



HM Revenue
& Customs

Alignment of dates for 'making good' on benefits-in-kind

Consultation document

Publication date: 9 August 2016

Closing date for comments: 4 October 2016

Subject of this consultation:	Alignment of the dates by which benefits-in-kind must be 'made good'. The aim is to have a simpler and clearer system.
Scope of this consultation:	The consultation explores the scope for aligning the making good rules for benefits-in-kind with those which apply to making good where the employer accounts for the benefit-in-kind in real time through Pay As You Earn.
Who should read this:	The government would like to hear views from anyone who is affected by or interested in the proposals, including employers, employees and representative bodies.
Duration:	The consultation will be open from 9 August 2016 to 4 October 2016.
Lead official:	Alastair Dougans, HM Revenue and Customs
How to respond or enquire about this consultation:	Responses to the consultation can be e-mailed to employmentincome.policy@hmrc.gsi.gov.uk . Written responses can be sent to the Employment Income Policy Team, HM Revenue and Customs, Room 1E/08, 100 Parliament Street, London SW1A 2BQ.
Additional ways to be involved:	Meetings with external representatives will be arranged. If you are interested in attending a meeting, please contact us using the details above. If you require the text of this consultation document in Braille or Welsh then please contact us using the details above.
After the consultation:	The government will publish details of the consultation responses and expects to make an announcement at Autumn Statement 2016 on any decisions made in the light of those responses.
Getting to this stage:	Dates for making good are currently set out in primary legislation, secondary legislation and HMRC guidance.
Previous engagement:	There was some discussion with stakeholders about making good as the government developed its policy on employers being able to account for the benefits-in-kind in real time through PAYE.

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1. Introduction

- 1.1 The Office of Tax Simplification, employers and representative bodies have made it clear to the government that there are problems with the existing rules for employees 'making good' the value of the benefits-in-kind they receive from their employers. They have highlighted that for some benefits-in-kind there are a number of different dates set out in legislation and in HMRC guidance.
- 1.2 Additionally, for some benefits-in-kind they have highlighted the practical difficulties of complying with the dates in legislation, which has to a large part led to the inconsistencies with HMRC guidance.
- 1.3 The recent introduction of new dates for making good on benefits-in-kind where the employer accounts for the benefit-in-kind in real time through PAYE (payrolling) has highlighted the lack of consistency and potential for confusion.
- 1.4 This consultation seeks views on proposals to bring clarity by aligning the dates for making good.

2. Background

Benefits-in-kind

- 2.1 An employee can receive remuneration from their employment which does not take the form of money and this is known as a benefit-in-kind. Benefits-in-kind are subject to tax and the majority are also liable for employer's Class 1A National Insurance contributions (NICs).
- 2.2 It is the cash equivalent of the benefit-in-kind which is subject to tax and liable to NICs. The cash equivalent is usually calculated as the cost to the employer of providing the benefit-in-kind but, in some cases, it is calculated in a different way. This is set out in the table at Annex A.

Making good

- 2.3 Making good is where an employee gives something (usually a cash payment) to the person providing the benefit-in-kind in return for it. Making good has the effect of reducing the cash equivalent of the benefit-in-kind, often to zero. This reduces the amount of the employee's taxable earnings. There are two reasons why employees might make good:
- the employer requires the employee to make a contribution towards the provision of the benefit in kind; or
 - the employer or employee want to reduce the tax due on the benefit-in-kind.
- 2.4 Making good need not be for the whole cash equivalent of the benefit-in-kind. It could be for part, which would reduce the tax liability proportionately.

Example 1

Anna's employer provides her with living accommodation. The employer rents this from a third party and pays rent of £600 per month. Anna agrees to make a contribution of £200 per month, so the annual taxable benefit-in-kind is reduced from £7,200 to £4,800.

- 2.5 The effect of making good on the employer's liability for Class 1A NICs is outlined on page 8.
- 2.6 An employee could choose to make good in relation to most benefits-in-kind, but there are some benefits-in-kind where making good is more common. These include:
- the private use of a company car or company van

- employer-provided fuel used for private mileage in a company car or company van (the fuel benefit charge)
- private medical insurance
- the loan of assets
- beneficial loans
- credit tokens.

