

Tax Policy

Policies relating to taxation services

Hillier Hopkins LLP provides services to clients in respect of tax compliance and tax planning and advice.

Tax compliance

Tax compliance involves the provision of information provided by clients to HMRC using tax returns in a number of tax disciplines, specifically, personal income and capital gains tax, corporation taxes, payroll taxes, value added tax, trust tax, partnership tax, inheritance tax and other taxes from time to time.

Our Ethics Policies require (inter alia) that we deal honestly and transparently in all our business dealings. We are further bound by the Professional Conduct in Relation to Taxation rules (PCRT). Consequently, in respect of all information we provide and all tax returns, we will:

1. Not associate ourselves with any tax return which we consider misleading;
2. Ensure that the client provides, in so far as we are able, all relevant information for us to include, and where we consider that there may be omissions we act to ensure that such omissions are eliminated or that HMRC is aware that information is provisional;
3. Ensure that the client takes responsibility for their tax returns;
4. Decline to act in any circumstances where we believe that it may result in inaccurate returns or falsifications;
5. Advise on the prompt payment of taxes due.

Where different interpretations of the facts may result in different tax outcomes, we will advise the client of the various interpretations, seek to find the most appropriate interpretation and recommend the best course of action, but that is not to say that we will only accept the outcome that gives rise to the maximum tax payable, but only that we will not accept an outcome which is likely to be incorrect.

Tax planning and advice

We consider that every taxpayer has the right to organise their affairs so as to minimise the burden of tax (originally the finding in *Briggs v Shattuck*) but that tax avoidance which arises where the sole or main purpose of a transaction is the avoidance of tax is not the same thing. We take the meaning of the right of taxpayers as being that where there is more than one way to achieve the same commercial outcome, there is no obligation on a client to choose the route with the highest tax charge.

Therefore, where a client seeks our advice about any matter, and there are multiple ways to achieve the same thing, we are able to and should advise them of the commercial and tax implications of each possibility. Our recommendations and advice will include as many aspects of each possibility of which we are aware, so that the client may determine the most appropriate choices. This may or may not result in a minimisation of tax.

Tax avoidance schemes

These are schemes or products which generally have little or no commercial purpose and are intended merely to avoid or defer taxation. We do not recommend such schemes and discourage their use. We will not offer such a scheme or product to our clients. Where a client chooses to use such a scheme, depending on its nature and whether or not there is a valid non-taxation reason for using the scheme, it is probable that we will decline to act for the client. Where we agree to continue to act, we advise the client of our assessment of that expected outcome and we will require that the nature of the scheme is disclosed to HMRC so that they have the opportunity to consider its validity.

Tax evasion

This is a criminal offense and we will not act, assist or in any way enable a client to carry out tax evasion. As well as our responsibilities for anti-money laundering, in so far as legally possible, we will cease to act for a client we know or suspect of tax evasion. In most cases, where we become aware of possible intention for tax evasion we will advise the client not to do it, and recommend rectification of the situation. If the client actually rectifies the situation and makes proper and appropriate payment of tax and disclosure to HMRC, we may continue to act.

We may act for clients who approach us to rectify their position to assist them in that rectification.

We do not act for any client who may seek to evade taxes in overseas jurisdictions in the same way.

Professional obligations

Our policies as summarised above are compliant with PCRT and the ethical and regulatory requirements of the various accountancy bodies of which our staff are members. We believe that we go beyond the basic requirements.

In case of uncertainty as to whether or not we may act in particular circumstances or whether our decisions are appropriate, any affected staff members are required to discuss the matter with the Head of Taxes (Meeten Nathwani), the Head of Corporate Taxes (Liam Henry) or, in the case of an ethics question, the Ethics Principal (Jonathan Franks).

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