



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

Loan scheme(s) used / operator(s)

Invicta, Westhill Services, HJP, On Target

Approximate liability in £ (nearest £5K)

£75,000

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 £

6 years

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

Enquiries opened into some of the years, then 2 years of correspondence trying to make a voluntary settlement, but that did not happen, as I was required to sign an admission of wrongdoing. Last letter from HMRC was 22/12/2020 asking if I needed help reporting DR

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

Mental Health problems, taking prescribed medication and had a year of counselling to help. Not making pension contributions or taking holidays in case I needed the money to pay the tax bill. Taking weeks away from work to locate and collate evidence of income to satisfy HMRC requests for information. Paying for legal help and advice to respond to HMRC.

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

My legal advisors are of the opinion that the Loan Charge should not apply to my circumstances, this is however at odds with the HMRC position. If HMRC continue to apply the LC, I will continue to try and fight it via the legal process. If HMRC do finally impose the LC and force collection of the tax they believe is due, I would not have sufficient money to pay it. The only means I would have to raise the money would be the sale of my house which is still mortgaged. I am of an age that makes it unlikely I would be able to obtain a new mortgage, and this is made even less likely due to my work now being temporary short term employment contracts via umbrella companies, due to the IR35 legislation. My wife and I will face retirement with little to no savings and great uncertainty as to our housing situation.