Spring Budget 2013

Budget highlights

- Personal allowance increased to £10,000 in 2014/15 and the higher rate threshold increased by £415 to £41,865.
- A new tax-free childcare scheme, phased in from autumn 2015, to provide 20% of childcare costs up to £6,000 per child per year, for children under age 12.
- The new single-tier state pension to be introduced from April 2016.
- A £2,000 Employment Allowance for businesses and charities to set against their employer national insurance contributions from April 2014.
- A single rate of corporation tax of 20% for companies from April 2015.
- Stamp duty to be abolished for shares listed on exchanges such as AIM from April 2014.
- A limited one year extension of capital gains tax reinvestment relief for Seed Enterprise Investment Schemes.
- A package of measures to increase the supply of low-deposit mortgages for credit-worthy households including a government-backed mortgage guarantee scheme from January 2014.
- A raft of specific anti-avoidance measures alongside the new General Anti Abuse Rule (GAAR).

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Introduction

There was much that was familiar about George Osborne's fourth Budget. Many of his announcements had already been revealed in his Autumn Statement in December. Back then the economic outlook was bleak; little has changed.

The Chancellor did nevertheless manage to produce some surprises despite the economic constraints. With the 2013 growth forecast halved to just 0.6%, the tax give-aways, such as they were, were balanced by either extra revenue or reduced spending.

The move to a £10,000 personal allowance (from 2014/15) and a single corporation tax rate of 20% (from 2015) were hardly unexpected but were welcome. The Chancellor's stated aim is for the UK to be the best place in Europe to start, finance and grow a business. The initiation of the Patent Box and the exemption of AIM shares from stamp duty illustrate his intention to meet these goals.

The new £2,000 Employment Allowance from 2014 (which will be of most value to small businesses) was not foreseen, but was also welcome. It will be financed by the extra income from NICs that the single-tier pension will bring in from 2016/17 – a year earlier than previously planned.

As usual the Budget contained many anti-avoidance provisions, although this feature may fade with the arrival of the General Anti Abuse Rule.

PERSONAL TAXATION

Income tax allowances, reliefs and credits	2013/14	2012/13
Personal (basic)	**£9,440**	£8,105
Personal allowance reduced by 50% of income over	**£100,000**	£100,000
Personal if born between 6/4/38 and 5/4/48	**£10,500**	£10,500
Personal if born before 6/4/38	**£10,660**	£10,660
Personal if born before 6/4/48 reduced by 50% if income exceeds	**£26,100**	£25,400
Married couples/civil partners (minimum) at 10%*	**£3,040**	£2,960
Married couples/civil partners (maximum) at 10%*	**£7,915**	£7,705
Child benefit charge from 7 January 2013		
1% of benefit for every £100 of income over	**£50,000**	£50,000
Blind person's allowance	**£2,160**	£2,100
Rent-a-room tax-free income	**£4,250**	£4,250
Venture capital trust (VCT) rate of relief	**30%**	30%
Maximum investment	**£200,000**	£200,000
Enterprise investment scheme (EIS) rate of relief	**30%**	30%
Maximum investment	**£1,000,000**	£1,000,000
EIS eligible for capital gains tax deferral relief	**No limit**	No limit
Seed EIS (SEIS) rate of relief	**50%**	50%
Maximum investment	**£100,000**	£100,000
SEIS eligible for CGT reinvestment relief	**50%**	100%
Registered pension scheme:		
• annual allowance	**£50,000**	£50,000
• lifetime allowance	**£1,500,000**	£1,500,000

* Where at least one spouse/civil partner was born before 6 April 1935.

Income tax rates	2013/14	2012/13
Starting rate of 10% on savings income up to*	**£2,790**	£2,710
Basic rate of 20% on income up to	**£32,010**	£34,370
Higher rate of 40% on income	**£32,011–**	£34,371–
	£150,000	£150,000
Additional rate on income over £150,000	**45%**	50%
Dividends for:		
• basic rate taxpayers	**10%**	10%
• higher rate taxpayers	**32.5%**	32.5%
• additional rate taxpayers	**37.5%**	42.5%
Trusts:		
• standard rate band generally	**£1,000**	£1,000
• dividends (rate applicable to trusts)	**37.5%**	42.5%
• other income (rate applicable to trusts)	**45%**	50%

* Not available if taxable non-savings income exceeds the starting rate band.

