

# IR PERFORMANCE PLEDGE

2012/13

Tax by the Law, Service from the Heart



**Inland Revenue Department**

The Government of the Hong Kong Special Administrative Region

This leaflet tells you about the Inland Revenue Department's performance pledge for the services it offers you. It also explains the steps you can take if you have any comments or complaints regarding the Department's services.

## IRD SERVICES COVERED

This performance pledge covers the following services:

- Enquiry Service
- Written Enquiries
- Assessment of Tax Returns
- Issue of Tax Returns to First-time Taxpayers
- Company Deregistration
- Tax Reserve Certificates
- Objections
- Tax Holdover Claims
- Tax Payment
- Refunds of Tax
- Tax Audit and Investigation
- Stamp Duty (target improved)
- Business Registration
- eTAX
- Complaints

## EFFECTIVE MONITORING

The Users' Committee helps monitor the services covered by this performance pledge. They are assisted by a Service Standards Committee in the Inland Revenue Department, which is headed by a senior directorate officer. The Commissioner of Inland Revenue publishes annually performance results against the targets set.

## PERFORMANCE TARGETS

Our first priority is to serve the community to the best of our ability. The level of service we provide may be influenced to some extent by exceptional circumstances and heavy workloads during peak periods. Taking these factors into account, we set out in the following tables the standard response times we aim to achieve for a range of services and also the performance you can expect to receive.

## VISION

We aim to be an excellent tax administration that plays an important part in promoting Hong Kong's prosperity and stability.

## MISSION

We are committed to –

- collecting revenue efficiently and cost-effectively;
- providing courteous and effective service to the taxpaying public;
- promoting compliance through rigorous enforcement of law, education and publicity programmes; and
- enabling staff to acquire the necessary knowledge, skills and attitude so that they can contribute their best to the achievement of our vision.

## VALUES

Our core values are –

- Professionalism
- Efficiency
- Responsiveness
- Fairness
- Effectiveness
- Courtesy
- Teamwork

## SERVICE ENVIRONMENT

The Department is committed to providing a fair, efficient and helpful service in a good environment.

SERVICES	STANDARD RESPONSE TIME	PERFORMANCE TARGETS
<b>1. ENQUIRY SERVICE</b> <ul style="list-style-type: none"> <li>Personal calls</li> <li>Connected telephone calls</li> </ul>	<p>Immediate reply or referral to case officers</p> <p>Immediate reply or referral to case officers</p>	<p>Peak times between 10:30 a.m. and 5:00 p.m. first 10 minutes: 95%</p> <p>Other times first 10 minutes: 99%</p> <p>Between July and April first 3 minutes: 90% next 1 minute: 5%</p> <p>Between May and June first 3 minutes: 80% next 1 minute: 10%</p>
<b>2. WRITTEN ENQUIRIES</b> <ul style="list-style-type: none"> <li>Simple matters</li> <li>Technical matters</li> </ul>	<p>Replies made within 7 working days after receipt of enquiries</p> <p>Replies made within 21 working days after receipt of enquiries</p>	<p>first 7 days: 95% next 2 days: 4%</p> <p>first 21 days: 98% next 21 days: 1%</p>
<b>3. RETURNS PROCESSING</b> <ul style="list-style-type: none"> <li>Profits tax returns <ul style="list-style-type: none"> <li>– Corporations</li> <li>– Partnerships</li> </ul> </li> <li>Property tax returns <ul style="list-style-type: none"> <li>– Rental income (jointly owned properties)</li> </ul> </li> <li>Composite tax returns <ul style="list-style-type: none"> <li>– Business profits (sole proprietorships)</li> <li>– Employment income</li> <li>– Rental income (solely owned properties)</li> <li>– Personal assessment</li> </ul> </li> </ul>	<p>Assessments made within 9 months from the date of issue of tax returns</p> <p>Assessments made within 6 months from the date of issue of tax returns</p>	<p>first 9 months: 80% next 3 months: 15% next 3 months: 5%</p> <p>first 6 months: 85% next 3 months: 11% next 3 months: 3.5%</p>

