

Tax Ombud Report 2020/2021

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The Office of the Tax Ombud (“OTO”) recently released its 8th Annual Report in respect of the period from 1 April 2020 to 31 March 2021 (“Annual Report”). It demonstrates what a helpful channel the OTO can be in certain circumstances where taxpayers face administrative, procedural or service issues with SARS.

Judge Bernard Makgabo Ngoepe, the current Tax Ombud states as follows in his overview of the Annual Report:

“As an Office, we pride ourselves on making a difference by serving taxpayers, protecting their rights and ensuring they are fairly treated by SARS while at the same time promoting tax compliance. Our achievements in the past eight years speak volumes about our commitment to fostering a healthy balance between taxpayer rights and SARS’s power to administer the country’s taxes”.

The notable highlights of the Annual Report include the following:

- The Tax Ombud received 9,180 queries and 2,967 complaints during this period.
- The Tax Ombud resolved 1,340 complaints during this period.
- SARS implemented 98% of the Tax Ombud’s recommendations.
- The top 10 refunds paid to taxpayers collectively amounted to more than R156 million.

Taxpayers who are experiencing administrative, procedural or service-related issues with SARS should consider to what extent the OTO may be of assistance in expediting the resolution of these issues. Although there are certain limitations on the authority of the OTO (for example: it may not consider a matter which is subject to objection or appeal), in certain instances the involvement OTO is invaluable to Taxpayers – for example: where a VAT vendor is experiencing unreasonable delays in the processing of VAT refunds.

Should you be experiencing any administrative, procedural or service issues with SARS, speak to a tax advisor at your nearest PKF office for guidance as to whether the OTO could assist in resolving this expeditiously.

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Should you have any queries on these matters, please contact your PKF relationship partner or firm.

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