

Main TALC

Minutes of Meeting held 27 April 2015

12pm, Chartered Accountants House

Attendees:

CCAB-I: Paul Dillon (chairman), Kimberley Rowan (secretary), Brian Purcell, Sharon Burke, Enda Faughnan, Brian Keegan

Revenue: Alan Carey, Declan Rigney, Mick Gladney, Áine Hollingsworth

ITI: David Fennell, Mark Barret, Mary Healy

Law Society: Caroline Devlin, James Somerville, Pat Bradley

Apologies: Julie Herlihy (CCAB-I)

1. BEPS Update

Revenue gave a presentation on the OECD BEPS Project and the work of the office of the Revenue Commissioners on the project. Practitioners raised a number of points on the BEPS proposals. It was discussed that the proposals must have the flexibility to allow EU Member States to satisfy their EU Treaty obligations.

2. Minutes

The minutes of the meeting held 5 March 2015 were approved.

3. Matters arising

R&D Regime

Revenue is reviewing the application of its R&D guidelines and invited practitioners to submit details of any specific issues to Revenue.

Receivership guidelines

Feedback from interested bodies is being incorporated and the guidelines are expected to be finalised and published shortly.

Consultation on travel and subsistence expenses

Revenue is updating the relevant operational manuals on the Schedule D Case I/II tax treatment of expenses of travel and subsistence. Feedback from practitioners at the TALC Technical subcommittee is being incorporated; further discussion is likely at this subcommittee.

There is no update to report on the general public consultation on the tax treatment of expenses. The matter is still under consideration.

Revenue will follow up on practitioners' concerns regarding Revenue correspondence which issued to taxpayers at the end of last year.

PAYE agency procedures

The procedures are due to be published in the coming weeks.

4. Revenue audits: cooperation and complaints

Revenue informed the committee that it had consulted with the Revenue Solicitor's Office on the procedures for reporting practitioners to their professional bodies and of its intention to include wording in this regard into the Code of Practice for Revenue Audit and Other Compliance Interventions. Revenue undertook to provide the wording for the Code of Practice to practitioners before the revised Code is published. Practitioners stated their disappointment with Revenue's intention to include specific wording in the Code.

In addition, practitioners expressed dissatisfaction with the publication of a Revenue staff manual 'Failure to Cooperate Fully with a Revenue Compliance Intervention' and highlighted particular concerns with aspects of the manual. Revenue was requested to remove the manual from their website pending consultation on its contents. Revenue stated that the guidelines, which are for internal purposes, had already been issued and reflected the position, set out in the legislation and in the Code of Practice for Revenue Audit. However, they would meet practitioners to discuss any concerns they had if required.

5. iXBRL

Revenue confirmed that it will not be prescribing the information required in the Detailed Trading and Profit and Loss account. However, it confirmed that if the information tagged in

iXBRL broadly corresponds with what was previously filed, taxpayers will have satisfied their iXBRL filing obligations.

Revenue also confirmed that a common sense approach will be applied to the imposition of penalties/surcharges in circumstances where the taxpayer has clearly attempted to provide the required level of information.

Revenue also provided a direct contact for practitioners to engage with either on individual cases or in respect of any issues that might arise during the initial period.

Revenue are preparing an operational instruction manual for staff on iXBRL, Revenue will consult with practitioners on this manual prior to publication.

6. Revenue's customer engagement strategy

Revenue provided an overview of its customer engagement strategy. As part of this strategy the Revenue secure email facility is due to change from June to an online contact facility within ROS. Also an Electronic Tax Clearance facility is expected in January 2016.

Practitioners noted that Revenue are ahead of the counterparts in other jurisdictions in their online facilities for taxpayers and agents.

7. Reform of the Appeal Commissioners

Revenue advised that there is no update to report at this stage, it is matter for the Department of Finance.

8. VAT registrations and residence certificates

Practitioners noted significant delays in obtaining VAT registrations. Revenue advised that a District review of the VAT registration process is currently underway and will be discussed at TALC Collection in May.

Practitioners also noted delays in the issuing of residence certificates, Revenue will review the matter and revert to the committee.

9. Regulation of Lobbying Act 2015

Revenue and practitioners are considering the implications of the Act for the TALC process and will discuss further at the next meeting.

10. Update from TALC subcommittees

An update on the work of the subcommittees was circulated. Additionally, Revenue informed that draft guidance on anti-avoidance disclosures were circulated to the TALC Audit subcommittee for their review and comment.

11. AOB

The ROS extended deadline for 2014 returns will be confirmed in the coming days.

Practitioners asked that a sample of the Form CT1 be made available on the Revenue website. It was also noted that the recent new release of the Form CT1 did not provide adequate time for software developers to update their packages; more notice for changes to tax return forms in the future was requested.

The committee will next meet in June, the date and time to be confirmed.