



Finance Act 2004

2004 CHAPTER 12

PART 4

PENSION SCHEMES ETC

CHAPTER 7

COMPLIANCE

Accounting and assessment

255 Assessments under this Part

- (1) The Board of Inland Revenue may by regulations make provision for and in connection with the making of assessments in respect of—
- (a) the unauthorised payments charge,
 - (b) the unauthorised payments surcharge,
 - (c) liability to the lifetime allowance charge under section 217(2) (person to whom lump sum death benefit paid),
 - [^{F1}(ca) liability to the annual allowance charge by virtue of section 237B,]
 - (d) the scheme sanction charge,
 - [^{F2}(da) liability of the scheme administrator of a registered pension scheme, or the scheme manager of a qualifying recognised overseas pension scheme or of a former such scheme, to the overseas transfer charge,]
 - (e) liability under section 272 (trustees etc. liable as scheme administrator),
 - [^{F3}(ea) liability under section 272C (former scheme administrator to retain liability in cases involving independent trustees etc),]
 - (f) liability under section 273 (member liable as scheme administrator), and
 - (g) liability under section 394 of ITEPA 2003 (benefit under employer-financed retirement benefits scheme: charge on responsible person).

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- (2) The provision that may be made by the regulations includes (in particular) provision for the charging of interest on tax due under such assessments which remains unpaid.
- (3) The regulations may, in particular—
- (a) modify the operation of any provision of the Tax Acts, or
 - (b) provide for the application of any provision of the Tax Acts (with or without modification).

Textual Amendments

- F1** S. 255(1)(ca) inserted (with effect in accordance with Sch. 17 Pt. 2 of the amending Act) by [Finance Act 2011 \(c. 11\)](#), [Sch. 17 para. 19](#)
- F2** S. 255(1)(da) inserted (retrospective to 9.3.2017 and with effect in accordance with Sch. 4 para. 25 of the amending Act) by [Finance Act 2017 \(c. 10\)](#), [Sch. 4 para. 16](#)
- F3** S. 255(1)(ea) inserted (17.7.2014) by [Finance Act 2014 \(c. 26\)](#), [Sch. 7 para. 17](#)

Commencement Information

- I1** Ss. 160-274, 281, Schs. 30-35 in force at 6.4.2006 but any power to make an order or regulations under those provisions may be exercised at any time after Royal Assent, see s. 284

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 236ZA inserted by [S.I. 2024/357 art. 2\(2\)](#)