2016/17 Year end tax saving strategies

Sound financial planning is always advisable, but as we enter a period of economic uncertainty following the UK's vote to leave the EU, it is now more important than ever to ensure your finances are in hand.

That is where we can help. Although the full implications of so-called Brexit may be unclear, we can work with you to ensure your business and personal finances are in a strong position to weather whatever lies ahead.

This includes planning to make the most of the tax-saving opportunities available to you, particularly ahead of the tax year end. As your accountants, there are many ways we can help you to lower your tax liabilities, increase the profitability within your business and maximise your personal wealth. These might include:

- making the most of the tax-efficient schemes available to you and your business
- saving for a comfortable retirement
- reducing your inheritance tax bill
- driving down the cost of business motoring.

This guide considers some tax-efficient planning strategies that you might want to implement before 5 April 2017. However, there is no substitute for one-to-one advice, so be sure to contact us to discuss your individual circumstances.

Timing is key

It is essential to act now in order to minimise your tax bill and maximise tax reliefs – don't wait until 5 April 2017! Talking to us in good time will ensure that we can discuss the tax planning opportunities available to you and help you manage your cash flow by giving you early warnings of any tax payments due.

We can help you plan for a more prosperous future, whilst ensuring that you stay compliant with the taxman. Contact us today.

Income tax and the 'hidden' top rate!

To maximise tax efficiencies, you should aim to use up personal allowances (£11,000 in 2016/17 and £11,500 in 2017/18) and minimise any exposure to higher (£32,000 to £150,000) and additional rate tax (£150,000+).

If your income exceeds £100,000 you will already be paying tax at higher rate (40% on everything except dividends) – this begins when taxable income exceeds £32,000 – but your personal allowances are also clawed back by £1 for every £2 by which your adjusted net income exceeds £100,000.

This means that an individual with adjusted net income of £122,000 or more will not be entitled to any personal allowance, resulting in an effective tax rate on this slice of income of 60%! If you are likely to be affected by this, you might want to consider strategies to reduce your taxable income and retain your allowances – for example, delaying income into the next tax year or increasing your payments into a pension.

If you want to avoid the 60% 'hidden top rate' you will usually need to act before the end of the tax year on 5 April. However, there is one 'adjusted net income' reducer which can be arranged after the end of the year – a Gift Aid carry-back. Subject to making a qualifying donation to charity and the associated claim no later than when you file your 2016/17 Tax Return, a donation which would otherwise fall into 2017/18 can be claimed for 2016/17. Certain rules and conditions apply. Income over £150,000 is taxed at additional rates (45% for everything except dividends).

Since 6 April 2016 we have each had a Personal Savings Allowance meaning you can receive £1,000 of savings income tax free if you are a basic rate taxpayer, and £500 if paying tax at the higher rate (nothing is tax-free for additional rate taxpayers). On top of this, if you or your partner have little or no earnings or pension income, you may also be able to benefit from a 0% tax rate on up to a further £5,000 of savings income.

For 2016/17 the taxation of dividend income was also simplified so that all individual are now taxed at 0% on the first £5,000 of dividend income. Dividends over £5,000 are taxed according to your total income and are 7.5% for basic rate taxpayers,

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32.5% for higher rate taxpayers and 38.1% for additional rate taxpayers. **Just announced: only £2,000 of dividends will be taxed at 0% from 6 April 2018.**

Child Benefit is, in effect, withdrawn where either partner has income of £50,000 or more. Withdrawal is total if income is over £60,000, and partial for income between £50,000 and £60,000. You may be able to keep some or all of your child benefit by switching income between you and your partner, or by taking other steps to bring your income below one of these limits.
If neither partner are higher or additional rate taxpayers, one can transfer up to 10% of their Personal Allowance to the other, saving up to £220 of income tax.

Looking ahead
For 2017/18, a £1,000 tax-free allowance for income from property, such as where a parking space is let out, will be available, so joint ownership could result in a modest tax saving.

Residential landlords will start to have the tax relief restricted on borrowings relieved against their rental income restricted. The restrictions will be phased in over four tax years starting in 2017/18 and in2020/21 only basic rate relief (20%) will be due.

You and your partner might be able to reorganise your financial affairs to avoid exceeding one of these limits. However, seek advice if you are considering gifting assets as there could be capital gains tax (CGT) to pay on switching ownership of an investment if you are not married or in a civil partnership.

