



HM Revenue
& Customs

CWG5(2016)
National Insurance contributions series

Class 1A National Insurance contributions on benefits in kind

A guide for employers

Use from 6 April 2016

Help and guidance

You can get help and guidance from the following sources.

The internet

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For wider interactive business help, go to www.gov.uk/starting-up-a-business

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- phone on 0300 200 3600
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Employer helplines

- Employer for less than 3 years, phone 0300 200 3211
- Employer for 3 years or more, phone 0300 200 3200
- If you have a hearing or speech impairment and use a textphone, phone 0300 200 3212

Please tell us your employer PAYE and Accounts Office references when you contact us. You will find them on correspondence HMRC have sent to you.

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I lawrlwytho ffurflenni a llyfrynnau cymorth Cymraeg, ewch i www.gov.uk/cymraeg sgroliwch i lawr i'r pennawd 'Treth' a dilynwch y cysylltiadau 'Ffurflenni Cyllid a Thollau EM (CThEM)' ac 'Arweiniad a thafllenni gwybodaeth CThEM'.

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Employer Bulletins contain information and news for employers. We publish these 6 times a year. Go to www.gov.uk/government/collections/hm-revenue-and-customs-employer-bulletin

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- each new edition or news about the Basic PAYE Tools
- the Employer Bulletin
- important new information

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HM Revenue and Customs

If you have a query about your PAYE scheme:

- phone the Employer Helpline on 0300 200 3200
- write to
National Insurance Contributions and Employers Office
HM Revenue and Customs
BX9 1BX
United Kingdom

Please tell us your employer PAYE and Accounts Office references when you contact us. You will find them on correspondence HMRC have sent to you.

Your rights and obligations

‘Your Charter’ explains what you can expect from us and what we expect from you. For more information, go to www.gov.uk/government/publications/your-charter

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Introduction

Real Time Information (RTI)

The following guidance applies to all employers. Guidance for reporting PAYE in real time is also available at www.gov.uk/business-tax/payee

1 Do I need to read this guide?

You should read this guide if:

- you are an employer who provides benefits, and these are benefits that you should report on form P11D or a substitute form
- you provide benefits to the employees of another employer

If you are a new employer, or are providing benefits to your employees for the first time, the following HM Revenue and Customs (HMRC) booklets will help you:

- booklet 480(2016), 'Expenses and benefits – A tax guide'
- booklet 490, 'Employee travel – A tax and NICs guide for employers'

These booklets are available online. Go to

www.gov.uk/government/collections/payroll-publications-for-employers

We refer to the guidance given in these booklets throughout this guide.

What is this guide about?

Class 1A National Insurance contributions (NICs) are payable on most benefits provided to employees.

This guide tells you what you need to know and do about Class 1A NICs. It explains when Class 1A NICs are due and how they are worked out, reported and paid.

What does this guide contain?

Paragraphs 4 to 26 explain the general rules about Class 1A NICs.

Paragraphs 8 and 26 provide quick, step-by-step guides to working out whether Class 1A NICs are due and how they are worked out, reported and paid.

Paragraphs 27 to 42 explain special Class 1A rules, including what happens when a benefit is provided to an employee by a third party.

Paragraphs 43 to 53 explain some of the main terms used in this guide.

Appendix 1 lists the most common taxable benefits and expenses and tells you which are liable for Class 1A NICs.

2 More information about this guide

There are legal requirements that mean employers must comply with their obligations. At the time of writing, this guide sets out HMRC's view on how these legal requirements can be met. It will be updated annually and was last updated in December 2015.

3 Statutory references

To assist accountants, financial directors and other financial advisers, some sections of this guide include the statutory references on which this guide is based.

The statutory references are taken from:

- ITEPA 2003 – The Income Tax (Earnings and Pensions) Act 2003
- SSCBA 92 – The Social Security Contributions and Benefits Act 1992, as amended
- SS(C) R 2001 – The Social Security (Contributions) Regulations 2001, as amended

Part 1 - Liability for Class 1A NICs

This part explains whether you will have to pay Class 1A NICs. The rules described in this guide apply to all benefits.

There is a quick guide to working out whether you have to pay Class 1A NICs at paragraph 8.

4 When are Class 1A NICs payable?

SSCBA 92, S10(1)

You may have to pay Class 1A NICs on any benefit you provide to your employees by reason of their employment.

Certain conditions must apply before Class 1A NICs are due.

These conditions are:

- the benefit must be from, or by reason of, an employee's employment and must be chargeable to Income Tax under ITEPA 2003 on an amount of general earnings as defined at Section 7(3) ITEPA 2003
- the employment must be 'employed earner's employment' under social security law and employment as a director or an employee
- the benefit must not already attract a Class 1 NICs liability

If you do not know whether you need to fill in form P11D you should check booklet 480(2016), 'Expenses and benefits – A tax guide'.

5 For which employees are Class 1A NICs due?

SSCBA 92, S10(1)(b)

Class 1A NICs are due on benefits provided to:

- directors and certain other persons in controlling positions
- employees
- members of the families or households of the above

You can find more information on benefits provided to family members and working out an employee's earnings in booklet 480(2016), 'Expenses and benefits – A tax guide'.

In the remainder of this guide, where we refer to **employees** this includes **directors**, unless we state otherwise.

6 Who has to pay Class 1A NICs?

SSCBA 92, S10(2)

Class 1A NICs are paid by employers only.

There is no employee contribution payable.

Legally, the person liable to pay Class 1A NICs is:

- the person who is liable to pay employers' Class 1 NICs on the last or only relevant payment of earnings in the tax year
- if there is no employers' Class 1 liability, the person who would have been liable to pay employers' Class 1 NICs if the benefit itself had been earnings on which Class 1 NICs are due

Exception

An exception to this general rule occurs where a benefit is provided to an employee by someone other than his or her employer – usually called a third party benefit or award. See Part 6 for more information on benefits provided by third parties.

Part 2 - Exemptions from Class 1A NICs

In some cases no Class 1A NICs are due. You may have to pay Class 1 NICs on some benefits and Class 1A NICs on others. But Class 1 and Class 1A NICs will never be due on the same benefit.

You need to find out whether it is Class 1 or Class 1A NICs which are due on the benefits you provide so that you can work out how much Class 1A NICs you have to pay.

7 When are Class 1A NICs not due?

You do not have to pay Class 1A NICs on benefits which are:

- **exempt from Income Tax**

SSCBA 92, S10(1)(a)

Class 1A NICs are payable only where the benefit provided is chargeable to Income Tax under ITEPA 2003 on an amount of general earnings as defined at Section 7(3) ITEPA 2003. Where no tax is chargeable because of a tax exemption, no Class 1A NICs are due. Full details of those benefits exempt from Income Tax are included in booklet 480(2016), 'Expenses and benefits – A tax guide'

- **exempt from Class 1A NICs**

Part 3 of the SS(C)R 2001, Regulations 38 and 40

Sometimes tax, but not Class 1A NICs, may be due on a benefit where the benefit is excluded from Class 1A NICs. Details of these special exclusions are given in Part 5

- **covered by an Extra-Statutory Concession published by HMRC**

SS(C)R 2001, R40(7)

No Class 1A NICs are payable where a benefit is not chargeable to tax because of an Extra-Statutory Concession published by HMRC. See paragraph 51 for more information

- **included in a PAYE Settlement Agreement**

SSCBA 92, S10(6)

No Class 1A NICs are payable on benefits included in a PAYE Settlement Agreement. See paragraph 53 for more information

- **provided for business use but no significant private use is allowed**

ITEPA 2003, S316

No Class 1A NICs are payable where you provide, on your premises, benefits to your employees to allow them to carry out their duties but there is also some private use by the employee, but that private use is not significant. Also, no Class 1A NICs are payable when you provide benefits off your premises, as long as your sole purpose in providing the benefit is so that the employee can carry out his or her duties.

Examples where this exemption will apply include

- a fax machine provided for use by an employee working from home, which is occasionally used for private purposes
- a phone provided to allow an employee to receive or make business calls, on which occasional private calls are permitted

This exemption does not apply where the benefit provided

- is a motor vehicle, boat or aircraft
- involves an improvement or extension to living accommodation

If this exemption does not apply (for instance if the private use is not insignificant, or the benefit is a motor vehicle, boat, aeroplane or an improvement to living accommodation) Class 1A NICs will be due and the benefit must continue to be reported on form P11D whatever the amount of business use.

- **already liable for Class 1 NICs**

SSCBA 92, S10(1)(c)

No Class 1A NICs are payable on benefits which are liable for Class 1 NICs. See Appendix 1 for those benefits on which Class 1 NICs are due.

- **exempt from Class 1 NICs**

SS(C)R 2001, R40

No Class 1A NICs are payable on certain payments which are also exempt from Class 1 NICs.

Examples include

- certain payments out of retirement benefits schemes
- redundancy payments
- payments of, or contributions towards, specific and distinct expenses actually incurred by an employee in carrying out the employment.
For example, if you reimburse an employee for the cost of washing a uniform worn at work

If you are not sure whether Class 1 or Class 1A NICs are due on a particular benefit see, Help & Guidance for contact details.

8 Quick guide to working out whether Class 1A NICs are due

There is more information on pages 8 to 11.

See Part 6 for details of benefits awarded by third parties.

