

Tax Information and Impact Notes guidance - overview

A Tax Information and Impact Note (TIIN) is the primary document informing customers including tax professionals about proposed tax policy and NICs changes. At fiscal events TIINs are particularly important to tax advisors who use them to advise clients about the effect of announcements.

TIINs are the vehicle through which the final tax impact assessment is published. To produce the TIA follow the tax impact assessment (TIA) process as you develop your policy.

In addition to the TIA, the TIIN also sets out legislative changes. Those changes will normally be changes to the Taxes Acts (following the Interpretation Act 1978 definition) or in material which would be in scope for inclusion in a Finance Act, or to NICs. But TIINs should also be produced for other legislative changes where the change will be seen as a change to Tax or NICs and is a policy announcement at a fiscal event. If you have such an announcement and you do not want to produce a TIIN then you need to provide a standard cross government impact assessment (to be published as a supplementary document). Where this is needed you may need to factor in additional time to obtain clearance from the Reducing Regulation Committee (RRC) or Regulatory Policy Committee (RPC). See guidance at <https://www.gov.uk/government/collections/impact-assessments-guidance-for-government-departments>

Is there a need for a TIIN?

HMRC and HMT have made an undertaking to publish TIINs for all substantive tax and NICs policy changes, this was announced by a Written Ministerial Statement to Parliament on 15 March 2011. These will normally be changes requiring primary or secondary legislation.

However a tax information and impact note is not usually published alongside a routine legislative change that gives effect to previously announced policy which has already been impacted. For example, a TIIN is not required for:

- appointed day orders
- secondary legislation enacting double taxation treaties
- secondary legislation not laid before Parliament

However, where secondary legislation is made that expands on or flows from a Budget announcement, we should put out a TIIN to let customers know what we are trying to do and why.

Changes to rates and thresholds will almost always have a TIIN. This is a change to practice that prevailed before 2015. For a change to mean that no TIIN is needed the change would have to have no cost/yield and/or there would be no change in primary or secondary legislation. Where a policy is significant enough to be announced as final at a fiscal event it should have a TIIN, subject to the exceptions above.

At what point in the process should a TIIN be published?

A TIIN is published when the policy design is 'final or near final'. For almost all cases this will be at the point at which we publish draft primary or secondary legislation, for example in the autumn when draft clauses for the Finance Bill are normally published.

If there is no consultation on draft legislation the TIIN should be published alongside the announcement of the final policy; for example on Budget Day, or alongside the final legislation.

At fiscal events, a TIIN should be published if the announcement is final even if the legislation is not ready on the day of the announcement. For example if we intend to lay regulations to implement an announcement, or amend a tax legislation that is not part of the Finance Bill itself, we should publish the TIIN at the time of the announcement. This ensures that TIINs are almost all published alongside fiscal events (Autumn Statement or Budget) and are not spread out through the year. TIINs at Autumn Statement are published on L day unless the legislation takes effect on the day of the Autumn Statement. TIINs for Budget are published on Budget day.

If you are in doubt about whether a TIIN is due alongside an announcement think through whether the policy is final. If we can explain the policy in enough detail to fill in a TIIN alongside the announcement then a TIIN is due. If for example we are going to make another submission only for permission to publish legislation (including regulations) then a TIIN should be prepared for publication at the time of the fiscal event (and not held back until the regulations are issued).

Where policy is announced outside fiscal events the same rules should apply. The TIIN should follow the definite announcement. But usually this will be when legislation is published (but not in every instance). Central Policy will republish these TIINs in a separate annex at the next following fiscal event as a convenience to stakeholders.

With secondary legislation, TIINs should go out when the legislation is made but can be put out earlier if you chose to consult on a draft for example.

When is a TIIN republished and what does it include?

TIINs are normally published only once to show the effect of the announced policy at the time of the announcement. However sometimes TIINs can change, for example if:

- the policy is changed following an announcement.
- data published as part of a TIIN becomes inaccurate (and we need to correct it).
- the impact assessment is found to be substantially wrong or is changed substantially by amendments during the passage of the Bill.

Whenever we must republish a TIIN, in circumstances where we do not have a whole new measure, we need Ministerial approval. When the TIIN is republished it should show the effect of the policy as a whole and not be limited to the extent of the change. This allows customers to understand what the government has done overall avoiding the need to compare the new TIIN with an old one. The TIIN should clearly indicate how it has changed.

Where the reason for republication is that data in the impact assessment has changed (and Ministers agree to the republication) then KAI should agree the changes. The complete revised data should be published and not just the change.

When republishing the TIIN, engage with the same stakeholders as during the initial drafting, including Central Policy, KAI, etc.

Who publishes TIINs?

The Budget Team arrange for TIINs to be cleared by Ministers and also for the publication at fiscal events. At other times of year the Budget Team should be shown the TIIN in draft but you should arrange for clearance and publish your TIIN yourself through your communications partner.

Further Guidance

The following guidance has been developed to help guide you through drafting your TIIN and the process of sending it.

- TIINs – Process
- TIINs – Structure

Where else can you go for help?

Your team should be the first port of call for the basics as many people will have lots of experience writing TIINs. Delivery Support own the TIA process and are always eager to help both generally and with the table of impacts in particular. The Budget Team are also always happy to help both generally and to advise on the text sections of a TIIN.

Template

You must draft your TIIN using the latest version of the template which is available on the Budget and Finance Bill templates page.

It cannot be repeated strongly enough that you **must ensure** you use the most recent template and not one from a previous year.

Tax Information and Impact Notes guidance - Process

Whilst policy lead (HMT/HMRC) and their SCS team leader are responsible for producing a TIIN to the required standard, Central Policy are responsible for ensuring that TIINs are consistent and complete.

