



Childcare Payments Act 2014

2014 CHAPTER 28

Other enforcement powers

51 Power to charge interest

(1) Where—

- (a) an amount has been assessed under section 41 or 47 as payable to HMRC by a person under this Act, and
- (b) some or all of the amount has not been paid to HMRC by the time specified in section 41(5) or 47(4) (as the case may be),

HMRC may give the person a notice in writing requiring the person to pay interest on the amount that has not been paid (“the relevant debt”).

(2) If a notice is given to a person under this section, the relevant debt carries interest for a period which—

- (a) begins with the late payment interest start date (which may be earlier than the day on which the notice is given), and
- (b) ends with the specified day or, if earlier, the day on which the relevant debt is paid.

(3) “The late payment interest start date” means—

- (a) in the case of an amount assessed under section 41, the day on which the person became liable to pay it;
- (b) in the case of a penalty, the day after the last day of the period within which the penalty is required to be paid in accordance with section 47(4).

(4) “The specified day”, in relation to a notice given to a person under this section, means—

- (a) the day specified in the notice, or
- (b) where on that day the relevant debt has not been paid, the day specified in a further notice given to the person by HMRC.

(5) The specified day must fall within the period of 6 months beginning with the day on which the notice is given.

Status: This is the original version (as it was originally enacted).

- (6) Interest under this section is payable at the late payment interest rate.
- (7) The “late payment interest rate” is—
 - (a) the rate provided for in regulations made by the Treasury under section 103(1) of the Finance Act 2009, or
 - (b) if there is more than one such rate, the lowest such rate.
- (8) Where two or more persons—
 - (a) have been notified of an assessment under section 41 in respect of the same amount, and
 - (b) have been given a notice under this section,each of those persons is jointly and severally liable to pay interest on the relevant debt.