Alternatively, you could sacrifice salary to bring your income below any of the thresholds in exchange for a tax-free employer’s pension contribution – subject to Annual allowance limits as detailed in pension planning.

For further advice on minimising the impact of the top rates of income tax, please get in touch.

Capital gains tax planning
Everyone has an annual CGT exempt amount, which in 2016/17 makes the first £11,100 of gains free of tax. Most gains above the exempt amount are taxed at 10% where taxable gains and income are less than the basic rate limit of £32,000 in 2016/17 and £33,500 in 2017/18 (this limit may be lower in Scotland). The rate is 20% on gains that exceed this limit. For residential property gains, the rates of tax are subject to an 8% surcharge becoming 18% and 28% respectively.

You should generally aim to use your annual exempt amount by making contractual disposals before 5 April 2017. If you have already made gains of more than £11,100 in this tax year, you might be able to dispose of investments standing at a loss to create a tax loss that can be set against the gains.

If your disposals so far this tax year have resulted in a net loss, the decision whether to dispose of investments to realise gains before 5 April 2017 will depend on the amounts involved. Depending on your level of income, timing your disposals either before or after the end of the tax year could result in more of your gains being taxed at 10% rather than at 20% (or 18% instead of 28%).

CGT is payable on 31 January after the end of the tax year in which you make the disposal.

Planning considerations:

- You could delay a major sale until after 5 April 2017 to give yourself an extra 12 months before you have to pay the tax.
- Shares or assets you own might have become virtually worthless. If so, you can claim the loss against your capital gains without actually disposing of the asset by making a negligible value claim. You can backdate the loss relief to either of the two tax years before the one in which you make the claim, provided that in the earlier year you owned the asset and it was already of negligible value. **5 April 2017 is the time limit for backdating a claim to 2014/15;**
- CGT deferral via subscriptions in EIS or SEIS qualifying company shares. These are high risk investments that may also be illiquid. A brief overview follows:

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Useful link:
https://www.gov.uk/guidance/changes-to-tax-relief-for-residential-landlords-how-its-worked-out-including-case-studies- more detail of how it will be imposed including case studies

Enterprise investment scheme
The enterprise investment scheme (EIS) gives tax relief for investing in new shares in relatively small qualifying trading companies that are not listed on any Stock Exchange.

- Income tax relief is given at 30% on up to £1 million invested in 2016/17.
- Gains on those shares escape CGT after three years.
- It is possible to defer CGT on a gain of any size, on the disposal of any asset, by reinvesting the gain in shares that qualify under the EIS. An EIS investment can be used to defer gains made up to three years earlier.

Seed enterprise investment scheme
Through the seed enterprise investment scheme (SEIS), individuals can get 50% income tax relief on investments of up to £100,000 a year in start-up companies. In addition, potentially half the investment can be matched with gains arising on the disposal of assets in 2016/17, giving total tax relief of up to 60% (50% income tax relief plus 10% CGT relief - (half of the normal higher CGT rate of 20%).

However, CGT relief will be 14% where a residential property gain is involved, increasing the potential total relief to 64%. To the extent that you did not use up your £100,000 limit in 2015/16, an investment made during 2016/17 can be carried back and relieved as if you had made it in the previous year.

Venture capital trusts
There are no CGT deferral reliefs available upon subscription in VCT shares. You can obtain income tax relief of 30% by subscribing up to £200,000 for shares in venture capital trusts (VCTs) in 2016/17. Gains are generally exempt from CGT. VCTs are investment trusts that invest in a range of relatively small trading companies.

It is important to remember that EIS and SEIS shares and VCTs are high-risk investments. They may be difficult to sell and you should take specialist advice.

A new generation of ISAs...

Despite ongoing low interest rates, ISAs can still offer a useful tax-free way to save, whether this is to help fund your children’s future, save for a first home or simply to put aside money for a ‘rainy day’ and you do not have to declare the income on your tax return!

Increased flexibilities introduced from 6 April 2016 could allow individuals to replace cash they have previously withdrawn from their ISA earlier in a tax year, without this replacement affecting their annual subscription limit. This can also be done for cash that is held within Stocks and Shares ISAs if the provider offers the facility through a cash trading account.

