



client

a quarterly newsletter from



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matters

fpm chartered accountants

ISSUE 31 » DECEMBER 2011



» denis o'Brien to give leadership lecture
pagetwo

» armagh business network
pagetwo

» UK pension timebomb
pagefour



» save money with fpm payroll service

» awards success for team FPM
pageeight



» fpm sponsor swimming gala awards
pageeight

FPM secure Two Business Programmes North and South

» FPM are delighted to have secured service contracts for the delivery of two significant business programmes, Invest NI's Boosting Business Initiative and DKIT's (Dundalk Institute of Technology) Success through Succession Programme.

Invest Northern Ireland has recently launched its Boosting Business initiative which aims to help both existing clients, and the broader business base, to cope in the economic downturn. FPM will be delivering a series of "Focus on Finance" workshops over 6



Michelle Hawkins
Consultancy Partner, FPM

different locations across the province and all who attend will then be eligible for one to one business mentoring to help put lessons learnt into

practice and hence ensure that businesses survive in the short term and are ready to grow and develop when new opportunities arise. Spaces are allocated on a first come first serve basis so book now.

The Success through Succession(STS)Programme is strategically aimed at assisting family owned SME's to manage the challenges of succession and to increase the innovation capacity, growth and competitiveness of family businesses. The project therefore seeks to increase the survival rate and growth potential of family owned SME's as currently

only 30% survive the second generation and 10% the third generation. It is essential to plan succession effectively and this programme provides all the support and advice needed to accomplish this. FPM have been appointed the Facilitators and Mentors to the programme participants and will also be designing and delivering the programme workshops.

For further information on either of these two programmes contact FPM Consultancy Partner: Michelle Hawkins at m.hawkins@fpmca.com.

FPM Support Relay for Life -2011

» During October 2011 FPM participated in Dundalk's Relay for Life which is an international event that is held annually and is a major fundraiser on a global scale for cancer research, survivors, victims and their families.

The event itself was held on Saturday 8th and Sunday 9th of October from 6pm to 6pm in the Xerox Business Park. It is a community led event where teams of 15/20 people walk for 24 hours to raise awareness for cancer sufferers. In total 34 teams took part, and

over the course of the 24 hours over 5,000 people were on site at different stages. In total an amazing €110,000 was raised at the event for this worthy cause.

Team FPM undertook a range of fundraising activities including a cross border sponsored walk between the FPM Dundalk and Newry offices, a Halloween theme shop at the event and the publication of a business tips magazine in association with Horseware Dundalk, included as a supplement for this issue of client matters. In total Team



FPM Relay for Life team members: Front Row Left to Right: Paul McComiskey, Mary Keenan, Tammy Pentony, David Carr. Back Row Left to Right: Frank Shields, Claire Quigley, Patrick McKenna, Siobhan McCreesh and Michael Farrell.

FPM raised €11,500 for the Irish Cancer Society and Dundalk Relay for Life project. FPM would like to thank

everyone who contributed in any way to our fundraising activities.

FPM Who are we?

FPM, established in Newry in August 1991, is a client focused, chartered accountancy and business consultancy, partnership practice with offices in Newry, Belfast, Dungannon and Dundalk.

A member of IGAF Polaris, a global association of independent accounting firms, with offices located throughout the world, FPM has specialist skills in accounts preparation, audit, tax planning, cross border business and tax advice, business consultancy, strategic planning, corporate finance, corporate recovery, restructuring & insolvency, wealth management and public sector consultancy including economic appraisals and evaluations.

FPM has a trusted advisor relationship with its clients and has an affinity with emerging and growth companies. The backbone of its practice is owner managed businesses (OMB's) and small medium sized enterprise (SME's) who share a common goal, the desire to grow and be sustainable in the long term.

FPM has won no less than 19 prestigious awards since 2004, including, LexisNexis Best UK Tax Practice Award 2008, the NI SME Business of the Year Award 2004, Accountancy Age UK Small Firm of the Year 2005, The UTV/Business Eye Business Consultancy of The Year 2009 and the Best Place to Work Award at the Irish News Workplace and Employment Awards 2011

The practice has eleven partners and now employs seventy two people and has achieved average annual growth since its inception of 20% per annum.