2.7 The car fuel benefit charge is a common example of where an employee might want to make good in order to reduce or remove the income tax charge. The car fuel benefit charge is incurred when the employer provides fuel for the employee's private use of their company car.

2.8 To reduce the charge to zero, the employee can make good by reimbursing the employer the cost of the fuel for private use. Where the employee carries out relatively small amounts of private mileage, it often makes sense for the employee to make good on the cost of the fuel provided by the employer for private mileage in order to reduce the car benefit charge to zero.

Example 2

Alan undertakes private mileage in a company car, using petrol provided by his employer. This makes him liable for the car fuel benefit charge.

Alan's car has an emission figure of 109 grams of CO₂ per kilometre, giving it an appropriate percentage of 16% (using 2015-16 rates).

The fuel benefit charge in this case is calculated as:

the car fuel benefit charge (£22,100 in 2015-16)

multiplied by

the appropriate percentage (16%)

which equals £3,536.

As Alan is a higher rate taxpayer and has a marginal rate of tax of 40%, his liability for the car fuel benefit charge is £3,536 x 40% = £1,414.40.

Alan normally drives about 15,000 private miles each year. As the cost of his fuel is greater than the car fuel benefit charge, he does not seek to make good.

In 2015-16, however, due to ill health, he made less private use of his car and drove only 9,000 private miles. Based on the Advisory Fuel Rates, the cost of the fuel Alan used for his private mileage is £1,118. This is less than the tax Alan would pay on the fuel benefit charge, so Alan agrees to reimburse his employer the full £1,118.

In this case, the employer does not have to pay employers' NICs at a rate of 13.8% on the car fuel benefit charge.

3. Dates by which an employee must 'make good'

The range of deadlines for making good

- 3.1 There are different dates set out in legislation for making good on different benefits-in-kind in order to reduce or remove the tax charge. For some benefits-in-kind there is more than one date for making good in legislation, whilst for other benefits-in-kind there is no statutory date.
- 3.2 The car fuel benefit charge is one of the areas of confusion, as there are different dates by when an employee is required to make good. Under the legislation, making good has to take place either before the end of the tax year¹ or by 1 June following the end of the tax year when the employer accounts for the benefit-in-kind in real time through Pay As You Earn (PAYE).² Additionally, HMRC guidance³ says that the payment must be made without unreasonable delay. Stakeholders have been critical that there are three different dates and that the published HMRC guidance is inconsistent with the statutory dates.
- 3.3 For other benefits-in-kind, such as private medical insurance, making good must take place before the end of the tax year where the employer accounts for the benefit-in-kind in real time through PAYE⁴. Where the employer has not adopted this practice, however, there is no specific date in legislation for making good.
- 3.4 The range of dates applying to common benefits-in-kind is set out in Annex B.
- 3.5 Employers, large accountancy firms and representative bodies have told HMRC that current rules cause confusion. They are unsure which date applies and have asked for the government to provide clarity in this area.

¹ section 151(2) of the Income Tax (Pensions and Earnings) Act 2003, which can be found here: <http://www.legislation.gov.uk/ukpga/2003/1/section/151> .

² regulation 61L of the Income Tax (Pay as You Earn) Regulations 2003, as amended by regulation 6 of the Income Tax (Pay As You Earn) (Amendment No.4) Regulations 2015, which can be found here: <http://www.legislation.gov.uk/uksi/2015/1927/contents/made> .

³ the HMRC guidance can be found here: <http://www.hmrc.gov.uk/manuals/eimanual/eim25660.htm> .

⁴ regulation 61G of the Income Tax (Pay as You Earn) Regulations 2003, as amended by regulation 6 of the Income Tax (Pay As You Earn) (Amendment No.4) Regulations 2015, which can be found here: <http://www.legislation.gov.uk/uksi/2015/1927/contents/made> .

National Insurance contributions

- 3.6 There is additional complexity in connection with the dates for making good for NICs ⁵.
- 3.7 For the employer's Class 1A NICs liability to be reduced or removed, the making good payment has to be made before the Class 1A NICs are due to be paid (19 July following the end of the tax year or 22 July following the end of the tax year for those paying electronically). A making good payment made after 19 / 22 July will reduce or remove the tax charge but not the Class 1A NICs liability.
- 3.8 This separate date for NICs payments is an additional consideration for employers and adds further complexity to the current system.

