

## LIMITED COMPANY ANNUAL CERTIFICATE OF PENSIONABLE PAY FOR 2011/12:

### GUIDANCE & COMPLETION NOTES

#### **INTRODUCTION**

From 1 April 2006 dividends received from a company (limited by shares) that is qualified to hold a GMS, PMS, SPMS or APMS contract and satisfies the HSC Pension Scheme Employing Authority criteria may be pensioned subject to the dividends being wholly in respect of HSC work.

Where a GMS, PMS, SPMS, or APMS Practice/Centre operates as a limited company the limited company version of the Certificate must be completed. A shareholder will also have to complete the main 2011/12 GP Provider (and non-GP Provider) Certificate of Pensionable Profits if they are a Partner or Single-Hander elsewhere.

A GP Provider who is/was a Salaried GP (or long term fee based GP) in 2011/12 will also have to complete the Type 2 Practitioner self-assessment form; this is to ensure they have paid tiered contributions in 2011/12 at the correct rate.

**Where a contract is held by a limited company and the Provider receives a salary from the company, that salary must NOT be entered in box 3 or box 22 of the main 2011/12 Certificate as such a salary will be included in this Certificate instead.**

If a Provider holds two or more different types of the above contracts, a separate Certificate is required for each.

It is also feasible that two or more contracts are all held by one limited company. Properly, dividends and income allocations should be made to each particular contract for each shareholder. There may, however, be circumstances where a more pragmatic approach is required. Contact HSC Pensions for more information.

Where a limited company is providing GMS, PMS, sPMS, or APMS services, the HSC Pension Scheme employer contributions must be treated as an expense of the company; see FAQs for further details.

#### **NOTES**

##### Box A

Enter the shareholder's (i.e. Provider's) full name; do not use initials. If your surname has changed in 2011/12 please also provide your previous surname.

##### Box B

Enter the shareholder's national insurance number

##### Box C

Specify the name of the company as it is registered with Companies House.

##### Box D

The HSC Pension Scheme Employing Authority code is a letter followed by three digits; i.e. A123. Your Practice/Payroll Manager should know this code, however if it is difficult to obtain enter the name of the Practice.

##### Box E

Specify the company's number as it is registered with Companies House.

### Box F

Specify the type of contract that this certificate relates to – GMS, PMS, SPMS or APMS. See the introduction above where more than one contract is held by a single limited company.

### Box G

In respect of a GP Provider the host PCT/LHB is the PCT/LHB on whose Performers List the GP Provider is (or has been during the year) registered or the PCT/LHB with whom the GP Provider has a contract. In respect of a non-GP Provider the host PCT/LHB is the PCT/LHB that the non-GP Provider is (or has been) contracted with.

Where changes of Practice and/or PCT/LHB occur, there will be implications for your Certificate and you may need to complete more than one Certificate as described below.

Follow these instructions to determine how many Certificates you are required to complete:

- a) Change of Practice, but remain within the same PCT/LHB.

In this situation, two Certificates will be required and the references in Boxes D, E & F may be different on each.

- b) Change of Practice, also with a change of PCT/LHB.

In this situation, two Certificates will be required and the references in Boxes D, E, F, & G may be different on each

The host PCTs/LHBs in this instance are the PCTs/LHBs on whose 'Performers List' you are registered (or contracted with) either before the change in Practice or at the 'year end', dependent upon which Certificate is being completed.

- c) Change of PCT/LHB (i.e. due to a merger), but remain with the same Practice.

In this situation, one Certificate only should be completed, with the entry at Box G relating to the host PCT/LHB upon whose 'Performers List' you appear at the end of the relevant year (i.e. 31 March 2012).

- d) One limited company holds two or more contracts, whether GMS, PMS, SPMS or APMS. Strictly, to ensure compliance with the statutory HSCPS Regulations, separate Certificates are required for limited company income (salary and dividends) from each contract. In practical terms, however, it is accepted that, where the number of contracts held by the limited company is exceptionally high, it would be difficult to extract the salary and dividends pertaining to each contract. In these circumstances, please contact the HSC Pensions to agree a format for submission of the necessary Certificates.

### Box H

This box is already pre-filled.

### Box I

Where you became a shareholder during the year ended 31 March 2012, enter that date in here. If your shareholding merely changed during the year, no entry need be made.

