



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

Loan scheme(s) used / operator(s)

Penfolds, Hamilton, K2, Hyrax

Approximate liability in £ (nearest £5K)

£550,000

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 £

10

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

Loancharge is£550000 but being chased for £215000 for APN's - this includes 27k in penalties

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

I'm constantly sitting thinking about the 8 people that have committed suicide and numerous other who contemplated or even tried to commit suicide - thinking about them, their parents, partners, kids and wider families. People who have been forced by HMRC into such a dark place they just couldn't face life anymore. This is a group of people, of which I am one, that trusted their accountant, trusted in the system, believed that the rule of law was there to help, to abide and to live by. In fact HMRC and thus Parliament have decided to ignore the High Court's decision in the Ranger's Case..... How is it possible that HMRC can be Judge, Jury and Executioner?? When I started contracting I asked my accountant and he was adamant the only option was to join an umbrella company - my first question was: "is it completely above board and is it legal" at the time I had never even heard about tax avoidance. His answer was most definitely yes, it's all above board, its completely QC approved and it is registered with HMRC. The last bit was the clincher, if it is registered with HMRC they would not allow anything they didn't like. My only other option was a Ltd company with the same take home but a HUGE threat of IR35 investigations. As years went on I heard of a number of schemes taking only 15,16,18% but they were not registered with HMRC and therefore never an option. Paying the 23% odd that I did seemed like a valid option. Now, to show the fairness and irony of this all, if I had joined these other unregistered and dodgy schemes, like many other people, HMRC would not have known about the scheme or me and I would not be in the hole I am now. Doing the right thing, the legal thing, has buried me. Changing the law is one thing and that's fine but how can it be fair or legal when HMRC can then make the change retrospective for 20 (now 10) odd years. What about the rights of the taxpayer? I have been working for the last 22 years and 10 of these on a legal scheme I trusted my accountant on. Now HMRC is wanting £550 000 from me.... this is more than my total worth, everything I have scraped together, penny-pinched, skimped on holidays and saved for my kids education in my whole working lifetime. I am sick to my core just thinking about losing everything. I feel bullied by HMRC, treated like a criminal and let down by government who don't just allow but endorse such blatant abuse of power by HMRC. Sure there are some rich people and celebrities involved, for them it's a drop in a bucket but there are thousands upon thousands of people like me for whom it is everything I have. Take a quarter or a third of everything I own in life but not everything. The initial approval of government was to go after high value individuals but instead HRMC are focusing on the middle class, knowing we cant fight it, we just have to take the bankruptcy option. We are the easy, low hanging fruit for HMRC. I have never done anything illegal in my life but this has got me thinking about just taking everything and leaving the country and thus never being able to return. I can't help but spend every waking hour thinking about this mess, how I feel let down, bullied and criminalised. How I wish I had never listened to the advice of my accountant, a registered tax advisor regulated under ICAEW, and had just started a limited company way back when. Even financially with all the travel I would have been much better off



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under a LTD co. I go to bed struggling to fall asleep with this in my head and then wake with a start at 3 or 4am with this sick feeling in my stomach. This has been my life for the last 5 years...I drive a lot for work and nearly caused an accident on the motorway for not concentrating on the road but thinking about my situation. What used to be a happy family is no more, I'm in a pit, I'm tired, I snap at my wife and kids and I walk around moping and thinking about this all day "I cant help it" it's everything I have...and once my wife finally cant take it anymore, takes my three kids and leaves, there really wont be anything in my life anymore, just another family ruined. More than that, I used to be just about the sole supporter of an aidshouse in South Africa "a place where people suffering from aids or kids who have lost their parents to the disease (also mostly infected) support each other. Those strong enough help the weak until they become the weak and are supported by new stronger ones arriving to replace those who pass away. My approx. £750 a month contribution for 7 or 8 years was all these rotating 35/40 odd souls had and now I have the added guilt of taking away the last semblance of hope and dignity they ever had. So being bankrupted, becoming a criminal or suicide are the constant thoughts in my and thousands of people's heads all because HMRC can change their minds, then change the law and make it retrospective. HMRC can blatantly disregard people's rights by whatever bullying and threatening means they like, forcing us to give up everything we have. Reports say there are about 100000 people involved of which 78% i.e 78000 are in my position. So 78000 families, including parents, partners, kids, dependents, who knows how many people across the UK are affected by this unscrutinised, forced through parliament piece of legislation.

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

Financial ruin and bankruptcy as being in the financial sector I wont be able to work again. That would be the tipping point for my marriage so my wife would leave... and what do I have to life for then.... nothing... so why bother