

Performance Pledge

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Tax by the Law, Service from the Heart



Inland Revenue Department
Hong Kong Special Administrative Region

Performance Pledge

Tax by the Law, Service from the Heart

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 (target changed)
- Issue of Tax Returns to First-time Taxpayers
- Company Deregistration
- Tax Reserve Certificates (target improved)
- Objections
- Tax Holdover Claims
- Tax Payment
- Refunds of Tax (target improved)
- Tax Audit and Investigation (target improved)
- Stamp Duty (new pledge added)
- Business Registration
- eTAX (new pledge added)
- Complaints (new pledge)

Effective Monitoring

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

Performance Targets

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

1. ENQUIRY SERVICE

<ul style="list-style-type: none"> • Personal calls 	<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% Other times first 10 minutes: 99%</p>
<ul style="list-style-type: none"> • Connected telephone calls 	<p>Immediate reply or referral to case officers</p>	<p>Between July and April first 3 minutes: 90% next 1 minute: 5% Between May and June first 3 minutes: 80% next 1 minute: 10%</p>

2. WRITTEN ENQUIRIES

<ul style="list-style-type: none"> • Simple matters 	<p>Replies made within 7 working days after receipt of enquiries</p>	<p>first 7 days: 95% next 2 days: 4%</p>
<ul style="list-style-type: none"> • Technical matters 	<p>Replies made within 21 working days after receipt of enquiries</p>	<p>first 21 days: 98% next 21 days: 1%</p>

3. RETURNS PROCESSING

<ul style="list-style-type: none"> • Profits tax returns <ul style="list-style-type: none"> - Corporations - Partnerships 	<p>Assessments made within 9 months from the date of issue of tax returns</p>	<p>first 9 months: 80% next 3 months: 15% next 3 months: 5%</p>
<ul style="list-style-type: none"> • Property tax returns <ul style="list-style-type: none"> - Rental income (jointly owned properties) • Composite tax returns <ul style="list-style-type: none"> - Business profits (sole proprietorships) - Employment income - Rental income (solely owned properties) - Personal assessment 	<p>Assessments made within 6 months from the date of issue of tax returns</p>	<p>first 6 months: 85% next 3 months: 11% next 3 months: 3.5%</p>

4. TAX RETURNS FOR FIRST-TIME TAXPAYERS

<ul style="list-style-type: none"> • Profits tax <ul style="list-style-type: none"> - Responding to notifications of chargeability 	Within 3 months after receipt of notifications	first 3 months:	98%
<ul style="list-style-type: none"> • Salaries tax <ul style="list-style-type: none"> - Non-taxable cases 	Replies made to employees within 21 working days after receipt of notifications	first 21 days:	98%
<ul style="list-style-type: none"> - Taxable cases 	Tax returns issued within 3 months after receipt of notifications between April and November	first 3 months:	98%
	Tax returns issued within 5 months after receipt of notifications between December and March	first 5 months:	98%

5. COMPANY DEREGISTRATION

<ul style="list-style-type: none"> • Processing of requests for issuance of Notice of No Objection by the Commissioner of Inland Revenue 	Within 21 working days after receipt of applications	first 21 days:	98%
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6. TAX RESERVE CERTIFICATES

<ul style="list-style-type: none"> • Purchase and Redemption 	Within 9 working days after receipt between July and December	first 9 days:	} 99%
	Within 12 working days after receipt between January and June	first 12 days:	

7. NOTICES OF OBJECTION

<ul style="list-style-type: none"> • Acknowledgements of Objection 	Within 12 working days after receipt between May and August	first 12 days:	98%
		next 6 days:	1%
	Within 18 working days after receipt between September and April	first 18 days:	98%
		next 6 days:	1%
<ul style="list-style-type: none"> • Processing of Objections 	Notices of settlement of objection*/ Notifications of decision by Assessing Officer** issued within 4 months from the date of receipt of notices of objection	first 4 months:	98%

* Notice of settlement of objection - this includes the notice of revised assessment, notification of refund and the letter notifying the settlement of objection.

** Notification of decision by Assessing Officer - this will advise that the objection cannot be settled and at the same time will either seek further information, propose a basis of settlement of objection, propose the withdrawal of objection or notify the submission of the case for determination.