### Box J

Where you ceased to be a shareholder of the company, please enter the date of cessation here. Where you left the HSC Pension Scheme, but retained ownership of your shares, such as when you become a deferred member or have disposed and reacquired shares for 24 hour retirement purposes, enter the date of leaving the scheme and describe what has happened at box 50.

### Box K

Prior to 1 April 2008, members who first joined the Scheme on or after the 1 June 1989 were subject to the pensionable earnings cap; i.e. the member could only pension in the HSC Pension Scheme income, from whatever HSC source, up to the prescribed limit. If a member joined before 1 June 1989 but had a break in pensionable employment of more than a year after 1 June 1989 they were also subject to the cap.

Following changes to the Scheme rules effective from 1 April 2008, however, the earnings cap has been removed and mainline employer and tiered employee contributions are to be based upon full pensionable pay.

**EXCEPTION – if a Scheme member, who was previously subject to the cap, has already bought added years, or is still buying them under an agreement that started before 1 April 2008, those added years remain subject to the cap. Contributions in respect of the added years will still be limited to the capped pensionable pay.**

**Any added years agreements starting on or after 1 April 2008, however, will NOT be subject to the earnings cap and will be payable on the full actual pensionable pay, as will be the employer and tiered employee contributions.**

#### Box L

Note your 2011/12 personal tax return will not necessarily need to have been completed to enable you to make the entries on your 2011/12 certificate of pensionable pay. It will, however, be beneficial to have done so to cross reference the entries extracted from the company records.

There is no reason why the figures for salary and dividend from two sets of accounts should be provisional as they are taxed on a receipts/paid basis and definite figures will be known for the tax year. The entries on the certificate should not, therefore, be from provisional personal tax return figures.

It is possible, however, that the accounts for the year end falling after 5 April 2012 may not have been prepared by the time you need to submit the limited company certificate. In these circumstances, an estimated figure will be required in box 5a and box l should be ticked. An adjustment to pensionable pay will then be required on your 2012/13 limited company certificate to correct the position. See also the guidance for box 5a below.

#### **PREAMBLE - IMPORTANT NOTES REGARDING THE FOLLOWING GUIDANCE:**

- **ANY COMMENTS MADE FOR BOXES 1, 2, 3 ETC APPLIES EQUALLY TO BOXES 1A, 2A, 3A ETC. UNLESS OTHERWISE STATED, ALL INSTRUCTIONS ARE RELEVANT TO FIGURES FOR EACH PARTICULAR YEAR END BEING CONSIDERED. SEPARATE GUIDANCE WILL BE PROVIDED IN SPECIFIC INSTANCES WHERE DIFFERENCES ARE REQUIRED.**
- **PENSIONABLE LIMITED COMPANY INCOME FOR THE YEAR ENDED 31 MARCH 2012 IS BASED UPON THE EMPLOYMENT INCOME AND DIVIDENDS RECEIVED FROM THE COMPANY IN THE TAX YEAR 2011/12, i.e. THE YEAR ENDED 5 APRIL 2012. DIVIDENDS AND SALARY PAID IN THE 5 DAYS FROM 1 APRIL 2011 TO 5 APRIL 2012 WILL THEREFORE BE INCLUDED IN THE 2011/12 PENSIONABLE PAY.**
- **IN LOOKING AT THE PAYMENT OF DIVIDENDS, ONLY LEGAL DIVIDENDS AS PER SECTION 830 OF THE COMPANIES ACT 2006 WILL BE CONSIDERED TO BE PENSIONABLE. SECTION 830 SAYS THAT A COMPANY MAY ONLY MAKE DISTRIBUTIONS OUT OF PROFITS AVAILABLE FOR THE PURPOSE. A FINAL DIVIDEND WILL REQUIRE FULL ACCOUNTS TO BE PREPARED TO DETERMINE WHETHER SUCH A DIVIDEND CAN BE PAID. A FINAL DIVIDEND WILL BE TREATED AS PAID WHEN IT IS DECLARED BY ORDINARY RESOLUTION.**
- **IT IS FEASIBLE THAT THE LIMITED COMPANY MAY PAY A GP PROVIDER A COMMERCIAL FEE, WHICH IS AN EXPENSE WITHIN THE COMPANY, FOR SERVICES OR WORK DONE OVER AND ABOVE THAT REQUIRED OF HIM/HER BY THE SHAREHOLDER AGREEMENT. THIS MAY BE ALLOWABLE AS A DEDUCTION IN THE COMPANY ACCOUNTS IN LINE WITH HMRC GUIDANCE AT PAGE BIM38110 OF THEIR BUSINESS INCOME MANUAL. SUCH INCOME IS NOT INCOME DERIVED AS A**