CONTACT INFORMATION
FPM Accountants LLP

Newry Office:
Dromalane Mill, The Quays
Newry, Co Down BT35 8QS
Tel: 028 302 61010

Belfast Office:
1-3 Arthur Street, Belfast
BT1 4GA
Tel: 028 9024 3131

Dungannon Office:
30 Northland Row, Dungannon
Co Tyrone BT71 6AP
Tel: 028 877 50 400

Dundalk Office:
FPM Partnership
Block 5, Quayside Business
Park, Dundalk, Co Louth
Tel: 042 93 88898

Website: www.fpmca.com
Email: info@fpmca.com

FPM Accountants LLP and FPM Partnership are part of the FPM Group.

All details and tax data correct at time of going to press. FPM cannot be held responsible for any errors, omissions or action taken as a result of the enclosed information. FPM always recommend that you seek professional advice and consultation.

Look Who's Talking...

» Denis O'Brien has accepted an invitation to be the **Guest Speaker at the FPM 20th Anniversary Leadership Lecture to be held in association with the Ulster Business School at the University of Ulster as part of the Management Leadership Network, Leadership Month initiative in February 2012.**

The breakfast event will take place at the Ulster Business School at the University of Ulster, Belfast Campus on Friday 3 February 2012.

Denis O'Brien is one of Ireland's and indeed the world's leading entrepreneurs with extensive investments across several sectors including international telecoms, radio, media, property, aircraft leasing, golf and other leisure interests.

Denis is Chairman of the privately owned Digicel Group, one of the fastest growing mobile telephone operators in the world. Denis founded Digicel in 2001 and the company has extended its operations to 32 markets with over 11 million subscribers in the



Denis O'Brien.

Caribbean, Central America and the Pacific regions. Denis is also founder and Chairman of the Communicorp Group which owns and manages a portfolio of media and broadcasting related companies in Ireland and other European countries.

Outside of his extensive business interests, Denis chaired the 2003 Special Olympic World Games in Ireland. The 2003 Games, with teams from 160 countries and over 30,000

volunteers have been acknowledged as the most successful in the history of the Special Olympics World Summer Games. Denis continues to be Chairman of the Special Olympics Ireland Patrons Group.

In addition, Denis serves as a Director on the US Board of Concern Worldwide and is the Chairman and Co-founder of Frontline, the International Foundation for the Protection of Human Rights Defenders based in Dublin.

In 2010, Denis was named Goodwill Ambassador for the City of Port-au-Prince in Haiti by the Mayor of Port-au-Prince in recognition of his efforts to rebuild Haiti and attract foreign direct investment, in the aftermath of the devastating earthquake on 12 January 2010. Digicel is the single largest private investor in Haiti.

There has already been phenomenal interest in the FPM Leadership Breakfast event and anyone wishing to book in advance for the Denis O'Brien lecture should contact Lauren O'Neill at l.oneill@fpmca.com.



Pictured at the launch of the Armagh Business Breakfast are the Mayor of Armagh City Councillor Freda Donnell, John Woods and Feargal McCormack.

Armagh Business Network Breakfast...

» **Armagh City & District Council is hosting a Business Breakfast in partnership with the Management & Leadership Network on Tuesday 6 December 2011 from 7.30 a.m. to 9.30 a.m. at the Navan Centre in Armagh.**

FPM Managing Partner Feargal McCormack has been invited to deliver a Keynote Presentation on "Sharing his experience on what businesses and individuals need to consider doing, to succeed in today's challenging economic climate".

The other speaker at the

event will be John Woods, Managing Director of Linwoods. Linwoods has been in business for over 30 years and manufacture a range of premium bakery, general health and super food products.

The Mayor of Armagh City, Councillor Freda Donnell speaking at the launch of Business Breakfast stated "this unique event will give attendees the opportunity to hear from two business leaders who have worn the t-shirt (and sampled the scars) when it comes to management and business success".

Local Insurance Firms Take a 'Premium' Approach



Libby Morgan (President of the Belfast Insurance Institute) is joined by Tom McGrath CBE and Feargal McCormack to launch the Premium Masterclass Series – a programme of seven professional events designed for the local insurance industry.

» **The Belfast Insurance Institute (BII) recently launched a series of 'Premium' Masterclasses designed to inform and inspire managers and professionals in the local insurance industry.**

The series kicked off with an address from Feargal McCormack, Managing Partner at FPM Chartered Accountants. In his presentation, Feargal, shared his views on good business leadership practices.

