STATUTORY INSTRUMENTS

2026 No. 289

INCOME TAX
CORPORATION TAX

The Income Tax (Construction Industry Scheme) (Amendment) Regulations 2026

Made - - - -	*12th March 2026*
Laid before the House of Commons - - - -	*13th March 2026*
Coming into force- - -	*6th April 2026*

The Commissioners for His Majesty's Revenue and Customs make the following Regulations in exercise of the powers conferred by sections 60(7) and 70(1)(a) and (2)(c) and (d) of the Finance Act 2004(**1**) and now exercisable by them(**2**).

Citation and commencement

1. These Regulations may be cited as the Income Tax (Construction Industry Scheme) (Amendment) Regulations 2026 and come into force on 6th April 2026.

Amendment of the Income Tax (Construction Industry Scheme) Regulations 2005

2.—(1) The Income Tax (Construction Industry Scheme) Regulations 2005(**3**) are amended as follows.

(2) In regulation 4 (monthly returns), after paragraph (9) insert—

> "(9A) Subject to paragraph (9B), a contractor within paragraph (a) of section 59(1) of the Act, who has previously made contract payments or payments which would be contract payments but for section 60(4) of the Act, but has made no such payments in a tax month ("the relevant tax month") must make a return under paragraph (1), indicating that no such payments were made, not later than 14 days after the end of the relevant tax month.

(**1**) 2004 c. 12. See the definition of "prescribed" in section 70(5) of the Finance Act 2004.

(**2**) The functions of the Commissioners of Inland Revenue were transferred to the Commissioners for His Majesty's Revenue and Customs by section 5(1) of the Commissioners for Revenue and Customs Act 2005 (c. 11). Section 50(1) of that Act provides that, in so far as it is appropriate in consequence of section 5, a reference to the Commissioners of Inland Revenue, however expressed, is to be read as a reference to the Commissioners for His Majesty's Revenue and Customs.

(**3**) S.I. 2005/2045; amended by S.I. 2015/429; there are other amending instruments but none is relevant.

(9B) Paragraph (9A) does not apply if the contractor notifies the Commissioners for His Majesty's Revenue and Customs that they will make no payments under construction contracts for a tax month and the notification is made not later than 14 days before the start of the tax month to which the notification relates.".

(3) After regulation 23 (arrangements involving public bodies) insert—

"**Payments made to public bodies**

23A. A payment under a construction contract is not a contract payment if the payment is made to a person within any of paragraphs (b) to (k) of section 59(1) of the Act.".

Jonathan Athow
Daljit Rehal
Two of the Commissioners for His Majesty's Revenue and Customs

12th March 2026

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Income Tax (Construction Industry Scheme) Regulations 2005.

Regulation 2(2) inserts regulation 4(9A) and (9B) which require contractors, whose business includes construction operations, to make returns to His Majesty's Revenue and Customs ("HMRC") where the contractor has not made any payments to sub-contractors in a tax month (a nil return) unless the contractor notifies HMRC that they will make no payments for the tax month.

Regulation 2(3) inserts new regulation 23A (payments made to public bodies) which exempts certain payments made to a public body from the definition of a "contract payment" in section 60 of the Finance Act 2004.

A Tax Information and Impact Note covering this instrument will be published on the website at https://www.gov.uk/government/collections/tax-information-and-impact-notes-tiins.