**SHAREHOLDER OF THE LIMITED COMPANY AND PLAYS NO PART IN THE CERTIFICATE TO WHICH THESE NOTES REFER. IT IS LIKELY THAT A TYPE 2 MEDICAL PRACTITIONERS SELF-ASSESSMENT CERTIFICATE WILL BE REQUIRED FOR SUCH INCOME, WITH THE APPROPRIATE GP SOLO FORMS HAVING BEEN COMPLETED FOR PAYMENTS TO THE GP**

- **FULL ACCOUNTS DO NOT NEED TO BE PREPARED TO PAY AN INTERIM DIVIDEND. THIS MAY BE AUTHORISED BY THE DIRECTORS AND WILL BE TREATED AS PAID WHEN THE ENTRY IS MADE IN THE COMPANY RECORDS.**
- **DOCUMENTATION AND RECORDS SHOULD NOT BE BACKDATED TO RETROSPECTIVELY DECLARE A DIVIDEND.**
- **HSC PENSIONS CONFIRMS THAT THERE CAN BE NO CARRY-FORWARD OF UNDISTRIBUTED PENSIONABLE DIVIDEND INCOME. ONLY DIVIDENDS LEGALLY PAID AND DECLARED FOR AN ACCOUNTING PERIOD CAN BE PENSIONABLE. PENSIONABLE HSC DIVIDENDS WILL BE TREATED AS THE FIRST SLICE OF DIVIDENDS PAID FOR THE ACCOUNTING PERIOD, TO THE LIMIT OF THE MAXIMUM PENSIONABLE AMOUNT OF DIVIDEND (see more in the notes to box 2 and appendix 1). ANY DIVIDENDS PAID IN EXCESS OF THE MAXIMUM PENSIONABLE AMOUNT, NO MATTER TO WHAT TAX YEAR THEY RELATE, WILL NOT BE PENSIONABLE.**

#### Box 1

Salary and dividends paid in 2011/12 may be paid from two or more accounting year ends. Enter these accounting year ends in boxes 1 and 1A.

For 31 March year ends, enter 31 March 2012 in box 1 and 31 March 2013 in box 1A. The other procedures are exactly the same as for any other year ends.

Where the company only started in 2011/12, and therefore has no accounting period ending in 2011/12, enter the first accounting period end date in both boxes 1 and 1A, with the corresponding total income and non-HSC income figures for that period in both sides of page 1.

#### Box 2

The figure in box 2 should be your share of the company's total medical related (HSC and non-HSC) income as calculated for, say, shareholder 1 in appendix 1.

Appendices 2 (June year end) and 3 (March year end) provide diagrammatic illustrations of how the dividends in respect of these different years would be pensionable based upon dividend figures as per appendix 1. The appendices show how dividends from each accounting year end may be included in limited company pension certificates for separate years.

HSC Pension Scheme regulations allow for pooling of certain outside appointment income. Examples of this may include PEC positions, appraisal income or salaried hospital appointments.

The figure in Box 2, and in the Step 1 calculation in appendix 1 for the company's total non-HSC and total income, must exclude HSC SOLO or HSC GP Locum income (recorded on locum forms A, B, C, or D) paid to the limited company. Such income is generally deemed as private income and should not, in fact, be paid into the company, a different legal entity, having had superannuation deducted from it.

Should such income be paid to the company and pooled with other income, it should be paid gross, inclusive of the employer contribution.

Where net amounts, after the deduction of SOLO superannuation, of such PEC/appraisal/appointment income are paid into a practice bank account, the amounts should form no part of the company's income.

Similarly, employment income is also private income and should be retained privately. The administrative practice (HMRC Employment Income Manual EIM03000 to EIM03004, also Business Income Manual BIM40350 to BIM40360 and Extra Statutory Concession A37) of including certain

employment professional fees as professional fees within the trading income rules does not apply, other than in very restrictive circumstances, to receipts by a limited company. Any salaried appointments that have traditionally been paid into a partnership and pooled between partners should not be paid into a limited company. Where the shareholders' agreement stipulates that such salaried appointment income is pooled between shareholders, that income should not appear in the company accounts. Effect may be given to the 'pooling' by allocating additional salary or dividends to the non-salary-earning shareholders appropriately.

