

Taxpayers' Movement welcomes SARS' openness to a tax ombudsman, but calls on the body for more clarity

The Taxpayers' Movement has been vocal in its concerns regarding SARS' proposed new collection system of attaching salaries and accessing bank accounts to satisfy outstanding taxes. In particular, this substantial exercise of power is open to abuse and needs to be carefully monitored by an independent and impartial tax ombudsman which would also serve as a means of recourse should taxpayers believe themselves to have been treated unfairly, especially where SARS error may arise.

In last week's debate on eTV's News Night Live, Vuyisa Qabaka (Spokesperson of the Taxpayers' Movement) raised the issue of a tax ombudsman with Mark Kingon (SARS Group Executive), especially in light of the pending Tax Administration Bill.

SARS' response to this stance, as stated by Mr Kingon, was that "We [SARS] are looking at the Tax Administration Bill and that [an ombudsman] is part of the discussion". The Taxpayers' Movement calls upon SARS to clarify what discussion is taking place and whether they will favour a proposal for an ombudsman.

In addition, another statement requires clarification. Mr Kingon noted that "There is no need for an ombudsman in this [attaching salaries and accessing bank accounts] process".

It is deeply worrying that SARS does not feel it necessary to subject their officers and processes to impartial and independent examination when attaching people's salaries and accessing bank accounts. If they have a legal and legitimate claim to such money and that the process is a lawful mechanism of collection then why does SARS oppose an ombudsman?

Furthermore, SARS should not believe that their officers are beyond human error; human error in these circumstances could be devastating for the taxpayer with little recourse other than the high court which in many cases is prohibitively costly to pursue.

There have been widespread calls for SARS to delineate clear guidelines and policies. An ombudsman solves all these problems by ensuring the legality of SARS procedures as well as an inexpensive forum for taxpayers to seek recourse.

Tax ombudsmen feature prominently in advanced democracies internationally and we call upon SARS to support this initiative in South Africa. If SARS is as confident of this proposed new system as Mr Kingon asserts then they have nothing to worry about.

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The Taxpayers' Movement of SA is a non-partisan NPO which advocates prudent expenditure of Government revenues in the public's best interests. The Taxpayers' Movement aims to

remind MEC's, MP's and ministers whose money they are spending while also reminding ourselves that we are paying for every cent that is spent by government – it is not “government's money”, it is in fact OUR money. Visit our website at www.tpmsa.org

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