PERSONAL TAXATION continued

Income tax and national insurance contributions

For 2013/14 the personal allowance will rise from £8,105 to £9,440 and there will be a £2,360 reduction in the basic rate band from £34,370 to £32,010. The additional rate of tax will fall from 50% (42.5% for dividends) to 45% (37.5% for dividends).

For 2014/15 the personal allowance will rise by £560 to £10,000 and the basic rate band will be cut by £145 to £31,865. The personal allowance will then be increased in line with the Consumer Prices Index (CPI) from 2015/16.

£ saver

Protect your personal allowance. In 2013/14 your personal allowance is reduced by 50p for every pound your income is over £100,000. If you can reduce your income below £100,000, e.g. by making a pension contribution or choosing tax-efficient investments, you should benefit from the full allowance.

Income tax exemptions for non-resident athletes

Any income arising to non-resident competitors in relation to the London Anniversary Games in 2013 or the Glasgow Commonwealth Games in 2014 will be exempt from UK income tax.

Seed Enterprise Investment Scheme (SEIS)

Investors who make capital gains in 2013/14 will receive capital gains tax (CGT) relief on 50% of any gains they reinvest into SEIS companies in either 2013/14 or 2014/15. The qualifying conditions attached to the SEIS will be amended so that from 6 April 2013 an investment into a company established by corporate formation agents can qualify for the scheme.

Community Investment Tax Relief (CITR)

CITR requirements that currently place conditions on the speed with which Community Development Finance Institutions must lend on the funding they receive will be relaxed to allow investors to carry unused relief forward from April 2013. New limits will be placed on the amount of CITR an investor company can obtain in any three year period.

Social investment tax relief

By summer 2013 the government will consult on the introduction of a new tax relief to encourage investment in social enterprises, with a view to introducing legislation in Finance Bill 2014.

Statutory residence test and reform of ordinary residence

From 6 April 2013 a statutory definition of tax residence will apply and the concept of ordinary residence will be abolished for most tax purposes. Overseas workday relief will be available to any non-domiciled individuals who arrive in the UK following a period where they have been non-resident for at least three tax years. The statement of practice (SP1/09) which provides an administrative easement for employees who claim overseas workday relief will be put on a statutory basis from 6 April 2013.

Share schemes

A package of simplification measures will be introduced in Finance Bill 2013 and Finance Bill 2014 following the review by the Office for Tax Simplification (OTS) of tax-advantaged share schemes and subsequent consultation. The government will consult on a number of the recommendations of the OTS's review of non-tax advantaged (unapproved) share schemes.

Beneficial loans to employees

The exempt threshold for small loans to employees will rise from £5,000 to £10,000 from 6 April 2014.

Income tax rules on interest

Finance Bill 2013 will introduce legislation on disguised interest and on deduction of income tax from interest on compensation payments, interest in kind and interest on 'specialty debts'.

Child Trust Funds

The government will consult on the options for transferring savings held in Child Trust Funds into Junior ISAs.

Gift Aid

There will be a consultation about making it easier to claim Gift Aid through a wide range of digital giving channels, including options to allow donors to complete a single Gift Aid declaration to cover all their donations through a specific channel.

PERSONAL TAXATION continued

Vulnerable people

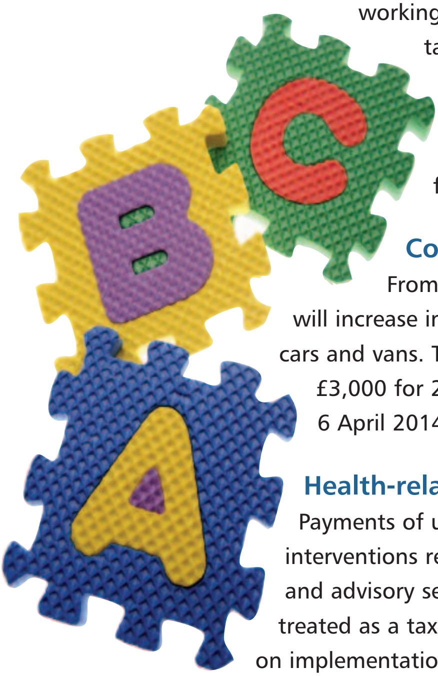
For tax purposes, assets held in trusts for vulnerable beneficiaries will be treated broadly as if they were held directly by the vulnerable person. The qualifying age for a child under employer-supported childcare will be extended if the child is receiving disability living allowance.