### Box 3

Box 3 must state your share of the amount in box 2 that was in respect of non-HSC medical related work. This includes private income and reimbursements, insurance reports and medicals, etc.

### Box 4

Box 4 will state the company's total HSC income and must not include SOLO, GP locum, or employed HSC income. Box 4 must not include any company private income.

### Box 5

The figure in box 5 is the HSC income/non-HSC income ratio for the purposes of calculating the element of company salary and dividends that are 'HSC pensionable'. It is recognised that the accounts for the year end falling **after** 5 April 2012 may not have been prepared by the deadline for submission of this Certificate. Where this is the case, no entries are required at boxes 1A, 2A, 3A and 4A and an estimated figure only is required at box 5A. You should use your knowledge of your affairs to make a best estimate for the ratio that is entered in box 5A. Alternatively, if the ratio of HSC to total income for the accounts to which box 5A relates is expected to be in line with those for box 5, then it is acceptable to utilise the same percentage in box 5A.

Where a different percentage is used, please describe in box 50 how this has been determined.

Where an estimated figure was used in box 5A of the 2010/11 Certificate, then an adjustment is required to the pensionable pay in 2011/12. Further entries will be required at box 51 et seq, and then boxes 10 and 19 as a result.

Where an estimated percentage figure has been utilised in box 5A for 2011/12, then correcting amounts will be required to be made on the 2012/13 limited company Certificate.

### Box 6

These boxes must reflect the company year ends involved from boxes 1 and 1A.

### Box 7

You must enter your gross limited company salary, i.e. before the deduction of tax and national insurance, paid in the year 2011/12 that relates to the accounts referred to at box 6 above. Such a company salary should not have had superannuation deducted at source as it is the purpose of this certificate to do so. Where, however, such a salary has incorrectly been pensioned through the payroll, the salary gross of tax, NIC and superannuation should be entered in Box 7 and the contributions deducted entered in Boxes 41 to 44.

Where personal expenses have been incurred and are claimed at boxes 17 to 20 of the employment pages of your tax return, enter in box 7 the net figure after the deduction of these expenses. This is a different approach to the calculation of officer pensionable pay, but is required by HSC Pension Scheme regulations for GPs and non-GP providers.

### Box 8

The purpose of box 8 is to calculate what element of your company salary is in respect of HSC income.

### Box 9

The purpose of box 9 is to total the two elements of pensionable salary paid by the company that falls into 2011/12.

#### Box 10

The figure in box 10 is the result of the calculations on page 4 and is used to amend the pensionable salary figure for 2011/12 to compensate for over/under statement of the 2010/11 figure.

#### Box 11

This provides the total pensionable salary figure for 2011/12.

#### Box 12

The preamble to the numeric box guidance states that pensionable dividends will be treated as the first slice of dividends paid for the accounting period. In order to determine the maximum pensionable dividend it is first necessary to ascertain the company's overall income, expenses and corporation tax and hypothetically allocate these to each shareholder to whom dividends have been paid for the year end.

The company income, expenses and corporation tax are allocated in the ratio of the scheme member's personal dividend income for the year end to the total dividends paid for all shareholders in that year end. In this way each shareholder is apportioned at box 12 a maximum theoretical share of the after tax profit. On no account should brought forward undistributed profits from earlier years be included in this calculation. See appendix 1 for an illustration.

#### Box 13

This maximum theoretical dividend from box 12 is then apportioned between that which, at box 13, would reflect the maximum **potential HSC dividend** and the remaining non-HSC dividend. See appendix 1 for an illustration.

#### Box 14

This reflects the actual net dividend paid in respect of the respective accounting year at boxes 6 and 6A above. This is the full dividend paid as per the company accounts.

#### Box 15

Box 15 reflects the smaller of the maximum potential HSC dividend from box 13 and the actual dividend paid from box 14. Clearly, the maximum HSC dividend cannot be greater than the full dividend paid.

#### Box 16

**\*\*This guidance is specific to this box\*\***

HSC dividends are deemed to be the first slice of dividend payments made. Box 16 is therefore the amount of total dividend relating to the accounting year in box 1 that was paid before 6 April 2011. All of those dividends are treated as HSC dividends paid in the previous tax year. It is therefore only possible to pension in 2011/12 the balance of the maximum potential HSC dividend up to the limit of the actual dividends paid. See also the entries for boxes 60 and 60A. Box 16 should also equal box 14A of the 2010/11 certificate.

