



Coronavirus – Insolvency Guidance

27 March 2020

HMRC is committed to supporting businesses and individuals affected by coronavirus and for the majority, guidance already on GOV.UK will meet their immediate concerns. We recognise that for Individuals, Companies and Partnerships that are already in a voluntary arrangement (VA) and for insolvency practitioners who are supervising such arrangements, further guidance may be needed in cases where either contributions cannot be made, or post arrangement tax obligations cannot be met **as a result of the impact of coronavirus** on an individual's health or difficulties it is causing for an individual, company or partnership businesses.

Where the terms of an arrangement allow the supervisor discretion, we would expect that discretion to be exercised to its maximum, with reference to creditors only if essential.

- **HMRC will support a minimum three month break from contributions from customers impacted by coronavirus.**
- **There is no need to contact HMRC to request this deferment.**

On conclusion of the initial three months deferment, depending on the coronavirus situation, further guidance will be issued. If necessary, further discretion could be applied without reverting to creditors.

Where the debtor or company is entitled to a deferral of taxes as explained here:

www.gov.uk/government/publications/guidance-to-employers-and-businesses-about-covid-19/covid-19-support-for-businesses#support-for-businesses-through-deferring-vat-and-income-tax-payments

HMRC will not treat any deferment as a breach of any terms of the arrangement requiring payment of VAT as they come due. We recognise however, that there may be cases where as well as the deferral, there has been serious non-payment of VAT pre-dating the present situation. In such cases, HMRC will notify you so you can deal with that breach in accordance with the Arrangement's terms, although with the need to support the helpline and sometimes limited staff availability, that contact may not be for some time.



HMRC enforcement activity during this period

- We have paused the majority of all insolvency activity for now. That means HMRC will not petition for bankruptcy and winding up orders unless it is deemed to be essential, i.e. fraud, criminal activity.
- We will continue to deal with new Company Voluntary Arrangements (CVA), Administrations, Individual Voluntary Arrangement (IVA) and Trust Deed proposals to allow those businesses who need financial support, to get access to the appropriate insolvency regime.
- We will consider fresh CVA, IVA, Admin and Trust deed proposals but will continue to exercise discretion on proposals.
- Where a supervisor or trustee representing a business or individual consider that clients are unable to maintain their IVA/CVA Trust deed payments, we will support a variation to allow a three-month break from contributions.
- After the deferral period, from 1 July 2020, the supervisor or trustee representing a business or individual should be able to resume payments per the terms of any IVA, CVA and Trust Deed or contact Enforcement and Insolvency Service (EIS) to discuss a recovery Time to Pay arrangement depending on the circumstances.
- We have suspended face to face visits to customers during this period.
- We will continue vital work in protecting society from the highest harm criminal threats and attacks on our systems.

If calling the Coronavirus helpline for assistance relating to any IVA, CVA, Trust Deed or Administration cases, the collector who deals with your call will take details and forward that information on to an experienced technical advisor who will be able to deal with your enquiry. They will respond to either confirm the request for any deferment, and for how long, or request further information, or decline it.

If you are contacting HMRC in relation to a new VA, Trust Deed or administration, please continue to use existing communication lines rather than the coronavirus helpline. Details of EIS locations dealing with Voluntary Arrangements, Trust Deeds and Administrations are detailed at Appendix A.

Appendix A

EIS Contacts

Trust Deeds (Scotland)

HM Revenue and Customs
Enforcement and Insolvency Service (EIS)
Elgin House
20 Haymarket Yards
Edinburgh
EH12 5WT

Email: Trust.Deeds@hmrc.gsi.gov.uk
Telephone helpline: **0300 200 3873**

Individual Voluntary Arrangements

HM Revenue and Customs
Enforcement and Insolvency Service (EIS)
Elgin House
20 Haymarket Yards
Edinburgh
EH12 5WT

Email: vas@hmrc.gsi.gov.uk
Telephone helpline: **0300 322 7838**

Company Administrations

HM Revenue & Customs
Enforcement & Insolvency (EIS)
Company Administrations
Brunel House
2 Fitzalan Road
Cardiff
CF24 0EB

Email: eisc.administration@hmrc.gov.uk
Telephone helpline: **0300 322 9250**

Company Voluntary Arrangement Service

HM Revenue & Customs
Enforcement & Insolvency (EIS)
Company Administrations
Brunel House
2 Fitzalan Road
Cardiff
CF24 0EB

Email: eisc.cva@hmrc.gsi.gov.uk
Telephone helpline: **0300 322 9251**

Members Voluntary Liquidations

HM Revenue and Customs
Enforcement and Insolvency Service Newcastle
MVL Team
Benton Park View
Longbenton
Newcastle upon Tyne
NE98 1ZZ

Email: eisw.mvl.team@hmrc.gsi.gov.uk
Telephone helpline: **0300 322 7815**