

Les Cameron's Big Fat Quiz of the Year The tables turn

The information that follows is based on our understanding of current taxation, legislation and HM Revenue & Customs practice all of which are liable to change without notice.

This is just for UK advisers - it's not for use with clients



Important Information

This content is based on our understanding of current taxation, legislation and HM Revenue & Customs practice all of which are liable to change without notice. The impact of any taxation (and any tax reliefs) depends on individual circumstances.

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Learning Objective

By the end of this session, you will be able to:

Describe the key elements of tax planning in 2023

A technical year in numbers



Question 1

(the practice one)

Why did Santa get into trouble with HMRC?



Why did Santa get into trouble with HMRC?



Why did Santa get into trouble with HMRC?



Question 1

(the real one)

Trust Registration Service

When might an insurance bond provider need to see a copy of a Registerable Trusts TRS Proof of Registration Document?

A
When first placing business with the provider.

В
When notifying them a trustee has died.



D
All of the above.

TRS Expansion April 2023

HMRC internal manual Trust Registration Service Manual

Timing of ongoing monitoring and discrepancy checks
Discrepancy checks should be included in line with ongoing monitoring under the following events:
 any event that would trigger enhanced due diligence checks under regulation 33 of the MLRs
 any change, or reasonable belief, that there has been a change in beneficial ownership including to or within classes of beneficiaries.
 any point where a registrable trust has not previously been subject to discrepancy checks by that Relevant Person

TRSM70020 - Discrepancy reporting: contents: Business Relationships and ongoing monitoring

Business Relationship (see TRSM24010) means a business. professional or

When might an insurance bond provider need to see a copy of a Registerable Trusts TRS Proof of Registration Document?

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Question 2

Insurance Company Trusts

Rachel, Caroline and Georgia are all widows with fully transferred NRBs and RNRBs.

They all live in houses beside each other that are valued at £400,000 that they will leave to their children.

Their estates are worth £1.8m and they each spend about £10,000 of their capital over and above their pension.

They all put £300,000 into a trust.

Rachel uses a Probate Trust Caroline uses a Loan Trust Georgia uses a Discounted Gift Trust

They each withdraw £10,000 a year from the trusts and spend it.

Whose family inherits the most if they die in 20 years?



Trusts IHT effectiveness

Trust	Capital	Growth	IHT		
	What's Inside I	Estate	Positions		
Probate	Yes	Yes	Whole trust in Rachel's estate		
Loan	Outstanding Loan	No	100k of Loan in Caroline's estate		
Discounted Gift Trust	Unspent settlor payments	No	Nothing in Georgia's estate		

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Results (single)



I might need it in the future

CONTROL

ACCESS

They might squander it

CONTROL I want to ensure the money is protected, and goes to my child(ren) in the event of my death before spouse, or divorce

CONTROL Lack of control over their spending

ADVICE They might get an unexpected tax bill

ADVICE I don't know the best way to do it

CONTROL They should make their own way in the world

CONTROL They may not spend it how I'd like them to

CONTROL

They might waste it on bills



Source: M&G Wealth 2023 Family Wealth Unlocked Report

Ouestion 3 Personal Pension Tax Relief

Tom, Bob, Roy and Jeff all have non savings non dividend income of £45,000.

In addition:

- Tom has a £30,000 onshore bond gain accrued over 10 years
- Bob a £30,000 bonus
- Roy £30,000 dividends
- Jeff has a £30,000 capital gain

They each put £5,000 gross into their personal pension.

Who gets the highest rate of tax relief?



How personal pension tax relief works



Tax Relief – Effective rates



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Who gets the highest rate of tax relief?

