

## **Observatory on the Protection of Taxpayers' Rights**

Below you will find a questionnaire filled in by Leonardo Andrés Bautista Raba, Ombudsman and Ivonne Carolina Florez Cutiva, Attorney at *Office of the National Taxpayer's Rights Advocate of Colombia*, both OPTR National Reporter of Colombia.

This set of questionnaires comprise the National Reporter's assessment on the country practice during 2020 in the protection of taxpayers' rights, and the level of fulfilment of the minimum standards and best practices on the practical protection of taxpayers' rights identified by Prof. Dr. Philip Baker and Prof. Dr. Pasquale Pistone at the 2015 IFA Congress on "The Practical Protection of Taxpayers' Fundamental Rights".

# OPTR - 2020 Questionnaire 1 - Country Practice

Dear National Reporter,

I would like to thank you for your participation in the IBFD's Observatory on the Protection of Taxpayers' Rights (OPTR).

This form collects the information on the practical implementation in domestic law of legal procedures, safeguards and guarantees associated with taxpayers' rights in 82 situations for the practical protection of taxpayers' rights, as monitored by the IBFD Observatory on the Protection of Taxpayers' Rights.

We kindly ask you to assess assertively (yes/no) the level of practical implementation of said procedures, safeguards and guarantees associated with taxpayers' rights in your country. When answering, please bear in mind the actual practice regarding each situation, regardless of whether a given procedure, safeguard or guarantee has been formally adopted in your country.

We would be very grateful if you submit us this questionnaire, duly filled out, by no later than 15 January 2021.

Feel free to contact us for any clarification you may need. We look forward to your valuable contribution to this remarkable project.

Kind regards,

Prof. Dr. Carlos E. Weffe Managing Editor IBFD Observatory on the Protection of Taxpayers' Rights.

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<sup>\*</sup> Better if filled in using Google Chrome © or Mozilla Firefox ©

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Other:

## Questionnaire 1 - Country Practice

#### Instructions:

- 1. Please answer all questions. The form will not allow you to continue/submit your responses until you have answered all questions.
- 2. For assertive questions, please answer with "yes" or "no" by clicking on the corresponding button.
- 3. For questions that require you to specify a period of time (namely, Q. 26 and Q. 45), please select the time applicable in your country to carry out the procedures indicated in the questions in practice, within the options provided.
- 4. For questions with more than one possible answer (namely, Q. 56), please check all necessary boxes to reflect better the practical situation of your country regarding the issue, by clicking on them.

5. When completed, please submit the survey.
6. Once you have submitted the survey, you will receive an email acknowledging your participation in the OPTR and providing a backup of your answers.
7. The email will also include an "edit your survey" link, in case you want to modify any of your answers. You will receive this email every time you submit partial responses.
8. An option to quit the survey and save your answers is provided at the end of each section.
9. If answering partially, please select "Yes" at the end of the section in which you are to submit your partial answers to the survey. To edit/complete your answers later, please use the "edit your response" link sent to your email after submitting this survey.
10. For editing your answers, please use the last "edit your response" link provided to you via email. Please bear in mind that this is the only way the system will acknowledge your previous answers. If you use a link other than the last one provided, some (or all) changes might not be retrieved by the system.
11. When clicking on the last "edit your response" link, the system will lead you to the front page of the survey. Click on "Next" as many times as needed to get to the section you want to continue in. Once you have reached said section, please remember to change your answer to the question "Do you want to save your results and quit?" to "No", in order to be able to continue.
Area 1 - Identification of taxpayers, issuing tax returns and communicating with taxpayers
1. Do taxpayers have the right to see the information held about them by the tax authority? *
Yes
○ No
2. If yes, can they request the correction of errors in the information? *

Not applicable (click here if you answered "No" to the previous question)

Yes

No

3. Is it possible in your country for taxpayers to communicate electronically with the tax authority? *
Yes
O No
4. If yes, are there systems in place to prevent unauthorised access to the channel of communication? *
Yes
O No
5. In your country, is there a system of "cooperative compliance" / "enhanced relationship"which applies to some taxpayers only? *
Yes
O No
6. If yes, are there rules or procedures in place to ensure this system is available to all eligible taxpayers on a non-preferential/non discriminatory/non arbitrary basis? *
Not applicable (click here if you answered "No" to the previous question)
Yes
○ No

