



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

Loan scheme(s) used / operator(s)

Opus Bestpay

Approximate liability in £ (nearest £5K)

£233,000

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 £

c. 3 Years

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

I received a letter 22.03.22 from HMRC, which has compounded their previous 18/19 Determination of c.£99k liability, plus c. £24k Penalties, by now including a Payment on Account for 19/20 of around the same, bringing it to the above total.

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

The simple short answer is that I don't have any ready access to such a sum of money. On receipt of the earlier 18/19 Determination, I decided to take my head out of the sand and complete the 18/19 return, including all of the so-called Disguised Remuneration payments as instructed. This actually came to a slightly higher figure and so I have been awaiting notification of a revised figure to reflect this. But instead I have now received the compounded 18/19 plus 19/20 demand as mentioned above. Having not paid any of the notified liabilities then I can't say there have been any financial impacts at this point. However, personally I have had a considerable period of worry around what the end outcome might be. Before yesterday's note I was considering what I may be able to afford to pay on any sort of repayment arrangement, the likliehood being that any such scheme would need to be agreed across a significant number of years. The further 19/20 suggested liability has however put me back to square one as this would essentially double any payment, or lead to an even longer payment period.

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

I'm not a home owner and have been renting for c.5-6 years, having been forced to sell our last property at a significant loss, as the Aberdeen Oil & Gas Industry hit a significant downturn, whereby I was out of work for c.9 months. We have been hopeful we may be able to get back on to the property market as we will be looking to downsize, in what is a relatively late period in our lives. This charge however will likely mean that any such plans will have to be curtailed, as any agreed repayment will likely take up any available money that I would need to support a mortgage, life insurance coverage and so. Not to mention that the view of most lenders towards the large outstanding loan charges will not be favourable I would expect. I'm not able to discuss this with my wife and family as I think this will just lead to much bad feeling and perhaps family break-up following what has been a fairly difficult time with our own circumstances, Covid life and so on. I was hoping that I may be able to get through a mortgage agreement and purchase before facing up to having the HMRC discussion re. payment, but yesterday's notification of these further payments has made this more unlikely I think. I do have fairly dark thoughts about how I might make this go away and I did ask HMRC what the situation was if I passed away, but I didnt receive a response.