> think ahead
>
> **Take care in choosing your next company car.** Company car tax scales have been revised for 2013/14 and will be changing every year through to 2016/17. If you are swapping your car, make sure you know what tax you will pay now *and* in the future.

Childcare scheme

A new tax free childcare scheme will be introduced for children under 12 that will ultimately provide support worth 20% of childcare costs up to £6,000 per child per year. The system will be phased in from autumn 2015, with all children under five eligible from the first year of operation. Disabled children up to age 16 will also be eligible in line with existing employer-supported childcare rules.

Tax free childcare will be available to families where the parents are working and are not already receiving support through tax credits or Universal Credit. It will be available if neither parent earns over £150,000 a year. Alongside the new scheme, the current employer-supported childcare will be phased out for new applicants from autumn 2015.



Company cars and vans

From 6 April 2014 the fuel benefit charge multiplier will increase in line with the Retail Prices Index (RPI) for both cars and vans. The van benefit charge will be unchanged at £3,000 for 2013/14 and will increase in line with the RPI from 6 April 2014.

Health-related interventions

Payments of up to £500 by employers on health-related interventions recommended by a health and work assessment and advisory service (which is yet to be launched) will not be treated as a taxable benefit in kind. There will be a consultation on implementation later in 2013.

Pensions allowances

The lifetime allowance (LTA) for pensions will reduce from £1.5 million to £1.25 million for 2014/15 and subsequent years. A new fixed protection regime will be introduced to prevent any retrospective tax charges following the reduction of the LTA. The government will also consult on the details of an individual protection regime in spring 2013, with legislation to be included in Finance Bill 2014. The annual allowance for pension contributions will reduce from £50,000 to £40,000 for 2014/15 and subsequent years.

From 6 April 2013 the tax and NIC incentives for employees and employers will be removed from arrangements where an employer pays a pension contribution into a registered pension scheme for an employee's spouse or family member as part of a flexible remuneration package.

> *think ahead*

Maximise pension tax relief while you still can. The pension annual allowance will be cut to £40,000 in April 2014 and the lifetime allowance will fall to £1.25m. Take advantage of the generous carry forward rules and, if appropriate, the new transitional protection options to maximise your retirement provision while you still have the opportunity.

Pensions drawdown

The capped drawdown limit for pensioners of all ages will rise from 100% to 120% of the value of an equivalent annuity from 26 March 2013. The Government Actuary's Department (GAD) will review the pension drawdown table and the underlying assumptions that are used to provide drawdown rates to ensure they continue to reflect the annuity market.

Pensions regulation

The Pensions Regulator (TPR) will be given a new objective to support scheme funding arrangements that are compatible with sustainable growth for the sponsoring employer and fully consistent with Pensions Act 2004. The precise wording will be set out in draft legislation that the Department for Work and Pensions (DWP) will publish in spring 2013.

Self-invested pensions

There will be a consultation on whether self-invested pensions could be allowed to take advantage of the conversion of unused space in commercial properties to residential use.

PERSONAL TAXATION continued

Qualifying recognised overseas pension schemes (QROPS)

QROPS will need to notify HMRC every five years that they continue to meet the requirements to be QROPS. Former QROPS will also have to continue to report payments out of transfers received while they were QROPS and there will be additional reasons for excluding a pension scheme from being a QROPS.

State pension reforms

The government has confirmed that the single-tier state pension will be introduced from April 2016, a year earlier than previously planned. The State Second Pension (S2P) will close and contracting out (and the associated NIC rebates) will be abolished. The current value of the contracting out rebate for defined benefit schemes is 3.4% for employers and 1.4% for employees on earnings between the lower earnings limit and the upper accruals point. Contracting out via money purchase arrangements ended on 5 April 2012.

From April 2013 the tax rules on the payment of bridging pensions will be aligned with DWP changes to state pension age.

CAPITAL TAXES

£ *saver*

Share your gains. If you are a higher or additional rate taxpayer, you will pay 28% on all capital gains above your annual exemption. If your spouse or civil partner is a basic rate taxpayer, they will only pay 18% on gains above their annual exemption until their basic rate tax band is exhausted.

Capital gains tax (CGT) annual exempt amount

The annual exempt amount, currently £10,600, will rise to £10,900 for 2013/14, £11,000 for 2014/15 and £11,100 for 2015/16.

Residential property valued at more than £2 million

An annual residential property tax (ARPT) will be introduced from 1 April 2013 for residential properties valued at more than £2 million (generally as at 1 April 2012) that are held by certain non-natural persons such as companies. Following consultation, exemptions are being introduced for charities and certain others.