7. Are there special arrangements for individuals who face particular difficulties (e.g. the disabled, the elderly, other special cases) to receive assistance in complying with their tax obligations? *
Yes
○ No
Do you want to save your results and quit? *
If "Yes", please submit the form. To edit/complete your answers later, please use the "edit your response" link sent to your email after submitting this form. If not, click "Next" to continue.
Yes
No
Area 2 - The issue of tax assessment
8. Does a dialogue take place in your country between the taxpayer and the tax authority before the issue of an assessment in order to reach an agreed assessment? *
Yes
○ No

Area 3 - Confidentiality

11. Is information held by your tax authority automatically encrypted? *
O Yes
<ul><li>No</li></ul>
12. Is access to information held by the tax authority about a specific taxpayer accessible only to the tax official(s) dealing with that taxpayer's affairs? *
Yes
<ul><li>No</li></ul>
13. If yes, must the tax official identify himself/herself before accessing information held about a specific taxpayer? *
Not applicable (click here if you answered "No" to the previous question)
Yes
O No
14. Is access to information held about a taxpayer audited internally to check if there has been any unauthorised access to that information? *
Yes
○ No

15. Are there examples of tax officials who have been criminally prosecuted in the last decade for unauthorised access to taxpayers' data? *
Yes
No
16. Is information about the tax liability of specific taxpayers publicly available in your country? *
Yes
O No
17. Is "naming and shaming" of non-compliant taxpayers practised in your country? *
Yes
No
18. Is there a system in your country by which the courts may authorise the public disclosure of information held by the tax authority about specific taxpayers (e.g. habeas data or freedom of information? *
Yes
O No

19. Is there a system of protection of legally privileged communications between the taxpayer and its advisors? *	
Please provide separately (via <a href="mailto:optr@ibfd.org">optr@ibfd.org</a> and <a href="mailto:c.weffe@ibfd.org">c.weffe@ibfd.org</a> ) an annexe with the actual wording of relevant excerpts of your country's legislation regarding this matter. Technically accurate translations of such material into English, if possible, would be very appreciated. Thank you.	
Yes	
○ No	
20. If yes, does this extend to advisors other than those who are legally qualified (e.g.	
accountants, tax advisors)? *	
Please provide separately (via <a href="mailto:optr@ibfd.org">optr@ibfd.org</a> and <a href="mailto:c.weffe@ibfd.org">c.weffe@ibfd.org</a> ) an annexe with the actual wording of relevant excerpts of your country's legislation regarding this matter. Technically accurate translations of such material into English, if possible, would be very appreciated. Thank you.	
Not applicable (click here if you answered "No" to the previous question)	
Yes	
○ No	
Do you want to save your results and quit? *  If "Yes", please submit the form. To edit/complete your answers later, please use the "edit your response" link sent to your email after submitting this form. If not, click "Next" to continue.	
○ Yes	
<ul><li>No</li></ul>	

Area 4 - Normal audits

21. Does the principle ne bis in idem apply to tax audits (i.e. that the taxpayer can only receive one audit in respect of the same taxable period)? *
Yes
O No
22. If yes, does this mean only one audit per tax per year? *
Not applicable (click here if you answered "No" to the previous question)
Yes
O No
23. Does the principle audi alteram partem apply in the tax audit process (i.e. does the taxpayer have to be notified of all decisions taken in the process and have the right to object and be heard before the decision is finalised)? *
Yes
○ No
24. Does the taxpayer have the right to request an audit (e.g. if the taxpayer wishes to get finality of taxation for a particular year)? *
Yes
No

25. Are there time limits applicable to the conduct of a normal audit in your country (e.g. the audit must be concluded within so many months? *	
Yes	
O No	
26. If yes, what is the normal limit in months? *	
More than 24 months	
27. Does the taxpayer have the right to be represented by a person of its choice in the audit process? *	
Yes	
O No	
28. May the opinion of independent experts be used in the audit process? *	
Yes	
O No	

29. Does the taxpayer have the right to receive a full report on the conclusions of the audit at the end of the process? *
O Yes
No
30. Are there limits to the frequency of audits of the same taxpayer (e.g. in respect to different periods or different taxes)? *
Yes
No
Do you want to save your results and quit? *
If "Yes", please submit the form. To edit/complete your answers later, please use the "edit your response" link sent to your email after submitting this form. If not, click "Next" to continue.
O Yes
No

