the director of that office
The director will look into your case and quickly let you know the outcome. For information about our complaints procedure, go to www.gov.uk/guidance/complain-to-hm-revenue-and-customs

If you’re still not happy

If the director hasn’t been able to settle your complaint to your satisfaction, you can ask the Adjudicator to look into it and recommend appropriate action. The Adjudicator is an impartial referee whose recommendations are independent.
For more information, go to www.adjudicatorsoffice.gov.uk
The Adjudicator’s leaflet AO1 also gives information about complaining to the Adjudicator.
Finally, you can ask your MP to refer your case to the independent Parliamentary and Health Service Ombudsman. The Ombudsman will accept referral from any MP, but you should approach your own MP first.
For more information, go to www.ombudsman.org.uk

Your rights and obligations

For an explanation of what you can expect from HMRC and what HMRC expects from you, read ‘Your Charter’ at www.gov.uk/hmrc/your-charter