A	В	С	D
Tom	Bob	Roy	Jeff

Tax Year 2023/24

			CUADO		CAING	
ABOUT YOUR CLIE	ENT		CHARG	EABLE EVENTS - BOND	GAINS	
What is the client's age?	Under 75	Onshore Gain 1		Years Gain 1 (N)	Slice 1	
		Onshore Gain 2		Years Gain 2 (N)	Slice 2	
Scottish Tax Payer?	No	Onshore Gain 3		Years Gain 3 (N)	Slice 3	
		Onshore Gain 4		Years Gain 4 (N)	Slice 4	
Number of Children				_		
		Offshore Gain 1		Years Gain 1 (N)	Slice 1	
Gift Aid (Gross amt)		Offshore Gain 2		Years Gain 2 (N)	Slice 2	
		Offshore Gain 3		Years Gain 3 (N)	Slice 3	
		Offshore Gain 4		Years Gain 4 (N)	Slice 4	
	INCOME S	OURCES		EXISTING PEN	ISION CONTRIBUTIONS	
Employment Income	45.000	Gross Savings Interest		Relief at Source (No	at Amount)	R
Benefits in Kind	45,000	Dividends	30,000	Contributions paid	Pross	F
Taxable Self Employed Profits		Taxable Capital Gains (10%/20%)	00,000		B . 600	-
UFPLS (taxable element)		Taxable Capital Gains (18%/28%)		NEW PENS	ON CONTRIBUTIONS	S
Drawdown / Annuity Income		Taxable Redundancy Payment		◀		E
State Pension Income		Rental Income - Relevant		Relief at Source (Ne	et Amount) 4,000	÷ ÷
Purchased Life Annuity Income		Rental Income - Not relevant		Contributions paid	gross	
] [
BEFORE NEW CONTRIB	UTIONS	AFTER NEW CONTRI	BUTIONS	DIFFERENCE	PENSION SU	MMARY
"Total Income"	£75,000	"Total Income"	£75,000	£O	Relevant Earnings	£45,000
Adjusted Net Income	£75,000	Adjusted Net Income	£70,000	-£5,000	Contributions: Existing	£O
Personal Allowance	£12,570	Personal Allowance	£12,570	£O	New	£5,000
Personal Savings Allowance	£O	Personal Savings Allowance	£O	£O	Total	£5,000
Child Benefit Charge	£O	Child Benefit Charge	£0	£O		
Capital Gains Tax	£O	Capital Gains Tax	£0	£O		
					Effective Rate	
Tax Liability	£15,206	Tax Liability	£13,956	-£1,250	of	45 00%
		-			Tax Relief	10.0070
Bond Gains Summary		Bond Gains Summary			(on new contributions)	13.0070
Bond Gains Summary Tax on gains	£0	Bond Gains Summary Tax on gains	£0	£0	Tax Relief (on new contributions)	1010070
Bond Gains Summary Tax on gains Onshore Tax Credit	£0 £0	Bond Gains Summary Tax on gains Onshore Tax Credit	£0 £0	£0 £0	Tax Relief (on new contributions) Please navigate between worki	ngs and inputs using the
Bond Gains Summary Tax on gains Onshore Tax Credit Top slicing relief	£0 £0 £0	Bond Gains Summary Tax on gains Onshore Tax Credit Top slicing relief	£0 £0 £0	£0 £0 £0	Tax Relief (on new contributions) Please navigate between worki tabs at the bottom	ngs and inputs using the of the sheet.
Bond Gains Summary Tax on gains Onshore Tax Credit Top slicing relief Liability	£0 £0 £0 	Bond Gains Summary Tax on gains Onshore Tax Credit Top slicing relief Liability	£0 £0 £0 £0	£0 £0 £0 £0	Tax Relief (on new contributions) Please navigate between worki tabs at the bottom	ngs and inputs using the of the sheet.

Relevant Planning



Question 4

Taxation of bonds in Trust (it's a bit of a stinker)

Liam left all his residual estate to:

"such of my grandchildren who survive me and reach age 18 absolutely"

He died when he had 3 grandchildren, Ben age 4, Georgia aged 6 and Rachel aged 8.

The resulting will trustees bought an insurance bond with the cash from the estate.

Five years have passed and the children's parents needed some money for the children.

The trustees cashed in some of the bond with a £9,000 gain.

Who is liable for the bond gain?



Taxation of bonds held under trust





HMRC internal manual Trusts, Settlements and Estates Manual

Example 1 - bare trust

Mrs A left the residue of her estate to such of her grandchildren as were alive at the date of her death.