Feargal explained "Regardless of their size or sector, it is crucial that local businesses invest in improving themselves and their staff to keep on top of their game. I would like to congratulate the BII and Podiem for spearheading this exceptionally successful initiative and would encourage other Professional bodies to take a similar approach".

Celine Is “Exporter Of The Year”

» Celine Doherty, Director of FPM client, Re-Gen Waste Limited, recently won the prestigious Women in Business 2011 Best Exporter Award at a glittering ceremony held at the Ramada Hotel, Belfast.

Re-Gen Waste

EXPORT AWARD

Celine who began her career at Re-Gen in 2004 and has headed up the company's export trading division since 2007, has planned and overseen the implementation of a very ambitious export strategy for Re-Gen Waste, which

involves negotiating multiple commodity prices on a regular basis, at a global level.

Celine has played a pivotal role in Re-Gen's success. A success story, which has seen Re-Gen increase its turnover from just over £750,000 in 2004 to almost £7m in 2011. At a time when many UK and Irish companies are finding it difficult to grow their businesses, Celine's ambitious export strategy has led Re-Gen from triumph to triumph, with the company now employing more than 110 workers at its state-of-the-art recycling facility in



Celine Doherty, Director of Re-Gen Waste Ltd with her Woman in Business Best Exporter of the Year Award, with colleagues Emma Anderson and Danielle Boguse celebrating European Recycling Week.

Newry.

Speaking at the event Celine stated “our award for Best Exporter is an endorsement of Re-Gen's business model – responsible recycling, brings real benefits to the environment, the economy and to society as a whole”.



Gerry Jones Managing Director pictured with Michael McCaughey, Product Development Manager and Freda Adamson, Accounts Manager.

Dunraven Systems Limited Launches The New “Apollo Smart”

Dunraven Systems

APOLLO SMART SYSTEM

FPM Client Dunraven Systems Limited have recently announced the arrival of the world's first heating oil energy monitor, the “Apollo Smart”. This new revolutionary system will compliment the already established Apollo brand which has been in existence for 10 years.

Designed specifically for domestic oil heating installations and unlike traditional domestic oil tank content gauges, Apollo Smart uniquely monitors the:

- Level of fuel remaining in both litres and as a percentage of tank volume.
- Actual heating oil usage in litres, CO2 emissions and energy costs in Sterling or Euros.
- Incorporates a unique 'Days to Empty' function, which cleverly calculates how many days supply of heating oil remains.
- Retains consumption, cost and emissions data for up to 12 months – allowing heating oil users to monitor long term costs, consumption and usage trends.
- Inbuilt USB connectivity also allows users to upload stored data to almost any Mac or PC, via the optional Apollo Smart App, scheduled for release shortly.

The company's Managing Director Gerry Jones stated, that the response to Apollo Smart has been truly fantastic. At a time of historically high energy costs, people have been quick to realise the advantages that breakthrough technology such as Apollo Smart can add to oil heating installations.

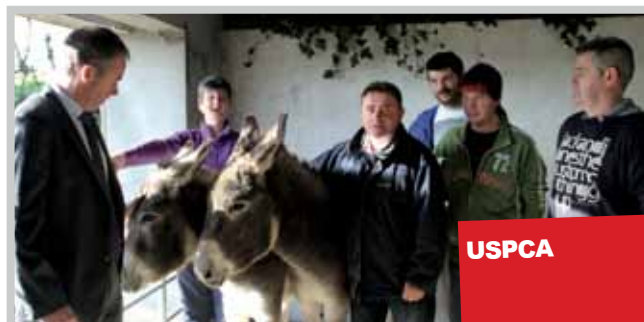
FPM Partner Michael Farrell commented that the company's investment in Research & Development over the last number of years has been vital in identifying innovative solutions to meet the ever changing demands of the energy market and congratulated the company on the successful launch of this exciting product.

The ARC-USPCA Project...

» FPM client, the USPCA has been serving the province's animals for 175 years. Throughout that time, this Charity's objectives have remained true to its founding ethos, to protect animals from abuse and relieve their suffering, a purpose that remains as valid today as it was in Victorian Ulster.

Whilst the USPCA is justifiably proud of its history, it refuses to dwell in the past and a recent social partnership with Southern Health & Social Care Trust, led to the establishment of The ARC, a unique project based at the Charity's Bessbrook facility.