#### Box 17

**\*\*This guidance is specific to this box\*\***

Box 17 is the result of subtracting box 16 from box 15 and reflects the actual HSC dividend for 2011/12 that relates to the accounting year end that falls in 2011/12.

#### Box 16A

**\*\*This guidance is specific to this box\*\***

HSC dividends are deemed to be the first slice of dividend payments made. Box 16A is therefore the amount of total dividend relating to the accounting year in box 6A that was paid before 6 April 2012. All of those dividends are treated as HSC dividends paid in the current tax year. It is therefore only

possible to pension in 2012/13 the balance of the maximum potential HSC dividend for the year end in box 6A up to the limit of the actual dividends paid.

#### Box 17A

**\*\*This guidance is specific to this box\*\***

Box 17A is the lower of boxes 16A from box 15A and reflects the actual HSC dividend for 2011/12 that relates to the accounting year end that falls after 2011/12.

#### Box 18

The purpose of box 18 is to total the two elements of pensionable dividend paid by the company that falls into the year ended 5 April 2012.

#### Box 19

The figure in box 19 is the result of the calculations on page 4 and is used to amend the pensionable dividend figure for 2011/12 to compensate for over/under statement of the 2010/11 figure.

#### Box 20

This provides the total pensionable dividend figure for 2011/12.

#### Box 21

Box 21 totals the pensionable salary and pensionable dividend for 2011/12. This is your total limited company pensionable pay for 2011/12.

#### Box 22

Also see notes to Box K. Only enter a figure in this box if you are capped JUST for added years purposes. From 1 April 2008 a cap does not apply to mainstream pensionable pay.

The figure in this box would normally be the earnings cap relevant to added years contracts for 2011/12 (£129,600).

Care should be taken, however, when entering a figure here and you also have income pensioned separately (for instance salaried appointments or GP locum income) or pensionable income derived from a GMS/PMS contract, as the correct amount may not be the full value of the cap as an amount of the cap may be allocated against these other sources.

Where the cap applies to your added years contract, your **total** HSC pensionable income from **all** HSC sources in the year ending 31 March 2012 cannot exceed £129,600.

**HSC Pensions cannot advise on the application of the cap to any particular source of HSC income. Professional assistance should be sought where this is required, bearing in mind other possible HSC pensionable income.**

#### Box 23

Seniority payments (if applicable) have to be separately identifiable in the Certificate in accordance with the Statement of Financial Entitlements mainly for the purposes of the calculation of Average Adjusted Superannuable Income.

The figures in these boxes should be the amount of seniority received by the company for you in the company accounts in the year ended 31 March 2012. No adjustment should be made for employer superannuation contributions.

Where the company accounting year end is not 31 March, each box will reflect one, two or three quarters of the seniority paid to the company for you in the year ended 31 March 2012. Seniority payments are made in the practice statements of June, September, December and March. If the accounting year end were, for example, 30 June, box 23 would contain the seniority payment for June 2011 from the accounts for the year ended 30 June 2011 and box 23A would contain the seniority payments for the three quarters ended 30 September 2011, 31 December 2011 and 31 March 2012 from the accounts for the year ended 30 June 2012.

## Box 24

This is the sum of the four quarters of seniority for the year ended 31 March 2012.

## Box 24A

The Department of Health have confirmed what constitutes superannuable income for seniority purposes for 2011/12. This includes mainstream GP income from GMS, PMS, APMS practice, out of hours, GP with Special Interest income, PEC positions, CCG income etc. Specifically excluded, however, are income from honorary board posts, salaried clinical positions (other than bed fund posts) and salaried community medical officer posts.

The purpose of box 24A is to identify any amounts that the PCT may have to deduct from the pensionable pay declared at box 21 that is not relevant for pensionable pay for seniority purposes. It is envisaged that no entry should be required in this box. Any excluded income is generally in the form of a salaried PAYE position and would therefore be personal income that appears on an individual's personal tax return and would not be paid into a limited company. This box appears, however, to exclude a shareholder's share of excluded income paid to the company that may have been paid on a fee basis.