Manipulation of the rules

- 3.9 The absence of a date in legislation for some benefits-in-kind has led a small number of employers and employees to manipulate the rules.
- 3.10 Where there is no statutory date for making good, the guidance says that making good payments must be made within a reasonable time ⁶. In practice, the employee has until the tax liability is final and conclusive to make good the benefit-in-kind.
- 3.11 HMRC has evidence that, in a small number of cases, employees defer making good until they are subject to an HMRC compliance investigation. At this point, the employee may choose to make good to avoid paying tax on the benefit-in-kind and any interest and penalties arising from the failure to disclose the benefit-in-kind at the correct time.
- 3.12 This means that the employee has an unfair advantage over other employees receiving a benefit-in-kind who either pay the tax liability or make good within a reasonable time.

⁵ regulations 71 and 80 of the Social Security (Contributions) Regulations 2001, which can be found here: <http://www.legislation.gov.uk/ukxi/2001/1004/regulation/71/made> and here: <http://www.legislation.gov.uk/ukxi/2001/1004/regulation/80/made> .

⁶ the HMRC guidance can be found here: <http://www.hmrc.gov.uk/manuals/eimanual/EIM21121.htm> .

4. Proposed changes

- 4.1 In principle, the fairest and simplest approach would be for making good for all benefits-in-kind to take place either in real time throughout the year or by the end of the tax year. However, it is clear that this approach would cause some practical difficulties.
- 4.2 The government recently consulted with employers and representative bodies on accounting for benefits-in-kind in real time through PAYE (payrolling of benefits-in-kind). In the consultation employers made clear to the government that flexibility was required for some benefits-in-kind.
- 4.3 Consequently, the rules on payrolling benefits-in-kind that were introduced with effect from 6 April 2016 set dates for making good of either the end of the tax year or 1 June following the end of the tax year for the fuel benefit charge. The later date for the fuel benefit charge reflects the practical difficulty of having to make the necessary calculations and payments before the end of the tax year.
- 4.4 The government is now proposing to make the system simpler by aligning the making good dates for payrolled and non-payrolled benefits-in-kind. This will provide clarity and make it easier for employers and employees to understand their obligations.
- 4.5 The government proposes, therefore, that making good should take place by the **end of the tax year**, except for those benefits-in-kind where there are practical difficulties in doing so. In these cases, the government proposes that making good can take place up to **1 June following the end of the tax year**.
- 4.6 The proposed changes will ensure that making good takes place before the Class 1A NICs liability on the benefit-in-kind is due. A making good payment has to be made by the 19th July (when paying by post) or the 22nd July (when paying electronically) after the tax year if the Class 1A NICs liability is to be removed or reduced. A making good payment made by the proposed dates will automatically remove or reduce the Class 1A NICs liability, as the making good payment to remove or reduce the tax charge will be made prior to the Class 1A due date for payment. This will remove the requirement on employers to have to make a NICs payment even when the employee has already made good.
- 4.7 The government is not intending to amend existing legislation to bring forward the dates for making good on NICs to the end of the tax year or 1 June. Removing the NICs liability as proposed can be achieved without changes to the NICs legislation.
- 4.8 The government proposes that the following dates apply to different benefits-in-kind.

The end of the tax year

- 4.9 The government proposes to keep the date for making good for private use of a company car or van as **the end of the tax year**. This is because the value of the benefit-in-kind is known in advance, which means that there is sufficient time for the necessary reconciliation of records and for payments to be made.
- 4.10 The government proposes that making good should be **the end of the tax year** for those benefits-in-kind for which there is no practical difficulty in doing so. As such, the government proposes that the following benefits-in-kind should be made good by 5 April:
- employer-provided living accommodation
 - non-cash vouchers
 - private medical insurance
 - the employer meeting the employee's pecuniary liability
 - an in-house benefit
 - the loan of assets

(Beneficial loans and credit tokens are covered separately).

- 4.11 Non-cash vouchers and the employer meeting the employee's pecuniary liability attract Class 1 NICs. This means that making good would have to take place within the earnings period⁷ if the NICs liability is to be removed.

