

# FINANCE ACT 2009

---

## EXPLANATORY NOTES

### INTRODUCTION

#### *Section 92: Hmrc Charter*

##### **Summary**

1. [Section 92](#) requires HM Revenue & Customs (HMRC) to prepare and maintain a Charter. The Charter must set out the standards of behaviour and values to which HMRC will aspire in dealing with taxpayers and others.

##### **Details of the Section**

2. Subsection (1) inserts a new section 16A into the Commissioners for Revenue and Customs Act 2005.
3. New section 16A(1) requires the Commissioners for Her Majesty's Revenue and Customs to prepare a Charter.
4. New section 16A(2) specifies that the Charter must include standards of behaviour and values to which HMRC will aspire in its dealings with taxpayers and others.
5. New section 16A(3) specifies that the Commissioners must regularly review the Charter and publish revisions as appropriate.
6. New section 16A(4) requires the Commissioners to report annually on how well HMRC is doing in living up to the standards in the Charter.
7. Subsection (2) requires the Commissioners to introduce the Charter before the end of 2009.

##### **Background Note**

8. HMRC does not presently have a single document that sets out the rights and responsibilities of taxpayers and other persons that HMRC deals with. The possibility of introducing a Charter was proposed in a consultative document issued on 19 June 2008 which suggested that there was no need for a Charter to be supported by legislation. But most respondents argued that a legal foundation would be the best way of ensuring that the Charter would be an effective and enduring document. The Government then announced that a clause giving the Charter explicit legislative backing would be included in the 2009 Finance Bill.
9. HMRC held a second consultation on the content of the Charter. That consultation closed on 12 May 2009. The Charter, revised to take into account responses to this consultation, will be launched in autumn 2009.