Animals are non-judgemental; they respond to the care they receive. Academic achievement means nothing; kindness and



FPM Senior Partner, Paddy Harty, joins USPCA CEO Stephen Philpott and members of the ARC crew.

USPCA

ARC PROJECT

compassion lead to trust, qualities that abound in the crew manning The ARC. The ARC is a day centre in which initially 20 and now upwards of 70 adults, challenged by learning difficulty, attend to the practical and emotional needs of animals

rescued from deprivation and abuse.

The benefits to all involved are evident, with animals rediscovering trust and carers experiencing an empathy that enhances their lives.

John Tinnelly & Sons Limited - African Contract

» FPM client, Newry Demolition specialists, John Tinnelly and Sons Limited, recently treated part of their large suite of demolition plant to 12 weeks in the sunshine of Sierra Leone.

The plant, joined by three John Tinnelly and Sons operatives who flew out in early October, were hired out by main contractor Lagan Construction for the demolition and site-clearance of a former hotel. This will allow construction to begin on a new Hilton Hotel in the stunning surroundings of this plush holiday destination, as

part of Lagan Construction's on-going operations in the area.

The John Tinnelly and Sons' specialist demolition plant was shipped along with a 360 degree rotating concrete pulveriser, hydraulic rock hammer, 360 degree rotating sorting grab, digging and grading buckets to facilitate the structural demolition and site-clearance work, scheduled for completion before Christmas



John Tinnelly & Sons plant at quayside prior to shipping to Sierra Leone.

John Tinnelly & Sons

AFRICAN CONTRACT

2011. The official sod turning ceremony took place in the middle of September-attended by the President of Sierra Leone Ernest Bai Koroma, and Patrick Fitzgibbon, Senior vice president, development, Hilton Worldwide – Europe and Africa.

IN BRIEF...

New NI and Rol Loan Funds, poised to protect and create employment

Enterprise Minister Arlene Foster has recently approved the establishment of a new £50 million Growth Loan Fund for Northern Ireland .

The Fund aims to generate £150 million sales growth per annum in small and medium sized enterprises (SMEs) safeguarding and creating over 2,000 jobs over a 10 year period. It will address a gap in the market for access to finance by complementing existing sources, including bank finance, venture capital and private equity finance.

Meanwhile the Irish Government are also recently announced that they are to set up a micro-finance loan fund which they hope will generate €100m in additional lending for business. The new loan fund is due to be in place in the first quarter of 2012 and is expected to benefit 5,000 business over a ten-year period. It will use an additional €10m of Exchequer funding to leverage further funding from private sources.

The UK Bribery Act

As you may be aware, a new piece of anti – bribery legislation came into force in the UK on 1 July 2011, namely the Bribery Act 2010.

The Act introduced a new corporate offence whereby a company can be liable for the actions of those persons carrying out services on its behalf where those actions constitute bribery and corruption. The maximum penalty for a corporate organisation is an unlimited fine and is likely to be debarred from competing for public contracts. Directors convicted of bribery offences may also be disqualified from acting as directors for up to 15 years.

The Ministry of Justice has listed 6 principles about the procedures that an organisation can put in place to prevent bribery and these are;

1. Proportionate procedures
2. Top Level Commitment
3. Risk Assessment
4. Due Diligence
5. Communication; and
6. Monitoring and Review.

It is therefore highly recommended that if your organisation has not already put in place adequate procedures and training in relation to bribery that this should be documented immediately especially where business partners are used internationally.



FPM Celebrates 20 Years in Business

FPM Chartered Accountants is twenty years in business and celebrated by hosting an informal family friendly breakfast for staff, friends, business and media at its office in Newry on Saturday 20th August 2011.

Guests included Cllr. Charlie Casey, Mayor of Newry and Mourne, Dr. Rory O'Hanlon, former TD and Ceann Comhairle, John Hannaway, President of Chartered Accountants Ireland and Sir Bruce Robinson, then Head of the NI Civil Service.

Over 1,000 guests attended the 20th anniversary celebration and received a warm reception.