She directed that the funds should not be paid to the grandchildren until they respectively attain age 21 years.

Example 3 - not a bare trust

Mr B left the residue of his estate to 'such of my grandchildren as survive me and attain age 21 years'. If any grandchild dies before age 21, his/her prospective share goes to the other grandchildren who do attain that age. DOES MORE THAN 1 CONDITION HAVE TO BE MET BEFORE BENEFICIARIES HAVE A VESTED INTEREST?



Non bare trust - Who is liable?



Liam left all his residual estate to:

"such of my grandchildren who survive me and reach age 18 absolutely"

He died when he had 3 grandchildren, Ben age 4, Georgia aged 6 and Rachel aged 8.

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Who is liable for the bond gain?



SIFA Trustinvest

M&G wealth

THE SIFA PROFESSIONAL HANDBOOK OF TRUSTEE INVESTMENT NINTH EDITION, 2022



For professional use only

Ouestion 5

LTA & Death Benefits

John, Paul and George all die in September 2024.

They were all under 75.

Their death benefits were all valued at £2m and are set up within 2 years of them dying.

They had no LTA protections.

John went into drawdown in August 2018 and his beneficiary chose a lump sum.

Paul went into drawdown in May 2024 and his beneficiary chose a lump sum.

George went into drawdown in March 2006 and his beneficiary chose drawdown.

Whose beneficiary has the highest tax bill?



Key concepts



Death Benefits


Income Death Benefits



LSDBA – what uses it

Lump Sums

Pension commencement lump sum Serious ill-health lump sum Uncrystallised funds pension lump sum (non taxable) Standalone Lump Sum (100%)

Lump Sum Death Benefits

Defined benefits Uncrystallised funds Pension protection Annuity protection Drawdown/flexi-access drawdown pension fund

Reduced by

Transitional Amount Pre commencement Pension

Excluded Amounts

Charity lump sum death benefit Trivial commutation lump sum death benefit Small Pots Lump sums from pre April 24 crystallised rights John, Paul and George all die in September 2024.

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George went into drawdown in March 2006 and his beneficiary chose drawdown.

Whose beneficiary has the highest tax bill?



Ouestion 6 LTA abolition and PCLS

Sandi & Joan each have an uncrystallised SIPP worth £600,000. They have no protection. They have used £1m of the LTA in January 2023.

Sandi put £1m in drawdown taking her full PCLS. Joan took a £50,000 scheme pension with no PCLS.

What best describes their PCLS situation after April 2024?



PCLS from 6 April 2024

Lower of

Applicable Amount Available Lump Sum Allowance Available Lump Sum & Death Benefit Allowance

LSA – default transitional rule

Lump Sum Allowance

Less

25% of "previous LTA used"



Sandi and Joan have used up 93.18% of their lifetime allowance

Previously used amount £1,000.000 x 25% = £250,000

So their LSA is £268,275 - £250,000 = **£18,275**

Transitional Certificate

Before 1st RBCE 3 months deadline

LTA transition example

Prior Benefits (using £1m of LTA)	Applicable Amount	LSA	LSDBA	Maximum
£1m in drawdown with £250k tax-free cash.				
£50,000 pa scheme pension with no tax-free cash.				
£50,000 pa scheme pension with no tax-free cash. (certificate received)				

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What best describes their PCLS situation after April 2024?



Question 7 Impact of Autumn Statement 2022

Roy Tom and Geoff all earn £60,000 a year.

They all invest £100,000 in a portfolio.

It generates

Gains of £1,000 (1%) Interest of £2,000 (2%) Dividends of £3,000 (3%)

Roy invests directly Tom invests through an onshore bond Geoff invests through an offshore bond

Who is rolling up most tax efficiently?