Q1. For company cars, company vans and the other benefits-in-kind set out above, are there any practical difficulties in making good by the end of the tax year? Please provide reasons for your answer and set out which benefit-in-kind the difficulties refer to.

1 June following the end of the tax year

Car and van fuel benefit

- 4.12 Stakeholders, including The Office of Tax Simplification, have highlighted employers' concerns that it is not practical for making good payments for car fuel to be made by the end of the tax year, as currently required under legislation. Their view is that this date does not leave sufficient time for the cost of the fuel over the year to be calculated and a making good payment to be made.
- 4.13 In recognition of the practical difficulties, the government proposes that the date for making good payments on car and van fuel benefit should be amended to **1**

⁷ for the definition of 'earnings period', see Chapter 3 of *Employer Further Guide to PAYE and NICs*: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/356762/140922_CWG2_2014_09_14_revised_helpbook.pdf.

June following the end of the tax year. This is in recognition of the issues that employers have highlighted.

Credit tokens

- 4.14 Where benefits-in-kind are bought by credit tokens, the proposed date for making good is **1 June following the end of the tax year**. This recognises the practical difficulties with making good credit card payments in-year as credit card statements are received after the end of the month and can take a little while to process.
- 4.15 Non-cash vouchers attract Class 1 NICs, which means that making good would have to take place within the earnings period if the NICs liability is to be removed.

Beneficial loans

- 4.16 The government proposes that the date for making good interest on beneficial loans will be set at **1 June following the end of the tax year**. The government thinks that the value and dates of interest payments from beneficial loans will be known by this time and an employee will have the necessary information to make payments.
- 4.17 The government is also proposing to abolish the current provision for interest paid after the benefit-in-kind charge has become final and conclusive to be taken into account.⁸ This would appear to be unnecessary if payments can be made up to 1 June.

Q2. Are there any practical difficulties with making good for car and van fuel benefit, credit tokens and beneficial loans by 1 June following the end of the tax year?

Please provide reasons for your answer and set out which benefit-in-kind the difficulties refer to.

Q3. For employer-provided loans, should interest paid after the benefit-in-kind has become final and conclusive be taken into account?

Q4. For non-cash vouchers and credit tokens, would there be difficulties in having to make good within the earnings period in order to remove the NICs liability?

⁸ section 191 of the Income Tax (Earnings and Pensions) Act 2003:
<http://www.legislation.gov.uk/ukpga/2003/1/section/191>

Summary of proposed changes

The existing dates and proposed changes are outlined in the following table.

	Current rules (when benefits-in-kind are not payrolled)	Current rules (when benefits-in-kind are payrolled)	Proposed date
Car fuel benefit	end of tax year	1 June following end of tax year	1 June following end of tax year
Private use of company car	end of tax year	end of tax year	end of tax year (no change)
Van fuel benefit	end of tax year	1 June following end of tax year	1 June following end of tax year
Private use of company van	end of tax year	end of tax year	end of tax year (no change)
Beneficial loans	no date	currently no provision to payroll beneficial loans	1 June following end of tax year
Credit tokens	when liability final and conclusive	currently no provision to payroll credit tokens	1 June following end of tax year
Other benefits-in-kind, for example: <ul style="list-style-type: none"> • employer-provided living accommodation • non-cash vouchers • private medical insurance • the employer meeting the employee's pecuniary liability • an in-house benefit • loan of assets 	when liability final and conclusive	end of the tax year (although currently no provision to payroll employer-provided living accommodation and non-cash vouchers)	end of tax year

5. Assessment of Impacts

Summary of Impacts

Exchequer impact (£m)	2017-18	2018-19	2019-20	2020-21	2021-2022
		negligible	negligible	negligible	negligible
Economic impact	The measure is expected to have a negligible economic impact.				
Impact on individuals, households and families	<p>There is potentially an impact on some individuals. This will be reviewed in light of responses to the consultation.</p> <p>The measure is not expected to have any impact on family formation, stability or breakdown.</p>				
Equalities impacts	<p>The measure has had due regard to comply with section 149 Equality Act 2010 and relevant Northern Ireland legislation.</p> <p>It is not anticipated that the proposed measure will have any adverse impacts on groups with protected characteristics.</p>				
Impact on businesses and Civil Society Organisations	Any impact on businesses and civil society organisations is expected to be below de-minimis limits. This will be reviewed in light of responses to the consultation.				
Impact on HMRC or other public sector delivery organisations	There will be no significant operational impact.				
Other impacts	Other impacts have been considered and none has been identified.				

