



HM Revenue
& Customs

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Date 5 January 2016
Our ref PSTR 00809520RD/Audit/MWS

Dear Sir

Notice to provide information and produce documents about The Victor Johnson SSAS

I refer to the attached letter dated 30 June 2015 when we asked for information to be supplied regarding the above scheme.

As we have not received any response to this letter I am now writing to inform you that if we do not receive the information requested in that letter by **5 February 2016** we may have to treat the registration of this scheme as withdrawn without further notice. This would be in accordance with Section 157 Finance Act 2004. You should note that withdrawal of registration will give rise to a de-registration charge at 40% of the value of the schemes assets under Section 242 Finance Act 2004. Our reasoning is as follows.

Reason for De-registration

The circumstances under which a scheme may be deregistered are detailed in sections 157 and 158 Finance Act 2004. Of most relevance to this scheme is the following text from section 158c:

The registration of a pension scheme may be withdrawn under section 157 only if it appears to the Inland Revenue ... that the scheme administrator has failed to provide information required to be provided to the Inland Revenue by virtue of this Part and the failure is significant.

We consider the failure here is significant because in our letter informing you that the pension scheme had been registered, we stated that we may carry out checks to ensure that the scheme continues to meet the criteria to be a registered pension scheme for tax reliefs and exceptions. Consequently we consider that the failure to respond to our request of 30

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June 2015 is of sufficient concern for us to treat the scheme as not meeting the criteria for it to remain registered for tax purposes.

Unauthorised Payment Tax Charge

As part of the de-registration process HMRC will be considering if there have been any unauthorised payments made in association with this pension scheme.

Registered pension scheme tax rules impose certain restrictions, including a minimum age when pension funds can be accessed. The minimum age for drawing pension benefits is currently 55. Any payment made to individuals directly or indirectly from a registered pension scheme before they reach the minimum pension age could therefore potentially be an unauthorised payment. Such payments incur significant tax charges.

These charges can be up to 55% of the amount received for the scheme member and up to 40% of the amount of the payment for the scheme administrator.

If HMRC identifies that unauthorised payments have been made we will pursue all tax charges arising on both the recipient of those payments and the pension scheme administrator as detailed above. HMRC have produced a factsheet to provide more detail on unauthorised payments. A copy of this is enclosed.

If you have received any unauthorised payments you are obliged to declare these on your Self Assessment (SA) return. If you are not registered for Self Assessment then HMRC will arrange for a return to be issued to you.

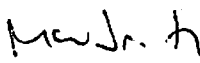
You must declare any unauthorised payments received on the additional information page for pension savings tax charges (page 4). Further information regarding unauthorised payments charges can be found at <http://home.inrev.gov.uk/rpsmmanual/rpsm09205210.htm>

You can find further information about our Compliance checks in fact sheet 2 *Compliance Checks - Requests for information and documents*. You can get this fact sheet by downloading it from our website at www.hmrc.gov.uk/compliance/cc-fs2.pdf or by phoning the Revenue and Customs Orderline on 0845 900 0404.

We have a dedicated e-mail address to which you can e-mail queries and/or contact us. The email address is pensions.compliance@hmrc.gsi.gov.uk.

When using this e-mail address to contact us please enter **Registration Audit** in the subject line of the email.

Yours faithfully


John Bhandal
Head of Compliance

To find out what you can expect from us and what we expect from you go to www.gov.uk/hmrc/your-charter and have a look at 'Your Charter'.



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Date 30 June 2015
Our ref PSTR 00809520RD/Audit/MWS

Dear Sir

Notice to provide information and produce documents about The Victor Johnson SSAS

This letter is an information notice. It is a legal request for information and documents and I am issuing it under Paragraph 1 of Schedule 36 to the Finance Act 2008.

I believe this is reasonably required. In our letter informing you that the pension scheme had been registered, we stated that we may carry out checks to ensure that the scheme continues to meet the criteria to be a registered pension scheme for tax reliefs and exceptions.

This notice means that by law you as scheme administrator must let me have the information I have asked for on the attached schedule by **14 August 2015**. Please send the documents to me by post and quoting the reference PSTR 00809520RD/Audit/MWS. If you feel you cannot do what this notice asks, or you cannot respond within the timescale it sets out, please contact me as soon as possible.

You can appeal against this notice. You can also appeal against any requirement to produce other documents or information. You cannot appeal against any requirement to produce documents or provide information that relates to your statutory records. You must appeal within 30 days of the day you receive this notice. Any appeal must be sent to me in writing and state the grounds of appeal.

I will, if possible, try to settle your appeal by agreement with you. If we cannot do this, I will write and tell you why and offer you a review by a person not previously involved in your appeal. I will also tell you about your right to an independent tribunal. You can find further information in fact sheet HMRC1. The fact sheet can be found on our website at www.hmrc.gov.uk/factsheet/hmrc1.pdf or by phoning the Self Assessment Orderline on 0845 900 0404.

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You may not wish to appeal, or your appeal may be settled and you are still required to produce documents or provide information. If you do not comply with this notice, you may become liable to a standard penalty of £300. If you have still not complied with this notice after I have assessed the standard penalty you may be liable to a daily penalty not exceeding £60 for every day the failure continues.

There is a similar penalty if you conceal, destroy or otherwise dispose of, or arrange for this to happen to, any document specified in this notice.

You can find further information about our Compliance checks in fact sheet 2 *Compliance Checks - Requests for information and documents*. You can get this fact sheet by downloading it from our website at www.hmrc.gov.uk/compliance/cc-fs2.pdf or by phoning the Revenue and Customs Orderline on 0845 900 0404.

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When using this e-mail address to contact us please enter **Registration Audit** in the subject line of the email.

Yours faithfully


John Bhandal
Head of Compliance

To find out what you can expect from us and what we expect from you go to www.gov.uk/hmrc/your-charter and have a look at 'Your Charter'.

Schedule

Information and documents:

1. Name of member (s).
2. National Insurance Number of member (s).
3. Date and amount of transfers into the scheme *and if any transfer value was not a monetary amount, details of the asset in question (the address if a property).*
4. Date and amounts of any contributions paid into the scheme *and if any contribution was not a monetary amount, details of the asset in question (the address if a property).*
5. Details of the scheme assets *as at no earlier than 5 April 2015 (or a copy of any audited accounts produced for the scheme since 1 January 2015) .*
6. Details of any pension benefits or scheme administration member payments the member(s) have received from the scheme, *including pension commencement lump sums, payments made under the flexibility provisions and if benefits surrendered, date of surrender.*
7. Copy of scheme bank statements from date of registration. *Also please give the scheme's bank name, account name, account number, sort code and date the bank account was opened if these are not obvious from the statements.*
8. The ICO registration number for all Trustees named in the Trust Deed *in accordance with The Data Protection Act 1998 or confirmation that the exemptions apply.*