However, whichever department is in the lead (i.e. HMT or HMRC) it is **essential** that the policy partner agrees the final version before it is sent for clearance and publication. Policy partners can agree between themselves how best to divide the work based on the skills and capacity of the HMT/HMRC teams.

Your Delivery Support contact and [redacted] in the Budget Team should be copied into **draft** TIINs. The Budget Team needs to QA the documents **early in the process** and ensure that all policies are being assessed and presented in a consistent manner.

Who can help me fill in the impact boxes?

There are specialist teams who can help you fill in the impact sections of the TIIN. There is a list of contacts for these sections in the TIA guidance. Policy leads must take regard of their thoughts but only the Exchequer Impact boxes are 'owned' (by KAI and the Scorecard Team).

What do I do if I have to change a TIIN that has already been published?

A revised TIIN must be published where there are significant changes to the impacts (as previously published), legislation or policy. Given that TIINs are generally published when the policy is final, the impacts flow from this and new legislative routes rarely appear this should be **very rare**. Examples might include:

- If as a result of consultation on draft legislation in the autumn changes are made which change the impacts of the proposals a revised TIIN must be published.
- If there are significant amendments to legislation during the passage of the Finance Bill or to the legislative strategy during consultation you will need to consider whether this requires amendments to the TIIN.

Where changes to the legislation are made to ensure this fully meets the stated policy objective and there is no change to the policy or impacts a republished TIIN is not usually required. Other material accompanying the legislation will explain that that is the case, and refer users to the previously published TIIN.

If you think you might need to republish a TIIN please contact the Budget Team or your Delivery Support contact.

If you are republishing a TIIN please remember to add a line to the Background' section stating: 'This Tax Information and Impact Note (TIIN) updates and replaces the TIIN published on (date)'.

How do I get my TIIN cleared?

The impacts in a TIIN should be agreed with the specialist teams with responsibility for each impact. The text of TIINs must be agreed with your policy partner and the Budget Team.

TIINs published at Fiscal Events

Your Team Leader (SCS/Deputy Director) should sign off the final TIIN before it is sent to the Budget Team.

The Budget Team will clear all TIINs published at fiscal events with Ministerial offices. Once a final version has been agreed the team will undertake, with HMT, a final proof read (the team should have had an opportunity to make substantive comments at the draft stage); and will then send it to Ministers for their approval.

Publishing on the internet

Delivery Support in the Budget Team will arrange for publication of all TIINs at autumn events or at the Budget. The team will use the version that the Budget Team have arranged to be approved by the Minister.

TIINs published outside of Fiscal Events

Outside of fiscal events you should share your TIIN in draft with the Budget Team before attaching it, finalised and agreed with specialist teams and policy partners, to your submission and request that it receive Ministerial clearance at that time.

Outside of fiscal events, Delivery Support will only deal with TIINs for urgent publication that have been approved by the relevant Minister.

For all other routine publications, you will need to contact your Customer Contact Online Manager and arrange for publication on the TIINs page on GOV.UK. If you want the TIIN to be accessed through other internet pages, you must either arrange this yourself through your Customer Contact Online publishing manager, or include full details of the url and any introductory text in your email.

Central Policy aim to collate TIINs published outside fiscal events for publication alongside the TIINs for the next fiscal event (but only in OLD or OOTLAR or similar, not individually) for the convenience of stakeholders.

It is **absolutely essential** that the TIIN has been approved by the Minister and cleared of properties information and protective markings before it is published.

Publishing hard copies

If your TIIN is being published outside of a fiscal event, it is unlikely that you will be asked to provide hard copies. However, you may be required to provide a paper copy for a committee debate (for example, on an SI draft affirmative process). Please check with [redacted] in the Parliamentary Unit [redacted] about the arrangements for providing this and any other relevant papers.

Other documents

If you have other documents that will be published alongside the TIIN for example, draft legislation, a technical discussion document or a Written Ministerial statement talk to Delivery Support in the first instance about how to ensure the right links are made and that all documents are published at the same time.

Any questions about e-publication should be directed to [redacted] in Delivery Support or your Delivery Support representative.

Tax Information and Impact Notes - Structure, substance and style

What is the style of a TIIN?

A TIIN should be consistent with how the measure is communicated in all other documentation, for example Budget Day documents, and you should prepare the TIIN **in tandem** with these other documents. TIINs should also be consistent as a class which the Budget Team will help you ensure this.

When drafting your TIIN please follow the HMT and GDS style guides.

What should I write in the first section of the TIIN?

The TIIN template contains advice on what to say in each of the different sections. In brief:

- Who is likely to be affected? – which groups and individuals the measure affects directly or indirectly but not how.
- ‘General description of the measure’ – a view of the measure as a whole which anybody could understand.
- ‘Policy objective’ – an outcome focused view of the policy objective as part of the wider tax or government strategy.
- ‘Background to the measure’ – a potted history of the measure covering announcement, consultation and any previous TIINs.
- ‘Operative date’ – the exact time the measure will start to have an effect.
- ‘Current law’ – identify which legislation is changing, which bits relate to which part of the measure, but don’t explain them.
- ‘Proposed revisions’ – say which legislation will change, how it will change and how we will be legislating, remember not to try to copy the EN.

Always use the latest TIIN template available on the guidance templates page. The template is pre-formatted for your convenience, please do not change it. It also contains further guidance on the content.

The Table of Impacts (TOI) is now in text format in the template. This enables CDIO to convert the word version of the TIIN to HTML for publication. For guidance on the content of the impacts sections, including standard wording to use, please see the TIA guidance and the template.