Area 5 - More intensive audits

31. Is the principle nemo tenetur applied in tax investigations (i.e. the principle against self-incrimination? *
○ Yes
No
32. If yes, is there a restriction on the use of information supplied by the taxpayer in a subsequent penalty procedure/criminal procedure? *
Not applicable (click here if you answered "No" to the previous question)
O Yes
○ No
33. If yes to nemo tenetur, can the taxpayer raise this principle to refuse to supply basic accounting information to the tax authority? *
Not applicable (click here if you answered "No" to question 31)
Yes
○ No

<ul> <li>Yes</li> <li>No</li> <li>35. If yes, is there a requirement to give the taxpayer a warning that the taxpayer can rely on the right of non-self-incrimination? *</li> <li>Not applicable (click here if you answered "No" to the previous question)</li> <li>Yes</li> <li>No</li> <li>36. Is authorisation by a court always needed before the tax authority may enter and search premises? *</li> <li>Yes</li> <li>No</li> </ul>	investigation when it b	re applied in your country to identify a point in time during an ecomes likely that the taxpayer may be liable for a penalty or a rom that time onwards the taxpayer's right not to self-incriminate is
35. If yes, is there a requirement to give the taxpayer a warning that the taxpayer can rely on the right of non-self-incrimination? *  Not applicable (click here if you answered "No" to the previous question)  Yes  No  No  36. Is authorisation by a court always needed before the tax authority may enter and search premises? *	O Yes	
<ul> <li>Not applicable (click here if you answered "No" to the previous question)</li> <li>Yes</li> <li>No</li> <li>36. Is authorisation by a court always needed before the tax authority may enter and search premises? *</li> <li>Yes</li> </ul>	<ul><li>No</li></ul>	
<ul> <li>Yes</li> <li>No</li> <li>36. Is authorisation by a court always needed before the tax authority may enter and search premises? *</li> <li>Yes</li> </ul>		
<ul> <li>No</li> <li>36. Is authorisation by a court always needed before the tax authority may enter and search premises? *</li> <li>Yes</li> </ul>	Not applicable (click	here if you answered "No" to the previous question)
36. Is authorisation by a court always needed before the tax authority may enter and search premises? *  Yes	Yes	
premises? *  Yes	O No	
		a court always needed before the tax authority may enter and search
No	Yes	
	<ul><li>No</li></ul>	

37. May the tax authority enter and search the dwelling places of individuals? *
Yes  No
38. Is a court order required before the tax authority can use interception of communications (e.g. telephone tapping or access to electronic communications)? *
<ul><li>Yes</li><li>No</li></ul>
39. Is there a procedure in place to ensure that legally privileged material is not taken in the course of a search? *
<ul><li>Yes</li><li>No</li></ul>
Do you want to save your results and quit? *  If "Yes", please submit the form. To edit/complete your answers later, please use the "edit your response" link sent to your email after submitting this form. If not, click "Next" to continue.
Yes  No

40. Is there a procedure for an internal review of an assessment/decision before the taxpayer appeals to the judiciary? *	
Yes	
○ No	
41. Does the taxpayer need permission to appeal to the first instance tribunal? *	
Yes	
No	
42. Does the taxpayer need permission to appeal to the second or higher instance tribunals? *	
○ Yes	
No	

Please provide separately (via <a href="mailto:optr@ibfd.org">optr@ibfd.org</a> and <a href="mailto:c.weffe@ibfd.org">c.weffe@ibfd.org</a>) an annexe with the actual wording of relevant excerpts of your country's legislation regarding this matter. Technically accurate translations of such material into

English, if possible, would be very appreciated. Thank you.

43. Is it necessary for the taxpayer to bring his case first before an administrative court to quash the assessment/decision, before the case can proceed to a judicial hearing? *
○ Yes
<ul><li>No</li></ul>
44. Are there time limits applicable for a tax case to complete the judicial appeal process? *
○ Yes
No
45. If yes, what is the normal time it takes for a tax case to be concluded on appeal? *
There is no limit (click here if you answered "No" to the previous question) ▼
46. Are there any arrangements for alternative dispute resolution (e.g. mediation or arbitration) before a tax case proceeds to the judiciary? *
Yes
○ No