SERVICES	STANDARD RESPONSE TIME	PERFORMANCE TARGETS	
<p><b>4. TAX RETURNS FOR FIRST-TIME TAXPAYERS</b></p> <ul style="list-style-type: none"> <li>Profits tax <ul style="list-style-type: none"> <li>– Responding to notifications of chargeability</li> </ul> </li> <li>Salaries tax <ul style="list-style-type: none"> <li>– Non-taxable cases</li> <li>– Taxable cases</li> </ul> </li> </ul>	<p>Within 3 months after receipt of notifications</p> <p>Replies made to employees within 21 working days after receipt of notifications</p> <p>Tax returns issued within 3 months after receipt of notifications between April and November</p> <p>Tax returns issued within 5 months after receipt of notifications between December and March</p>	<p>first 3 months: 98%</p> <p>first 21 days: 98%</p> <p>first 3 months: 98%</p> <p>first 5 months: 98%</p>	
<p><b>5. COMPANY DEREGISTRATION</b></p> <ul style="list-style-type: none"> <li>Processing of requests for issuance of Notice of No Objection by the Commissioner of Inland Revenue</li> </ul>	<p>Within 21 working days after receipt of applications</p>	<p>first 21 days: 98%</p>	
<p><b>6. TAX RESERVE CERTIFICATES</b></p> <ul style="list-style-type: none"> <li>Purchase and Redemption</li> </ul>	<p>Within 9 working days after receipt between July and December</p> <p>Within 12 working days after receipt between January and June</p>	<p>first 9 days: 99%</p> <p>first 12 days: 99%</p>	
<p><b>7. NOTICES OF OBJECTION</b></p> <ul style="list-style-type: none"> <li>Replies to Notices of Objection</li> <li>Processing of Objections</li> </ul>	<p>Within 12 working days after receipt between May and August</p> <p>Within 18 working days after receipt between September and April</p> <p>Notices of settlement of objection*/ Notifications of decision by Assessing Officer** issued within 4 months from the date of receipt of notices of objection</p>	<p>first 12 days: 98%</p> <p>next 6 days: 1%</p> <p>first 18 days : 98%</p> <p>next 6 days: 1%</p> <p>first 4 months: 98%</p>	

\* Notices of settlement of objection - they include notices of revised assessment, notifications of refund and letters notifying the settlement of objection.

\*\* Notifications of decision by Assessing Officer - the letters will explain that the objection cannot be settled and will either seek further information, propose a basis of settlement of objection, propose the withdrawal of objection or inform the taxpayer that the case will be referred to the Commissioner for determination.

SERVICES	STANDARD RESPONSE TIME	PERFORMANCE TARGETS
<b>8. TAX HOLDOVER CLAIMS</b> <ul style="list-style-type: none"> <li>Reply to claims</li> </ul>	Within 12 working days after receipt of applications	first 12 days: 98% next 6 days: 1%
<b>9. TAX PAYMENT</b> <ul style="list-style-type: none"> <li>Issue receipts for tax payments made by electronic means</li> </ul>	Issued within 4 working days after receipt of payment made between July and November  Issued within 6 working days after receipt of payment made between December and June	first 4 days: 99%  first 6 days: 99%
<b>10. REFUNDS OF TAX</b> <ul style="list-style-type: none"> <li>Arising from overpayment of tax in excess of the amount demanded</li> <li>Arising from revision of assessment</li> </ul>	Within 18 working days after the date of receipt of the tax overpaid  Within 10 working days after the date of issue of notification to revise assessment	first 18 days: 98%  first 10 days: 98%
<b>11. TAX AUDIT AND INVESTIGATION</b> <ul style="list-style-type: none"> <li>Processing of field audit and investigation cases</li> </ul>	Within 2 years after receipt of substantive information to initial investigation enquiry	first 6 months: 60% first year: 70% second year: 80% third year: 90%
For commencement of the pledge, the starting date will apply as follows: * Simple cases - the date of initial interview with the target taxpayer. * Complicated cases - the date of production of business books and records or the date of receipt of substantive reply to the initial written enquiry by the target taxpayer, whichever is the later.		
<b>12. STAMP DUTY</b> <ul style="list-style-type: none"> <li>Stamping of assignments, sale and purchase agreements and lease agreements through GovHK<sup>#</sup></li> <li>Processing of requests for stamping of assignments and sale and purchase agreements</li> <li>Stamping of contract notes and lease agreements</li> <li>Processing of claims for exemption (for transfers between group companies)</li> </ul>	<u>Payment by on-line mode</u> Stamp certificate issued instantly through GovHK after receipt of stamp duty  <u>Payment by off-line mode</u> Stamp certificate issued within 2 working days through GovHK after receipt of stamp duty  Within 5 working days after receipt of applications  Within same day after receipt of full information	instant: 99%  first 2 days: 99%  first 5 days: 98%  same day: 98%
A longer time, varying with complexity, is required for property valuation cases.		
	Within 3 months after receipt of claims and substantive information	first 3 months: 85% next 9 months: 10%

