



RafterAssociates
Financial Management Ltd

Year end tax planning

Year End Tax Planner 2018/19

INTRODUCTION

Make the most of your reliefs and allowances

There are many different reliefs and allowances to take advantage of throughout the tax year. As the year-end approaches this guide offers some advice on the core opportunities you should be thinking about. With tips affecting income and investment, for couples, company directors and employees, there will be something for everyone. We also have some essential tips for those making their estate plans.

The advice included here forms the base of a good financial plan for the year. If you would like further advice on any of the topics, or to discuss how they affect your individual circumstances please get in touch.

CONTENTS

Income tax saving for couples	1
Directors and employees	2
Capital gains tax planning	4
Pension tax planning.....	5
Tax-efficient investments	6
Inheritance tax planning	7
Charitable giving	8
Checklist	8

INCOME TAX SAVING FOR COUPLES

If you're in a couple, you might be able to save tax by switching income from one spouse or partner to the other. From the start of the next tax year, you should aim to use both individuals' personal allowances (£11,850 in 2018/19 and £12,500 in 2019/20) and minimise any higher and additional or top rate tax.

Income over £150,000 is taxed at 45%, or 46% in Scotland, and the personal allowance is withdrawn where income (less certain deductions) is more than £100,000. You and your partner might be able to reorganise your financial affairs to avoid exceeding one of these limits. However, there might be capital gains tax (CGT) to pay on switching ownership of an investment if you are not married or in a civil partnership.

You can each receive £2,000 of dividends tax free in 2018/19 regardless of your tax status. You might be able to reorganise your shareholdings between you to make best use of this limit. You can also receive £1,000 of savings income tax free if you are a basic rate taxpayer, and £500 if paying tax at the higher rate.

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. Again, you might be able to shift assets between you to make the best use of these limits to minimise tax on your savings income.

A £1,000 tax-free allowance is available for income from property, such as where a parking space is let out, so joint ownership could result in a modest tax saving.

Child benefit

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.

Partner's salary

If you are in business, you could pay an otherwise non-earning partner a salary, on which you will get tax relief. You normally have to keep PAYE records even if the salary is below the national insurance contributions (NICs) limit, which is £503 a month in 2018/19. If, however, the salary is between £504 and £702 a month, your partner will avoid paying any NICs, but will still qualify for state benefits.

As well as salary, you can pay an employer's contribution to your partner's personal pension plan. There are no taxes or NICs on the payment itself, and it should be an allowable business expense. Be warned that the total value of your partner's salary, benefits and pension contributions must be justifiable in relation to the work performed.

Alternatively, you could plan ahead to share the profits of your business by operating as a partnership in 2019/20. You both need to be genuinely involved as business partners, though not necessarily equally.

Useful link: www.gov.uk/government/organisations/hm-revenue-customs – HM Revenue & Customs site for information about tax, child and working tax credits, child benefit changes, VAT and stamp duties.

Planning point

If you operate as a business partnership, remember that you will share the financial risks and legal responsibilities of the business. Take advice on protecting yourselves and your personal assets.

DIRECTORS AND EMPLOYEES

With the exception of dividends, income over £150,000 is taxed at 45%, or 46% in Scotland. You might be able to avoid this additional or top rate by delaying a bonus until 2019/20 if

your income will fall below £150,000 in that year. If your income is less than £150,000 this year but is expected to exceed that figure next year, you could bring forward income into 2018/19 to avoid the additional or top rate next year.

You can use a similar strategy to keep your income below the level at which you would lose your personal allowance. Alternatively, you could sacrifice salary to bring your income below any of the thresholds in exchange for a tax-free employer's pension contribution.

If you are going to work abroad for more than a year, it may help to leave the UK before 6 April 2019. You need to be away for a whole tax year for the income from working abroad to be free of UK tax. You will also have to meet the requirements of the statutory residence test, so you should take advice on your situation.

This is also a good time to review whether a company car is worth having because the tax on most cars will increase significantly in 2019/20. In 2020/21, the tax on ultra-low emission company cars will be reduced – significantly in the case of cars with a high electric motoring range. Switching to a company car with very low CO₂ emissions, especially an electric or hybrid model, will save you and your company tax and NICs, as well as reducing other costs.

If your business is affected by the personal service company rules (IR35), it is important to calculate how much salary to draw before 6 April 2019 to avoid being taxed on a 'deemed payment'. If you hold share options, you should look at the tax as well as the investment issues in deciding when to exercise them.

