

Ngoepe appointed as new tax ombudsman

By [Chantelle Benjamin](#)

Retired Judge Bernard Ngoepe said during his appointment as SA's new tax ombudsman that he would like to create confidence with the public.



Judge Bernard Ngoepe. (M&G)

Newly appointed tax ombudsman retired Judge Bernard Ngoepe said on Thursday that his biggest challenge will be creating confidence in the newly established office so the public feel they have someone to assist them with their grievances against the South African Revenue Service (Sars).

"It is important for people to feel that there is now an office that will listen to their complaints with the Sars will do something to resolve them.

"We won't be able to satisfy all the people who approach us, but we will certainly assist where we can when it comes to issues of tax."

The office is mandated to deal with administrative and service and procedure complaints, and has already resolved its first complaint.

Ngoepe was speaking at a breakfast hosted by the South African Institute of Tax Professionals.

Former president of the high court of South Africa, Ngoepe was appointed on October 1 by Finance minister Pravin Gordhan on a three year term.

Low-cost mechanism

The ombud's office was set up under the Tax Administration Act with the intention of providing taxpayers with a low-cost mechanism to address administrative difficulties that could

not be resolved by Sars.

The act limits the ombudsman's powers to some extent in that he cannot review legislation or tax policy or Sars policy which does not pertain to a service matter or a procedural or administrative matter, but Ngoepe said he intends to hold Sars to account through his monthly reports that he will be submitting to the Finance minister.

"The report will not stay with the minister but will also be presented to Parliament," he said.

The report will also contain an outline of the main complaints and the progress around those complaints. The act requires that Ngoepe, who reports to the minister, report to parliament any service delivery failures by Sars.

Benric Croome, a senior executive at ENS and a tax expert said that it was general in most countries to restrict the jurisdiction of the ombudsman, but that there were indications in the UK that awareness that they would have to account to the House of Commons had led to a better performance from the tax authorities like Sars.