

Self Assessment: Penalties for late filing and late payment

Why you have to pay a penalty

You have to pay a penalty because you missed the deadline(s) for sending in your tax return and/or for paying your tax.

What to do if you don't agree with a penalty

If you don't think you need to complete a tax return for this year

If we sent you a tax return or a letter telling you to complete one and you don't think you need to, go to hmrc.gov.uk/yourtaxreturn to check. If you still don't think you should be in Self Assessment then phone us on 0845 900 0444.

If you think you met a deadline or have a reasonable excuse for missing a deadline

You can appeal and if we agree you met the deadline or think you have a reasonable excuse for missing it you won't have to pay the penalty.

Having a reasonable excuse

A reasonable excuse is normally an unexpected or unusual event, beyond your control, that made you miss the deadline. There are no hard and fast rules on what counts - we will look at the facts and information you give us. Examples of excuses we may accept and those we will not are on page 2.

We normally expect you to send in your tax return within 14 days of your reasonable excuse ending. If your reasonable excuse is continuing we will be unable to consider an appeal until you send us your tax return.

How to appeal

You need to complete an appeal form and send it back to us within 30 days of the date shown on your penalty notice. We may accept a late appeal if you explain the reason for the extra delay.

You can complete the appeal form attached or download a form at hmrc.gov.uk/forms/SA370.pdf

Paying the penalty if you appeal

If we do not agree your appeal and you have not paid the penalty you will have to pay interest. Interest is charged on a penalty that is unpaid 30 days after the date on your penalty notice.

What happens if you appeal

After we have looked at the facts and information you give us we will write to you with our decision.

If we agree with your appeal

- We will cancel the penalty and any interest we may have charged on it.
- You will get a Self Assessment Statement shortly after we have done this.

If we do not agree with your appeal

- We will tell you why and ask if you accept our decision.
- If you haven't already done so you should pay the penalty and any interest charges.

Tax return deadlines

For most people these are:

- 31 October for a paper tax return
- 31 January for an online tax return.

Penalties for sending your tax return late

If your tax return is late you have to pay a penalty. The more you delay the greater the penalty.

- **1 day late** - you will have to pay a £100 penalty.
- **3 months late** - you will have to pay a daily penalty of £10 a day, for a maximum of 90 days (£900).
- **6 months late** - you will have to pay a further penalty of 5% of the tax due or £300, whichever is greater.
- **12 months late** - you will have to pay a further penalty of 5% of the tax due or £300, whichever is greater. In serious cases you may be asked to pay up to 100% of the tax due instead.

These penalties are in addition to any penalties for paying your tax late (see page 2).

If you send us a paper tax return you may have to pay more penalties because the deadline for a paper tax return is usually three months earlier than the online filing deadline.

Example

For a tax return that was issued in April and received on 21 February.

If you send a **paper** tax return you will get two penalties costing you £310. This is £100 for missing the 31 October deadline and daily penalties of £210 (21 days at £10).

If you send an **online** tax return you will only get one penalty costing you £100.

We have a range of services for people with disabilities, including guidance in Braille, audio and large print. Most of our forms are also available in large print. Please contact us on any of our phone helplines if you need these services.

Our Minicom/text number 0845 302 1408

If you do not agree with our decision

You can disagree with our decision and take your appeal further by:

- asking for it to be reviewed again by someone else in HM Revenue & Customs (HMRC)
- making an appeal to an independent tribunal.

Go to hmrc.gov.uk/sa/appeals-decisions.htm for more information.

Reasonable excuse examples

What we may accept as a reasonable excuse

- HMRC Online Services would not accept the tax return - you'll need to provide the error message you received and the date you tried to send it.
- You did not receive the tax return or letter telling you to complete a tax return - we usually know if you did not because it is sent back undelivered.
- Bereavement - the death of a close relative or domestic partner shortly before the deadline.
- Serious or life-threatening illness, for example, a major heart attack or a serious mental illness that prevents you dealing with your tax affairs.
- You did not receive your online Activation Code, User ID or password in time to send your tax return by the deadline - as long as you tried to get them before the deadline and once you received them you sent your tax return as soon as you could.
- Your tax return or cheque was lost or delayed in the post. You must have posted it in good time to meet the deadline.
- Loss of tax records, through theft, fire or flood, that cannot be replaced in time to meet the deadline.
- Your cheque was dishonoured because of an error by your bank.

What we will not accept as a reasonable excuse

- Tax return too difficult to complete.
- Pressure of work.
- It was your agent's or tax adviser's fault that you missed the deadline.
- Lack of information available.
- We did not remind you about the tax return and payment deadlines.
- You want to replace the paper tax return you have already sent with an online tax return to reduce your penalties.
- Unable to send a certain tax return or supplementary pages online as there was no free HMRC software.
- Your cheque was dishonoured due to a shortage of funds or made out incorrectly.

For more information about reasonable excuse go to

hmrc.gov.uk/sa/appeals-decisions.htm

More help

- Go to hmrc.gov.uk/sa/appeals-decisions.htm
- Phone the Self Assessment Helpline on **0845 900 0444**.
- Write to the HMRC office shown on the front of your penalty notice.
If you don't have this, write to HM Revenue & Customs, Self Assessment,
PO Box 4000, CARDIFF, CF14 8HR

If you contact us by phone or in writing you will need to tell us your 10-digit Unique Taxpayer Reference (UTR). You'll find this on letters or forms we send you about your tax return.

Payment deadlines

You must pay the balance of any tax you owe by the 31 January following the end of the tax year.

For example, for tax year 2010-11 (ending 5 April 2011) you must pay any tax you owe by 31 January 2012.

When you don't pay the tax you owe on time you may have to pay a penalty. You will also have to pay interest on anything you owe and haven't paid, including penalties.

Penalties for paying your tax late

The more you delay the greater the penalty.

- **30 days late** - you will pay 5% of the tax you owe at that date
- **6 months late** - you will pay a further penalty of 5% of the tax you owe at that date.
- **12 months late** - you will pay a further penalty of 5% of the tax you owe at that date.

These penalties are in addition to any penalties for sending your tax return late (see page 1).

For more information on deadlines and penalties go to hmrc.gov.uk/sa/deadlines-penalties.htm

Your rights and obligations

Your Charter explains what you can expect from us and what we expect from you. For more information go to hmrc.gov.uk/charter

These notes are for guidance only and reflect the position at the time of writing. They do not affect any right of appeal.

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