Individuals can invest in any combination of cash or stocks and shares up to the overall annual subscription limit of £15,240 in 2016/17. However, a saver may only pay into a maximum of one Cash ISA, one Stocks and Shares ISA and one Innovative Finance ISA (see below) each year. You have until 5 April 2017 to make your 2016/17 ISA investment. **For 2017/18 the ISA limit will be increased to £20,000.**

Meanwhile, a tax-free Junior ISA (JISA) is available to all UK resident children under the age of 18 as a Cash or Stocks and Shares product, or both. Total annual contributions are capped at £4,080. Funds placed in a JISA will be owned by the child but investments will be locked in until the child reaches adulthood. **For 2017/18 the Junior ISA limit will be capped at £4,128...**

The Innovative Finance ISA
The new Innovative Finance ISA is designed to encourage peer-to-peer lending. It can be offered by qualifying peer-to-peer lending platforms in accordance with the ISA Regulations. Loan repayments, interest and gains from peer-to-peer loans will be eligible to be held within an Innovative Finance ISA, without being subject to tax. Returns on Innovative Finance ISAs have the potential to be significantly greater than on Cash ISAs, but they will carry a greater degree of risk.

And don’t forget…
The Help to Buy ISA provides a tax-free savings option for those wishing to save for a first home, with savings of up to £12,000 attracting a 25% bonus from the Government (capped at a maximum of £3,000). Various rules apply – please ask us for details.

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Tax-efficient saving for a financially secure retirement

Planning for your retirement may not be at the top of your agenda, but it is vital to start thinking about how you will fund your life after work.

Investing in a pension plan is usually worthwhile because of the tax privileges. Pension funds are broadly free of UK tax on their capital gains and investment income. When you take the benefits, up to a quarter of the fund is normally tax free, but the pension income will be taxable.

Many people do not take advantage of tax reliefs and (tax-deductible) employer contributions when building a fund for their retirement. However, personal contributions to pension schemes may attract tax relief worth up to 60%, making them an ideal tax- free investment regime.

The Annual Allowance for pension contributions (or growth in final salary benefits) is generally £40,000. In April 2016 the Government introduced a taper to the annual allowance for those who have both net income over £110,000 and adjusted annual income (their income plus their own and their employer’s pension contributions) over £150,000. For every £2 of adjusted income over £150,000, an individual’s annual allowance is reduced by £1, down to a minimum of £10,000.

For people drawing a flexible income from a pension, the annual allowance is also reduced to £10,000 (**this limit will be £4,000 from 6 April 2017**).

Where pension savings in any of the last three years’ pension input periods (PIPs) were less than the annual allowance and you have been a pension scheme member during a tax year, the ‘unused relief’ is brought forward. The unused relief for any particular year must be used within three years. **5 April 2017 is the last date to make full use of the £50,000 Annual Allowance for 2013/14.**

What can be paid?
For pension contributions to be applied against 2016/17 income they must be paid on or before 5 April 2017.

Tax relief is available on annual contributions limited to the greater of £3,600 (gross) or the amount of your UK relevant earnings, but also subject to the annual allowance. Tax relief on pension contributions is at least 20%, and if you are a higher or additional rate taxpayer you will get tax relief at 40% or 45%.

Effective relief can be as high as 60% where the personal allowance is being withdrawn, and can be even higher if tax credits are being withdrawn. Pension payments also attract higher rates of relief if, for example, they stop you losing your child benefit or result in some of your dividends no longer being subject to higher rate tax.

Limiting your contributions to amounts that qualify for at least 40% tax relief will give you the most benefit.

You don’t need earnings to contribute up to £2,880 net to a personal pension, so you could set up a pension for your partner or children. This would mean that even if they do not pay any tax they can still benefit from 20% tax relief bumping their pension contribution to £3,600 gross.

Drawing pension?
Most people aged 55 and over can draw their pension savings flexibly. Withdrawals above the tax-free amount are liable to income tax at your marginal rate. You should take advice before accessing pension savings as there are several options and they will generally have a long-term effect on your financial position.

A Lifetime Allowance (LTA) is also applied to pensions when the funds are crystallised / drawn and this is the maximum you can hold in a tax-favoured pension scheme.

The overall tax-advantaged pension savings LTA is currently £1 million for 2016/17, down from £1.25 million in 2015/16.

5 April 2017 is the last date to apply for Individual Protection 2014 to obtain a personalised LTA where your pension funds were worth more than £1.25 million as at 5 April 2014 and this will be the lower of the value of your pension funds at 5 April 2014 and the £1.5 million LTA applying at 5 April 2014.