- 1 Is the benefit from, or by reason of, the employee's employment and chargeable to Income Tax under ITEPA 2003 on an amount of general earnings as defined at Section 7(3) ITEPA 2003? See paragraphs 4 and 7.
If **no**, there are no Class 1A NICs due.
If **yes**, go to question 2.
- 2 Is the employee in 'employed earner's employment'
See paragraphs 4 and 5.
If **no**, there are no Class 1A NICs due.
If **yes**, go to question 3.
- 3 Are Class 1 NICs due on the benefit? See paragraph 7.
If **no**, go to question 4.
If **yes**, there are no Class 1A NICs due.
- 4 Is the benefit included in a PAYE Settlement Agreement?
See paragraph 7.
If **no**, go to question 5.
If **yes**, there are no Class 1A NICs due.
- 5 Is the benefit provided for business use only or available primarily for business use where the private use is not significant? See paragraph 7.
If **no**, go to question 6.
If **yes**, there are no Class 1A NICs due.
- 6 Is the benefit excluded from Class 1A NICs?
If **no**, Class 1A NICs are due.
If **yes**, there are no Class 1A NICs due.

Part 3 - Working out Class 1A NICs

This part explains how to work out Class 1A NICs. The rules described in this section should be used for all benefits.

If you provide company cars to your employees, you will need to read booklet 480(2016) Expenses and benefits

www.gov.uk/government/publications/480-expenses-and-benefits-a-tax-guide

It also gives details of how Class 1A NICs are calculated in special or unusual cases, including shared cars and cars provided by more than 1 employer.

9 How are Class 1A NICs calculated?

Class 1A NICs are calculated as a percentage of the cash equivalent of a benefit. The cash equivalent figure used to work out Class 1A NICs is the same figure which you report for tax purposes on form P11D, 'Expenses and benefits' (or substitute).

The rules for working out the cash equivalent of a benefit are given in booklet 480(2016), 'Expenses and benefits – A tax guide', and in various optional working sheets provided with forms P11D.

So that you do not have to work out Class 1A NICs on each cash equivalent, the total amount of Class 1A NICs payable is calculated by:

- adding together each cash equivalent figure recorded on individual P11D forms to get a single figure
- multiplying the total figure by the Class 1A percentage rate

The percentage rate at which Class 1A NICs are worked out is the employers' Class 1 NICs rate for the tax year in which the benefit is made available. For the tax year 2016 to 2017, the Class 1A percentage rate is 13.8%.

Example

During the tax year 2016 to 2017, you provide health care and company cars to 25 of your employees. The Class 1A NICs percentage rate for the 2016 to 2017 tax year is 13.8%.

The cash equivalent figures reported on each employee's P11D are £150 health care and £3,000 car benefit.

To calculate the Class 1A NICs due:

Step 1

Add the total cash equivalent figures together

$$£150 \times 25 = £3,750$$

$$£3,000 \times 25 = £75,000$$

$$\text{Total} = £78,750$$

Step 2

Multiply the figure from Step 1 by the Class 1A percentage rate

$$£78,750 \times 13.8\% = £10,867.50$$

Class 1A NICs due = £10,867.00

Once you have worked out the amount of Class 1A NICs due you may need to adjust the figure. See paragraph 18 for instances where this may be necessary.

10 Record keeping for Class 1A NICs purposes

As Class 1A NICs are calculated using information you provide on forms P11D for tax purposes, you do not need to keep any additional records on how you have calculated the cash equivalent of a benefit for Class 1A NICs purposes.

You may be asked to produce evidence of how you have worked out Class 1A NICs. If you have used a substitute P11D for recording Class 1A NICs, it is important that you keep records which show this information, either in paper form or on computer. In either case, these records must be made available to us on request.

If you provide company cars or vans and fuel it may be to your advantage to keep detailed records of these particular benefits to calculate the amount of Class 1A NICs due.

See booklet 480(2016) Expenses and benefits

www.gov.uk/government/publications/480-expenses-and-benefits-a-tax-guide

11 Can the way in which benefits are provided affect their NICs treatment?

Sometimes, the way in which you provide benefits to your employees can decide whether Class 1 or Class 1A NICs are due on them. It is important that you look carefully at how you provide benefits to your employees, as this will affect what class of NICs you are liable to pay.

Example

If you meet your employee's personal liability (such as paying for or reimbursing private health insurance that your employee has taken out) that amount should be treated as gross pay on which Class 1 NICs will be due.

If, on the other hand, you take out a contract with a provider to provide an employee with private health insurance, then that will normally be a benefit recorded on the employee's P11D and Class 1A NICs will be due.

12 Are Class 1A NICs due on benefits provided only for business use?

Where a benefit is provided, but for tax purposes an exemption applies, no Class 1A NICs will be due. For example, a benefit provided:

- necessarily for use by employees wholly and exclusively in the performance of their duties
- in the course of qualifying business travel

See booklet 490, 'Employee travel – A tax and NICs guide for employers'.

13 Are Class 1A NICs due where there is a mixed business and private use by the employee?

In most cases, Class 1A NICs will be due on the full amount of a benefit that is made available to an employee for both private and business purposes.

This means that you can use the figures you record on your employees' P11Ds to work out the amount of Class 1A NICs due, without having to find out whether your employees are entitled to claim a tax deduction after the end of the tax year.

Where an employee reimburses the full cost of any private use before the due date for payment of Class 1A NICs (see paragraph 15), no Class 1A NICs are due.

Where certain benefits are provided for business use but the employee uses the benefit for private purposes, but that private use is not significant, you will not need to report this on form P11D and no Class 1A NICs are due. See paragraph 7 for more information.

How are the Class 1A NICs calculated where there is mixed use?

Liability for Class 1A NICs is calculated based on the amount of the benefit as determined for tax purposes. See Example 1.

Example 1

It is an integral part of an employee's duties of employment to be able to make and receive business calls at home. The employer agrees to provide and pay for a phone which is available for business and private use.

To determine the Class 1A liability you must first determine the amount of the benefit chargeable to tax. The phone is available for business and private use for 365 days a year and the total cost of line rental and all calls is £1,000. Business calls amount to £550, the line rental is £150 and private calls amount to £300. Unless the employee makes good the cost of all private calls and the full cost of the line rental by the due date for payment, Class 1A NICs are due on the full cost to the employer for the whole year. This is the amount of the benefit as determined for tax purposes, in this example, £1,000.

For tax purposes, the employee can claim a deduction of £550 for the business use, which reduces the taxable benefit to £450. The deduction of £550 is not taken into account for Class 1A NICs purposes.

However, there are also situations where an asset or service is used primarily by the business itself for business purposes and not by the employee.

The contractual responsibility for paying for the asset or service lies with the employer but the employee may derive a benefit from using part of that asset or service. In those circumstances, the full amount of the benefit provided to the employee, on which Class 1A NICs will be due, is calculated where applicable only on the part of the asset(s) or service(s) that have been used by the employee for business and private purposes. See Example 2.

Example 2

The owner of a golf club provides living accommodation for the club steward above the clubhouse.

Mains gas and electricity are supplied to the business premises which includes a block of showers and changing facilities for golf club members, the clubhouse, the pro shop, a driving range and the accommodation provided for the club steward.

One meter monitors the gas and electricity used for all buildings.

While the club steward does have the use of gas and electricity all year round in the accommodation provided for him, he clearly derives no personal benefit from the electricity and gas supplied to any of the other buildings.

To determine the Class 1A liability you must first determine the amount chargeable to tax. The amount chargeable to tax is based on the cost to the employer of providing gas and electricity to the employee for both business and private use. Where it excludes the proportion of the services provided solely for the purpose of running the business, liability for Class 1A will follow. In this example, 75% of the electricity and gas used relates solely to the running of the business so the amount chargeable to tax and on which Class 1A NICs is due is the remaining 25%. The club steward may claim that a proportion of that 25% was also related to his business use of the provided accommodation. For tax purposes, a deduction may therefore be due. However, irrespective of any deductions allowed for tax purposes, Class 1A NICs are due on the full 25%. This is illustrated below:

Total electricity and gas charges	£5,000
Proportion relating solely to the business (75%)	£3,750
Proportion relating to availability for business and private use by the employee (25%)	£1,250
Full amount chargeable to tax before deductions and on which Class 1A NICs is payable	£1,250

If the club steward claims that there was mixed business and private use of the gas and electricity used in the provided accommodation and claims, say, a 15% deduction for business use, this is allowed for tax purposes, but is not taken into account for Class 1A NICs purposes.

So, where there is mixed business and private use by the employee of a benefit, Class 1A NICs are due on the full amount chargeable to tax ignoring any deductions the employee may be able to claim for tax purposes. However, see paragraph 12 where a fully matching deduction is available.

Any part of an asset(s) or service(s) that is used exclusively to facilitate the employer's business and from which the employee derives no benefit, should not be taken into account when calculating the amount of the benefit chargeable to tax. The rules for determining the amount of a benefit are explained in the Employment Income Manual (EIM21102), go to www.hmrc.gov.uk/manuals/eimanual/EIM21102.htm

Calculating Class 1A NICs – an example where there is no mixed use

There are situations where an asset or service is bought and used primarily for business purposes but where there is occasional private use by an employee. For example, a business buys a limousine for the purpose of chauffeuring overseas visitors to and from airports and business meetings. When the limousine is used for this purpose it is not available for any of the employees' or directors' use, either business or private. But for two weeks a year the car is not needed for this purpose and is placed at the disposal of the managing director for private use. In these circumstances there is no mixed business and private use by the director, because the car is exclusively available for private use but only for the two weeks. The amount of benefit chargeable to tax, and on which Class 1A NICs is therefore due, will be calculated based on the two weeks that the car was available for private use only.