47. Is there a system for the simplified resolution of tax disputes (e.g. by a determination on the file, or by e/filing)? *
Yes
O No
48. Is the principle audi alteram partem (i.e. each party has a right to a hearing) applied in all tax appeals? *
Yes
O No
49. Does the taxpayer have to pay some/all the tax before an appeal can be made (i.e. solve et repete)? *
Yes
No
50. If yes, are there exceptions recognised where the taxpayer does not need to pay before appealing (i.e. can obtain an interim suspension of the tax debt? *
Not applicable (click here if you answered "No" to the previous question)
O Yes
O No

51. Does the loser have to pay the costs in a tax appeal? *
Yes
No
52. If yes, are there situations recognised where the loser does not need to pay the costs (e.g. because of the conduct of the other party)? *
Not applicable (click here if you answered "No" to the previous question)
Yes
○ No
53. If there is usually a public hearing, can the taxpayer request a hearing in camera (i.e. not in public) to preserve secrecy/confidentiality? *
Yes
○ No
54. Are judgments of tax tribunals published? *
Yes
○ No

55. If yes, can the taxpayer preserve its anonymity in the judgment? *
<ul> <li>Not applicable (click here if you answered "No" to the previous question)</li> <li>Yes</li> <li>No</li> </ul>
Do you want to save your results and quit? *  If "Yes", please submit the form. To edit/complete your answers later, please use the "edit your response" link sent to your email after submitting this form. If not, click "Next" to continue.  Yes  No
Area 7 - Criminal and administrative sanctions
56. Does the principle ne bis in idem apply in your country to prevent either: *
The principle does not apply in my country
The imposition of a tax penalty and the tax liability
The imposition of more than one tax penalty for the same conduct
The imposition of a tax penalty and a criminal liability

57. If ne bis in idem is recognised, does this prevent two parallel sets of court proceedings arising from the same factual circumstances (e.g. a tax court and a criminal court)? *
Not applicable (click here if you answered "No" to the previous question)
○ Yes
<ul><li>No</li></ul>
58. If the taxpayer makes a voluntary disclosure of a tax liability, can this result in a reduced
or a zero penalty? *
Yes
○ No
Do you want to save your results and quit? *
If "Yes", please submit the form. To edit/complete your answers later, please use the "edit your response" link sent to your email after submitting this form. If not, click "Next" to continue.
Yes
No

Area 8 - Enforcement of taxes

59. Is a court order always necessary before the tax authorities can access a taxpayer's bank account or other assets? *
Yes  No
60. Does the taxpayer have the right to request a deferred payment of taxes or a payment in instalments (perhaps with a guarantee)? *
Yes
○ No
Do you want to save your results and quit? *
If "Yes", please submit the form. To edit/complete your answers later, please use the "edit your response" link sent to your email after submitting this form. If not, click "Next" to continue.
O Yes
No

Area 9 - Cross-border situations

61. Does the taxpayer have the right to be informed before information relating to him is exchanged in response to a specific request? *
Yes
No
62. Does the taxpayer have a right to be informed before information is sought from third parties in response to a specific request for exchange of information? *
Yes
No
63. If no to either of the previous two questions, did your country previously recognise the right of taxpayers to be informed and was such right removed in the context of the peer review by the Forum on Transparency and Exchange of Information? *
Not applicable (click here if you answered "No" to either question 61 or question 62)
Yes
No

64. Does the taxpayer have the right to be heard by the tax authority before the exchange of information relating to him with another country? *
Yes
No
65. Does the taxpayer have the right to challenge before the judiciary the exchange of information relating to him with another country? *
Yes
No
66. Does the taxpayer have the right to see any information received from another country that relates to him? *
O Yes
No
67. Does the taxpayer have the right in all cases to require a mutual agreement procedure is initiated? *
Yes
O No

68. Does the taxpayer have a right to see the communications exchanged in the context of a mutual agreement procedure? *
Yes
No
Do you want to save your results and quit? *
If "Yes", please submit the form. To edit/complete your answers later, please use the "edit your response" link sent to your email after submitting this form. If not, click "Next" to continue.
Yes
<ul><li>No</li></ul>
Area 10 - Legislation
69. Is there a prohibition on retrospective tax legislation in your country? *
Yes
○ No