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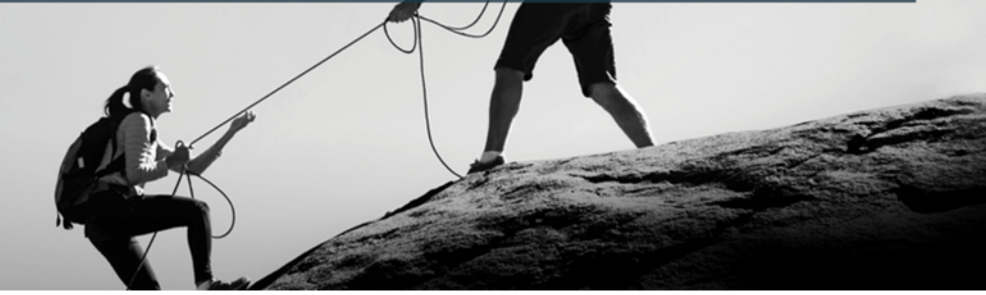

Similarly Individual Protection 2016 applications can be made your pension funds were worth more than £1 million as at 5 April 2016 and this will be the lower of the value of your pension funds at 5 April 2016 and the £1.25 million LTA applying at 5 April 2016. The deadline for IP2016 applications is 5 April 2019 so no immediate rush.

Your pension scheme managers can provide pension forecasts to help you estimate whether you are saving enough and advise on any additional savings you might need to make. When you consider your retirement income, don't forget to also assess your expenditure – many people underestimate the amount they will need to live comfortably when they stop working.

State pension top-up
If you are a man born before 6 April 1951 or a woman born before 6 April 1953, you can apply to top up your state pension by up to £25 a week. The lump sum you will have to pay depends on your age and how much extra pension you want to receive. For example, a 68-year-old would have to pay £827 for each £1 a week addition to their state pension. **You must apply by 5 April 2017.**

We can advise you on the complex rules surrounding pension contributions, so please contact us for more information.

Could you reduce your business motoring costs?

An employer-provided vehicle can be a key tool for many businesses. However, tax and national insurance payments might reduce the attractiveness of a company car.

The car benefit and car fuel benefit (where fuel for private use is provided with the car), on which you pay income tax at up to 45%, is calculated at up to 37% of the list price (car) and the same percentage on a notional £22,200 (fuel) in 2016/17.

This is also a good time to review whether a company car is worth having because the tax on all cars will increase in 2017/18, with further substantial increases over the next three tax years. Switching to a company car with very low CO2 emissions will save you and your company tax and NICs, as well as reducing other costs.

It may well be worth carrying out a complete review of your company car policy, as then it could prove more beneficial to pay employees for business mileage in their own vehicles at the statutory mileage rates, especially if their business mileage is high. In some cases, a company van might also be appropriate. The taxable benefit for the unrestricted use of company vans is £3,170 plus a further £598 of taxable benefit if fuel is provided by the employer for private travel.

We can help you decide on the most cost-effective way to organise your business motoring.

Taking advantage of capital allowances

Capital allowances allow the costs of capital assets to be written off against taxable profits.

The maximum amount of the Annual Investment Allowance (AIA) has been set at a permanent rate of £200,000 from 1 January 2016. This means up to £200,000 of the year's investment in plant and machinery, except for cars, is allowed at 100%. The AIA applies to businesses of any size and most business structures, but there are provisions to prevent multiple claims.

'Greener' investment is encouraged through specific 100% allowances available for some investments, including energy-saving equipment and low CO2 emissions (up to 75 g/km) cars. Otherwise, the general rate of annual writing down allowance is 18% on the reducing balance, with an 8% allowance for certain categories, including cars with CO2 emissions exceeding 130 g/km, long life assets and certain specified integral features of buildings.

Typically, a purchase made just before the end of the current accounting year will mean the allowances will usually be available a year earlier than if the purchase was made just after the year end. In the same way, the disposal of an asset may trigger an earlier claim for relief or even an additional charge to tax.

If you are planning to invest in plant and machinery, please talk to us in advance as we can help to ensure that you receive the maximum tax benefit from your purchase.

