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STATUTORY INSTRUMENTS

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**2022 No. 269**

**The Economic Crime (Anti-Money Laundering) Levy Regulations 2022**

**PART 5**

Provisions for assessment, payment and collection of the levy, where the appropriate collection authority is the HMRC Commissioners

**Application of Part 5**

**12.** This Part applies where the appropriate collection authority is the HMRC Commissioners<sup>(1)</sup>.

**Commencement Information**

**II** Reg. 12 in force at 1.4.2022, see [reg. 1\(1\)](#)

**Requirements of a person liable to pay the levy**

**13.**—(1) Where a person is liable to pay the levy, it must—

- (a) make a return (“an economic crime (anti-money laundering) levy return”) to the HMRC Commissioners; and
- (b) pay the levy,

on or before 30th September after the end of the financial year for which the liability arises (“the due date”).

(2) An economic crime (anti-money laundering) levy return must—

- (a) contain such information, be in such form and be made in such a manner as is specified in a notice<sup>(2)</sup> published by the HMRC Commissioners, and not withdrawn by a further notice; and
- (b) include a declaration by the person making the return that the return is, to the best of that person’s knowledge, correct and complete.

(3) Where the person liable to pay the levy is the responsible partners of a partnership, the responsible partners must make an economic crime (anti-money laundering) levy return in the name of the partnership.

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<sup>(1)</sup> “HMRC Commissioners” means the Commissioners for Her Majesty’s Revenue and Customs; see section 65(1) of the Act.

<sup>(2)</sup> Public notices published by the HMRC Commissioners will be available at [www.gov.uk/government/organisations/hm-revenue-customs](http://www.gov.uk/government/organisations/hm-revenue-customs) and hard copies will be available on request from HMRC, 100 Parliament Street, London SW1A 2BQ.

#### Commencement Information

**I2** Reg. 13 in force at 1.4.2022, see [reg. 1\(1\)](#)

#### Amendment of an economic crime (anti-money laundering) levy return

**14.—(1)** A person who has made an economic crime (anti-money laundering) levy return in accordance with regulation 13 may amend that return at any time up to 12 months after the due date referred to in regulation 13(1).

(2) An amendment must be in such form and be made in such a manner as is specified in a notice published by the HMRC Commissioners, and not withdrawn by a further notice.

[<sup>F1</sup>(3) An amount of levy payable as a result of the amendment of an economic crime (anti-money laundering) levy return must be paid—

- (a) immediately, or
- (b) if the amendment is made on or before the due date, not later than that due date.]

#### Textual Amendments

**F1** [Reg. 14\(3\)](#) inserted (with effect in relation to the financial year beginning with April 2022 and subsequent financial years) by [The Economic Crime \(Anti-Money Laundering\) Levy \(Amendment\) Regulations 2023 \(S.I. 2023/369\)](#), regs. 1(2), **8**

#### Commencement Information

**I3** Reg. 14 in force at 1.4.2022, see [reg. 1\(1\)](#)

#### [<sup>F2</sup>Assessment by the HMRC Commissioners of amounts of levy due

**14A.—(1)** Where it appears to the HMRC Commissioners that an amount of levy has become due and there has been a relevant failure, the HMRC Commissioners—

- (a) may assess the amount of levy due from the person for that financial year to the best of their judgement; and
- (b) must, where such an assessment is made, notify the amount to the person.

(2) In paragraph (1), any of the following is a “relevant failure”—

- (a) a failure to make an economic crime (anti-money laundering) levy return;
- (b) a failure to keep documents necessary to verify an economic crime (anti-money laundering) levy return;
- (c) the making of an incomplete or inaccurate economic crime (anti-money laundering) levy return;
- (d) an amount of levy, which could include an amount of repayment interest, has been repaid that ought not to have been repaid.]

#### Textual Amendments

**F2** [Regs. 14A-14E](#) inserted (with effect in relation to the financial year beginning with April 2022 and subsequent financial years) by [The Economic Crime \(Anti-Money Laundering\) Levy \(Amendment\) Regulations 2023 \(S.I. 2023/369\)](#), regs. 1(2), **9**

## [<sup>F2</sup>Replacement assessments by the HMRC Commissioners

**14B.**—(1) Where an assessment has been notified to a person under regulation 14A(1) and it appears to the HMRC Commissioners that the amount which ought to have been assessed as due exceeds the amount that has already been assessed, the HMRC Commissioners—

- (a) may make a further assessment (“a replacement assessment”) of the amount of levy due from the person to the best of their judgement, and
- (b) must, where such an assessment is made, notify the person of that amount.

(2) A replacement assessment made and notified to a person under paragraph (1) supersedes any previous assessment.]

### Textual Amendments

- F2** [Regs. 14A-14E](#) inserted (with effect in relation to the financial year beginning with April 2022 and subsequent financial years) by [The Economic Crime \(Anti-Money Laundering\) Levy \(Amendment\) Regulations 2023 \(S.I. 2023/369\)](#), regs. 1(2), 9

## [<sup>F2</sup>Assessment procedure

**14C.** Notice of an assessment under regulation 14A(1) or 14B(1) must be given in writing stating—

- (a) the date on which the notice is given, and
- (b) the time within which any appeal against the assessment may be made.]

### Textual Amendments

- F2** [Regs. 14A-14E](#) inserted (with effect in relation to the financial year beginning with April 2022 and subsequent financial years) by [The Economic Crime \(Anti-Money Laundering\) Levy \(Amendment\) Regulations 2023 \(S.I. 2023/369\)](#), regs. 1(2), 9

## [<sup>F2</sup>Time limits for assessments by the HMRC Commissioners

**14D.**—(1) An assessment under regulation 14A(1) or 14B(1) may not be made after the relevant time.

- (2) The “relevant time” is—
- (a) the end of the period of 4 years beginning with the date on which an economic crime (anti-money laundering) levy return is made, or
  - (b) where the economic crime (anti-money laundering) levy return has not been made, the end of the period of 20 years beginning with the due date.]

### Textual Amendments

- F2** [Regs. 14A-14E](#) inserted (with effect in relation to the financial year beginning with April 2022 and subsequent financial years) by [The Economic Crime \(Anti-Money Laundering\) Levy \(Amendment\) Regulations 2023 \(S.I. 2023/369\)](#), regs. 1(2), 9

**[<sup>F2</sup>Payment of levy following assessments by the HMRC Commissioners**

**14E.**—(1) An amount of levy assessed and notified to a person under regulation 14A(1) or 14B(1)

- (a) must be paid by the date which is 30 days after the date of notification of the assessment, and
- (b) is recoverable on the basis that it is an amount of levy due from that person.

(2) But paragraph (1) does not apply if, or to the extent that, the assessment has been withdrawn or reduced.]

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**Textual Amendments**

- F2** [Regs. 14A-14E](#) inserted (with effect in relation to the financial year beginning with April 2022 and subsequent financial years) by [The Economic Crime \(Anti-Money Laundering\) Levy \(Amendment\) Regulations 2023 \(S.I. 2023/369\)](#), regs. 1(2), **9**

**Changes to legislation:**

There are currently no known outstanding effects for the The Economic Crime (Anti-Money Laundering) Levy Regulations 2022, PART 5.