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DIRECTORS' LOAN ACCOUNTS EXPLAINED

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Contents

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- Tax-Efficient Business Exit Strategies; *and*
- Cash Basis for Landlords.

About this guide

This guide explains some of the planning opportunities and pitfalls associated with the use of directors' loan accounts.

1 Nature of a director's loan account

Key points

- A director's loan account is a mechanism for keeping track of the transactions between the director and their personal or family company.
- Borrowing money from the company can be a cheap source of finance.
- Tax consequences may arise if the account is overdrawn.
- Interest can be paid if the account is in credit.
- Anti-avoidance provisions apply.

Transactions between a director and their personal or family company are common, and a director's loan account is simply an account for recording the transactions that occur between the two.

Typical transactions that may be found on a director's loan account include:

- a loan by the director to the company;
- a loan from the company to the director;
- loan repayments made by the director;
- salary payments credited to the account;
- dividend payments credited to the account;
- bonus payments credited to the account;
- personal bills paid by the company on the director's behalf;
- company bills paid by the director on the company's behalf; *and*
- shares issued on incorporation but not paid for.

At the end of the year, the account will be in credit if the money owed by the company to the director exceeds that which the director owes to the company. However, if the net result is that the director owes money to the company, the account will be overdrawn.

Tax implications may arise if the company is a close company and the account is overdrawn at the end of the accounting period. These are explained further in section 5.

A benefit-in-kind charge may also arise if the outstanding balance exceeds £10,000 at any point in the tax year. This is explored in section 7.

Where a director has lent money to the company and interest is paid on that loan, the company may need to deduct tax at the basic rate from the interest paid and pay it over to HMRC. This is discussed further in section 10.

Practical point

A director's loan account is a way of keeping track of the transactions between the director and the company. It is important to ensure that all transactions are recorded.

Beware – Tax implications may arise if the account is overdrawn.

2 Overdrawn director's loan account

Key points

- If the director's loan account is overdrawn, this is, in effect, a loan to the director by the company.
- If the company is a close company and a participator has a loan from the company, there may be tax implications to consider.
- Where this is the case and the loan account is overdrawn at the year end, the company needs to tell HMRC about it.
- If the loan is still outstanding (fully or partially) nine months and one day after the year end, a tax charge (section 455 tax) arises on the company on the overdrawn balance.
- A benefit-in-kind charge may also arise if the loan balance exceeds £10,000 at any point in the tax year.
- Anti-avoidance provisions apply.

A director's loan account is overdrawn if the money owed to the company by the director is more than the money that the company owes the director.

Example 1: Overdrawn director's loan account

David is a director of his family company. In the year to 31 March 2025, the following transactions are showing on the director's loan account in the company's books:

	DR		CR
1/12/24: Loan to David	10,000	31/12/24: Dividend	5,000
25/2/25: Personal expenses paid by company on David's behalf	500		
		Balance c/f	5,500
	10,500		10,500

At the year end, the account is overdrawn. David owes the company £5,500. This constitutes a director's loan. It will appear as a debtor in the company's balance sheet.

Where the director's account is overdrawn at the end of the accounting period, this is equivalent to a loan to the director by the company. Where the company is a close company and the director is a participator (which will usually be the case for a close company), depending on whether or not the overdrawn amount is cleared before the corporation tax due date (nine months and one day after the year end), a section 455 tax charge may arise on the company. A benefit-in-kind tax charge may also arise if the loan balance is more than £10,000 at any point in the tax year, imposing a tax liability on the director and a Class 1A National Insurance liability on the company (see section 7).

Where such a loan has not been paid back in full within nine months and one day after the end of the accounting period, the company must pay a tax charge (a section 455 charge) on the outstanding amount of the loan at that date. The nature of the section 455 charge is explained in section 5.

A section 455 charge will also arise on any outstanding balance of a loan which is made to a person who is not a director but who is a participator in a close company, and which has not been fully repaid by the corporation tax due date.

For the meaning of 'participator' and 'close company', see section 3, and for the meaning of 'loan', see section 4.

2.1 Overdrawn account repaid by corporation tax due date

If the director is a participator in a close company and the director's account is overdrawn at the end of the year, but the overdrawn balance is repaid by the normal due date for payment of corporation tax, i.e., nine months and one day after the end of the accounting period, there is no section 455 tax to pay (but be aware of the anti-avoidance provisions that may apply, for which see section 9).

However, the company will need to tell HMRC about the overdrawn loan account when filing their corporation tax return. They must disclose the amount by which the loan account was overdrawn at the end of the accounting period.

It should be noted that the rules apply to loans to 'participators' in close companies – the recipient of the loan does not need to be a director for the rules to bite, but the recipient must be a 'participator'. Most directors of close companies are participators, but a loan to a director who is not a participator falls outside the scope of the rules, while a loan to a participator who is not a director is within the scope of the rules. For the meaning of 'participator' and 'close company', see section 3.

There may also be a benefit-in-kind tax charge to pay on the loan if the loan balance exceeds £10,000 at any point in the tax year. The benefit-in-kind charge is discussed in section 7. Where a benefit-in-kind charge arises, a Class 1A National Insurance liability arises on the company.

Example 2: Overdrawn account repaid by corporation tax due date

Ruth is a director of and participator in her family company. The company is close. It prepares accounts to 31 December each year.

On 1 September 2024, Ruth borrows £8,000 from the company. She repays the loan on 16 April 2025.

The loan is still outstanding at the end of the accounting period in which it was made (i.e., on 31 December 2024). However, it is repaid before 1 October 2025 (the normal due date for payment of corporation tax, nine months and one day after the end of the accounting period).

As it has been repaid before the corporation tax due date, the company has no section 455 tax to pay. However, when completing the company tax return, the existence of the loan and the balance of the loan at the company's year end must be disclosed to HMRC (on form CT600A).

As the loan balance is less than £10,000 throughout the tax year, there is no tax to pay under the benefit-in-kind rules.