6. Summary of Consultation Questions

Q1. For company cars, company vans and the other benefits-in-kind set out above, are there any practical difficulties in making good by the end of the tax year? Please provide reasons for your answer and set out which benefit-in-kind the difficulties refer to.

Q2. Are there any practical difficulties with making good for car and van fuel benefit, credit tokens and beneficial loans by 1 June following the end of the tax year?

Please provide reasons for your answer and set out which benefit-in-kind the difficulties refer to.

Q3. For employer-provided loans, should interest paid after the benefit-in-kind has become final and conclusive be taken into account?

Q4. For non-cash vouchers and credit tokens, would there be difficulties in having to make good within the earnings period in order to remove the NICs liability?

7. The Consultation Process

This consultation is being conducted in line with the Tax Consultation Framework. There are 5 stages to tax policy development:

- Stage 1 Setting out objectives and identifying options.
- Stage 2 Determining the best option and developing a framework for implementation including detailed policy design.
- Stage 3 Drafting legislation to effect the proposed change.
- Stage 4 Implementing and monitoring the change.
- Stage 5 Reviewing and evaluating the change.

This consultation is taking place during stage 2 of the process. The purpose of the consultation is to seek views on the policy design and any suitable possible alternatives.

How to respond

The consultation will run for 8 weeks from 9 August 2016 to 4 October 2016.

If you would like to respond to any of the issues raised in the consultation, please send your response by 4 October 2016, preferably by e-mail to employmentincome.policy@hmrc.gsi.gov.uk.

The postal address for responses is:

Alastair Dougans
Employment Income Policy Team
Room 1E/08
HM Revenue and Customs
100 Parliament Street
London
SW1A 2BQ

If you have any queries on the consultation, please contact Alastair Dougans on tel: 03000 584745 (from a text phone, prefix this number with 18001) or by using the above e-mail address.

The document can also be accessed on the government website at https://www.gov.uk/government/publications?departments%5B%5D=hm-revenue-customs&publication_filter_option=consultations.

A summary of the questions in this consultation is included at chapter 6.

The government does not reply to individual representations but a response document will be published following the analysis of the responses.

Please do not send consultation responses to the Consultation Coordinator.

Paper copies of this document or copies in Welsh and alternative formats (large print, audio and Braille) may be obtained free of charge from the above address. This document can also be accessed from [HMRC's GOV.UK pages](#). All responses will be acknowledged, but it will not be possible to give substantive replies to individual representations.

When responding please say if you are a business, individual or representative body. In the case of representative bodies please provide information on the number and nature of people you represent.

Confidentiality

Information provided in response to this consultation, including personal information, may be published or disclosed in accordance with the access to information regimes. These are primarily the Freedom of Information Act 2000 (FOIA), the Data Protection Act 1998 (DPA) and the Environmental Information Regulations 2004.

If you want the information that you provide to be treated as confidential, please be aware that, under the FOIA, there is a statutory Code of Practice with which public authorities must comply and which deals with, amongst other things, obligations of confidence. In view of this it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on HM Revenue and Customs (HMRC).

HMRC will process your personal data in accordance with the DPA and in the majority of circumstances this will mean that your personal data will not be disclosed to third parties.

Consultation Principles

This consultation is being run in accordance with the Government's Consultation Principles. The Consultation Principles are available on the Cabinet Office website: <http://www.cabinetoffice.gov.uk/resource-library/consultation-principles-guidance>

If you have any comments or complaints about the consultation process please contact:

John Pay, Consultation Coordinator, Budget Team, HM Revenue & Customs, 100 Parliament Street, London, SW1A 2BQ.

Email: hmrc-consultation.co-ordinator@hmrc.gsi.gov.uk

Please do not send responses to the consultation to this address.

Annex A: Cash equivalent of benefits-in-kind

Some typical examples how the cash equivalent of benefits-in-kind are calculated are shown in the following tables.

