

Technical Newsdesk: May 2023

Technical

General Features



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By the time you read this, we should have experienced another ‘tax administration and maintenance day’ (or TAMD for short). While at the time of writing the date has not yet been set, we understand it will be in late April.

TAMD is the sequel to ‘Tax Day’, an initiative of former Financial Secretary to the Treasury Jesse Norman, which first took place on 23 March 2021. Having a single day on which tax announcements take place is intended to increase the transparency, discipline and accessibility of tax policymaking, and to give Members of Parliament, tax professionals and other stakeholders a better opportunity to scrutinise the proposals. The government published over 30 tax updates, consultations and related documents on the inaugural Tax Day.

The first TAMD took place on 30 November 2021, while Lucy Frazer was Financial Secretary to the Treasury. Again, over 30 tax updates, consultations and related

documents were published.

After an 18 month hiatus, in which the policymaking cycle has been rather interrupted by other events, TAMD returns. Considering the number of announcements at previous events, I am concerned at a potential raft of additional proposals to change the tax system, in addition to those already announced at the Spring Budget. If there is a theme to the feedback we receive from members and businesses, it is the need for stability. I do wonder sometimes when the tax system will be 'finished'.

The Spring Finance Bill – or Finance (No. 2) Bill to give it its proper title – was published on 23 March. At 478 pages, it is the longest since 2017, covering a range of measures including multinational and domestic top-up taxes, capital allowance full expensing, changes to R&D tax reliefs, changes to the pensions regime and a new alcohol duty regime. As part of our charitable objectives as educational charities, we are currently working on briefings and representations to MPs to support the scrutiny process and highlight possible flaws and areas of uncertainty.

Some clauses will be debated in Committee of Whole House (CWH), which takes place on the floor of the House of Commons. The clauses for debate in CWH are selected by opposition parties, and any MP who wishes to can contribute to the debate. For the current Bill, the measures chosen for debate at CWH are those around corporate taxes and reliefs, pensions, the electricity generator levy and alcohol duties. The remaining clauses will then be debated within the Public Bill Committee, with debates scheduled to conclude on 23 May.

This all sounds well and good, but we have often lamented the lack of real scrutiny that tax changes actually receive. Finance Bills receive less parliamentary scrutiny than any other piece of primary legislation, and oral evidence is not permitted as part of the process (unlike other public bills).

Could the process be better? Yes, it could. You may remember the 'Better Budgets' report the CIOT prepared, alongside the Institute for Fiscal Studies and the Institute for Government (see tinyurl.com/ya9h3vy6). That was over six years ago now, and while some things have improved, there remains plenty of scope for improvement.