Roll up tax

	Direct	Onshore	Offshore			
Gain £1,000						
Тах	£0 (£1,000 - £6,000 @ 20%)	£200 (£1,000 @ 20%)	£O			

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Tax Wrapper Comparison Tool

built by M&G

Tax Year 2023/24

				Reset
	Disting income HIGHER	£60,000 £0 RATE ON	ENCASH	HMENT
		Encashment \	/alues	
	Surrender Value Gain (Cumulative) Slice Tax payable Net return	Collectives £155,425 £1,488 N/A £0 £155,425	Onshore £160,930 £60,930 £6,093 £14,372 £146,558	e Offshore 0 £170,329 £70,329 £7,033 £31,160 8 £139,170
	Тах	N/A	£2,501	, £0

Key Assumptions

Cells with red tags contain further information The tool runs in tax years from 6 April to 5 April inclusive. The CGT allowance in year one is £6,000, thereafter this is £3,000. The Dividend Nil Rate in year one is £1,000, thereafter this is £500. The CGT annual exempt amount is used each year (bed and breakfast rules avoided Net investment income is reinvested. UK rates of income tax apply.

Onshore Bond Internal Tax Rate 10.00%

Expected Income year of encashm on Savings Non Dividend avings

BASIC RATE ON ENCASHMENT

Encashment Values					
	Collectives	Onshore	Offshore	e	
Surrender Value	£157,011	£160,930	£170,329	9	
Gain (Cumulative)	£1,488	£60,930	£70,329	9	
Slice	N/A	£6,093	£7,033		
Tax payable	£0	£0	£14,066	ļ	
Net return	£157,011	£160,930	£156,263	0	

Available Bands and Allowances in year of encashment (prior to investments being surrendered)

(pror to investments being surrendered)

Why bonds



Reliefs and fund availability

The trade off



DISADVANTAGE HAS DECREASED

Question 8

IHT on trusts

Geri, Emma and Victoria have been friends for many years. They are all in their <u>early 70s and healthy</u>.

Unfortunately they've all been recently widowed, inheriting all their late husbands estates.

They always use the £3,000 annual IHT exemption but have never given away a sizeable sum before.

Concerned about IHT but keen to control the money they all set up some Discretionary Trusts.

Geri puts £650,000 in a Loan Trust Emma puts £650,000 in a Discounted Gift Trust Victoria puts £650,000 in a Gift Trust

Who has the highest IHT entry charge?





Loan Trust has no transfer of value



A DGT has a right to payments carved out meaning the transfer of value is **discounted** by the value of the retained rights



Any **unused Nil Rate Band can only be used on death** not for lifetime gifts

	Geri	Emma	Victoria
Transfer of value	£O	< £650,000	£650,000

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Who has the highest IHT entry charge?



Ouestion 9 Corporation Tax Changes

Who will get the most corporation tax relief?



Sandi and Joan both run their own limited companies.

They usually have **profits of around £200,000** a year and expect this to continue for the foreseeable future.

Sandi's company prepares accounts to the 31st March

Joan's accounts are prepared to the 31st December.

They each made a **£40,000 employer pension** contribution last week.

Corporation Tax changes



Calculating corporation tax

Profit		£200,000
Corp Tax	25%	£50,000
Marginal relief	£250,000	
	<u>£200,000</u>	
3/200	£750	£750
	Tax due	£49,250
	Effective Rate	24.63%

Employer tax relief

Profit		£200,000		£160,000
Corp Tax	25%	£50,000	25%	£40,000
Marginal relief	£250,000		£250,000	
	<u>£200,000</u>		<u>£160,000</u>	
3/200	£750	£750	£90,000	£1,350
	Tax due	£49,250	Tax due	£38,650
	Effective Rate	24.63%	Effective Rate	24.16%

$f_{49,250} - f_{38,650} = f_{10,600} / f_{40,000} = 26.5\%$

Calculating corporation tax (simple)

	Profit	Tax	Profit	Tax
Small Rate 19%	£50,000	£9,500	£50,000	£9,500
Marginal Rate 26.5%	£150,000	£39,750	£110,000	£29,150
Main Rate 25%	<u>£0</u>	<u>£0</u>	<u>£0</u>	<u>£0</u>
	£200,000	£49,250	£160,000	£38,650

 $f_{49,250} - f_{38,650} = f_{10,600} / f_{40,000} = 26.5\%$

The "years"



Sandi and Joan

	Sandi	Joan		
Accounts	to 31 st March	to 31 st December		
Tax Relief	£40,000 × 26.5%	£10,000 x 19% £30,000 x 26.5%		
Amount	£10,600	£9,850		
Difference	$f10,000 \times 7.5\% = f750$			

Who will get the most corporation tax relief?



