

*Status: Point in time view as at 10/06/2021.*

*Changes to legislation: There are currently no known outstanding effects for the Finance Act 2021, PART 2. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 28

#### FOLLOWER NOTICE PENALTIES

#### PART 2

##### AMENDMENTS CONSEQUENTIAL ON PART 1

##### *FA 2014*

- 9 FA 2014 is amended as follows.
- 10 In the heading of Schedule 30 (section 208 penalty: value of the denied advantage), after “208” insert “ or 208A ”.
- 11 In Schedule 31 (follower notices and partnerships), after paragraph 4 insert—
- “Additional penalty for unreasonable tax appeal*
- 4A Section 208A(3) applies, in relation to a partnership follower notice, as if the first reference to P were to each relevant partner.”
- 12 (1) In Schedule 31, paragraph 5 is amended as follows.
- (2) In sub-paragraph (2)—
- (a) in paragraph (a), for “20%” substitute “ 12% ”;
- (b) after paragraph (a), insert—
- “(aa) the total amount of the penalties under section 208A(3) for which the relevant partners are liable is 8% of the value of the denied advantage.”;
- (c) in paragraph (b), after “the penalty” insert “ under section 208(2) or 208A(3) (as modified by this paragraph) ”.
- (3) In sub-paragraph (5), after “penalties” insert “ under section 208(2) (as modified by this paragraph) ”.
- (4) In sub-paragraph (6), after “paragraph 4(2)” insert “ or 4A ”.
- (5) In sub-paragraph (7)(a), after “penalties” insert “ under section 208(2) ”.
- (6) After sub-paragraph (9), insert—
- “(9A) The right of appeal under section 214A extends to—
- (a) a decision that penalties under section 208A(3) are payable by the relevant partners by virtue of this paragraph, and
- (b) a decision as to the total amount of those penalties payable by those partners,

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but not to a decision as to the appropriate share of, or the amount of a penalty payable by, a relevant partner.

(9B) Section 214A(3) applies to an appeal by virtue of sub-paragraph (9A)(a) as it applies to an appeal under section 214A(1).

(9C) Section 214A(5) applies to an appeal by virtue of sub-paragraph (9A)(a), and section 214A(6) to an appeal by virtue of sub-paragraph (9A)(b).”

(7) In sub-paragraph (11), after “(2)(a)” insert “ and (aa) ”.

*National Insurance Contributions Act 2015*

13 (1) In Schedule 2 to the National Insurance Contributions Act 2015, paragraph 20 (recovery of penalties under Part 4 of FA 2014) is amended as follows.

(2) In sub-paragraph (1), after “208” insert “ , 208A ”.

(3) In sub-paragraph (3), after “208” insert “ or 208A ”.

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