Addressing guests in his welcoming speech, Feargal McCormack, managing partner stated that FPM's life journey to





1991 - 2011
 TWENTY YEARS OF EXCELLENCE



Corporate in Business

date had been very challenging, but exciting and rewarding. He recognised the challenging times we now find ourselves in and said we need to remain positive, have belief and draw on all resources available. He added, "The FPM Brand stands for delivering service to people and helping clients to succeed. The partners in FPM believe, that our motivation in life and indeed in business, should

be to serve and help others succeed. FPM believes that the secret to success in business, is wanting to help others to win, and achieve their dreams and quality of life aspirations. Our value proposition is therefore, to deliver results and positive change, through design, creativity and innovation, in terms of impact solutions, for existing and potential clients".

IN BRIEF...

Successful Cross Border Trade Event



Pictured from left to right: Nichola Bates, Feargal McCormack and Kirsty McManus

FPM's Managing Partner Feargal McCormack, Partner Michael Farrell and Senior Tax Manager Desi Foley recently presented at a successful Cross Border People Trade Conference in Letterkenny hosted by IBEC/ CBI.

The FPM presentations were on Bank Finance for Cross Border Businesses and Cross Border Tax Issues. Copies of the presentations can be downloaded from the FPM website, www.fpmca.com. A presentation by Nichola Bates on Social Media Opportunities for Businesses proved very popular. The event co-ordinator Kirsty McManus of CBI/IBEC confirmed feedback from the FPM presentations was excellent.



Feargal- Visiting Professor at UU Ulster Business School...

FPM Managing Partner, Feargal McCormack has been appointed a Visiting Professor at the University of Ulster, Ulster Business School for a four year period from 1 October 2011.

Feargal was officially welcomed into his new capacity as Visiting Professor at the University of Ulster, Ulster Business School by Professor Richard Barnett, Vice Chancellor, University of Ulster and Professor Marie McHugh, Dean of the Ulster Business School at an event for the University's visiting Professoriate on Thursday 17 November 2011.



TOP TIP...

UK Pension Timebomb

In the current economic crisis one of the last things business people and persons in superannuable jobs are thinking about is pensions, however a pensions time bomb is ticking in many high net worth earners pensions and they are unaware of it, or its future impact.

On 6 April 2006 (A Day) a new pensions regime came into force in UK, which introduced a number of major changes to pensions rules one of them being the Lifetime Allowance (LTA).

The LTA is the maximum permitted tax-exempt fund for each member of a pension scheme and at present it is £1.8m. However, the Government are reducing this LTA to £1.5m from 6 April 2012. If the value of your pension exceeds the LTA The Revenue will apply a punitive 55% tax charge to the excess if taken as a lump sum.

People in SIPP or SSAS arrangements, which own property, need to be particularly aware of this change. Consider for example a Pension scheme, which owns a building currently worth £1m with £500k debt on it, rented for £60k per annum. Lets say the 40 year old beneficiary of the scheme is not particularly worried about the change in rules as they think their scheme is only worth £500k. However if we roll forward 15 years and the beneficiary is now aged 55, the building is now valued at £1.25m, the debt is paid off and the £60k per annum rent has been accumulating for 5 years since the debt has gone.

The scheme is now worth £1.55m and is still growing with 10 years to go to retirement and there is an upwards rent review overdue!. Clearly there will be a punitive tax charge looming for this scheme. Help is at hand however and the beneficiary should consider an application for Fixed Protection before 6 April 2012, as this will maintain the LTA at £1.8m.

FPM recommends that you contact your pension advisor as soon as possible to have your scheme reviewed to ensure that corrective action is taken before 6 April 2012.



Community Amateur Sports Clubs & UK VAT Tax Issues for UK Sports Clubs

A Sports Club can be classed in 1 of 3 categories for UK tax purposes which are:

- Registered as a Charity
- Registered as a CASC, or
- Have no special status

A CASC is a "not for profit organisation". A not for profit organisation will have many sources of income.

One of the main issues that has emerged in the past few years, is the treatment of VAT under the three categories identified. A misperception made by some clubs is that, as their club has registered as a CASC, that they actually fall under the Charity Rules for VAT, in respect of capital expenditure on new buildings, which is incorrect. A CASC is NOT A CHARITY and the VAT rules are different. A CASC may register for VAT and then

recover VAT in accordance with normal VAT Rules.

A registered CASC cannot be recognised as a charity for tax purposes. However it is open to any sports club which is not a registered CASC to apply to the Charity Commissioners or other Charity Regulator to be registered as a charity as an alternative. Clubs proposing to seek charitable status should NOT apply for CASC status.