CGT at 28% will be charged on gains accruing after 5 April 2013 on disposals by certain non-natural persons of UK residential property that has been subject to the ARPT.

Reliefs will be introduced to the 15% rate of stamp duty land tax on residential property valued at more than £2 million and purchased by certain non-natural persons. They will take effect from the date of Royal Assent to Finance Bill 2013.

Enterprise management incentives (EMI)

Entrepreneurs' relief will be extended to cover gains made on shares acquired through the exercise of EMI options and will apply to qualifying share disposals from 6 April 2013.

Inheritance tax (IHT)

The nil-rate band will remain at £325,000 until 2017/18. The IHT-exempt amount that a UK domiciled individual can transfer to their non-UK domiciled spouse or civil partner will increase from £55,000 to £325,000 from 6 April 2013. Non-UK domiciled individuals married to, or in a civil partnership with, a UK domiciled individual will be able to elect to be treated as UK domiciled.

New legislation will ensure that the switching of UK assets in a trust settled by a non-UK domiciled individual to investments in open ended investment companies (OEICs) and authorised unit trusts (AUTs) is exempt from IHT with effect from 16 October 2002.

think ahead

ISAs and AIM shares. The government has confirmed it will soon be allowing AIM shares to be held within ISAs. It has also said that AIM shares held within an ISA will qualify for inheritance tax business property relief, subject to the usual rules. So your ISA could soon be free of UK income tax, capital gains tax *and* inheritance tax.

Alternative Investment Market (AIM) and other shares

Stamp duty will be abolished from April 2014 on transactions involving shares in companies listed on markets such as AIM and the ISDX Growth Market. The government is consulting on how these shares should be included within ISAs.

Stamp duty land tax (SDLT)

Measures will be introduced to put beyond doubt that certain SDLT avoidance schemes that abuse the transfer of rights rules do not work, with retrospective effect from 21 March 2012.

The SDLT rules will be reformed for 'transfers of rights' and certain non-standard lease transactions. These will take effect from Royal Assent to Finance Bill 2013.

Stamp duty reserve tax

The stamp duty reserve tax charge in Schedule 19 Finance Act 1999 on surrenders of units in collective investment schemes will be abolished from 1 April 2014.

BUSINESS TAX

Corporation tax (CT)

The small profits rate of CT will remain at 20% from April 2013. From April 2015 the main rate and small profits rate of CT will be unified at 20%. The main rate will fall from 24% to 23% in April 2013 and to 21% in April 2014. The rate of bank levy will increase to 0.142% from 1 January 2014 to offset the main rate reduction.

From April 2013, under the Patent Box a reduced 10% CT rate will apply to profits from patents.

£ saver

You may save tax by trading through a company. Profits retained in a company may be taxed at only 20% – compared with up to 45% income tax plus NICs.

National insurance contributions (NICs)

From April 2014 businesses and charities will be entitled to a £2,000 employment allowance towards their employer's Class 1 NIC bill, which will be delivered as part of the normal payroll process through Real Time Information (RTI).

The government will consult on using self-assessment to collect flat-rate Class 2 NICs from self-employed people.

Employee shareholder status

A new employee shareholder status will be introduced from 1 September 2013, under which employee shareholders will have different employee rights. They will need to hold shares in their employer worth a minimum of £2,000. Gains on up to £50,000 of qualifying shares acquired by employee shareholders will be exempt from CGT. The first £2,000 of share value received under the new status will be free from income tax and NICs, achieved by deeming employee shareholders to have paid £2,000 for the shares they receive.

Employee ownership and social enterprises

Finance Bill 2014 will introduce a CGT relief on the sale of a controlling interest in a business to an employee ownership structure. There will also be a tax relief to encourage private investment in social enterprises.

Research and development (R&D) incentives

The rate of the new 'above the line' (ATL) credit for large company R&D investment to be introduced from April 2013 will now be 10% instead of the 9.1% proposed in 2012.

Annual investment allowance (AIA)

The AIA limit is increased from £25,000 to £250,000 for two years for all qualifying investments in plant and machinery made on or after 1 January 2013.

Capital allowances for business cars

The 100% first year allowance for businesses that buy vehicles with the lowest CO_2 emissions will be extended until 31 March 2018. From April 2013, the eligibility threshold will be reduced from 110g/km to 95g/km and leased business cars will no longer qualify. There will be a further reduction to 75g/km from April 2015. The allowance and threshold will be reviewed again in the 2016 Budget.

