

*Status: Point in time view as at 01/01/2017.*

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## SCHEDULES

### SCHEDULE 20

#### PENALTIES FOR ENABLERS OF OFFSHORE TAX EVASION OR NON-COMPLIANCE

##### PART 1

##### LIABILITY FOR PENALTY

###### *Amount of penalty*

- 3 (1) The penalty payable under paragraph 1 is (except in a case mentioned in sub-paragraph (2)) the higher of—
- (a) 100% of the potential lost revenue, or
  - (b) £3,000.
- (2) In a case where P has enabled Q to engage in conduct which makes Q liable to a penalty under paragraph 1 of Schedule 21 to FA 2015, the penalty payable under paragraph 1 is the higher of—
- (a) 50% of the potential lost revenue in respect of the original tax non-compliance, and
  - (b) £3,000.
- (3) In sub-paragraph (2)(a) “the original tax non-compliance” means the conduct that incurred the original penalty and “the potential lost revenue” (in respect of that non-compliance) is—
- (a) the potential lost revenue under Schedule 24 to FA 2007,
  - (b) the potential lost revenue under Schedule 41 to FA 2008, or
  - (c) the liability to tax which would have been shown on the return (within the meaning of Schedule 55 to FA 2009),
- according to whether the original penalty was incurred under paragraph 1 of Schedule 24, paragraph 1 of Schedule 41 or paragraph 6 of Schedule 55.

##### **Commencement Information**

**II** Sch. 20 para. 3 in force at 1.1.2017 by S.I. 2016/1249, reg. 2

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