



All-Party Parliamentary Loan Charge & Taxpayer Fairness Group

www.loanchargeappg.co.uk

Meeting of the Loan Charge APPG Tuesday 7th December 2021, 2:30-4:00pm

Meeting via Zoom

Minutes

In attendance:

Parliamentarians

Greg Smith MP (Co-Chair and Meeting Chair), Rt Hon Sammy Wilson MP (Co-Chair), Gerald Jones MP (Vice-Chair), Sir Peter Bottomley MP, Rt Hon Nigel Evans MP, Justin Madders MP

MP's Staff

Madeleine Paige (Marsha De Cordova MP), Sid Cordle (Paul Girvan MP)

Other Attendees

Sarah Gabbai (McDermott Will & Emery), Keith Gordon (Temple Tax Chambers), Greg Mulholland (APPG Secretariat), Richard Clancey (APPG Secretariat)

Points 1-3 with APPG members and Secretariat in attendance only

1. Apologies

Apologies received from:

Mohammad Yasin MP, Bambos Charalambous MP, Baroness Kramer, Rt Hon Sir Roger Gale MP, Sarah Olney MP

2. Actions from last meeting

- A draft of a response to the FCSA had been produced and will be sent to officers shortly for approval
- A letter to HMRC on the same issue is in progress.
- The Secretariat was unable to establish whether this APPG was the largest. Although the register of APPGs does not hold this information, APPG rules state that groups are supposed to provide a list of their members on their websites and many do not.
- 2 examples of likely non-compliant scheme operators had been forwarded to the Secretariat from last meeting's guest speakers. The APPG have been informed of a further 5 since the previous meeting. **Action: A letter will be sent to HMRC with a list of these schemes.**

Co-Chairs: Sammy Wilson MP, Greg Smith MP, Mohammad Yasin MP

Vice-Chairs: Baroness Kramer, Dr Lisa Cameron MP, Gerald Jones MP, Sarah Olney MP, Rushanara Ali MP

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3. APPG Correspondence

Correspondence Sent

The APPG has recently sent the following correspondence:

- Letter to the Financial Secretary to the Treasury which contained 10 Key Questions about the Loan Charge was sent on Friday 3rd December 2021 and press released on 7th December 2021.

Guest speakers joined the meeting

4. Loan Charge Settlement Proposal

The following guest speakers/witnesses joined the meeting:

- Sarah Gabbai. A solicitor, chartered tax adviser and a fellow of the chartered institute of Taxation (CIOT)
- Keith Gordon. A barrister at Temple Tax Chambers, a chartered accountant, a chartered tax adviser and barrister.

The purpose of the presentation was to hear and discuss the views from tax professionals who are publishing a sector proposal on how a fair & final loan charge settlement may be achieved and sending this to the Chancellor.

The main points of this proposal were:

- HMRC settlement demands from individuals are completely unrealistic and unlikely to be paid. The current deadlock between HMRC and impacted individuals and HMRC's continued pursuit of them will only continue to generate negative publicity for both HMRC and the Government particularly in light of recent Freedom of Information Act (FOIA) disclosures.
- HMRC should introduce a "DR Settlement Opportunity" for people to pay only a proportion of the disputed tax, as a full and final resolution to the situation. It should be applied to the Loan Charge and also settlements recalculated to reflect the proportion in this settlement opportunity.
- The settlement should be affordable and easy to understand terms that resolve open enquiries and provide closure.
- The proportion to be paid should reflect the fact that people were victims of mis-selling; that those who recommended, promoted and operated schemes profited and have not been asked to pay any of the disputed tax; and that HMRC failed both to warn taxpayers sufficiently and failed to close down schemes.

Action: The meeting agreed to write to the Chancellor in support of the proposal and urging the Government to engage with the professionals and take the proposal seriously, as resolving the situation is in everyone's interests, including HMRC and the Treasury.

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5. Next Meeting

To be held sometime in the next Parliamentary session.

6. AOB

There was no further business raised by any member.

Meeting finished at 15:11.

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