SERVICES	STANDARD RESPONSE TIME	PERFORMANCE TARGETS
<b>13. BUSINESS REGISTRATION</b>		
<ul style="list-style-type: none"> <li>New certificates               <ul style="list-style-type: none"> <li>– Applications over the counter*</li> </ul> </li> <li>– Applications by post or through GovHK<sup>#</sup></li> <li>Certified Extracts of Information</li> <li>Change of business registration particulars               <ul style="list-style-type: none"> <li>– Notifications over the counter</li> <li>– Notifications by post or through GovHK<sup>#</sup></li> </ul> </li> </ul>	<p>Issued within 30 minutes after receipt of properly completed applications</p> <p>Issued within 2 working days after receipt of properly completed applications</p> <p>Issued within the next working day after receipt of properly completed applications</p> <p>Updated within 30 minutes after receipt of notification of change and full information</p> <p>Updated within 5 working days after receipt of notification of change and full information</p>	<p>first 30 minutes: 99%</p> <p>first 2 days: 99%</p> <p>next day: 99%</p> <p>first 30 minutes: 97%</p> <p>first 5 days: 99%</p>
<p>* With effect from 21 February 2011, any person who submits an application for company registration will be deemed to have applied for business registration at the same time. Companies Registry will issue the business registration certificate together with the certificate of incorporation / registration to the successful applicants. Therefore, the above performance pledge will not apply to these cases. For details of the Companies Registry's performance pledges, please visit their web site at <a href="http://www.cr.gov.hk">www.cr.gov.hk</a>.</p>		
<b>14. eTAX Account</b>		
<ul style="list-style-type: none"> <li>Issue of Access Code Notice               <ul style="list-style-type: none"> <li>– Applications through GovHK<sup>#</sup></li> </ul> </li> <li>Issue electronic receipts for tax payments made by electronic means</li> </ul>	<p>Issued within 2 working days after receipt of applications</p> <p>Issued within 2 working days after receipt of payment</p>	<p>first 2 days: 98%</p> <p>first 2 days: 99%</p>
<b>15. COMPLAINTS</b>		
<ul style="list-style-type: none"> <li>Handling of Complaints</li> </ul>	<p>Interim replies made within 7 working days after receipt of complaints</p> <p>Substantive replies made within 15 working days after receipt of complaints</p>	<p>first 7 days: 99%</p> <p>first 15 days: 99%</p>

Improved targets are printed in green.

<sup>#</sup> Electronic services are provided through the Internet under eTAX at GovHK.

## THE PUBLIC'S ROLE

We welcome any comments or suggestions you may have on the way in which these services are delivered. Please send them to the Customer Service Manager, Inland Revenue Department, GPO Box 11234, Hong Kong.

The Department will respond immediately in cases where the information is available on computer. There will be occasions when, despite our best efforts, we are unable to provide the services within the times specified. In such instances you are entitled to a full and prompt explanation. Should you require such an explanation, or if you feel that your case has not been dealt with adequately, you may contact the Complaints Officer

Telephone : 2594 5000

Address : 37th Floor, Revenue Tower, 5 Gloucester Road, Wan Chai, Hong Kong

Post : GPO Box 11234, Hong Kong

Fax : 2802 7625, or

E-mail : [taxinfo@ird.gov.hk](mailto:taxinfo@ird.gov.hk)

## RIGHT OF APPEAL

If you feel that your complaint has not been dealt with fairly, you may write to the Commissioner of Inland Revenue setting out the reasons for your appeal.

## WHERE TO GO FOR FURTHER INFORMATION

Staff of the Enquiry Service Centre, who will always identify themselves by name, will be pleased to respond to enquiries about the services covered by the performance pledge. The Centre is located on the 1st floor of Revenue Tower, 5 Gloucester Road, Wan Chai, Hong Kong. The telephone number is 187 8088. In addition, you can get information and forms from our web site <[www.ird.gov.hk](http://www.ird.gov.hk)>.