



Income Tax (Earnings and Pensions) Act 2003

2003 CHAPTER 1

PART 11

PAY AS YOU EARN

CHAPTER 3

PAYE: SPECIAL TYPES OF PAYER OR PAYEE

[^{F1}688AA] Workers' services provided through intermediaries: recovery of PAYE

- (1) PAYE Regulations may make provision for, or in connection with, the recovery of a deemed employer PAYE debt from a relevant person.
- (2) “A deemed employer PAYE debt” means an amount—
 - (a) that a person (“the deemed employer”) is liable to pay under PAYE regulations in consequence of being treated under section 61N(3) as having made a deemed direct payment to a worker [^{F2}(other than by virtue of section 61WA)], and
 - (b) that an officer of Revenue and Customs considers there is no realistic prospect of recovering from the deemed employer within a reasonable period.
- (3) “Relevant person”, in relation to a deemed employer PAYE debt, means a person who is not the deemed employer and who—
 - (a) is the highest person in the chain identified under section 61N(1) in determining that the deemed employer is to be treated as having made the deemed direct payment, or
 - (b) is the second highest person in that chain and is a qualifying person (within the meaning given by section 61N(8)) at the time the deemed employer is treated as having made that deemed direct payment.]

Changes to legislation: There are currently no known outstanding effects for the Income Tax (Earnings and Pensions) Act 2003, Section 688AA. (See end of Document for details)

Textual Amendments

- F1** S. 688AA inserted (22.7.2020) by [Finance Act 2020 \(c. 14\)](#), **Sch. 1 para. 19** (with [Sch. 1 paras. 30-34](#))
- F2** Words in [s. 688AA\(2\)\(a\)](#) inserted (with effect in accordance with s. 21(10) of the amending Act) by [Finance Act 2021 \(c. 26\)](#), **s. 21(9)**

Changes to legislation:

There are currently no known outstanding effects for the Income Tax (Earnings and Pensions) Act 2003, Section 688AA.