14 How does form P11D help me to work out Class 1A NICs?

Form P11D will help you to identify which benefits are liable for Class 1A NICs. These are shown in brown boxes and have a '1A' indicator. Only those benefits that have this indicator box should be included in your Class 1A NICs calculation.

Those benefits which attract a Class 1 NICs liability but are recorded on the P11D for tax purposes will have no Class 1A indicator box and you **should not** include those benefits in your Class 1A NICs calculation.

As Class 1A NICs are worked out using information recorded on form P11D, it is important that these forms are completed correctly. This will make sure that you pay the correct amount of Class 1A NICs.

Example 1

Shown below are the correct entries on form P11D in respect of example 1 in paragraph 13. The cost of the business calls must not be deducted from the cash equivalent figure.

Section K Services supplied

Cost to the employer	£1,000
Amount made good or from which tax deducted	£0
Cash equivalent (Class 1A indicator box)	£1,000

Example 2

Shown below are the correct entries on form P11D in respect of example 2 in paragraph 13. The cost to the employer is the cost of the services made available to the employee for private and business use. If the club steward claims that there was mixed business and private use of the services in the provided accommodation, this must not be deducted from the cash equivalent figure.

Section K Services supplied

Cost to the employer	£1,250
Amount made good or from which tax deducted	£0
Cash equivalent (Class 1A indicator box)	£1,250

Part 4 - Reporting and paying Class 1A NICs

This part gives guidance on reporting and paying Class 1A NICs. It explains how you should report information about Class 1A NICs to us and how you should make payment.

There is a quick guide to working out and paying Class 1A NICs at paragraph 26.

From April 2016, voluntary payrolling of benefits in kind comes into effect. This does not apply to Class 1A National Insurance contributions. You should continue to report and pay your Class 1A contributions as described in this booklet paying particular attention to the payment dates at paragraph 15.

15 What are the key dates for reporting and paying Class 1A NICs?

The three key dates for Class 1A NICs due for the 2015 to 2016 tax year are:

- **6 July 2016** – for the P11D and P11D(b), 'Return of Class 1A NICs due'
- **19 July 2016** – for receipt of a cheque payment of Class 1A NICs through the post
- **22 July 2016** – if paying electronically, your payment of Class 1A NICs must clear into HMRC's bank account by 22 July 2016

When paying electronically you need to allow enough time for us to have cleared funds by 22 July following the end of the tax year. You can pay HMRC using a number of different payment methods. HMRC accepts payments made using the Faster Payments Service which clear on the same or next day. However, some electronic payment methods can take three bank working days or more to reach our account. Bank working days are Monday to Friday excluding bank holidays.

If paying by post, your cheque payment must be posted early enough to reach us no later than 19 July. As postal delays are out of your and HMRC's hands we recommend the security and certainty of electronic payments.

Paragraph 21 has more detail about how to pay.

Late payment penalties – if your Class 1A NICs payment is not made on time, we may charge you the following penalties:

- 5% penalty of any amount unpaid 30 days after the due date
- an additional 5% penalty on any amount still unpaid 6 months after the due date
- a further 5% penalty on any amount still unpaid 12 months after the due date

For more information about late payment penalties, go to www.gov.uk/what-happens-if-you-dont-report-payroll-information-on-time

16 How do I report Class 1A NICs?

Once you have worked out the amount of Class 1A NICs due you will need to complete and send us a form P11D(b), 'Return of Class 1A National Insurance contributions due', showing the total amount of Class 1A NICs due.

You must send us both the P11D and the P11D(b) declaration by 6 July following the tax year in which the benefit is provided.

For more information, go to

www.gov.uk/employer-reporting-expenses-benefits/reporting-and-paying

17 What if I use substitute forms P11D?

If you use substitute forms or lists or other methods of returning P11D information that have been agreed with us, you should allow for items subject to Class 1A NICs to be identified on your substitute returns or lists.

Where appropriate, you should:

- return form P11D(b), using the adjustment facility as necessary to arrive at your correct Class 1A NICs liability
- keep records which identify those benefits on which Class 1A NICs are due

18 Using the P11D(b) adjustment facility

You can use Section 4 on the P11D(b) form to make adjustments to the total benefits liable to Class 1A NICs.

You may need to make an adjustment if you have:

- used substitute forms or lists which do not identify the items subject to Class 1A NICs
- reported a cash equivalent figure on the P11D for tax purposes which incorrectly included tax already deducted
- reported a benefit on the P11D for which a fully matching tax deduction is available (see paragraphs 12 and 13)
- included a benefit figure on the P11D for employees who have no NICs liabilities (see paragraph 27)

19 Correcting paper forms P11D or P11D(b)

If you put a wrong figure on a paper form P11D or P11D(b) before sending it in, draw a line through the wrong figure so that it can still be read then enter the correct figure.

20 Reports of amended Class 1A NICs liability

Sometimes, more information may be made available to you after you have calculated and paid your Class 1A NICs in July.

Where this happens you might have to recalculate the amount of Class 1A NICs due. The late information may relate to periods when a benefit was unavailable to an employee.

If you need to recalculate the Class 1A NICs due after making your original payment you must send in a revised form P11D(b) and, where appropriate, revised forms P11D.

For more information on online end of year expenses and benefits service, go to www.gov.uk/employer-reporting-expenses-benefits/reporting-and-paying

21 How and when do I pay Class 1A NICs?

We must receive payment of Class 1A NICs by 19 July following the end of the tax year, or 22 July if payment is made electronically.

When paying electronically make sure your accounts office reference number shows the correct tax year and month the payment relates to as the payment you make in July will always be for the previous tax year.

To make a payment in July 2016, for your 2015 to 2016 Class 1A NICs you will need to add **1613** to the end of your accounts office reference. By using **13** as the final 2 digits you are letting us know that this payment is intended as Class 1A NIC. For example, 123PA000123451613 with no gaps (please note, this reference is only an example and should not be used to make a payment). Your reference will be shown on the Class 1A NICs payslip which we will send you in April.

The last 4 digits are essential to make sure we allocate your payment to the correct year. If you do not provide them we will automatically allocate your payment to the current deduction year instead. And, we will send you a demand for your Class 1A NICs payment.

You may want to check your reference using our online reference checker. Go to www.hmrc.gov.uk/tools/payinghmrc/class1anic.htm

Pay in full and on time

You can pay HMRC using a number of different payment methods, but we recommend you pay electronically as it is safe and secure and avoids postal costs and delays. HMRC accepts payments made using the Faster Payments Service which clear on the same or next day. However, some electronic payment methods can take three bank working days or more to reach our account. Bank working days are Monday to Friday excluding bank holidays.

To make sure you pay on time you should check with your bank or building society well in advance of making a payment to find out about the payment method you intend to use. Check the services available to you, such as any single transaction/daily value limits and cut-off times for processing payments, to avoid your payment to HMRC being delayed.

It is your responsibility to ensure that payments are made on time, whichever payment method you use. If your Class 1A NICs payment is not received on time, you will be noted as paying late which may mean you are charged interest and a late payment penalty.

You should use your Class 1A NICs payslip if you pay at a bank or Post Office or by cheque through the post. If paying by post, post your cheque payment with the completed payslip in good time, allowing at least 3 working days for your payment to reach the accounts office.

For more information about paying Class 1A NICs, go to www.gov.uk/pay-class-1a-national-insurance

For more information about payment deadlines, go to www.gov.uk/running-payroll/paying-hmrc

22 What if my business ends?

Tell us when:

- you finish in business
- you do not expect to employ anyone for a complete tax year, or longer

We will send you form P11D(b) to complete.

23 What happens where a transfer or succession of business occurs?

All Class 1A NICs in transfer and succession cases must be returned on the P11D(b) by the new employer.

24 Interest charges for late payment

If you pay late, or if an underpayment of Class 1A NICs is discovered either by you or by us, you will have to pay interest on the amount outstanding.

Statutory interest for late payment is charged immediately from **19 July**, or **22 July** if payment is made by an approved electronic method.

25 Late return penalties

You will be charged penalties for failing to make a return of Class 1A NICs and for fraudulently or negligently making an incorrect return.

The filing date for the return is **6 July**. If we do not receive the return by 19 July it will attract a penalty of £100 per month or part month of lateness, for every 50 or part-batch of 50 employees provided with benefits.

If the failure continues beyond 12 months there is an additional penalty not exceeding the amount of the Class 1A NICs paid late.

An incorrect return made carelessly or deliberately attracts a penalty not exceeding the difference between the amount of Class 1A NICs shown on that return and the amount that should have been shown.

26 Quick guide to working out, reporting and paying Class 1A NICs

There is more information in paragraphs 9 to 25.

Step 1

Establish whether Class 1A NICs are due.

