



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

**Loan scheme(s) used / operator(s)**

T,em Strategies

**Approximate liability in £ (nearest £5K)**

£30,000

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

£10,000

**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 £**

24 months

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

Fishing expedition from HMRC after paying loan charge, wanting to see all bank statements, including for years which have no open inquiry. I have not given them this data, and HMRC have not replied to my advisors last letter of over 12 months ago.

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

I took advice from accountants, and joined a scheme that was QC approved. The net saving was minimal, but the only advantage was that it gave certainty regarding IR35. It seems wrong that people who continued to ignore IR35 and pay themselves with dividends are being let off completely. The other wrong is the length of time that HMRC take to reply to letters, while demanding that taxpayers respond to their letters within 30 days. This has strung out the whole thing, when each exchange of letters takes between 12 and 18 months. So I am still in correspondence regarding a tax year of 9 years ago. This is completely down to HMRCs inefficiency that it is strung out for so long, yet there is no accountability on their part - just like there is no accountability on HMRC on why they failed to close these schemes earlier, and they acquiesced to these schemes for 20 years. It is almost as if they ran a deliberate scam to trick people into using them, before hitting them later.

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

I have already paid the loan charge for 14/15 tax year, and I am resisting paying it for 13/14 on the grounds that I disclosed the information regarding the loan at the time, and HMRC did not open an inquiry. If HMRC enforce the loan charge for this additional year, then it will cost me about £20,000, and will leave me a lot worse off than if I had not used the loan scheme at all. Getting the tax is one thing, but HMRC seem to want it to be punitive, and want interest, penalties and IHT. There is an inherent unfairness in their approach.