In deciding which of the structures listed above would suit will be dependent on the exact circumstances of your club. This will be a matter for clubs to decide on with professional advice on a case by case basis. VAT is a key area to be considered.

Capital Expenditure

The Capital Goods Scheme (CGS)

requires that adjustments must be made to the amount of VAT initially recovered on certain capital goods in order to reflect the differences in the taxable and exempt use of the capital goods over a period of time. The scheme only applies to, single items of computer equipment with a taxable value exceeding £50,000 and land or buildings transactions (e.g. purchase, construction or refurbishment) where the net cost exceeds £250,000.

The scheme would therefore apply to, for example, the stadium and club house. In the case of land and buildings the CGS adjustments are to be made over a 10 year period. If the CGS item is sold within the specified adjustment period this could have adverse affects on the club

The most common error made by Sports clubs is that they believe once they are registered as a CASC that

The Tax Catch Up Plan!

The UK HM Revenue & Customs ("HMRC") are placing particular emphasis on individuals/businesses to be compliant and get their tax right. HMRC are continuously collating data on various sectors and carrying out checks to ensure that the correct information is returned to them on tax returns and the correct tax paid.

In recent years, there have been a number of campaigns by HMRC to invite individuals/businesses to come forward and correct their tax affairs. These related to individuals that held offshore bank accounts/investments, individuals in the medical profession and plumbers.

Their latest campaign is the "Tax Catch Up Plan",

known as "TCUP", which is targeted at individuals who provide tuition and coaching services. However, please be aware that this is not just limited to individuals who hold a teaching or coaching qualification and there are numerous coaching activities that the TCUP could apply to.

What is the tax catch up plan?

The TCUP is an opportunity for individuals who are in receipt of untaxed income from teaching/coaching services that has never been disclosed to HMRC to come forward, advise HMRC and pay the correct amount of tax.

In return for correcting their tax affairs, the key features of the TCUP is a reduced penalty of between 0% and 20% on any unpaid

tax which otherwise could range from 0% to 100%. We expect that most people who make a full and complete disclosure would probably incur a penalty of 20%.

Individuals who have been "careless" will only have to make a disclosure for the last 6 years, however, if non-disclosure was deliberate, the individual may have to make a disclosure covering a period of the last 20 years.

Does it apply to me?

The TCUP applies to all individuals who have received untaxed income from tutoring or coaching regardless of whether they hold a teaching or a professional qualification, examples would include:-

- Academic tutors
- College lecturers

- Music teachers
- Art teachers
- Speech and drama teachers
- Dance instructors/coaches
- Fitness instructors
- Sport's coaches
- Lifestyle coaches

What do I need to do?

In order to make a disclosure to HMRC under the TCUP, you need to register your intention to make disclosure to HMRC by the 6 January 2012 and your disclosure needs to be filed and any tax paid by the 31 March 2012.

Should you wish to make a disclosure, we would recommend that the intention to disclose is made sooner rather than wait until the 6 January 2012 as this would give sufficient time to calculate the correct

By Anne Rooney
FPM Tax Director

s (CASC) orts Clubs

they are listed as a charity. A CASC is not a charity and the VAT rules are different from that of a charity as detailed below.

Relief for construction services for charities

A charity is entitled to a special VAT relief on the cost of a new building which is to be used for charitable purposes. There are conditions attached to the "charitable use" definition such as:

- Used by all sections of the community
- A high degree of local community involvement
- otherwise than in the course or furtherance of a business; and/or
- as a village hall, or similarly, in providing social or recreational facilities for a local community

If charitable conditions are met

the charity provides the builder with a certificate and the builder will not charge VAT on his service. It should be noted the exemption from VAT applies only to those materials supplied and installed by the builder as part of his construction services.

If charitable use of the building is less than 95% the charity cannot issue a certificate to the builder, the builder must then charge VAT on the full costs. The charity would then need to enter negotiations with HMRC to agree the level of business use and some VAT will be suffered.

A club which is registered as a CASC or has no special status will always be charged VAT on construction works and the amount of VAT which can be recovered depends on if the club is VAT registered and if yes the amount of taxable supplies /use of building, for example if 15% of the building incorporates a separate bar area which charges VAT on all sales then 15% of the VAT incurred on the building could be reclaimed. Or if the hall is regularly let out and VAT charged on same again a % of VAT could be reclaimed (an option to tax would need to be in place).