See paragraphs 4 to 8

Step 2

Calculate the amount of Class 1A NICs due

- Add together the cash equivalent of each benefit liable to Class 1A NICs.
- Multiply the total by 13.8%

See paragraph 9

You now have the amount of Class 1A NICs due

Step 3

Report the Class 1A NICs due.

- Complete the Class 1A NICs declaration on form P11D(b), using the amount from Step 2
- Return the P11D(b) together with completed P11Ds by **6 July**

See paragraph 16

Step 4

Paying the Class 1A NICs due.

- Make an electronic payment in good time to clear by **22 July**
- If paying by post, post your cheque and completed Class 1A NICs payslip to the accounts office to arrive on or before **19 July**

See paragraph 21

Part 5 - Special cases

This part deals with uncommon situations and benefits where special rules apply.

27 Employees going or coming from abroad

SSCBA 92, S1(6)(a)

Benefits may be:

- provided to employees whilst they are abroad
- left behind for their use once they return
- available to family members whilst they are abroad

If an employee is working wholly overseas and is not resident in the UK then they will not have a taxable employment. A form P11D will not be required. Similarly, where an employee works wholly overseas during the overseas part of a split year, then they will not have a taxable employment for the overseas part of the year. The benefits in kind for that period will not be taxable and will not be reportable, but they may be if the employee is taxable in the UK for any part of the year. For employees going or coming from abroad, who are provided with benefits, two factors decide whether Class 1A NICs are due.

For Class 1A NICs to be due:

- the benefit must be chargeable to Income Tax under ITEPA 2003 on an amount of general earnings as defined at Section 7(3) ITEPA 2003 (even though tax may not actually be paid)
- there must be liability for employers' Class 1 NICs for any part of the tax year in which the benefit was provided

In some cases a person's liability for Class 1 NICs, when they are abroad, may end part way through the year.

This can happen where:

- UK social security legislation no longer applies under the terms of European Community regulations, a Reciprocal Agreement or Double Contribution Convention
- the person is working abroad in a country where the UK has no agreements and they have been employed there for more than 52 weeks

You can find guidance on Class 1 NICs for people working abroad online.

Go to www.gov.uk/national-insurance-if-you-go-abroad and www.gov.uk/guidance/paying-employees-working-abroad

When a person no longer has to pay Class 1 NICs under these rules for people abroad, the liability for Class 1A NICs will also stop. If liability ends part way through the tax year, you have to pay Class 1A NICs on the taxable benefits but adjust the calculation to take account of Class 1A liability ending part way through that tax year.

To adjust the Class 1A NICs calculation for the part year:

- calculate the Class 1A NICs using the rules described in Parts 1 to 3 of this guide
- treat the benefit as being unavailable in the days when the UK National Insurance liability ended

Class 1A NICs are calculated on a pro rata basis, using the number of unavailable days. You should use the adjustment facility provided on form P11D(b) if you need to adjust the amount of Class 1A NICs due.

If you are not sure of the rules for people coming into the UK phone the Employer Helpline. For help with National Insurance for people going overseas, go to www.gov.uk/national-insurance-if-you-go-abroad and www.gov.uk/guidance/paying-employees-working-abroad

28 Company cars or vans and fuel benefit

Company cars or vans and fuel benefits are taxed under special rules contained in Part 3 Chapter 6 of ITEPA 2003. Class 1A NICs on these benefits follow the normal Class 1A NICs rules, but there are special Class 1A NICs rules for cars or vans provided in unusual circumstances.

Examples include:

- a car or van shared by 2 or more employees
- sharing the cost of providing a car or van between 2 employers

If you provide cars or vans in special or unusual cases, read 480(2016) Expenses and benefits, go to

www.gov.uk/government/publications/480-expenses-and-benefits-a-tax-guide

29 Childcare

SSCBA 1992, S10

Employer provided childcare

Liability for Class 1A NICs on the provision of childcare benefits has been aligned with the tax position since 6 April 2005. For information on the tax position see booklet 480(2016), 'Expenses and benefits – A tax guide'.

Broadly, employer supported childcare is exempt from NICs in line with the tax treatment under S318 and S318A – D ITEPA 2003. So long as the qualifying conditions are satisfied, NICs are only payable on the cost of the childcare which exceeds the amount which is exempt from tax.

Workplace nurseries where you provide childcare in a nursery or playscheme on your premises (or on premises you provide jointly with others that you are wholly or partly responsible for financing and managing), will not be liable for Class 1A NICs where that is in line with the tax treatment.

These exemptions do not extend to:

- school fees
- cash which you give to employees to help them meet the cost of their own childcare arrangements
- paying an employee's childcare bills on their behalf

In these cases Class 1 NICs are due.

Childcare Voucher schemes

From 6 April 2011 changes were made to the rules about providing vouchers to employees for childcare. For those in a childcare voucher scheme from that date the amount that could be disregarded depended on the tax position of the employee. Currently the amounts that can be disregarded for NICs purposes is £55 a week for basic rate taxpayers, £28 for higher rate taxpayers and £25 for additional rate taxpayers. It is the responsibility of the employer to determine the tax liability of the employee before awarding vouchers so that they know how much can correctly be disregarded.

Any excess of vouchers given above those values are earnings liable for Class 1 NICs. For more information, go to www.gov.uk/government/publications/employer-supported-childcare

30 Fees and professional subscriptions

SSCBA 92, S10SS(C)R 2001, Regulation 40 and paragraph 11 of Part 10 of Schedule 3

Some subscriptions and fees paid to certain approved professional bodies and societies are exempt from NICs in line with the Income Tax treatment under S343 and S344 ITEPA 2003.

Subscriptions and fees not exempt from tax under S343 and S344 ITEPA 2003

NICs are due where employers meet the costs of subscriptions and fees paid to a body or society.

Class 1A NICs are payable if you contract with the body concerned to provide membership for your employees.

Class 1 NICs are payable if you reimburse the cost of membership arranged by the employees themselves.

31 Incidental overnight expenses

SSCBA 92, S10SS(C)R 2001, Paragraph 4 of Part 10 of Schedule 3

Employees who have to stay away from home overnight on business may incur additional expenses of a personal nature. Examples include newspapers, laundry and phone calls home.

There is an exemption which provides that employers can pay these incidental expenses free of tax and NICs as long as they are within prescribed limits and certain conditions are met. Full details of the qualifying conditions are set out in booklet 480(2016), 'Expenses and benefits – A tax guide'.

The exemption covers all possible ways in which an employer can meet these expenses, including payment by non-cash voucher, credit card, cash payments and by way of a benefit.

Where you pay or provide an incidental expense which exceeds the prescribed limit or fails the qualifying conditions, the whole amount (not just the excess) is liable to tax and NICs under the normal rules. For the purposes of determining whether the prescribed limit is exceeded, the various elements of the incidental expense must be added together.

The NICs liability will depend upon how the incidental overnight expense is paid. Where it consists:

- wholly of cash, non-cash vouchers or credit card payment, Class 1 NICs are payable
- wholly of a benefit, Class 1A NICs are payable
- of a combination of various elements
 - Class 1 NICs are payable on the cash payments, non-cash vouchers and credit card payments
 - Class 1A NICs are payable on any benefit

Example 1

An employee spends 4 nights away from home in the UK and receives incidental expenses totalling £32.00. The expenses are made up of £12.00 cash, an £8.00 non-cash voucher, and the inclusion of a laundry charge in the overall hotel bill arranged and met by the employer amounting to £12.00.

As the incidental overnight expenses exceed the prescribed maximum of £20.00 (4 nights at £5.00), the NICs liability is calculated as follows:

Class 1 NICs on £20.00 - the total of cash and non-cash voucher elements

Class 1A NICs on £12.00 - the benefit of the laundry charge.

Example 2

An employee spends 3 nights away from home in the UK and receives incidental expenses totalling £12.00. The expenses are made up of £9.00 cash, and a £3.00 newspaper charge included in the hotel bill met by the employer.

As the incidental overnight expenses do not exceed the prescribed maximum of £15.00 (3 nights at £5.00), there is no tax or NICs liability.

32 Relocation expenses and benefits

SSCBA 92, S10SS(C)R 2001, R40

Details of when Class 1 NICs are due on relocation expenses are in booklet CWG2(2016), 'Employer Further Guide to PAYE and NICs'.

As well as any Class 1 NICs that may be due in connection with relocation expenses you pay, Class 1A NICs may be due if you:

- provide any type of relocation benefit which is not exempt from Income Tax
- pay any exempt expense after the relevant day
- provide a relocation package which exceeds the prescribed maximum of £8,000, whether the excess comprises benefits and/or expenses

Class 1A NICs are not due on any exempt relocation benefit or expense which counts towards the £8,000 tax exemption limit.

Exempt benefits and expenses are listed in booklet 480(2016), 'Expenses and benefits – A tax guide'.

Example

An employee is relocated to a new job in May 2016. The employer pays the following relocation expenses and benefits which are all paid before the relevant day:

1 Legal and estate agent's fees	£2,500
2 Removal costs	£1,000
3 Travel costs for visiting the new location	£500
4 Temporary living accommodation	£3,000
5 School fees for the children of the employee	£3,000
6 Domestic goods purchased by employer to replace items unsuitable for use in the new home	£2,500
7 Landscape gardening provided by employer	£1,500
Total	£14,000

NICs liability

- Class 1 NICs on item 5
 - school fees are not an exempt removal expense (£3,000)
- Class 1A NICs on item 7
 - gardening services are not an exempt removal benefit (£1,500)
- Class 1A NICs are also due on £1,500
 - relocation expenses and benefits paid in excess of the prescribed £8,000

maximum:	£14,000
less items 5 and 7 as NICs are due on these items	£4,500
less maximum	£8,000
	£1,500

33 Shared benefits

SS(C)R 2001, R36

Special rules apply when calculating Class 1A NICs for shared benefits.

