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STATUTORY INSTRUMENTS

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**2018 No. 87**

**The Help-to-Save Accounts Regulations 2018**

**Recoupment of bonus etc.**

16.—(1) Where—

- (a) the account holder was not an eligible person on an eligibility reference date; or
- (b) in relation to a Help-to-Save account, there is a breach of the declaration made under regulation 8(2)(b)(i), (ii) or (iv),

the account is void and the persons mentioned in paragraph (4), who are to be jointly and severally liable, must account to HMRC for any amount of bonus paid in respect of the account.

(2) HMRC must notify the account holder of a Help-to-Save account becoming void under paragraph (1) within 14 days beginning with the day a determination to that effect is made.

(3) Where an amount of bonus is paid by HMRC to an authorised account provider in pursuance of the Act due to a misstatement or a mistake, or at a time when an account is not a Help-to-Save account, the persons mentioned in paragraph (4) must account to HMRC for such amount.

(4) The persons mentioned in this paragraph are—

- (a) the authorised account provider (to the extent that it has assets relating to the account, or directly or indirectly representing any of the payments, in its possession or control),
- (b) the account holder, or former account holder (to the extent that the payments have been made or credited to the account holder), and
- (c) any person in whom any of the payments, or any property directly or indirectly representing any of them, is vested (whether beneficially or otherwise).

(5) Where a person accountable under this regulation is notified by HMRC that an amount is due from that person under it, that amount is to be treated for the purposes of Part 6 of the Management Act (collection and recovery) as if it were tax charged in an assessment and due and payable.

(6) The time limits in sections 34 to 36 and 40 of the Management Act are to apply to amounts payable under this regulation as they apply to assessments.

(7) Regulation 19 applies to any notification under this regulation.