## Box 25 - 32

Employee contributions in 2011/12 may be 5%, 6.5%, 7.5% or 8.5%.

The rate payable in 2011/12 will be determined by the Provider's aggregated pensionable income for year 2011/12. The aggregate of pensionable income includes:

- Type 1 (Principal) Practitioner certified profits
- Type 2 (Assistant) Practitioner income
- Pensionable GP Locum (Practitioner) income (i.e. 90% of the gross)
- OOHs posts
- PEC posts
- Salaried Bed Fund posts, which are treated as practitioner positions
- Pensionable pay from Limited Company Certificate of Pensionable Profits

Income from PAYE salaried Officer (i.e. clinical assistant/hospital) posts should be excluded from the aggregation above and should be allocated a contribution tier separately according to the rules governing Officers in 2011/12 within the scheme. Salaried Bed Fund posts are, however, considered to be practitioner positions and should be included.

### **IMPORTANT NOTE REGARDING GP LOCUM WORK AND EMPLOYED PRACTITIONER POSTS:**

Where, as a result of the above, it transpires that, following aggregation and allocation to a tier, the incorrect percentage of employee contribution has been paid on 2011/12 GP Locum income through forms A & B, Out of Hours, salaried practitioner or Bed Fund posts, the GP must contact the PCT/LHB to make good locally any arrears/apply for a refund. Any arrears/refund in respect of such contributions are ring-fenced and outside the scope of this Certificate. Please refer to the notes on GP Locum form B for further information.

## Boxes 33-36

These boxes state the percentages at which the varying classes of contribution are paid.

### **Tiered employee contributions:**

Please see the notes for Boxes 25 to 32 regarding the calculation of the appropriate tier.

### **Added Years, Money Purchase AVCs and Additional Pension arrangements:**

The percentages or amounts payable for each of these arrangements will be dependent upon your own circumstances.



## **Added Years**

No new added years contracts should have been commenced after 31 March 2009.

## **Money Purchase AVCs**

The figure in box 35 is your provisional HSCPS Money Purchase AVCs if you have a HSC Money Purchase AVC contract with the Prudential, Standard Life, or Equitable Life. This is generally based on a percentage of your pensionable pay however can be a fixed amount. Where it is a fixed amount, the annual amount should be entered in box 35a rather than box 35. The amount in box 35a should then be copied into box 39.

**Do not** enter details in respect of any Free Standing AVC's.

## **Additional Pension purchase**

From 1 April 2008 a new Additional Pension purchase was introduced whereby members can buy blocks of additional pension in multiples of £250 up to a maximum of, currently, £5,000. Where an Additional Pension contract started in 2011/12, it will be necessary to enter the contributions due in box 35b for the period from commencement to 31 March 2012. Contributions for Additional Pension are payable either by a single lump sum or regular monthly payments. Where the chosen method is a single lump sum, the amount due should be entered in box 35b. Where the chosen method is by regular monthly contributions, the amount to be entered in box 35b is the monthly contribution quoted multiplied by the number of whole months the contract has run from inception to 31 March 2012. As monthly payments are fixed (subject to future review and adjustment), no apportionment should occur as happens with added years.

## **Employer contributions**

Employer contributions are 13.3% for 2011/12.

### Boxes 37-40

Are the contributions due for the year, arrived at by multiplying the pensionable pay figure from box 21 (or 22 if the cap applies for your added years purchase) to the relevant percentage figure from boxes 33 to 36.

Where you have a HSC Money Purchase AVC paid as a fixed amount, the figure in box 39 will match that in box 35a.

Where you have an Additional Pension contract, the figure in box 39 will match that in box 35b.

Where you have a combination of arrangements under Money Purchase percentages/fixed amounts and Additional Pension purchase, the amount at box 39 will reflect the total amount due for all such arrangements.

### Boxes 41-44

These boxes must state the company based contributions already paid that relate to 2011/12 (i.e. not including payments made in respect of a previous year).

These figures should include payments already made to your host PCT/LHB or deducted from your contract payment 'on account' throughout the year to 31 March 2012 by the PCT/LHB.

Boxes 41-44 should not include any deductions from outside salaried appointments, locum income, GP SOLO income, appraisal income or any other privately earned amounts. Where the shareholder agreement determines that such income, although performed by a shareholder personally, should be pooled among all shareholders, the earning shareholder should be considered to have retained those fees as private income and the remaining shareholders allocated additional salary or dividend to ensure they receive their entitlement.