A shared benefit can be:

- made available for use by 2 or more employees at the same time
- made available to 1 employee by reason of 2 or more employed earners' employments with the same or different employers

If the benefit provided is a shared car see the example in booklet 480(2016) Expenses and benefits www.gov.uk/government/publications/480-expenses-and-benefits-a-tax-guide

In all other cases, use the figure you have entered on the P11D for each employee's share of the cash equivalent of the benefit, to work out the amount of Class 1A NICs due.

34 Shares and other securities

You can find details of when Class 1 NICs are due on shares and other securities in booklet CWG2(2016), 'Employer Further Guide to PAYE and NICs'. In some circumstances, however, Section 446S of ITEPA 2003 can apply where an employee acquires shares or other securities for less than the market value.

The difference between what the employee pays for the securities and the market value of the securities is treated as an interest-free loan. Income Tax may be due on the benefit from that interest-free loan. Where Income Tax is due Class 1A NICs liability arises on the same amount that is chargeable to Income Tax.

35 Staff suggestions

If staff suggestion awards meet the conditions set out in Section 321 ITEPA 2003, no NICs are due.

If the conditions are not met, the NICs liability will depend upon the nature of the award.

Where the award is:

- a cash payment or a non-cash voucher, Class 1 NICs are due
- a benefit, Class 1A NICs are due
- a combination of cash, non-cash voucher and benefit
 - Class 1 NICs are due on the cash and the non-cash voucher
 - Class 1A NICs are due on the benefit

Part 6 - Third party benefits

This part provides guidance on NICs due on cash payments, vouchers and benefits provided to employees by someone other than their employer.

These are normally referred to as third party awards.

You will need to know about these special rules if:

- you provide any type of award to individuals who are employed by someone else, or to a member of their family or household
- your employees, or members of their family or household, receive any type of award from someone other than you

‘Employee’ in the remainder of this part of the guide means ‘an employee or a member of their family or household’.

36 What NICs are due on third party awards?

SSCBA 92, S10ZA and ZB

The NICs liability on any third party award depends on:

- the type of award
- whether as an employer, you have arranged or facilitated provision of the award with the third party – see paragraph 37

These rules do not cover payments by third party customers as a reward for services given in the performance of the duties of the employment, for example, tips. For further guidance, go to www.gov.uk/running-payroll/payments

Where a third party gives an employee a cash payment, a cash voucher or a benefit that normally attracts a Class 1 liability, that award will be liable for Class 1 NICs.

Where a third party provides an employee with a benefit that normally attracts a Class 1A liability or a non-cash voucher, that award will be liable for Class 1A NICs.

You, as an employer, are responsible for reporting the details and for paying NICs that are due where:

- you arrange or facilitate the provision of awards for your employees from a third party which is liable for Class 1A NICs
- a third party provides an award to your employees which is liable for Class 1 NICs

The third party is responsible for reporting the details of the award and for paying NICs that are due where:

- an award is liable to Class 1A NICs
- you, the employer, have not arranged or facilitated the provision of the award for your employees

Any non-cash voucher awarded to an employee by a third party which has not been arranged with the employer is liable for Class 1A NICs.

More information on those benefits which are liable for Class 1 NICs is available in booklet CWG2(2016), ‘Employer Further Guide to PAYE and NICs’.

37 What is an arrangement?

If you, as an employer, play some active part in providing the award this will normally constitute an arrangement. This may involve you asking the third party to make the award, sharing or underwriting the cost of the award or otherwise helping to provide the award.

You will not be regarded as arranging the award where you are asked by the third party to give them a list of employees. This may happen where third parties run incentive campaigns and they make awards to your employees

38 Third party awards liable for Class 1 NICs

Where a third party provides an employee with a cash payment, a cash voucher or a benefit that normally attracts a Class 1 liability, that award will be liable for Class 1 NICs. Where Class 1 NICs are due, you the employer, and not the third party, are responsible for paying the NICs that are due.

More information on those benefits which are liable for Class 1 NICs is available in booklet CWG2(2016), 'Employer Further Guide to PAYE and NICs'.

39 Third party awards liable for Class 1A NICs

Where a third party:

- provides an employee with a benefit or a non-cash voucher, and
- you, as the employer, have not arranged or facilitated the provision of the award for your employees

that award will be liable for Class 1A NICs.

Where Class 1A NICs are due, the third party is responsible for paying the NICs that are due.

40 Awards not liable for NICs

Some third party benefits, such as small gifts and general goodwill entertaining, are exempt from tax and NICs.

More information on those benefits exempt from tax and NICs are contained in booklet CWG2(2016), 'Employer Further Guide to PAYE and NICs'.

41 Paying tax on behalf of an employee

SSCBA 92, S10ZA(2)

Where a third party is liable to pay Class 1 NICs on an award made to an employee and pays an employee's tax on that award, the third party is liable for Class 1A NICs on the amount of tax he or she pays on behalf of the employee.

The third party should:

- tell you
- contact HM Revenue and Customs Incentive Award Unit at the address in paragraph 42

Where a third party pays the employee's tax on an award for which you are liable to pay either:

- Class 1 NICs
- Class 1A NICs because you, as the employer, arranged or facilitated the provision of the award you have to pay Class 1 NICs on the amount of tax paid by the third party

42 Reporting and paying Class 1A NICs on third party awards

If the third party has previously contacted our Incentive Award Unit about reporting and paying Class 1A NICs, the Unit will automatically send them an End of Year Pack containing the end of year return and a payslip to pay Class 1A NICs and any tax due.

If they do not already have a Taxed Award Scheme they should contact the Incentive Award Unit at the address below. The Unit will provide details of the scheme.

Incentive Award Unit
Specialist Employer Compliance S0733
PO Box 3900
GLASGOW
G70 6AA

Phone 03000 577 340

Fax 01236 783 706

Email incentive.awards@hmrc.gsi.gov.uk

For 2015 to 2016 the end of year return should be filed by **6 July 2016**.

Payment of Class 1A NICs and any tax due must be made to HMRC accounts office by **19 July 2016** or **22 July 2016** if payment is made by an approved electronic method.

Part 7 - Decisions and appeals against Class 1A NICs

If we do not agree with you on a Class 1A NICs issue we will explain why and offer you a review. If you still think our decision is wrong you will then have a further 30 days to either:

- accept the offer of review
- notify the appeal to the independent tribunal, who will arrange for it to be heard

Reviews are completed by officers not previously involved in the decision. If you opt for a review but disagree with the review conclusion you will have a further 30 days in which to appeal to the tribunal.

For more information about decisions and appeals, go to www.gov.uk/government/publications/hm-revenue-and-customs-decisions-what-to-do-if-you-disagree

Part 8 - Terms used in this guide

This part explains some of the main terms used in this guide.

43 Business use

The expression 'business use by the employee' means necessary use by the employee wholly and exclusively in the performance of the employee's duties or, as the context requires, in qualifying business travel of the employee: see booklet 490, 'Employee travel – A tax and NICs guide for employers'.

44 Child

The term 'child' as used in this guide means a child not exceeding the age of 16 for whom the employee has parental responsibility.

45 Director

ITEPA 2003 S67(1) and (2)

The term 'director' includes all company directors and any person, other than a person who is merely a professional adviser (for example, a solicitor who gives advice) in accordance with whose instructions the directors are accustomed to act.

It also includes the members of a company whose affairs are managed by those members themselves and a member of a committee which manages an unincorporated association.

46 Director's earnings

SSCBA 92, S10(1)(a) and (b), ITEPA 2003, S216(2) and (3)

Even if a director receives no earnings in the relevant tax year, a Class 1A NICs liability will still arise on any benefit provided to the director if:

- the benefit is chargeable to tax under ITEPA 2003 on an amount of general earnings as defined at Section 7(3) ITEPA 2003
- the employment is 'employed earner's employment'

47 Directors and employees with no earnings

SSCBA 92, S10(2)(b)

Where a director or employee is provided with a benefit but no other earnings, Class 1A NICs are payable by the person who would have been liable to pay employer Class 1 NICs had the benefit been earnings on which Class 1 NICs are due.

48 Reserved for later use

49 Employees and employed earner

ITEPA 2003, S216(1) to (4) SSCBA 92, S2(1)(a)

The term 'employee' as used in this guide means an employed earner and includes:

- all directors
- employees

The term 'employed earner' used in this guide means a person who is gainfully employed in the United Kingdom, either under a contract of service, or in an office (including elective office) with general earnings chargeable to Income Tax under ITEPA 2003.

'Employee director' means a director who has no material interest in the company. For information about what is meant by material interest, go to www.hmrc.gov.uk/manuals/eimanual/EIM20212.htm or phone the Employer Helpline.

50 Reserved for later use

51 Extra-Statutory Concessions

Extra-statutory concessions are minor relaxations in the law which ordinarily deal with minor or transitory anomalies where a statutory remedy would be difficult or costly to introduce.

