

## CIOT criticises 'confused' charter

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The mooted new run-down of tax rights and obligations is 'extremely disappointing', the Chartered Institute of Taxation (CIOT) has told the taxman.

The proposed HMRC Charter is unfocused, too short, 'odd' and 'confused', says the CIOT in its newly published response to the consultation document on the matter.

'The current draft is simply inadequate,' says the trade body, adding that the paper largely misses 'the key objective of producing something aimed at the average taxpayer/claimant. Instead, it seems more geared towards HMRC staff'.

This is reflected in the proposed title, remarks the CIOT. 'We continue to prefer Taxpayers Charter as the right title.'

The institute also says that 'the draft charter looks as if it has been largely produced by editing the recent HMRC Vision' – a declaration of objectives produced by the Revenue to '[state] the department's purpose, [say] where it's going and [describe] how [our] people will deal with customers and with each other'.

The institute goes on to lambaste the 'paucity' of taxpayers' rights outlined in the charter, saying they 'seem to be the minimum possible'.

'There is no indication that a decision has been taken to back up each of these statements in more detail, says the institute, which notes that 'there is no explanation why the further rights listed in Appendix B' have not been included; the cryptic references to 'complaints procedures' and 'appeals procedures' seem particularly odd'.

In the drafting of the charter, the taxman has 'misunderstood or confused' the nature of the document and produced something more like a mission statement, says the CIOT.

The charter's main orientation, claims the institute, 'must be for users of HMRC's services; it seems to us that the current draft has lost sight of this aim'.

On its initial release in February, the taxman's proposed charter was criticised by several tax professionals, including law firm McGrigors, which called the document 'highly aggressive' in its pledge to 'relentlessly pursue' people who 'break or bend the rules'.

This section 'can hardly be seen as a right or obligation which individuals enjoy or owe in respect to HMRC' and it 'sits oddly with the ethos of the HMRC Powers Review', says the CIOT, which also states that the charter 'needs to show that [Revenue] has a proper sense of taxpayers' rights' and that the department is 'prepared to set out safeguards that balance its new powers'.

'We do not believe' that the current draft is the way forward,' remarks the institute.

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