Registration as a charity

A club which is not a CASC may apply to the Charity Commission for registration as a charity. However, any trading activities which may be undertaken by the club – for example, the operation of a cash bar on club premises – may impede efforts to obtain charitable status. It should also be noted that a club that no longer meets the conditions to be a CASC

may also then fail the conditions to become a charity.

As such, advice should be taken as to whether or not registration as a charity would be in the best interest of the individual club. It should also be noted that the VAT legislation specifically lists a CASC as a type of building not seen as being similar to a village hall.

Planned Capital Expenditure CASC versus Charity Tax status

• If a club believes it meets the criteria of charitable status, then it should seek charitable status rather than CASC.

• Once registered as a CASC, a Club cannot register as charity, unless it is first deregistered as a CASC (a Club cannot deregister as a CASC, only HMRC can deregister a CASC).

• UK VAT, legislation specifically lists a CASC as a type of building NOT seen as similar to a Village Hall.

Conclusion/Action Points

• If a Sports Club does not have a bar facility, consider applying for charitable status, especially if it intends incurring major capital spend on a new building (Remember the new building must qualify as a "Village Hall type Building" before proceeding).

• Give careful consideration before applying for CASC.

• Very complex VAT issues, always seek professional advice.

For further information contact
Anne Rooney at ap.rooney@fpmca.com

amount of tax that is due.

What if I need to make a disclosure but have no money to pay the associated tax liability?

In the event that you need to make a disclosure to HMRC but do not have sufficient money to settle the associated tax liability, it would be prudent to advise HMRC of your financial position. It would be important that you could demonstrate that you would not be able to pay the associated tax liability in one lump sum. Subject to agreement with HMRC, a payment plan could be negotiated.

What happens if I have had a previous enquiry and now have to make a disclosure?

If you previously had an enquiry, it would be important that you discuss this with your accountant/tax adviser and seek professional advice. It

would be prudent that you disclose your additional sources of income. Your disclosure period could be longer and you may incur a higher penalty. This would depend on the facts of each case.

I have other sources of undisclosed income can I use the TCUP?

It is never to late to make an unprompted voluntary disclosure to HMRC. Any individual/business who is in receipt of untaxed income should always get professional advice on this matter.

Anyone who is in receipt of other sources of untaxed income cannot use the TCUP to disclose this income. However, if the individual makes a complete voluntary disclosure which is unprompted, there could be a significant decrease in any penalty, the individual could be protected from a criminal prosecution and their name may not be published on the

tax defaulters list. This is subject to the facts of each case.

What happens if I have not kept all my records?

If you need to make a disclosure under the TCUP and have not kept all the records, it is important that HMRC are notified of this.

Reasonable estimates of income and expenditure can be included in the disclosure. You may be asked by HMRC to explain the basis on which the estimates are calculated.

If duplicate bank statements are required, these can be requested from your bank.

If I do not make a disclosure what will happen?

HMRC are taking a zero tolerance attitude to individuals who are not compliant regarding their tax affairs. Once the disclosure window has closed, HMRC will pursue those individuals

that it holds information on who have not come forward. Recent examples of this, related to the Plumbers Tax Safe Plan where there were a number of tax raids, arrests and civil investigations with HMRC considering further cases for criminal investigation. This can be an extremely costly lesson for non-compliant tax payers.

At FPM we have a dedicated specialist tax investigation team who are specialised in tax enquiries in Northern Ireland/UK and the South of Ireland. We have years of experience dealing with and negotiating favourable settlements with HMRC. If you are concerned about your tax affairs you should get professional advice.

For further information contact Siobhan McCreesh, Senior Tax Manager at s.mccreesh@fpmca.com.

IN BRIEF...

CAI NAMA Forum and CCAB - I NAMA Liaison Committee

FPM Managing Partner, Feargal McCormack has been appointed Chairman of the influential Chartered Accountants Ireland NAMA Forum which comprises members in practice, members in business and members employed in financial services.

Feargal is also the co-ordinator for the Consultative Committee of Accountancy Bodies - Ireland (CCAB-I), in respect of the recently formed CCAB-I/ NAMA Liaison Committee.

