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90 Day Clock for Reporting Overclaims under the Coronavirus Job Retention Scheme (CJRS)

HMRC have confirmed that employers have just 90 days to inform HMRC that they have over-claimed the CJRS grants and repay any excess before penalties apply. The same deadline applies to self-employed individuals who have over-claimed SEISS grants.

This gives taxpayers until **20 October 2020 to come clean about any overclaims** under the CJRS or SEISS.

Where the taxpayer fails to notify HMRC of the overclaimed coronavirus support payment within the 90-day period **HMRC will impose a penalty** under the failure to notify rules. The penalty is calculated at 30% to 100% of the overclaimed amount, for an unprompted disclosure, but will be set at 50% to 100% of the overclaimed amount for a prompted disclosure.

A taxpayer who is investigated by HMRC and is found to have incorrectly claimed a CJRS or SEISS grant **will be required to repay between 150% and 200% of those funds**.

CJRS Errors

Any [incorrect CJRS grant claims](#) in which the employer has overclaimed the amount due can be corrected in a later CJRS claim. If the employer has submitted their final CJRS claim there is a facility to [repay HMRC online](#) which has been in place since 26 June.

If the employer has under-claimed the CJRS grant the extra amount of grant due needs to be set-up directly by HMRC, and the employer should not adjust the amount claimed in a later CJRS claim.

A CJRS grant should be repaid to HMRC if the funds were not used within a reasonable period to reimburse the employer's costs relating to furloughed employees, such as furloughed wages, employer's class 1 NIC and employer's contribution to a workplace pension.

SEISS Grants

The self-employed income support scheme (SEISS) has always lagged behind the furlough grant scheme (CJRS), and the applications for [the second SEISS grants](#) will open on 17 August.

The HMRC guidance says it will work out if the trader is eligible for a SEISS grant and contact them to invite them the trader to apply. However, HMRC cannot check **the three current-period conditions for the SEISS grant**, namely:

1. Whether the trade has been adversely affected by the coronavirus pandemic
2. If the individual traded in 2019/20 (if the tax return for that year hasn't already been submitted)
3. Whether the trader intends to continue to trade in 2020/21

If any of those conditions are not met the SEISS grant has been incorrectly claimed and the trader [needs to tell HMRC](#) as soon as possible and repay the overpaid amount.

Guidance on the Eat Out to Help Out Scheme Available

HMRC yesterday released a detailed guide on how to get reimbursement for discounts given to diners.

<https://www.gov.uk/guidance/claim-money-back-through-the-eat-out-to-help-out-scheme>

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