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£200,000 - Decisions, decisions...





Extracting C built by M&G	Company Profits Tool	Hello :-)		Tax Year 2023/24			RESET	
					Short	Summary		
Pre change position	n						5.44	
Soottich Tax Payor	No	Gross value of individuals pension	contributions		Pre Change	After change	Differen	ice
SCOUISII TAX Fayer	NO	Faid gloss agons, racs, avoi	20	Individual Bank Account	£108 389	£80.005	£28.384	.28%
Available Profits	£200.000	Relief at Source an PR GPR	£0	Company Bank Account	£0	£0	£0 Infi	nite Increase
				Pension Contributions	£0	£72.329	£72.329 Infi	nite Increase
Salary Paid	£9,100			HMRC total take	£91,611	£47,666	-£43,945	-48%
Dividends Paid	£144,062	Employer Contributions	£0	Detailed View				
					Pre Change	After change	Differen	се
				Individual				
Change (use a - for r	reductions)							
				Salary	£9,100	£9,100	03	No change
Online (Drild		Deliterate and the second	00	Plus Dividend received	£144,062	£90,900	-£53,102	-37%
Salary Paid	£U	Paid gross wators, MACK, AVCK	£U	Less Income Tax	199,//2 50	£19,990	-124,118	-00%
Dividende Paid	.852.182	Poliof at Source	60	Less National Insurance	50	£0	50	No change
Cryldenus Falu	4200,102	Relief at Source spin, un	20	Net Income	£108 389	£80.005	£28.384	-28%
				Less Contributions paid net	£0	£0	£0	No change
				Cash remaining	£108.389	£80.005	-£28,384	-26%
		Employer Contributions	£72,329					
				Employer				
After change								
				Available Profits	£200,000	£200,000	£0	No change
Salary	£9,100	Paid gross wators, rack, aver	£0	Less Dividend Paid	£144,062	£90,900	-£53,162	-37%
				Less Employer Pension Contributi	1 E0	£72,329	£72,329 Infi	nite Increase
Dividends	590,900	Relief at Source samp.gep	20	Less Corporation Tax	£40,839	±27,071	-£19,107	-41%
		Employee Contributions	672 220	Less Salary Paid	. 50	19,100	20 50	No change
		Employer Contributions	512,323	Profit remaining	20 20	50	£0 Infi	nite Increase
				rione ternaning	20		20 1111	inte interease
Assumed rate of tax	on pension income 20%	Reduction in individuals bank account	£28,384					
		Increase in pension provision	£72,329	Pension Contributions	£0	£72,329	£72,329 Infi	nite Increase
		Amount after PCLS and tax	£61,480					
		"Return" on bank account reduction	116.60%					

This tool will enable you to sit with a client and discuss the different options that they have for extracting profits from their business. You can input a client's current remuneration structure and highlight the difference adjusting this structure can benefit them and possibly mitigate the tax and national insurance payable to HMRC.

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Please note that the tool uses Category A National Insurance. Any employment allowance which may be available is not taken into account. The employment allowance is not available for sole owner/directors.

If you have any questions on using this tool, please contact your Account Manager.

Tax legislation states that that the personal allowance may be deducted in the way which will result in the greatest reduction in the taxpayer's liability to income tax. The calculator however proceeds on the basis that it is offset firstly against non-savings income, then savings income and then dividend income. In particular circumstances, a different order may produce a more beneficial result for the individual.

The challenge



The last one! It's not a techy one so you can relax More of a poll really

If we could improve an aspect of our technical support what would it be?







Thanks for your time

Get in touch with your usual contact if you need further help.


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