The emissions threshold below which cars are eligible for the main (18%) rate of capital allowances will be reduced from 160g/km to 130g/km from April 2013. The threshold will be reviewed again in the 2016 Budget and any amendments will take effect from April 2018.

Simpler income tax

Small unincorporated businesses will be able to calculate their income tax on a cash basis from April 2013. Businesses with annual receipts of up to £79,000 will be eligible and will be able to continue to use the cash basis until receipts reach £158,000. They will not have to align their accounting period with the tax year. Also from April 2013, all unincorporated businesses will be eligible to use flat rates to calculate certain business expenses rather than having to calculate their actual business usage. The Office of Tax Simplification is to review ways of simplifying the taxation of partnerships.

Group relief

There will be revised restrictions on companies resident in the European Economic Area (EEA) surrendering losses from their UK branches in the form of group relief in the UK. From 1 April 2013 these restrictions will depend on whether the losses are used

> ***think ahead***
>
> **Get the timing right for your investment in new business equipment.**
>
> The annual investment allowance generally gives businesses of any size immediate tax relief on the purchase of most types of equipment. The allowance ceiling has been increased from £25,000 to £250,000 for two years from 1 January 2013. But take care – complex apportionment rules apply where your business year straddles that date.

BUSINESS TAX continued

elsewhere in any period, rather than on whether they could potentially be used elsewhere.

The types of commercial arrangements that are exempt from anti-avoidance rules affecting group loss relief will be expanded, with a view to targeting these rules more effectively for the future.

£ saver

Sharing with your spouse. If you run a company or business, make sure that your spouse/partner is appropriately paid and pensioned for any work and that they share in the profits if possible. You may be able to adjust your incomes to retain your child benefit.

Loans to participators

The government will consult on reforming the structure and operation of the tax charge on loans from close companies.

Disincorporation relief

A disincorporation relief for businesses with total qualifying assets of up to £100,000 will allow a company to transfer goodwill and an interest in land to its shareholders so that no CT arises on the company with respect to the transfer. It will be available for five years from April 2013.

Lease premium relief

The availability of lease premium relief will be limited for leases of more than 50 years that are granted after 31 March 2013 for companies and after 5 April 2013 for individuals and partnerships.

Reliefs for the creative sector

Previously announced CT reliefs for the animation and high-end television industries will start on 1 April 2013. A video games tax relief will be introduced following state aid approval.

Worldwide debt cap rules

There will be revisions to the debt cap rules to change the way in which the group treasury company election operates with effect from 11 December 2012.

Foreign currency assets

Relevant companies will have to compute their chargeable gains and losses on disposals of shares, interests in shares, ships and aircraft in their functional currency from a date to be announced shortly after Royal Assent to Finance Bill 2013.

Corporation tax deductions for employee share acquisitions

Changes will be made to the rules governing deductions for accounting expenses in connection with share options or awards granted to employees with effect from 20 March 2013.

Shale gas

Tax measures aimed at encouraging the exploration and production of shale gas will include a new shale gas field allowance and the extension of the Ring Fence Expenditure Supplement for shale gas projects from six to ten years. The government will consult on whether these measures should be extended to other forms of unconventional onshore gas.

Landfill tax

The standard rate of landfill tax will go up by £8 per tonne to £80 per tonne from 1 April 2014. The lower rate will remain at £2.50 per tonne.

VALUE ADDED TAX

VAT thresholds

The VAT registration threshold will rise from £77,000 to £79,000 and the deregistration threshold will increase from £75,000 to £77,000, both from 1 April 2013.

! *don't forget*

Flat rate VAT. Flat rate VAT could simplify your VAT and save you tax if your pre-VAT turnover is not more than £150,000 a year.

Road fuel scale charges

VAT fuel scale charges will increase from 1 May 2013 in line with fuel prices.

Changes to place of supply rules

Consumer supplies of telecommunications, broadcasting and e-services will be taxed in the EU member state in which the consumer is located from 1 January 2015. From that date, businesses will be able to register for VAT in the UK only and account for VAT due in other member states using a single return ('Mini One Stop Shop').

VALUE ADDED TAX continued

Manufacturers' refunds

Manufacturers will be able to reduce their VAT payments to take account of refunds they make directly to final consumers. The change will follow consultation during 2013.

Zero-rating of exports

From a date to be announced, zero-rating will be extended to sales of goods to businesses that are registered for VAT but are not established in the UK and export the goods to a non-EU destination.