The CCAB-I is the umbrella grouping which represents more than 30,000 professional accountants in Ireland, the majority of whom are impacted by NAMA either as borrowers, lenders (associated and non associated Banks), advisors, insolvency experts and business plan reviewers. In respect of CCAB-I/NAMA Liaison Committee, the other accountancy body representatives are:

• George Maloney - Consulting Partner, Baker Tilley Ryan Glennon who represents the Association of Chartered Certified Accountants;

• Eugene O'Callaghan - Partner, Quintas Partners, Cork who represents CPA Ireland;

• Kevin Gahon - Head of Financial Reporting at AIB Global Treasury who represents the Chartered Institute of Management Accountants in Ireland.

The NAMA representatives on the CCAB - I/NAMA Liaison Forum are Michael Moriarty, Patrick Phelan, Aidan O'Connell and Brendan Smyth.

FPM Champion Firm within Management and Leadership Network

FPM are the accounting firm who have been selected to become one of the Champion Firms within the Management and Leadership Network (MLN).

The Management Leadership Network is a resource devoted to supporting managers and leaders in Northern Ireland who are seeking to improve their skills and those of their teams.

IN BRIEF...

FPM Sponsors Swimming Gala Awards



FPM were delighted to sponsor the Awards at the Newry and Mourne end of season Swimming Gala. FPM Partner Janette Burns presented the awards on behalf of FPM.

Networking Golf Event



FPM and Tughans Solicitors in Belfast came together to organise a successful networking Golf Event at Holywood Golf Club in Belfast. Pictured above are Tughans John Turley and FPM's Gary Digney at the Networking Golf Event.

Teresa joins University of Ulster Liaison Committee

FPM partner Teresa Campbell has joined the University of Ulster Employers Liaison Committee, the purpose of which is to provide for adequate dialogue between representatives of employers and the University on matters relating to programmes run by the University. The Department of Accounting within the Ulster Business School offers a range of undergraduate and post graduate courses in Accounting and Business Studies and value the input from this Committee on a range of areas including current and likely future trends in accountancy and related fields and their implications for University run courses.

FPM Win Excellence in People Development Award

» FPM are delighted to have been successful as a regional winner in the Northern Ireland Chamber of Commerce Business awards in the "Excellence in People Development" Category.

The eight NI regional category winners were announced in October 2011 and each goes on to represent Northern Ireland in their respective categories and compete with regional winners from across the UK in the national finals of the British Chamber of Commerce Chamber Awards 2011 being held in London.

In congratulating the regional winners Francis Martin, President, Northern Ireland Chamber of Commerce, said "Northern Ireland firms have surpassed themselves with the outstandingly high calibre of entries to the Chamber Awards. The high standards are a testament to the dedication and ingenuity of the local business community under challenging conditions. Each of our winners can go into the UK finals with a great sense of pride in what they have achieved to date and can be confident of success on the UK stage – we wish them all well."



FPM Partner Teresa Campbell receives the NI Chamber, Excellence in People Development Category Award from Francis Martin, President, Northern Ireland Chamber of Commerce.

Mid-Ulster Business Awards...

» The inaugural Mid Ulster Business Awards ceremony recognising the talent, entrepreneurship & excellence across the business & commerce sectors in the local community was held recently in the Glenavon Hotel, Cookstown.

FPM were delighted to be associated with this celebration of local commercial & business achievements & in particular the sponsorship of the "Best New Initiative" category.

Speaking at the glittering ceremony, FPM Partner, Ruairi Martin commented: "We are very proud to be sponsors of the 2011 Mid Ulster Business Awards which recognise the creativity & success of businesses across Mid Ulster. Tough economic times have forced businesses to become smarter and leaders to be more decisive. But



FPM Team Dungannon and guests celebrate at the recent Mid-Ulster Business Awards.

they have also rewarded innovation and determination, with some companies thriving because of the way they have exploited the opportunities that are out there".



FPM win "Customer Service Award" for the Second Consecutive year.

» FPM were successful in winning the "Best Customer Service Award" at the Louth Business Awards on Saturday 15 October 2011, in the Fairways Hotel, Dundalk, Co. Louth.

This is the second consecutive year in which FPM won this award, highlighting the firm's commitment to customer service and building long term sustainable partnerships with clients and assisting them in achieving their personal and professional goals.

Paddy Malone, President, Dundalk Chamber of Commerce with FPM Partner, Michael Farrell

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