



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

Loan scheme(s) used / operator(s)

Clavis via Employment Benefit Trusts

Approximate liability in £ (nearest £5K)

£130,000

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

£18,000

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 £

4.5

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

HMRC recently issued me with a penalty notice for about £1,500 for not paying any of the £80,000 as above. It would be the third penalty they have issued. I have appealed the 2 previous penalties and will appeal the third one. HMRC never gave me TTP as my income was too low they said.

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

The personal impact financially, emotionally, mentally and physically has very nearly destroyed me: I have had to use savings to help fight the issue (various legal cases and professional tax help). I have tried to explain to HMRC that because I never took the funds for myself, it means they are trying to give me an enormous tax burden on something I never had: the very day the funds were returned to me from the scheme provider, I put them all - every penny - back into the business which I had spent building. I have told HMRC that I have real time bank records to prove this but they take no notice and just keep piling on the interest and penalties. I attach a copy of one of my appeals to HMRC because I think it shows how this hideous treatment has affected me mentally. I first realised there was a problem when I started getting County Court summons from HMRC just prior to Xmas 2017. I can only describe the effect as one of shell shock for months, so much so that my physical being developed a chronic disease, although not life threatening, it has severely impaired my quality of life and I have had to spend pension funds to manage the condition. The disease is known to be triggered by acute stress.

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

I shall have to work into my eighties living on very little. That would be my 'life' if the LC is enforced, but I think I would be ok with not carrying on at all. Since 2017 I have been suffering from acute anxiety and depression having been perfectly healthy previously. I am one of the many LC victims who has contemplated taking my own life if the worst came to the worst.