Benefit-in-kind	How the cash equivalent of the benefit-in-kind is calculated
Private medical insurance Non-cash vouchers eg. voucher from High Street store Credit tokens eg. use of a credit card by an employee to buy a benefit-in-kind Meeting the employee's pecuniary liability eg. the employer pays a utility bill on behalf of the employee	The cost to the employer of providing the benefit-in-kind.
In-house benefit-in-kind eg. a private school offering a school place to a child of one of the teachers	The marginal cost to the employer of providing the benefit.
Private use of a company car	The list price of the car multiplied by the appropriate percentage (based on the car's CO ₂ emissions).
Car fuel benefit	The fuel benefit charge multiplier (£22,200 in 2016-17) multiplied by the appropriate percentage (based on the car's CO ₂ emissions).
Private use of a company van	A flat rate charge (£3,170 in 2016-17).
Van fuel benefit	A flat rate charge (£598 in 2016-17).

Benefit-in-kind	How the cash equivalent of the benefit-in-kind is calculated
Living accommodation	The cash equivalent depends on whether the accommodation is owned or leased by the employer and, if owned, the period of ownership and whether the accommodation is valued at more or less than £75,000. The cash equivalent of the employer-rented accommodation is based on the market rental value, while the cash equivalent of employer-owned accommodation is based on the Gross Rateable Value from 1973.
Beneficial loan	The difference between interest paid by the employee and the interest payable on the loan at the Official Rate of Interest. (The Official Rate of Interest is calculated by the government).
Loan of assets	20% of the market value of the asset when first made available to the employee.

Annex B: Summary of dates for making good on benefits-in-kind

The current range of dates by which an employee has to make good to reduce or remove their income tax charge is set out in the following tables. The dates in primary legislation apply where the employer does not account for the benefit-in-kind in real time through PAYE. The dates in secondary legislation apply where the employer does account for the benefit-in-kind through PAYE (the benefit-in-kind is payrolled).

Private use of a company car

	Date by which employee must make good
Primary legislation Section 144 of the Income Tax (Pensions and Earnings) Act 2003, as amended by section 25 of Finance Act 2014	end of the tax year
Secondary legislation Regulation 61E of the Income Tax (Pay As You Earn) (Amendment No. 4) Regulations 2015	end of the tax year
HMRC guidance Employment Income Manual note EIM25250	end of the tax year

Car fuel benefit

	Date by which employee must make good
Primary legislation Section 151 of the Income Tax (Pensions and Earnings) Act 2003	end of the tax year
Secondary legislation Regulation 61L of the Income Tax (Pay As You Earn) (Amendment No. 4) Regulations 2015	1 June following end of tax year
HMRC guidance Employment Income Manual note EIM25660	without unreasonable delay

Private use of a company van

	Date by which employee must make good
Primary legislation Section 158 of the Income Tax (Pensions and Earnings) Act 2003, as amended by section 25 of Finance Act 2014	end of the tax year
Secondary legislation Regulation 61E of the Income Tax (Pay As You Earn) (Amendment No. 4) Regulations 2015	end of the tax year
HMRC guidance Employment Income Manual note EIM22845	end of the tax year

Van fuel benefit

	Date by which employee must make good
Primary legislation Section 162 of the Income Tax (Pensions and Earnings) Act 2003	end of the tax year
Secondary legislation Regulation 61L of the Income Tax (Pay As You Earn) (Amendment No. 4) Regulations 2015	1 June following end of tax year
HMRC guidance Employment Income Manual note EIM25660 (applies to vans as well as cars)	without unreasonable delay

Employer-provided accommodation, credit tokens, non-cash vouchers

	Date by which employee must make good
Primary legislation	no date
Secondary legislation The Income Tax (Pay As You Earn) (Amendment No. 4) Regulations 2015	n/a NB: government announced at Budget 2016 that legislation would be introduced in Finance Bill 2016 to allow for the payrolling of credit tokens and non-cash vouchers. (Payrolling is where the employer accounts for the benefit-in-kind in real time through PAYE).
HMRC guidance HMRC Employment Income Manual note EIM21121	within a reasonable time

Beneficial loans

	Date by which employee must make good
Primary legislation Section 191 of the Income Tax (Pensions and Earnings) Act 2003	within a reasonable time, although employee is permitted to make payments after tax liability is full and conclusive
Secondary legislation	n/a
HMRC guidance HMRC Employment Income Manual note EIM21121 HMRC Employment Income Manual note EIM26255	within a reasonable time, although employee is permitted to make payments after tax liability is full and conclusive

Other benefits-in-kind

(for example, private medical insurance; the employer meeting the employee's pecuniary liability; an in-house benefit; or the loan of assets).