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Useful link: **https://www.gov.uk/guidance/pension-schemes-protect-your-lifetime-allowance - information about protecting your LTA and links to make online applications.**

Useful link: **http://www.gov.uk/plan-retirement-income– information about pensions and pensioner benefits.**

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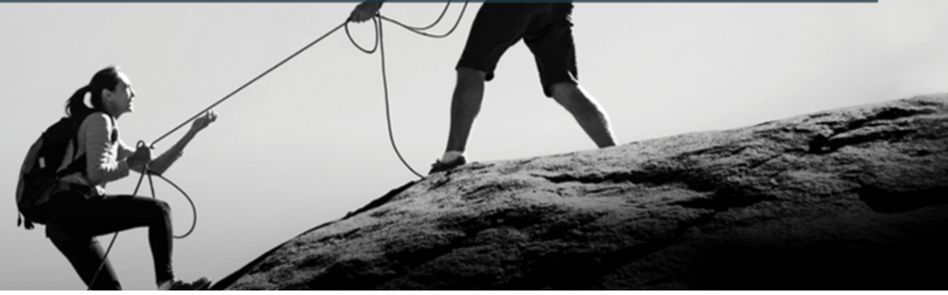

Developing a tax-efficient estate plan

Developing an estate plan that minimises your tax liability is essential.

Inheritance tax (IHT) is currently payable at 40% where a person’s taxable estate is in excess of £325,000 (the ‘nil-rate band’), and in some cases the value of assets given away up to seven years before your death can be brought back into account.

Early planning is important in order to minimise your exposure to IHT. We can help you, but here are some of the key areas to consider…

Take advantage of reliefs of up to 100%

Many IHT reliefs are available, including relief on business and agricultural property, which effectively takes most of such property outside the IHT net. Detailed conditions apply, including a two-year minimum holding period, but business and agricultural property will generally attract 100% or 50% relief.

IHT exempt transfers between spouses

Transfers of assets between spouses or civil partners are generally exempt from IHT, regardless of whether they are made during a person’s lifetime or on their death. In addition, the nil-rate band may be transferable between spouses and civil partners. This means that if the bulk of one spouse’s estate passes, on their death, to the survivor, the proportion of the nil-rate band unused on the first death goes to increase the total nil-rate band on the second death.

Robert and Susan were married. Robert died in May 2008, leaving £50,000 to his more distant family but the bulk of his estate to Susan. If Susan dies in 2016/17 her estate will qualify for a nil-rate band of:	
Nil-rate band on Robert’s death	£312,000
Used on Robert’s death	£50,000
Unused band	£262,000
Unused percentage	83.97%
Nil-rate band at the time of Susan’s death	£325,000
Entitlement	183.97%
Nil-rate band for Susan’s estate	£597,902

Other exempt transfers include:

- small gifts (not exceeding £250 per tax year, per person) to any number of individuals
- annual transfers not exceeding £3,000 (any unused amount may be carried forward to enhance the following year’s exemption)
- certain gifts in consideration of marriage or civil partnership
- normal expenditure out of income
- gifts to charities.

Lifetime gifts

A programme of lifetime gifts can also significantly reduce the IHT liability on your estate. As long as you survive the gift by seven years and no longer continue to benefit from the gift yourself, it will escape IHT. Gifts also have the advantage of allowing you to witness your family members benefitting during your lifetime.

A discount, known as taper relief, can also apply where lifetime gifts were made between three and seven years before death. Please note that the discount applies to the tax on the gift rather than the gift itself, so, as above, these ‘old’ gifts can significantly increase the final bill unless we have been able to cover them for you with an exemption or relief.

Trusts

Trusts can be used to help maintain a degree of control over the assets being gifted, which is especially useful in the case of younger recipients. Life assurance policies can be written into trust in order that the proceeds will not form part of the estate on your death.

Your Will

You should review your Will at regular intervals to ensure that it reflects changes in your personal and financial circumstances, is tax-efficient, and includes any specific legacies you would like to give, including tax-free donations to charity.

Looking ahead

From April 2017 an additional nil-rate band – the residence nil-rate band (RNRB) – will be introduced where a residence is passed on death to descendants such as a child or a grandchild. A step-child, adopted child or fostered child is also regarded as a direct descendant. The RNRB will

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initially be set at £100,000 in 2017/18, rising each year thereafter to reach £175,000 in 2020/21.

We can help you minimise the tax due on your estate and ensure the maximum amount is passed on to your loved ones, but the sooner you decide to plan, the better.

Looking ahead to a new additional "death tax"

If a person has left a will, they usually appoint a will executor. This executor then has to apply for a 'grant of probate' from the probate registry (applying for the right to deal with a deceased person's property, money and other possessions). The cost of applying for probate will substantially increase from 1st May 2017.