For a full list of our Extra-Statutory Concessions, go to www.gov.uk/government/collections/extra-statutory-concessions and those relating specifically to benefits are included in booklet 480(2016), 'Expenses and benefits – A tax guide'.

52 Family or household

The term 'family or household' covers the director's or employee's:

- spouse or civil partner
- children and their spouses or civil partners
- parents
- servants, dependants and guests

53 PAYE Settlement Agreements

A PAYE Settlement Agreement (PSA) is an agreement between you and HMRC under which you agree to pay the tax due on certain payments and benefits which you give to your employees.

PSAs normally apply to certain payments and benefits which are:

- minor
- given on an irregular basis
- provided in circumstances where it is impracticable to apply PAYE or report benefits on form P11D, or to apportion the benefits shared by a number of employees

Where you enter into a PSA, Class 1B NICs will be payable by you on the total value of:

- the payments and benefits covered by the PSA which would normally give rise to a Class 1 NICs or Class 1A NICs liability
- the tax payable by you under the PSA

More information on the types of benefits that can be included in a PSA and how you can apply for one are included in booklet CWG2(2016), 'Employer Further Guide to PAYE and NICs'.

Appendix 1 - Common benefits

The chart on the following pages shows you whether Class 1 or Class 1A NICs are due on the most common types of expenses and benefits that can be made to your employees, and describes how they should be reflected on form P11D in ordinary circumstances.

You should read any note which a chart entry refers you to. These are listed at the end of the chart.

The chart is not comprehensive and has no legal force. It gives guidance only.

Some entries will refer you to more detailed guidance elsewhere. This may be because special conditions apply to that type of expense or benefit.

If the chart does not show the type of payment you are making, or you are not sure whether a payment attracts a Class 1 or a Class 1A NICs liability, phone the Employer Helpline on 0300 200 3200.

More guidance about NICs on expense payments is in booklet CWG2(2016), 'Employer Further Guide to PAYE and NICs'.

Appendix 1 - Common benefits

National Insurance treatment of common expenses and benefits

(Any notes mentioned are listed at the end of the table)

Type of expense or benefit provided	Circumstances	Class 1 NICs due include in gross pay	Class 1A NICs due	Enter on P11D at Section
Assets placed at the employee's disposal	provided for business use, and private use is not significant - see paragraph 13	No	No	L note 1
	provided for mixed business and private use	No	Yes	L
Assets transferred to the employee but not Readily Convertible Assets	can be turned into cash only by sale, such as furniture, kitchen appliances, property and clothes	No	Yes	A
Car fuel for private motoring in a company car	any means of supply or purchase - see booklet 480 for exceptions	No	Yes	F
Car/van fuel for private motoring in a privately-owned car/van	supplied using a company credit card, garage account or agency card and the conditions described in booklet CWG2(2016) apply	No note 2	Yes	M
	from your own fuel pump	No	Yes	M
	any other circumstances	Yes	No	E or M
Car parking facilities , including motorcycles	at or near place of work	No	No	-
	elsewhere - unless the parking is part of a journey which is qualifying business travel	No	Yes	K, L or M
Car parking fees paid for or reimbursed to employee	at or near place of work	No	No	-
	for business related journeys	No	No	N
	in all other circumstances	Yes	No	N
Cars made available for private use	see booklet 480	No	Yes	F
Childcare help (does not include vouchers - see separate entry below) provided by employer for children up to age 16 (excluding school fees - see separate entry on school fees)	your contract with the provider: <ul style="list-style-type: none"> variable up to £55 per week (£243 per month) where the qualifying conditions are met - see paragraph 29 	No	No	-
	<ul style="list-style-type: none"> all values in excess of £55 per week (£243 per month) where the qualifying conditions are met 	No	Yes	M
	<ul style="list-style-type: none"> any amount not meeting the conditions 	No	Yes	M
Childcare help provided by employer for children up to age 16	you provide a nursery at the workplace (or in a facility managed and financed by you)	No	No	-
	you reimburse the employee or provide additional salary to meet the cost of childcare	Yes	No	-
Christmas boxes	in cash	Yes	No	-
	in goods	No	Yes	A, M

Appendix 1 - Common benefits continued

National Insurance treatment of common expenses and benefits

(Any notes mentioned are listed at the end of the table)

Type of expense or benefit	Circumstances	Class 1 NICs due (include in gross pay)	Class 1A NICs due	Enter on P11D at Section
Clothing or uniforms which can be worn at anytime	provided by you, see booklet CWG2(2016)	No	Yes	A, M
	employee contracts note 4	Yes	No	B, M
Clothing (protective) or uniforms may have a logo which are necessary for work	all circumstances	No	No	-
Council Tax	employee provided with accommodation which is within one of the categories where the value does not have to be included for tax purposes on form P11D, see booklet CWG2(2016)	No	No	-
	all other circumstances	Yes	No	B
Credit cards, charge cards, employee uses your card to purchase	goods or services bought on your behalf and the conditions described in booklet CWG2(2016) apply	No	No note 2	-
	items for the personal use of the employee	Yes	No	C
	items relating to specific and distinct business expenses actually incurred by the employee	No	No	C
Employee's liability insurance	see booklet CWG2(2016) for conditions	No	No	-
Entertaining clients expenses/allowances	all circumstances	No	No	N
Entertaining staff expenses/allowances	employer contracts note 5	No	Yes	K, L or M
	employee contracts note 4	Yes	No	N
Expenses and benefits covered by an exemption		No	No	-
Expenses not covered by an exemption	specific and distinct business expenses included in the payment	No	No	note 6
	any profit element in the payment	Yes	No	
Eyecare test or corrective appliance (for example, glasses or contact lenses)	employer makes available generally to employees for whom tests and appliances are necessary under regulations made under the Health and Safety at Work etc. Act 1974.	No	No	-
Eyecare voucher to obtain test or corrective appliance (for example, glasses or contact lenses)	employer makes available generally to employees for whom tests and appliances are necessary under regulations made under the Health and Safety at Work etc. Act 1974.	No	No	-

Appendix 1 - Common benefits continued

National Insurance treatment of common expenses and benefits

(Any notes mentioned are listed at the end of the table)

Type of expense or benefit	Circumstances	Class 1 NICs due (include in gross pay)	Class 1A NICs due	Enter on P11D at Section
Food , groceries, farm produce	employer contracts note 5	No	Yes	A
	employee contracts note 4	Yes	No	B
Goods , such as TV, furniture and so on, transferred to employee	employer contracts note 5	No	Yes	A
	employee contracts note 4	Yes	No	B
Holidays	employer contracts note 5	No	Yes	A, K, L or M
	holiday vouchers	Yes	No	C
	employee contracts note 4	Yes	No	B
Incidental overnight expenses	see paragraph 31 and booklet 480(2016) for special conditions	No	No	-
Income Tax paid	but not deducted from employee	Yes	No	M
	on notional payments not borne by employee within 90 days of the end of the tax year	Yes	No	B
Insurance premiums for pensions, annuities etc on the employee's death or retirement. See CWG2(2016) for exceptions	employee contracts note 4	Yes	No	B
Living accommodation provided by you	see booklet CWG2(2016) for special conditions	No	No	-
	in all other circumstances	No	Yes	D
Loans, beneficial arrangements	qualifying loans	No	No	-
	non-qualifying loans	No	Yes	H
Loans written off	at time you decide not to seek repayment	Yes	No	M
Long service award	conditions of S323 ITEPA 2003 met	No	No	
	above conditions not fully met	For the treatment applicable to NICs see the instructions at paragraph 35 'Staff suggestions', which apply similarly for long service awards		
Meal vouchers	vouchers redeemable for meals only (all values)	Yes	No	C

Appendix 1 - Common benefits continued

National Insurance treatment of common expenses and benefits

(Any notes mentioned are listed at the end of the table)

Type of expense or benefit	Circumstances	Class 1 NICs due (include in gross pay)	Class 1A NICs due	Enter on P11D at Section
Meals provided by you	at canteen open to your staff generally or on your business premises on a reasonable scale and all employees may obtain free or subsidised meals, as long as the meals are not provided in connection with salary sacrifice or flexible remuneration arrangements	No	No	-
	in all other circumstances	No	Yes	M
Medical, dental and so on, treatment or insurance to cover such treatment	employer contracts note 5	No	Yes	I
	employee contracts note 4	Yes	No	B
	outside the UK where the need for treatment arises while the employee is outside the UK working for you	No	No	-
Mobile phones provided by you	employer contracts note 7	No	No	-
Mobile phones costs of private calls	employer contracts note 5	No	No	-
	employee contracts note 4	Yes	No	B, M or N
Mobile phone vouchers provided by you	for use by employee to obtain one mobile phone for private use	No	No	-
Office accommodation, supplies/services used by employee in doing his/her work		No	No	-
Personal bills of the employee paid by you	employee contracts note 4	Yes	No	B
Phones You are the subscriber	cost of rental, unless private use is not significant	No	Yes	K or M
	cost of calls, unless private use is not significant	No	Yes	K
	cost of all private calls is reimbursed by the employee	No	No	K, L or M

Appendix 1 - Common benefits continued

National Insurance treatment of common expenses and benefits

(Any notes mentioned are listed at the end of the table)