8. TAX HOLDOVER CLAIMS

<ul style="list-style-type: none"> • Reply to claims 	Within 12 working days after receipt of applications	first 12 days:	98%
		next 6 days:	1%

9. TAX PAYMENT

<ul style="list-style-type: none"> Issue receipts for tax payments made by electronic means 	Issued within 4 working days after receipt of payment made between July and November	first 4 days: } first 6 days: }	99%
	Issued within 6 working days after receipt of payment made between December and June		
<p>From January 2009 onwards, no receipts in paper form will be issued for Salaries Tax, Property Tax for solely owned properties, Profits Tax for sole proprietorship businesses and tax under Personal Assessment paid through the post or electronic means. However, electronic receipts in respect of such payments will be issued to eTAX Account holders via their eTAX accounts.</p>			

10. REFUNDS OF TAX

<ul style="list-style-type: none"> Arising from overpayment of tax in excess of the amount demanded 	Within 21 working days after the date of receipt of the tax overpaid	first 21 days:	98%
<ul style="list-style-type: none"> Arising from revision of assessment 	Within 12 working days after the date of issue of notification to revise assessment	first 12 days:	98%

11. TAX AUDIT AND INVESTIGATION

<ul style="list-style-type: none"> Processing of field audit and investigation cases 	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%
<p>For commencement of the pledge, the starting date will apply as follows:</p> <ul style="list-style-type: none"> * 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. 		

12. STAMP DUTY

<ul style="list-style-type: none"> Stamping of assignments, sale and purchase agreements and lease agreements through GovHK[#] 	<u>Payment by on-line mode</u> Issued instantly through GovHK after receipt of stamp duty	instant:	98%
	<u>Payment by off-line mode</u> Issued within 2 working days through GovHK after receipt of stamp duty	first 2 days:	98%
<ul style="list-style-type: none"> Processing of requests for stamping of assignments and sale and purchase agreements 	Within 5 working days after receipt of applications	first 5 days:	98%
<ul style="list-style-type: none"> Stamping of contract notes and lease agreements 	Within same day after receipt of full information	same day:	98%
<p>A longer time, varying with complexity, is required for property valuation cases.</p>			
<ul style="list-style-type: none"> Processing of claims for exemption (for transfers between group companies) 	Within 3 months after receipt of claims and substantive information	first 3 months: 85% next 9 months: 10%	

13. BUSINESS REGISTRATION

<ul style="list-style-type: none"> • New certificates <ul style="list-style-type: none"> - Applications over the counter* - Applications by post or through GovHK# 	Issued within 30 minutes after receipt of properly completed applications	first 30 minutes:	99%
	Issued within 2 working days after receipt of properly completed applications	first 2 days:	99%
<ul style="list-style-type: none"> • Certified Extracts of Information 	Issued within the next working day after receipt of properly completed applications	next day:	99%
<ul style="list-style-type: none"> • Change of business registration particulars <ul style="list-style-type: none"> - Notifications over the counter* - Notifications by post or through GovHK# 	Updated within 30 minutes after receipt of notification of change and full information	first 30 minutes:	97%
	Updated within 5 working days after receipt of notification of change and full information	first 5 days:	99%
* Not applicable to the applications and notifications submitted to the Receipt and Despatch Centre located in the Companies Registry.			

14. eTAX Account

<ul style="list-style-type: none"> • Issue of Access Code Notice <ul style="list-style-type: none"> - Applications through GovHK# • Issue electronic receipts for tax payments made by electronic means 	Issued within 2 working days after receipt of applications	first 2 days:	95%
	Issued within 2 working days after receipt of payment	first 2 days:	99%

15. COMPLAINTS

<ul style="list-style-type: none"> • Handling of Complaints 	Interim replies made within 7 working days after receipt of complaints	first 7 days:	99%
	Substantive replies made within 15 working days after receipt of complaints	first 15 days:	99%

Improved/changed targets and new pledges are printed in red.

Electronic services are provided through the Internet under eTAX at GovHK.

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.

The Public's Role

We welcome any comments or suggestions you may have on the way in which these services are handled. These should be addressed 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

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>.