

TALC AUDIT Sub-Committee Meeting Minutes

Tuesday 24th November 2020 – 10.00am
Virtual Meeting through Skype for Business

Attendees:

Practitioners:	Gerry Higgins (Chair)	CCAB-I
	Norah Collender	CCAB-I
	Maud Clear	CCAB-I
	Jim Kelly	Irish Tax Institute
	Aidan Lucey	Irish Tax Institute
	Lorraine Sheegar	Irish Tax Institute
	Liam Grimes	Irish Tax Institute
	Julie Burke	Irish Tax Institute
	Sandra Brennan	Irish Tax Institute
	Ruth Higgins	Law Society
	Tom Martyn	Law Society
Revenue:	Brian Boyle	Revenue
	Sarah Waters	Revenue
	Padraigh Donnelly	Revenue
	Fay Kearney	Revenue
	Stephen Flynn	Revenue
	Miriam Scahill	Revenue
	Bernadette Davis	Revenue
	Emma Murphy (Secretary)	Revenue
Apologies:	Paul Dillon	CCAB-I
	Mary Healy	Irish Tax Institute

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Item 1 – Opening Comments and Review of Minutes of Meeting held 23rd September 2020

The Chair opened the meeting by welcoming Lorraine Sheegar (ITI) as a temporary replacement for Mary Healy (ITI).

The previous minutes were agreed with one small amendment to delete a duplicate sentence from Item 5.

Item 2 – Matters arising from minutes

There were no matters arising from the previous minutes

Item 3 – Work Plan 2020

3.1 Code of Practice (COP) Issues

Interventions during Covid-19 Restrictions

Revenue gave an overview of draft guidance on the conduct of interventions during the ongoing Covid-19 restrictions. Interventions will, with certain very limited exceptions, be conducted remotely. Revenue advised that the guidelines do not alter the Code of Practice (e.g., the timeframe for Disclosures) but address the practical issues of interventions in the current environment. There was general agreement to the steps outlined and the guidance will be published shortly.

Audit Notification Letters

It was confirmed that hard copies of audit letters would still be sent.

Following a recent update to MyEnquiries, the email notification to taxpayers and agents in relation to interventions will include a heading that confirms whether this is an audit or non-audit intervention. The details of the audit e.g. client details, scope etc will only be visible in MyEnquiries. In addition, Revenue caseworkers will also try to make phone contact with the practitioners. The practitioners thanked Revenue for the inclusion of phone calls although it was noted that call back details are not always provided. Revenue advised that this is necessary to protect caseworkers private phone numbers and that practitioners wishing to make contact should request a call-back through MyEnquiries.

eAudit

There was a discussion around e-audit and the collection of data prior to the initial interview. It was confirmed that, in line with the COP, this engagement is not part of the audit and does not alter the timeframe for making a prompted disclosure. The purpose of the e-audit meeting is to allow the auditors to become familiar with some sample data for analysis in advance of the audit commencing with a view to expediting the intervention.

3.2 National/Divisional Projects

Revenue gave an update on the current projects that are being undertaken by the Divisions as follows: -

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Foreign Income and Assets Disclosures

There are currently 41 cases open with an estimated yield of €10.5m. Over 3,000 cases are now closed with a yield of over €87m. As there are now less than 1% of cases open and no further updates will be provided due to the small number of open cases.

Temporary Wage Subsidy Scheme (TWSS) Compliance Checks Update

Over 80% of the checks are now closed with no issues arising from them. There are some 5,700 employers who have yet to respond to these checks despite having received at least two separate pieces of correspondence. Revenue are now following up with phone calls to these cases. Practitioners expressed concern about 5-day timeline for responses. Revenue stressed the importance of engaging with the compliance checks and advised that if employers/agents have difficulty with providing the information requested in the required timescale they should contact Revenue and agree a reasonable timeline for same.

There are 600 checks that have been escalated to AQ to look for further information.

Practitioners noted that there are some disputes regarding the basis for employer's assessment of their decline in turnover. Revenue noted that the guidelines provide for alternative approaches in circumstances where turnover does not provide a valid basis for determination of eligibility and these are being considered on a case by case basis.

3.3 PMOD

Numerous PMOD compliance issues have been identified in the course of the TWSS compliance checks and these are being brought to the attention of the relevant employers/agents as they arise.

Item 5 – Work Plan 2021

The question of review of the Code of Practice were discussed. Revenue advised the practitioners that this work has been delayed due to the pandemic and will be advanced in 2021. This forum will be important in enabling Revenue to consult practitioners as this work gets underway.

Item 6 – AOB

Revenue raised a query with ITI about correspondence Revenue received in a very small number of cases, which suggested that ITI recommended that members attach conditions to a qualifying disclosure beyond that provided for in the legislation. ITI confirmed that it did not make any such recommendation in its guidance and agreed that the benefits of making a qualifying disclosure are as outlined in the legislation. Following the meeting, ITI confirmed it had completed a comprehensive review of its historical guidance and publications and confirmed that this material, also, did not contain any such recommendation.

Brian Boyle (Revenue) commended Gerry Higgins for his chairmanship of the committee during a challenging year.

Ruth Higgins (Law Society) will be the chair for 2021 and dates will be circulated in the new year when available.

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The Chair ended the meeting by thanking everybody for attending.

Action Points from this meeting	Responsible	Deadline
Practitioners invited to submit comments/proposals in relation to the Code of Practice.	Practitioners	Ongoing
Revenue to publish intervention guidelines to reflect Covid 19 restrictions	Revenue	January 2021

The next meeting of the TALC Audit Sub-Committee is to be confirmed

Submitted for approval by Secretary

Approved by TALC Audit Sub-Committee