Type of expense or benefit	Circumstances	Class 1 NICs due (include in gross pay)	Class 1A NICs due	Enter on P11D at Section	
Phones Your employee is the subscriber, and you meet the costs of calls and/or rental	phones used exclusively for business	No	No	B or N	
	phones used exclusively for private use note 4	Yes	No	B or N	
	phone used for both business and private purposes	Rental - Yes on the full amount of the rental	No	No	B or N
		Calls - Yes on the full amount. Business calls, supported by evidence, can be excluded	No	No	B or N
Readily Convertible Assets (RCA) , securities and or remuneration provided in a non-cash form, for example, shares share options and commodities	see paragraph 34 and CWG2(2016) for detailed information	Yes	No, but see paragraph 34 for detailed information	-	
Relocation expenses/benefits	expenses which are not exempt note 8	Yes	No	N	
	benefits which are not exempt and exempt expenses paid after the relevant day note 9	No	Yes	M	
	exempt expenses/benefits of £8,000 or less note 9	No	No	-	
	exempt expenses/benefits in excess of £8,000 note 9	No	Yes	J	
Retirement benefit schemes, either registered schemes or employer-financed schemes	payments you make into such schemes	No	No	-	
Round sum allowances	specific and distinct business expense identified	No	No	note 10	
	profit element	Yes	No	note 10	
Scholarships awarded to students because of their parent's employment	employer contracts note 5	No	Yes	M	
	employee contracts note 4	Yes	No	M	

Appendix 1 - Common benefits continued

National Insurance treatment of common expenses and benefits

(Any notes mentioned are listed at the end of the table)

Type of expense or benefit	Circumstances	Class 1 NICs due (include in gross pay)	Class 1A NICs due	Enter on P11D at Section
School fees	employer contracts note 5	No	Yes	M
	employee contracts note 4	Yes	No	M
Securities or an interest in securities	see Readily Convertible Assets (RCA)	-	-	-
Shares	see Readily Convertible Assets (RCA)	-	-	-
Shares and share options (not RCA)		No	No	-
Social functions	conditions of S264 ITEPA 2003 are satisfied	No	No	-
	all other types of function	No	Yes	M
Sporting or recreational facilities provided by you, for example, fishing, horse racing	conditions of S261 ITEPA 2003 are satisfied	No	No	-
	all other circumstances	No	Yes	K
Subscriptions, professional and fees which are allowable tax deductions under S343 and S344 ITEPA 2003 - see paragraph 30	all other circumstances	No	No	M
Subscriptions, professional and fees which are not allowable tax deductions under S343 and S344 ITEPA 2003	employer contracts note 5	No	Yes	M
	employee contracts note 4	Yes	No	M
Suggestion schemes awards to employees	conditions of S321 ITEPA 2003 met - see paragraph 35	No	No	-
	above conditions not fully met	See paragraph 35		
Third party benefits/payments	see paragraphs 36 to 42			
Training payments for course fees, books and so on	training is work-related or encouraged or required by you in connection with the employment	No	No	-
	all other circumstances and employer contracts note 5	No	Yes	M
	all other circumstances and employee contracts note 4	Yes	No	M

Appendix 1 - Common benefits continued

National Insurance treatment of common expenses and benefits

(Any notes mentioned are listed at the end of the table)

Type of expense or benefit	Circumstances	Class 1 NICs due (include in gross pay)	Class 1A NICs due	Enter on P11D at Section
Vans available for commuting and other private use	other private use is more than insignificant - see booklet 480(2016)	No	Yes	G
Van fuel provided for use in vans available for commuting and other private use	all means of supply. Other private use is more than insignificant. See booklet 480(2016)	No	Yes note 11	G
Vouchers	see booklet CWG2(2016) for exceptions	Yes	No	C

Notes

- 1 Where assets (apart from vehicles, boats, aircraft and certain improvements or extensions to living accommodation) and services are made available to employees to use for work on your premises or elsewhere, and there is only a small amount of incidental private use, no Class 1A NICs will be due.
- 2 Where an employee purchases goods or services including car fuel on your behalf, and you transfer ownership of these to the employee, Class 1A NICs will be due.
- 3 Not in use.
- 4 Contract is between the employee and the provider. The employer pays the provider or reimburses the employee. Payments to the provider should be returned on the P11D as shown. Reimbursements to the employee are subject to PAYE and do not need to be returned on the P11D. These payments are simply meeting the employees debt and are therefore liable for Class 1 NICs.
- 5 Contract is between you, the employer, and the provider of the benefit.
- 6 Specific and distinct business expenses may feature in a number of payments you make to employees and should be recorded in the appropriate P11D section.
- 7 There is no limit to the number of mobile phones that may be provided NICs-free solely for business use and on which private use is not significant. Only 1 mobile phone per employee may be provided NICs-free for private use. No mobile phone may be provided NICs-free to a member of an employee's family or household. See Employment Income Manual EIM21778.
- 8 Expenses which are not exempt are any expenses not included in the list of booklet 480(2016). You will need to return on the P11D any amounts that your employee should have paid, but you (the employer) paid instead.
- 9 Details of what constitutes exempt expenses and benefits are described in booklet 480(2016).
- 10 Round sum allowances may feature in a number of payments you make to employees and should be recorded in the appropriate P11D section.
- 11 Class 1A NICs are not due if the van:
 - is available to the employee for business travel and commuting
 - is not used for any other private purpose except to an insignificant extent
 - is available to the employee mainly for use for the employee's business travel

Appendix 2 - P11D(2016) front page



HM Revenue & Customs

Please make sure your entries are clear on both sides of the form.

Employer name

Employer PAYE reference

Employee name

Surname

First name(s)

If a director tick here

Date of birth in figures (if known)

D	D	M	M	Y	Y	Y	Y
---	---	---	---	---	---	---	---

Works number/department

National Insurance number

--	--	--	--	--	--	--	--

Gender M – Male F – Female

P11D Expenses and benefits 2015 to 2016

Note to employer

Complete this return for a director, or an employee who earned at a rate of £8,500 or more a year during the year to 5 April 2016. Send the completed form to your HM Revenue and Customs office by 6 July 2016.

Note to employee

Your employer has filled in this form, keep it in a safe place. You will need it to complete your 2015 to 2016 tax return if you get one. The box numberings on this P11D are the same as on the Employment page of the tax return, for example, boxes 13.

Employers pay Class 1A National Insurance contributions on most benefits. These are shown in boxes which are brown and have a 1A indicator

A	Assets transferred (cars, property, goods or other assets)	Cost/Market value	Amount made good or from which tax deducted	Cash equivalent
	Description of asset <input type="text"/>	£ <input type="text"/>	£ <input type="text"/>	13 £ <input type="text"/> 1A
B	Payments made on behalf of employee			
	Description of payment <input type="text"/>			15 £ <input type="text"/>
	Tax on notional payments made during the year not borne by employee within 90 days of 5 April 2016			15 £ <input type="text"/>
C	Vouchers and credit cards	Gross amount	Amount made good or from which tax deducted	Cash equivalent
	Value of vouchers and payments made using credit cards or tokens (for qualifying childcare vouchers see section M of the P11D Guide)	£ <input type="text"/>	£ <input type="text"/>	12 £ <input type="text"/>
D	Living accommodation			Cash equivalent
	Cash equivalent of accommodation provided for employee, or his/her family or household			14 £ <input type="text"/> 1A
E	Mileage allowance and passenger payments			Taxable amount
	Amount of car and mileage allowances paid to employee for business travel in employee's own vehicle, and passenger payments, in excess of maximum exempt amounts (See P11D Guide for 2015 to 2016 exempt rates)			12 £ <input type="text"/>
F	Cars and car fuel	If more than 2 cars were made available, either at the same time or in succession, please give details on a separate sheet		
		Car 1	Car 2	
	Make and model	<input type="text"/>	<input type="text"/>	
	Date first registered	<input type="text"/>	<input type="text"/>	
	Approved CO ₂ emissions figure for cars registered on or after 1 January 1998 Tick box if the car does not have an approved CO ₂ figure	<input type="text"/> g/km <input type="checkbox"/>	<input type="text"/> g/km <input type="checkbox"/>	See P11D Guide for details of cars that have no approved CO ₂ figure
	Engine size	<input type="text"/> cc	<input type="text"/> cc	
	Type of fuel or power used Please use the key letter shown in the P11D Guide	<input type="text"/>	<input type="text"/>	
	Dates car was available	From <input type="text"/> / <input type="text"/> / <input type="text"/> to <input type="text"/> / <input type="text"/> / <input type="text"/>	From <input type="text"/> / <input type="text"/> / <input type="text"/> to <input type="text"/> / <input type="text"/> / <input type="text"/>	
	List price of car Including car and standard accessories only: if there is no list price, or if it is a classic car, employers see booklet 480	£ <input type="text"/>	£ <input type="text"/>	
	Accessories All non-standard accessories, see P11D Guide	£ <input type="text"/>	£ <input type="text"/>	
	Capital contributions (maximum £5,000) the employee made towards the cost of car or accessories	£ <input type="text"/>	£ <input type="text"/>	
	Amount paid by employee for private use of the car	£ <input type="text"/>	£ <input type="text"/>	
	Date free fuel was withdrawn Tick if reinstated in year (see P11D Guide)	<input type="text"/> / <input type="text"/> / <input type="text"/> <input type="checkbox"/>	<input type="text"/> / <input type="text"/> / <input type="text"/> <input type="checkbox"/>	
	Cash equivalent of each car	£ <input type="text"/>	£ <input type="text"/>	
	Total cash equivalent of all cars made available in 2015 to 2016			9 £ <input type="text"/> 1A
	Cash equivalent of fuel for each car	£ <input type="text"/>	£ <input type="text"/>	
	Total cash equivalent of fuel for all cars made available in 2015 to 2016			10 £ <input type="text"/> 1A