£ saver

You can still save VAT by shopping overseas. Goods purchased from the Channel Islands with a value of less than £15 are no longer VAT free. However, if you order your CDs, DVDs, contact lenses, from elsewhere outside the EU, e.g. Switzerland or Hong Kong, the VAT exemption still applies.

MAIN ANTI-AVOIDANCE MEASURES

The Budget announced a significant crackdown on offshore tax evasion, tax avoidance and aggressive tax planning in four key areas.

Offshore tax evasion

The Isle of Man, Guernsey and Jersey have agreed to enter automatic tax information exchange agreements with the UK. HMRC has also put disclosure facilities in place to allow investors with accounts in these states to settle their past tax affairs in advance of the information being automatically exchanged. The government aims to sign similar agreements with other jurisdictions.

Avoidance of employment taxes

There will be consultation on measures to remove the presumption of self-employment for limited liability partnership (LLP) partners and to tackle the disguising of employment relationships through LLPs. There will also be provisions to counter the artificial allocation of profits to partners in LLPs and other partnerships to achieve a tax advantage.

The government will strengthen the rules to ensure that offshore employment intermediaries pay the correct amounts of income tax and NICs.

Tax avoidance schemes

A General Anti-Abuse Rule (GAAR) will be introduced in Finance Bill 2013. There will be consultations on proposals to target the promoters of tax avoidance schemes, including 'naming and shaming' as well as a range of targeted disclosure requirements and associated penalties. Retrospective legislation will address aggressive SDLT avoidance schemes, particularly those exploiting 'transfer of rights' rules.

Suppliers bidding for government contracts will be required to declare they have complied with specified tax obligations, allowing government departments to exclude non-compliant bidders.

The tax provisions for unauthorised unit trusts will be amended to remove avoidance opportunities while simplifying the rules and reducing administrative burdens for exempt investors.

The IR35 provisions will be changed to equalise the tax and NIC treatment of office holders.

There will be a change to the IHT rules for the calculation of the value of an estate where there is an outstanding debt. For example, this may depend on whether the debt is repaid and its commerciality.

Corporation tax (CT)

The government will work towards reform of international tax standards to counter tax avoidance. The Organisation for Economic Co-operation and Development (OECD) will present proposals to the G20 in July 2013.

There will be immediate action to prevent the practice of 'loss buying', where companies pass the potential to gain access to CT loss relief to unconnected third parties.

NATIONAL INSURANCE CONTRIBUTIONS

Class 1 (Employees)

Not Contracted-out of State Second Pension (S2P)

	2013/14	2012/13
Employee	No NICs where earnings are up to £149 pw 12% NICs on £149.01–£797 pw 2% NICs over £797 pw	No NICs where earnings are up to £146 pw 12% NICs on £146.01–£817 pw 2% NICs over £817 pw
Employer	No NICs on the first £148 pw 13.8% NICs over £148 pw	No NICs on the first £144 pw 13.8% NICs over £144 pw

Earnings limit or threshold	2013/14			2012/13		
	Weekly	Monthly	Annual	Weekly	Monthly	Annual
	£	£	£	£	£	£
Lower earnings limit	109	473	5,668	107	464	5,564
Secondary earnings threshold	148	641	7,696	144	624	7,488
Primary earnings threshold	149	646	7,755	146	634	7,605
Upper accrual point	770	3,337	40,040	770	3,337	40,040
Upper earnings limit	797	3,454	41,450	817	3,540	42,475

Contracted-out S2P rebate	2013/14	2012/13
Reduction on band earnings*	£109.01–£770 pw	£107.01–£770 pw
Employer rate reduction	3.4%	3.4%
Employee rate reduction	1.4%	1.4%

*Salary related schemes only.

Class 1A (Employers)

	2013/14	2012/13
Most taxable employee benefits	13.8%	13.8%

Class 2 (Self-Employed)

	2013/14	2012/13
Flat rate	£2.70 pw £140.40 pa	£2.65 pw £137.80 pa
Small earnings exception	£5,725 pa	£5,595 pa

Class 4 (Self-Employed)

	2013/14	2012/13
On profits	£7,755–£41,450 pa 9%	£7,605–£42,475 pa 9%
	Over £41,450 pa 2%	Over £42,475 pa 2%

Class 3 (Voluntary)

	2013/14	2012/13
Flat rate	£13.55 pw £704.60 pa	£13.25 pw £689.00 pa

independent financial advice

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