

This guide explains what options you can consider after reading 1st Options' IR35 Guides.

Option 1: Do Nothing.

The first option is to take a chance: do nothing and simply assume you are outside the scope of the legislation. We recommend that you don't do this. It leaves open the possibility of the Revenue subsequently challenging your decision, and if they win the argument and they assess that you do come within the scope of the IR35 legislation, you may have to pay substantial amounts in tax, interest and penalties.

Option 2: Have Your Contract Assessed by the Revenue

The next option is for us to submit the contract direct to the Revenue on your behalf. This ensures that you know if your contract comes within the legislation and can take the appropriate action or, equally important - you have it in writing from the Revenue if they say that it does not apply.

If the Revenue advises that your contract falls within the scope of the legislation you would be unwise to do anything other than adhere to their ruling.

Option 3: Have your Contract Assessed by a Law Firm

The third option is to obtain legal opinion as to the status of the contract. Most law firms would offer this service; however, there are a number of firms that specialise in IR35 status matters.

These companies deal with a substantial number of recruitment agencies and will review the contract, and give advice as to whether or not the contract fails IR35.

Naturally, if you have any queries or are unsure which is the best route for you please do not hesitate to call your Accounts Team on 02476 230444.