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G	Vans and van fuel						
	Total cash equivalent of all vans made available in 2015 to 2016			9	£		1A
	Total cash equivalent of fuel for all vans made available in 2015 to 2016			10	£		1A
H	Interest-free and low interest loans						
	<i>If the total amount outstanding on all loans does not exceed £10,000 at any time in the year, there is no need to complete this section.</i>						
		Loan 1		Loan 2			
	Number of joint borrowers (if applicable)	<input type="text"/>		<input type="text"/>			
	Amount outstanding at 5 April 2015 or at date loan was made if later	£ <input type="text"/>		£ <input type="text"/>			
	Amount outstanding at 5 April 2016 or at date loan was discharged if earlier	£ <input type="text"/>		£ <input type="text"/>			
	Maximum amount outstanding at any time in the year	£ <input type="text"/>		£ <input type="text"/>			
	Total amount of interest paid by the borrower in 2015 to 2016 – enter 'NIL' if none was paid	£ <input type="text"/>		£ <input type="text"/>			
	Date loan was made in 2015 to 2016 if applicable	<input type="text"/> / <input type="text"/> / <input type="text"/>		<input type="text"/> / <input type="text"/> / <input type="text"/>			
	Date loan was discharged in 2015 to 2016 if applicable	<input type="text"/> / <input type="text"/> / <input type="text"/>		<input type="text"/> / <input type="text"/> / <input type="text"/>			
	Cash equivalent of loans after deducting any interest paid by the borrower		15	£		1A	15
				£			1A
I	Private medical treatment or insurance						
		Cost to you		Amount made good or from which tax deducted		Cash equivalent	
	Private medical treatment or insurance	£ <input type="text"/>	–	£ <input type="text"/>	=	11	£ <input type="text"/> 1A
J	Qualifying relocation expenses payments and benefits						
	<i>Non-qualifying benefits and expenses go in sections M and N below</i>						
	Excess over £8,000 of all qualifying relocation expenses payments and benefits for each move					15	£ <input type="text"/> 1A
K	Services supplied						
		Cost to you		Amount made good or from which tax deducted		Cash equivalent	
	Services supplied to the employee	£ <input type="text"/>	–	£ <input type="text"/>	=	15	£ <input type="text"/> 1A
L	Assets placed at the employee's disposal						
		Annual value plus expenses incurred		Amount made good or from which tax deducted		Cash equivalent	
	Description of asset <input type="text"/>	£ <input type="text"/>	–	£ <input type="text"/>	=	13	£ <input type="text"/> 1A
M	Other items (including subscriptions and professional fees)						
		Cost to you		Amount made good or from which tax deducted		Cash equivalent	
	Description of other items <input type="text"/>	£ <input type="text"/>	–	£ <input type="text"/>	=	15	£ <input type="text"/> 1A
	Description of other items <input type="text"/>	£ <input type="text"/>	–	£ <input type="text"/>	=	15	£ <input type="text"/>
	Income Tax paid but not deducted from director's remuneration					15	£ <input type="text"/>
N	Expenses payments made to, or on behalf of, the employee						
		Cost to you		Amount made good or from which tax deducted		Taxable payment	
	Travelling and subsistence payments (except mileage allowance payments for employee's own car - see section E)	£ <input type="text"/>	–	£ <input type="text"/>	=	16	£ <input type="text"/>
	Entertainment (trading organisations read P11D Guide and then enter a tick or a cross as appropriate here) <input type="checkbox"/>	£ <input type="text"/>	–	£ <input type="text"/>	=	16	£ <input type="text"/>
	General expenses allowance for business travel	£ <input type="text"/>	–	£ <input type="text"/>	=	16	£ <input type="text"/>
	Payments for use of home telephone	£ <input type="text"/>	–	£ <input type="text"/>	=	16	£ <input type="text"/>
	Non-qualifying relocation expenses (those not shown in sections J or M)	£ <input type="text"/>	–	£ <input type="text"/>	=	16	£ <input type="text"/>
	Description of other expenses <input type="text"/>	£ <input type="text"/>	–	£ <input type="text"/>	=	16	£ <input type="text"/>

Appendix 3 - P11D(b)(2016) front page



Return of Class 1A National Insurance contributions due Return of expenses and benefits – Employer declaration

Year ended 5 April 2016

Employer PAYE reference

Accounts office reference

Please return this form to the address shown below

Employer name and address

If this replaces a return that was issued automatically it may not show all of your details. If this is so, please fill in the top of this return before you send it to your HM Revenue & Customs office.

Please read the notes overleaf before completing this return.

Do not declare any amounts already reported under the Taxed Award Scheme arrangements.

1 Class 1A National Insurance contributions (NICs) due

Enter the total benefits liable to Class 1A NICs from forms P11D. (This is the total of the brown Class 1A NICs boxes on forms P11D. There is a quick guide to working out whether Class 1A NICs are due in Part 2 of the CWG5 if you are not sure.)

A £ 1A



If you need to adjust the figures entered in box A, do not complete box C below, tick this box and complete Section 4 overleaf.

Multiply by Class 1A NICs rate

B 13.8%

Class 1A NICs payable

box A x rate in box B
C £ 1A

2 Employer declaration

Tick the relevant box and fill in the appropriate details.

- No expenses payments or benefits of the type to be returned on forms P11D have been or will be provided for the year ended 5 April 2016. For this reason no forms P11D are attached.
- I confirm that all details of expenses payments and benefits that have to be returned on forms P11D for the year ended 5 April 2016 are enclosed with this declaration. I declare that the details on these forms are fully and truly stated to the best of my knowledge and belief.
- Forms P11D for the year ended 5 April 2016 were sent to HM Revenue & Customs office on / /

I confirm that details of expenses payments and benefits that have to be returned on forms P11D have been sent to HM Revenue & Customs.

I declare that all the details on this form are fully and truly stated to the best of my knowledge and belief.

Signature of employer

Date

 / /

The declaration should be signed by the employer or any person authorised to do so.

Capacity in which signed

Appendix 3 - P11D(b)(2016) back page

3 Notes for employer

You should give each employee or director a copy of their P11D information and send the completed forms P11D and P11D(b) to your HM Revenue & Customs office by **6 July**.

Pay Class 1A NICs shown on the return to the accounts office. Details on how to pay can be found on our website, go to www.gov.uk/pay-class-1a-national-insurance You should pay by:

- **19 July** if the payment is by post
- **22 July** if the payment is by an approved electronic method

Where **22 July** falls on a weekend or bank holiday, your payment should reach our bank account no later than the last bank working day before **22 July** unless you are paying by Faster Payments. Interest is chargeable on payments paid late. We may charge penalties if payment is not made in full and on time. The filing date for the return is 6 July. If we do not receive the return by 19 July, penalties will be charged at the rate of £100 per month or part month of lateness for every 50 or part batch of 50 employees provided with benefits.

Please note if you have already indicated on your form P35 that forms P11D and P11D(b) are not due, there is no need to send this return.

Class 1A National Insurance contributions (NICs) due

Employers pay Class 1A NICs on benefits which have to be returned on forms P11D except where Class 1 NICs or Class 1B NICs are due. To help you identify the benefits where Class 1A NICs are due, the boxes on the form P11D are brown and are marked 1A. Before completing the forms P11D and this return, read the P11D(Guide) and booklet CWG5 'Class 1A National Insurance contributions on benefits in kind. A guide for employers'.

Forms P11D

As an employer you must complete a return of expenses payments and benefits, form P11D, for each employee paid at a rate of £8,500 or more a year and for each director if:

- you have provided them with expenses or benefits which are not covered by a dispensation or PAYE Settlement Agreement
- you have arranged for expenses or benefits to be provided by a third party.

Send this declaration with the completed forms P11D to your HM Revenue & Customs office. If you choose to send the forms P11D in batches, send the declaration with the final batch.

References in this return to forms P11D and HM Revenue & Customs office should be read as including the return of expenses payments and benefits by magnetic media to Shipley Data Centre.

4 Adjustments to Class 1A NICs

Complete this section if you need to adjust the total benefits shown as liable to Class 1A NICs.

Paragraph 18 of CWG5 explains circumstances in which you may need to make adjustments.

Enter the total benefits liable to Class 1A NICs from Section 1, box A overleaf

A £ **1A**

Using the two boxes below enter any adjustment to the figures in box A

- Add any amounts not included in box A on which Class 1A NICs are due

Brief description

Amount to be added

B £ **1A**

- Deduct any amounts included in box A on which Class 1A NICs are **not** due

Brief description

Amount to be deducted

C £

Total of benefits on which Class 1A NICs are due

box A + box B minus box C

D £ **1A**

Multiply by Class 1A NICs rate

E 13.8%

Class 1A NICs payable

box D x rate in box E

F £ **1A**

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