Welcome to August’s Technical Newsdesk

Welcomes

01 August 2016

This month we start with several articles on the Finance Bill clauses. At the time of writing, the debates on the Finance Bill are continuing, so we do not have the definitive picture. Margaret Curran and Will Silsby summarise the concerns in relation to the Targeted Anti Avoidance Rule (TAAR) for distributions in a winding up, and Alison Ward highlights the complexities arising from the reduction in the rates of capital gains tax. Kate Willis provides updates on the entrepreneurs’ relief clauses, in particular the welcome news on associated disposals. There’s also welcome news from John Stockdale on the residential nil-rate band. But the good news stops there; Alison reports on the ATT’s submission on the 3% stamp duty ‘supplement’ when additional residential properties are purchased, and Margaret sets out concerns on the horrendously complicated new civil penalty regime for enablers of offshore tax evasion and the new strict liability criminal offence.

An area where the CIOT, ATT and LITRG have been very active is in relation to HMRC’s direct recovery of debts (DRD). Will reports from the meeting of a group set up to consider the operation of DRD, in particular HMRC’s approach to vulnerable customers. This segues nicely into three articles from LITRG. The first, by Gillian Wrigley, explains how HMRC is providing assistance to vulnerable customers. The second, by Kelly Sizer, reports LITRG’s response to the recent Public Financial Guidance consultation, which looked at the ways the government offers guidance on financial matters such as pensions and debt. Finally, Kelly summarises LITRG’s response to HMRC’s consultation on proposals for a tax framework for the secondary annuity market, which is intended to come into effect in April 2017.

We then round up with a number of technical pieces. Kate summarises the joint submission made to HMRC in relation to the de-enveloping of residential property, and Sacha reports on the CIOT’s response to the OECD on the BEPS multilateral instrument. Last but not least (as VAT is my favourite tax!), Maric Glaser highlights

the key elements of our submission to HMRC as a result of the *Larentia and Minerva* case, and Angela Fearnside summarises our response to the Finance House Due Diligence Scheme consultation.

And talking of consultations, a summary of all CIOT, ATT and LITRG consultation responses is set out as usual. Please do visit our websites for details of consultations, and how you can get involved.

Consultations – have your say

We are interested to hear the views of members during consultation exercises. Details of live consultations can be found on our website and if you have any comments please email them to technical@ciot.org.uk or atttechnical@att.org.uk.