Primary legislation	no date
Secondary legislation The Income Tax (Pay As You Earn) (Amendment No. 4) Regulations 2015	end of tax year
HMRC guidance HMRC Employment Income Manual note EIM21121	within a reasonable time

Annex C: Relevant legislation

Making good on car fuel

Section 151 of the Income Tax (Pensions and Earnings) Act 2003:
<http://www.legislation.gov.uk/ukpga/2003/1/section/151> .

Making good on van fuel

Section 162 of the Income Tax (Pensions and Earnings) Act 2003, as introduced by paragraph 5 of Schedule 14 of Finance Act 2014:

<http://www.legislation.gov.uk/ukpga/2004/12/schedule/14/paragraph/5>

Making good on private use of a company car

Section 144 of the Income Tax (Pensions and Earnings) Act 2003:

<http://www.legislation.gov.uk/ukpga/2003/1/section/144>

as amended by section 25 of Finance Act 2014:

<http://www.legislation.gov.uk/ukpga/2014/26/section/25>

Making good on private use of a van

Section 158 of the Income Tax (Pensions and Earnings) Act 2003, as introduced by paragraph 5 of Schedule 14 of Finance Act 2014:

<http://www.legislation.gov.uk/ukpga/2004/12/schedule/14/paragraph/5>

as amended by section 25 of Finance Act 2014:

<http://www.legislation.gov.uk/ukpga/2014/26/section/25>

Beneficial loan: claim for relief to take account of event after assessment

Section 191 of the Income Tax (Pensions and Earnings) Act 2003:

<http://www.legislation.gov.uk/ukpga/2003/1/section/191>

Voluntary payrolling (where the employer accounts for the benefit-in-kind in real time through PAYE)

Income Tax (Pay as You Earn) Regulations 2003 as amended by regulation 6 of the Income Tax (Pay As You Earn) (Amendment No.4) Regulations 2015:

<http://www.legislation.gov.uk/uksi/2015/1927/contents/made>

Timing of payment of NICs

Regulations 71 and 80 of the Social Security (Contributions) Regulations 2001:

<http://www.legislation.gov.uk/uksi/2001/1004/regulation/71/made>

<http://www.legislation.gov.uk/uksi/2001/1004/regulation/80/made>

Annex D: HMRC Employment Income Manual guidance

Making good generally

Employment Income Manual note EIM21121:

<https://www.gov.uk/hmrc-internal-manuals/employment-income-manual/eim21122>

Making good on private use of company car

Employment Income Manual note EIM25250:

<https://www.gov.uk/hmrc-internal-manuals/employment-income-manual/eim25250>

Making good on private use of a company van

Employment Income Manual note EIM22845:

<https://www.gov.uk/hmrc-internal-manuals/employment-income-manual/eim22845>

Making good on car fuel benefit

Employment Income Manual note EIM25660:

<https://www.gov.uk/hmrc-internal-manuals/employment-income-manual/eim25660>

Making good on van fuel benefit

Employment Income Manual note EIM22945:

<https://www.gov.uk/hmrc-internal-manuals/employment-income-manual/eim22945>

Beneficial loans (interest paid after assessment is final)

Employment Income Manual note EIM26255:

<https://www.gov.uk/hmrc-internal-manuals/employment-income-manual/eim26255>

Making good and National Insurance contributions

National Insurance Manual note NIM15201:

<http://www.hmrc.gov.uk/manuals/nimmanual/NIM15201.htm>

National Insurance Manual note 15211:

<http://www.hmrc.gov.uk/manuals/nimmanual/NIM15211.htm>

National Insurance Manual 15215:

<http://www.hmrc.gov.uk/manuals/nimmanual/nim15215.htm>