The exception to the preceding paragraph is where a shareholder salary is paid by this limited company that has superannuation incorrectly deducted at source. Where this has occurred, the deductions (employee, employer and added years) should all be included in boxes 41-44.

There is no link of these boxes to any payments relevant for tax relief purposes. The entries in these boxes will relate to those contributions made in respect of 2011/12 that were paid or deducted by the PCT/LHB before this Certificate is submitted.

#### Boxes 45-49

Are the final payable (or refundable) contributions for 2011/12 after taking account of contributions that have already been paid.

#### Box 50

White space to add any additional information deemed helpful to understanding the figures in the certificate and in particular re box 21.

#### Boxes 51 - 62 – prior year adjustment

Where an estimated figure was included at box 5A of the 2010/11 limited company pension certificate, an adjustment is required to ensure that the correct amount of income has been pensioned. These boxes calculate how much that adjustment needs to be.

It is possible that the adjustment may be negative and that the 2011/12 pensionable pay will be reduced as a result. Downwards adjustments of this nature may, in circumstances such as cessation and leaving the practice, consequently mean that overall pensionable pay is negative. Where this occurs, it is necessary to go back and amend the previous year's certificate with the correct figures in the right hand side and submit to the PCT/Health Board/Shared Service. A nil return will then need submitting for 2011/12.

#### Boxes 51 and 51A

Both of these boxes will be the accounting year end that falls in 2011/12 and that had estimated figures in the 2010/11 certificate.

#### Box 52(A)

These boxes compare the estimated HSC income ratio from the 2010/11 certificate to the actual HSC income ratio from this 2011/12 certificate. The estimated figure will be as per box 5A of the 2010/11 certificate and the actual figure will be as per box 5 of the 2011/12 certificate.

#### Box 53(A)

Box 53 and 53A will be the entry from box 7A of the 2010/11 certificate. These figures will be the same as they reflect the actual salary paid prior to 6 April 2011 that relate to the accounts ending after that date.

#### Box 54(A)

The results at boxes 54 and 54A respectively will reflect the estimated pensionable salary from the 2010/11 certificate for the accounts ending in 2011/12 and the actual figure for this period from finalised accounts.

#### Box 55

Box 55 is the result of subtracting box 54 from 54A and reflects the adjustment necessary to the 2011/12 pensionable salary at box 10 of this certificate to correct the estimate used in 2010/11.

#### Box 55(A)

Box 56 and 56A will show the theoretical entitlement to after-tax profit. Box 56 will be the estimated entitlement as per box 10A of the 2010/11 certificate and 56A will be the actual entitlement as per box 12 of the 2011/12 certificate.

#### Box 57(A)

Multiplying the potential after tax entitlement by the HSC income ratio produces the estimated maximum potential pensionable dividend and the actual maximum potential pensionable dividend.

#### Box 58(A)

Clearly the pensioned dividend may not exceed the actual dividend paid. The actual dividend paid for the accounting year is therefore entered here for the purposes of comparison and box 59 below. Box 58A will match box 14. It is probable that box 58 will also match boxes 14 and 58A. Box 12A of the 2010/11 certificate may have been provisional and box 58 should match box 12A of the 2010/11 certificate.

#### Box 59(A)

Box 59 and 59A are the maximum actual pensionable dividends for the above accounting year end.

#### Box 60(A)

The purposes of boxes 51 to 62 are to amend an incorrect position in 2010/11 on the 2011/12 certificate. Boxes 60 and 60A therefore identify the element of dividends paid in respect of the accounting year that were paid in 2010/11.

Box 60A will be the entry from box 16 on page 2. It is probable also that box 60 will be the same figure. Box 60, however, will reflect the entry at box 14A of the 2010/11 certificate, which may have been provisional.

#### Box 61(A)

Boxes 61 and 61A produce the estimated and actual HSC pensioned dividend for the above accounting year.

#### Box 62

By subtracting box 60 from box 61, the necessary adjustment to the 2011/12 pensioned dividend is arrived at and should be copied to box 19. The number may be negative and will therefore reduce the 2011/12 pensionable dividend.

#### Declaration page

The GP or non-GP Provider should sign and date the declaration on page 5 of the certificate and submit to the PCT/Health Board/Shared Service for processing, proving the summarised information at the bottom of the form as specified.