Dividends

You should consider paying a dividend before 6 April 2019 if you operate your business as a limited company. This will be particularly beneficial if you have not already made full use of the £2,000 tax-free amount this year. Bringing forward a dividend could also be beneficial if the income will fall into the basic rate band this year or Scottish starter, basic or intermediate rate bands, or if you expect to pay tax at the additional or top rate next year but only at the higher rates this year.

You could even give shares to your spouse or civil partner shortly before paying a dividend, provided you genuinely transfer ownership. It is advisable to leave as much time as possible between the gift and the subsequent dividend payment.

Planning point

Given the way in which dividends are taxed and the reduction in the corporation tax rate to 17% in April 2020, you need to carefully consider your overall tax position if thinking of incorporating your business.

Self-employed people

You might be able to affect the timing of your taxable profits to avoid paying tax at 45%, or 46% in Scotland, if you are self-employed, but this will depend on your accounting date.

Between 1 January 2019 and 31 December 2021, you, or your company, can get immediate tax relief on the first £1 million spent each year on most types of equipment and also many fixtures forming part of a building. The limit will be lower for periods that straddle either of

these dates. Whether such expenditure is made before or after your accounting date may affect the tax rate on your profits. The same goes for the disposal of cars and other equipment.

Useful link: www.gov.uk/business – helpful advice for businesses.

CAPITAL GAINS TAX PLANNING

By planning, you can minimise your capital gains bill.

Everyone has an annual capital gains tax (CGT) exempt amount, which in 2018/19 makes the first £11,700 of gains free of tax (£12,000 in 2019/20). Most gains above the exempt amount are taxed at 10% where taxable gains and income are less than the rest of UK basic rate limit of £34,500 in 2018/19 and £37,500 in 2019/20. The rate is 20% on gains that exceed this limit. Residential property gains are taxed at 18% and 28%.

You should generally aim to use your annual exempt amount by making disposals before 6 April 2019. If you have already made gains of more than £11,700 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 of whether to dispose of investments to realise gains before 6 April 2019 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%).

You might be able to save CGT by transferring assets between married couples or civil partners before their disposal. This could save tax where one partner has an unused annual exempt amount, has not fully used their basic rate tax band or has capital losses available. You should generally leave as much time as possible between the transfer.

CGT is payable on 31 January after the end of the tax year in which you make the disposal. You could therefore delay a major sale until after 5 April 2019 to give yourself an extra 12 months before you have to pay the tax. However, if you have assets that qualify for entrepreneurs' relief, bear in mind that relief will be only available for disposals after 5 April 2019 if you have satisfied the qualifying conditions for 24 months instead of the current 12.

Planning point

Timing your disposals is particularly important if disposals in this tax year have resulted in a net loss. Depending on your income, making a disposal either side of the tax year change could save or cost you 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 2019 is the time limit for backdating a claim to 2016/17.

PENSION TAX PLANNING

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.

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.

Lifetime allowance

The maximum you can hold in a tax-favoured pension scheme without triggering an extra tax charge is £1.03 million in 2018/19 (£1.055 million in 2019/20).

Planning point

If you plan to draw from your pensions and have funds just over the current £1.03 million lifetime limit, you might want to delay taking benefits until after 5 April 2019.

Contributions

There is an annual limit of £40,000 on pension contributions that qualify for tax relief, although this limit is tapered down to a minimum of £10,000 if your income exceeds £150,000. You can, however, carry forward unused annual allowances for up to three years to offset against a contribution of more than the annual limit. For people already drawing a flexible income from a pension, the annual allowance is £4,000.

- You can pay up to the whole of your earnings into a pension scheme, but the tax relief is capped by the annual allowance plus any unused allowances brought forward.
- You don't need earnings to contribute up to £3,600 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.
- Tax relief on pension contributions is at least 20%, and higher or additional rate taxpayers will get tax relief at 40% or 45%. In Scotland, intermediate, higher and top rate taxpayers receive relief at 21%, 41% or 46%. Limiting your contributions to amounts that qualify for at least 40% tax relief (41% in Scotland) will give you the most benefit.
- Effective relief can be as high as 60%, or 61.5% in Scotland, 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.

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

TAX-EFFICIENT INVESTMENTS

Some investments have income tax and CGT advantages.

Individual savings accounts

You can invest in one cash individual saving account (ISA), one stocks and shares ISA and one innovative finance ISA in each tax year. If you are aged 18 to 39, you can also invest up to £4,000 in a lifetime ISA. However, the maximum investment limit of £20,000 (for 2018/19) applies across all four types of ISA. This limit will stay the same for 2019/20. You can invest the £20,000 in one type of account or split it between one or more of the four. ISAs are free of UK tax on investment income and capital gains, and there is a wide choice of investments, including peer-to-peer lending in the innovative finance ISA.