Currently a flat fee of £215 applies on all estates (or £155 if the application is made by a solicitor) but the cost is to be linked to the size of the estate:

Value of estate (before Inheritance Tax)	Fee
up to £50,000 (or exempt from applying for grant)	£0
Exceeds £50K but less than £300,000	£300
Exceeds £300K but less than £500,000	£1,000
Exceeds £500K but less than £1,000,000	£4,000
Exceeds £1M but less than £1,600,000	£8,000
Exceeds £1.6M but less than £2M	£12,000
Above £2,000,000	£20,000

These increases mean that if you are currently administering an estate and it is worth more than £50,000, it's important to get your application for probate in before 1st May when the fees increase.

We can help you with this process.

Retaining more of your profit

There are numerous ways of extracting profits from your company. However, each method has implications, not just for tax, but for your business as a whole. We can help you decide on the best strategies for both you and your company. See below for some key planning strategies.

Corporation tax is the tax due on a company's profits, while personal income tax generally applies to what is drawn out of the company by means of a salary, bonus or other form of remuneration.

Dividend versus salary/bonus

The question of whether it is better to take a salary/bonus or a dividend requires careful consideration, particularly in light of the recent changes to the dividends regime.

A dividend is paid free of national insurance contributions (NICs), whereas a salary or bonus can carry up to 25.8% in combined employer and employee contributions. However, a salary or bonus is generally tax deductible for the company, whereas dividends are not. 5 April 2017 is the last date for paying a 2016/17 dividend, and any tax on that dividend will not be due until 31 January 2018.

The dividend tax credit was abolished from 6 April 2016 and a new Dividend Tax Allowance of £5,000 a year was introduced. The new allowance does not change the amount of income that is brought into the income tax computation. Instead it charges £5,000 of the dividend income at 0% tax – the dividend nil rate. So £5,000 of dividends can be received without any tax being due. The rates of tax on dividend income above the allowance are 7.5% for basic rate taxpayers, 32.5% for higher rate taxpayers and 38.1% for additional rate taxpayers for 2016/17. While there may still be benefits for a director-shareholder taking a dividend over a salary, the amount of tax saved has been reduced.

More ways to extract profit

You may want to consider some alternative means of extracting profit from your business, which might include:

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For more help and advice on any of the issues discussed in this update, please speak to your usual Hillier Hopkins contact or call us on 0330 024 3200.

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Incorporation
Incorporation may give more scope for saving or deferring tax than operating as a self-employed person or partner.

Of course, incorporation may not suit all circumstances, and the ‘IR35’ rules specifically counter the use of ‘personal service companies’ to reduce tax, but we will be pleased to discuss how incorporation might apply to you and your business.

Tax-free allowances
Tax-free allowances, such as mileage payments, apply when you drive your own car or van on business journeys. The statutory rates are 45p per mile for the first 10,000 miles and 25p per mile above this. If you use your motorbike the rate is 24p per mile, and you can even claim 20p per mile for using your bicycle!

Pensions
Employer pension contributions can be a tax-efficient means of extracting profit from a company, as long as the overall remuneration package remains commercially justifiable. The costs are usually deductible to the employer and free of tax and NICs for the employee.

Property
Where property which is owned by you is used by the company for business purposes, such as an office building or car park, you are entitled to receive rent, which can be anything up to the market value, if you wish.

The rent is usually deductible for the employer. You must declare this on your Tax Return and pay income tax, but a range of costs connected with the property can be offset. However, receiving rent may result in a bigger capital gains tax bill if or when you decide to sell the property, as it will impact on any entitlement to Entrepreneurs Relief (CGT charged at 10%), so care needs to be taken to weigh up the pros and cons.

We would be happy to assist you – please contact us for advice.

My Year End Checklist	
Make the most of my 2016/17 ISA	
Talk to my accountant about ways to extract profits from my business at the smallest tax cost	
Find out how the timing of dividends and bonuses could reduce my tax bill	
Carry out a review of my pension arrangements	
Put in place a tax-efficient gifting strategy	
Find out the impact of accelerating disposals into the current financial year or deferring them into the next	
Review my estate plan and my Will	
Discuss ways of improving cash flow	
Make sure I am offering tax-efficient staff remuneration packages	
Send my business and personal records to my accountant in plenty of time	
Contact my accountant regarding these and any other issues relating to my business, tax and personal financial situation.	

We are here to help…

Make good use of us! This guide is designed to help you identify areas that might have a significant impact on your tax planning. Please consult us early for help in taking advantage of tax-saving opportunities. We will be delighted to assist you.

For a free initial consultation please contact:

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