



Loan Charge Update - Personal Statement  
Individual facing the Loan Charge - Form 2(a)

Loan scheme(s) used / operator(s)

AM Limited

Approximate liability in £ (nearest £5K)

£200,000

Amount in £ of any money paid to HMRC so far e.g. APNs, Penalties (nearest £5K)

If your loan has been subject to recall demands :

Who is demanding repayment ?

How many months/years using loan arrangements

And for how much in £

Report of any action to date by and latest communication from HMRC

Yearly letters. The latest a "random" selected check into the 2019 tax return. HMRC never answer any questions regarding what they knew at the time or to provide information other than to make threats.

The personal impact (financially and in other ways) so far

Going on for more than 10 years which is absolutely disgusting and unprofessional. It is unacceptable that, particularly anyone that lives in another country, has to receive threatening letters for a tax on loans that my country does not apply. In fact, my country never had an issue with these schemes, as have most other countries. How did HMRC and the UK Government create an environment that provided opportunity for these providers to market their products to the general public. I am highly critical of DOTAS and believe that HMRC should automatically cancel any actions against customers of these DOTAS notified companies. It's all well and good for HMRC to state that receiving the details is not approval but then why didn't they require these companies to disclose to future clients that these schemes are being reviewed by HMRC and the outcome of that review can result in the user paying significant tax and, most importantly, that HMRC may take years to announce the outcome of that review and has the right to change its mind which is what it did. I have done nothing wrong and don't see why I should be forced to pay when the promoters/designers have done nothing wrong. Nonsense!

The personal impact (financially and in other ways) if HMRC enforce the Loan Charge as laid down in the legislation

Will lose my home and to this day, after 1,500 hours of research, I cannot understand how HMRC has not been held responsible for not carrying out their responsibilities initially and then from 2010 poorly addressing the issue which allowed the sector to flourish. Rather than drawing a line in the sand in 2017, HMRC is allowed to create retrospective rules to claim tax as if it had done its job properly and those, like myself, who had used these services (with the understanding that they were acceptable to HMRC as they had been registered/disclosed) had acted illegally. This debate about retrospective and retroactive is absolute nonsense. Governments are elected to represent the people which also includes a duty of care. HMRC claims that these schemes never worked but this was not in their communications for many years. Under DOTAS, HMRC had all the details of these schemes and allowed them to operate. AML operated for more than 10 years. I even called up HMRC after I exited when they did finally mention their position and in frustration stated that they need to shut these companies down. I clearly remember the response, "we're trying to". And this is the reason they initially failed multiple times in the courts, loans were loans and the "Rangers Case" was won on different arguments. HMRC wasn't even clear in their understanding!