The government contributes a 25% bonus to investments of up to £4,000 a year in a lifetime ISA. You can use these savings to help buy a first home or keep the funds for retirement. For some individuals, a lifetime ISA will be a more attractive approach to retirement saving than a traditional pension, or you can of course opt for both forms of pension saving.

Remember that 16- and 17-year olds can open a cash ISA, but the rules effectively prevent you from opening an ISA for your own children. Parents and others can contribute to a junior ISA for children up to 18 who do not have a child trust fund. The contribution limit is £4,260 in 2018/19 (increasing to £4,368 in 2019/20). Funds are locked in until the child is 18.

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 2018/19 plus a further £1 million invested in knowledge-intensive companies.
- 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 2018/19, giving total tax relief of up to 50%–60% 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 2017/18, an investment made during 2018/19 can be carried back and relieved as if you had made it in the previous year.

Planning point

Some other assets, such as classic cars and fine wines, are exempt from CGT, though perhaps more suitable for adventurous investors.

Venture capital trusts

You can obtain income tax relief of 30% by subscribing up to £200,000 for shares in venture capital trusts (VCTs) in 2018/19. 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/SEIS shares and VCTs are high-risk investments. They may be difficult to sell and you should take specialist advice.

Useful link: <https://uk.reuters.com> – financial and market analysis.

INHERITANCE TAX PLANNING

Inheritance tax (IHT) is payable if a person's assets at death, plus gifts made in the seven years before death, add up to more than the nil rate band, currently (and until 2020/21) £325,000.

An additional nil rate band of £125,000 in 2018/19 (increasing to £150,000 in 2019/20) is available where a residence is left to direct descendants. It is also available where a person downsizes or sells their home and leaves equivalent assets to direct descendants. However, there is a tapered withdrawal of the additional nil rate band for estates worth more than £2 million.

When a surviving spouse or civil partner dies, their estate will benefit from any unused IHT nil rate band of their previously deceased spouse or partner. The transferred proportion is uplifted to the same fraction of the nil rate band in force at the date of the second death. The maximum transfer is £325,000. Any unused additional nil rate band can similarly be transferred, up to a limit of 100% of the maximum available amount at the time of second death.

Most IHT planning is not related to the tax year end, though this is as good a time as any to review your will. There are a number of reliefs and exemptions, some of which are related to the tax year.

- Gifts totalling up to £3,000 in a tax year are exempt from IHT. If you made no gifts to use this exemption in 2017/18, you can make IHT-free gifts of up to £6,000 before 6 April 2019. If you have already used your exemption for 2018/19, you could delay your next gift until after 5 April 2019 to take advantage of the 2019/20 exemption.
- Regular gifts out of excess income can also be exempt. You need careful documentation to prove that you make the gifts from income rather than capital.

Useful link: www.gov.uk/inheritance-tax – HMRC guide to IHT.

CHARITABLE GIVING

You can get tax relief for any gifts to charity if you make a gift aid declaration.

You make the gift out of your taxed income and the charity benefits by claiming back basic rate tax on the value of the gift. Higher and additional rate taxpayers can claim an extra 20% or 25% in relief. Intermediate, higher and top rate taxpayers in Scotland can claim an extra 1%, 21% or 26% in relief.

You can obtain both income tax and CGT relief on gifts to charities of shares listed on the stock market and certain other investments.

Gifts to charity are free of IHT, so remembering a charity in your will can reduce the total amount of IHT that will be paid on your estate. If 10% of your net estate is left to charity, then the rate of IHT payable will be reduced from 40% to 36%.

Useful link: www.gov.uk/donating-to-charity

CHECKLIST

- If you are aged over 55, have you taken advice about the options for drawing your pension savings?
- Have you considered the timing of dividends and bonuses to minimise tax rates?
- Have you used this year's ISA allowance and made any other tax-efficient investments in EISs, SEISs and VCTs before 6 April 2019?
- Could you exempt half of this year's or last year's capital gains by reinvesting the gains in a SEIS?
- Could you transfer income to your partner to minimise higher and top rate taxation next year, to maximise the tax-free savings and dividend income limits, or to avoid losing child benefit?
- Have you used your annual CGT exempt amount by making any available disposals before 6 April 2019?
- Have you made gifts to use your annual IHT allowances?
- Are you investing enough in your pension (or possibly a lifetime ISA) if you wish to, or have to, retire earlier than state pension age, which is likely to keep going up?

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