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SCHEDULES

SCHEDULE 24

PENALTIES FOR ERRORS

Modifications etc. (not altering text)

- C1 Sch. 24 applied (N.I.) (1.4.2008) by [The Education \(Student Loans\) \(Repayment\) Regulations \(Northern Ireland\) 2000 \(S.R. 2000/121\)](#), [regs. 7\(2A\)\(b\)](#), 26(4) (as amended by S.R. 2008/129, [regs. 1](#), 3(a), 4)
- C1 Sch. 24 applied (6.4.2008) by [The Social Security \(Contributions\) Regulations 2001 \(S.I. 2001/1004\)](#), [Sch. 4 paras. 22\(7\)](#), [31\(8\)](#) (as amended by [The Social Security \(Contributions\) \(Amendment No. 3\) Regulations 2008 \(S.I. 2008/636\)](#), [regs. 1\(3\)\(b\)](#), 7)
- C1 Sch. 24 applied (N.I.) (6.4.2009) by [The Education \(Student Loans\) \(Repayment\) Regulations \(Northern Ireland\) 2009 \(S.R. 2009/128\)](#), [regs. 1\(1\)](#), 9(3)(b), 35(4), 54(8)(b)
- C1 Sch. 24 applied (E.W.) (6.4.2009) by [The Education \(Student Loans\) \(Repayment\) Regulations 2009 \(S.I. 2009/470\)](#), [regs. 1\(1\)](#), 13(3)(b), 40(4), 59(8)(b) (with [reg. 1\(4\)\(6\)](#))
- C1 Sch. 24 applied (with modifications) by SI 2001/1004 [reg. 81\(1\)\(1A\)](#) (as substituted (with application in accordance with [reg. 1\(3\)](#) of the amending S.I.) by [The Social Security \(Contributions\) \(Amendment No. 4\) Regulations 2010 \(S.I. 2010/721\)](#), [regs. 1\(2\)](#), [4](#))
- C1 Sch. 24 modified (8.4.2010) by [Finance Act 2010 \(c. 13\)](#), [Sch. 1 para. 37](#)

PART 2

AMOUNT OF PENALTY

Reductions for disclosure

- 9 ^[F1](A1) Paragraph 10 provides for reductions in penalties under paragraphs 1, 1A and 2 where a person discloses an inaccuracy, a supply of false information or withholding of information, or a failure to disclose an under-assessment.]
- (1) A person discloses an inaccuracy^[F2], a supply of false information or withholding of information,] or a failure to disclose an under-assessment by—
- (a) telling HMRC about it,
 - (b) giving HMRC reasonable help in quantifying the inaccuracy^[F3], the inaccuracy attributable to the ^[F4]supply of false information] or withholding of information, or the] under-assessment, and
 - (c) allowing HMRC access to records for the purpose of ensuring that the inaccuracy^[F5], the inaccuracy attributable to the ^[F6]supply of false information] or withholding of information, or the] under-assessment is fully corrected.
- (2) Disclosure—

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- (a) is “unprompted” if made at a time when the person making it has no reason to believe that HMRC have discovered or are about to discover the inaccuracy^{F7}, the supply of false information or withholding of information, or the under-assessment], and
- (b) otherwise, is “prompted”.

(3) In relation to disclosure “quality” includes timing, nature and extent.

Textual Amendments

- F1** Sch. 24 para. 9(A1) inserted (1.4.2009) by [Finance Act 2008 \(c. 9\)](#), s. 122(2), [Sch. 40 para. 9\(2\)](#); [S.I. 2009/571](#), art. 2
- F2** Words in Sch. 24 para. 9(1) inserted (1.4.2009) by [Finance Act 2008 \(c. 9\)](#), s. 122(2), [Sch. 40 para. 9\(3\)\(a\)](#); [S.I. 2009/571](#), art. 2
- F3** Words in Sch. 24 para. 9(1)(b) substituted (1.4.2009) by [Finance Act 2008 \(c. 9\)](#), s. 122(2), [Sch. 40 para. 9\(3\)\(b\)](#); [S.I. 2009/571](#), art. 2
- F4** Words in Sch. 24 para. 9(1)(b) substituted (21.7.2009) by [Finance Act 2009 \(c. 10\)](#), [Sch. 57 para. 4](#)
- F5** Words in Sch. 24 para. 9(1)(c) substituted (1.4.2009) by [Finance Act 2008 \(c. 9\)](#), s. 122(2), [Sch. 40 para. 9\(3\)\(b\)](#); [S.I. 2009/571](#), art. 2
- F6** Words in Sch. 24 para. 9(1)(c) substituted (21.7.2009) by [Finance Act 2009 \(c. 10\)](#), [Sch. 57 para. 4](#)
- F7** Words in Sch. 24 para. 9(2)(a) substituted (1.4.2009) by [Finance Act 2008 \(c. 9\)](#), s. 122(2), [Sch. 40 para. 9\(4\)](#); [S.I. 2009/571](#), art. 2

Commencement Information

- II** Sch. 24 para. 9 in force at 1.4.2008 for certain purposes, 1.7.2008 for certain purposes, 1.1.2009 for certain purposes, and 1.4.2009 in so far as not already in force by [S.I. 2008/568](#), [art. 2](#) (with [art. 3](#))

- ^{F8}10 (1) If a person who would otherwise be liable to a penalty of a percentage shown in column 1 of the Table (a “standard percentage”) has made a disclosure, HMRC must reduce the standard percentage to one that reflects the quality of the disclosure.
- (2) But the standard percentage may not be reduced to a percentage that is below the minimum shown for it—
- (a) in the case of a prompted disclosure, in column 2 of the Table, and
- (b) in the case of an unprompted disclosure, in column 3 of the Table.

<i>Standard %</i>	<i>Minimum % for prompted disclosure</i>	<i>Minimum % for unprompted disclosure</i>
30%	15%	0%
45%	22.5%	0%
60%	30%	0%
70%	35%	20%
105%	52.5%	30%
140%	70%	40%
100%	50%	30%
150%	75%	45%
200%	100%	60%]

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Textual Amendments

F8 Sch. 24 para. 10 substituted (6.4.2011) by [Finance Act 2010 \(c. 13\), s. 35\(2\)](#), [Sch. 10 para. 3](#); [S.I. 2011/975, art. 2\(1\)](#) (with [art. 3](#))

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