

## SCHEDULES

### SCHEDULE 21

#### PENALTIES IN CONNECTION WITH OFFSHORE ASSET MOVES

##### *“Deliberate failure”*

- 3           The original penalty is for a “deliberate failure” if—
- (a) in the case of a penalty within paragraph 2(a), the inaccuracy to which it relates was deliberate on P’s part (whether or not concealed);
  - (b) in the case of a penalty within paragraph 2(b), the failure by P was deliberate (whether or not concealed);
  - (c) in the case of a penalty within paragraph 2(c), the withholding of the information, resulting from the failure to make the return, is deliberate (whether or not concealed).