70. If no, are there restrictions on the adoption of retrospective tax legislation in your country? *
Not applicable (click here if you answered "Yes" to the previous question)
O Yes
○ No
71. Is there a procedure in your country for public consultation before the adopting of all (or most) tax legislation? *
Yes
No
72. Is tax legislation subject to constitutional review which can strike down unconstitutional laws? *
Yes
O No
Do you want to save your results and quit? *
If "Yes", please submit the form. To edit/complete your answers later, please use the "edit your response" link sent to your email after submitting this form. If not, click "Next" to continue.
O Yes
<ul><li>No</li></ul>

# Area 11 - Revenue practice and guidance

73. Does the tax authority in your country publish guidance (e.g. revenue manuals, circulars, etc.) as to how it applies your tax law? *
Yes
○ No
74. Does your country have a generalised system of advanced rulings available to taxpayers? *
Yes
No
75. If yes, is it legally binding? *
75. If yes, is it legally binding? *  Not applicable (click here if you answered "No" to the previous question)
Not applicable (click here if you answered "No" to the previous question)
<ul><li>Not applicable (click here if you answered "No" to the previous question)</li><li>Yes</li></ul>
<ul><li>Not applicable (click here if you answered "No" to the previous question)</li><li>Yes</li></ul>
<ul> <li>Not applicable (click here if you answered "No" to the previous question)</li> <li>Yes</li> <li>No</li> </ul>
<ul> <li>Not applicable (click here if you answered "No" to the previous question)</li> <li>Yes</li> <li>No</li> <li>No</li> <li>76. If a binding ruling is refused, does the taxpayer have a right to appeal? *</li> </ul>

77. If your country publishes guidance as to how it applies your tax law, can taxpayers acting in good faith rely on that published guidance (i.e. protection of legitimate expectations)? *
Not applicable (click here if you answered "No" to the previous question)
Yes
○ No
Do you want to save your results and quit? *
If "Yes", please submit the form. To edit/complete your answers later, please use the "edit your response" link sent to your email after submitting this form. If not, click "Next" to continue.
○ Yes
No
Area 12 - Institutional framework for protecting taxpayers' rights
78. Is there a taxpayers' charter or taxpayers' bill of rights in your country? *
Please provide separately (via <a href="mailto:org">optr@ibfd.org</a> and <a href="mailto:c.weffe@ibfd.org">c.weffe@ibfd.org</a> ) an annexe with the actual wording of relevant excerpts of your country's legislation regarding this matter. Technically accurate translations of such material into English, if possible, would be very appreciated. Thank you.
Yes
○ No

79. If yes, are its provisions legally effective? *  Please provide separately (via <a href="mailto:optr@ibfd.org">optr@ibfd.org</a> and <a href="mailto:c.weffe@ibfd.org">c.weffe@ibfd.org</a> ) an annexe with the actual wording of relevant excerpts of your country's legislation regarding this matter. Technically accurate translations of such material into English, if possible, would be very appreciated. Thank you.
Not applicable (click here if you answered "No" to the previous question)
Yes
No
80. Is there a (tax) ombudsman / taxpayers' advocate / equivalent position in your country? *
Yes
O No
81. If yes, can the ombudsman intervene in an on-going dispute between the taxpayer and the tax authority (before it goes to court)? *
Not applicable (click here if you answered "No" to the previous question)
Yes
O No

82. If yes to a (tax) ombudsman, is he/she independent from the tax authority? *
Not applicable (click here if you answered "No" to question 80)
Yes
O No

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# OPTR - 2020 Questionnaire 2 - Standards of Protection

Dear National Reporter,

I would like to thank you for your participation in the IBFD Observatory on the Protection of Taxpayers' Rights (OPTR).

This form collects the information on developments occurred in 2020 regarding the implementation of 57 minimum standards and 44 best practices, distributed into 86 benchmarks, for the practical protection of taxpayers' rights as monitored by the OPTR.

We kindly ask you to provide an impartial, non-judgmental summary of events occurred in 2020 that in your opinion affect the level of compliance of a given of minimum standard/best practice in your country. These events may include, without limitation, legislation enacted, administrative rulings and/or circulars issued, case law and tax administration practices implemented, among others, as requested by this form.

You are also kindly required to assess whether the events you described represent either a step towards or a step away from the practical implementation of the given minimum standard/best practice in your country. Full instructions are provided below.

This form should be filled in as soon as any of the events mentioned above occurs and edited as many times as necessary to cover all relevant developments occurred in 2020, until no later than 15 January 2021. We appreciate very much your cooperation in this regard.

Feel free to contact us for any clarification you may need. We look forward to your valuable contribution to this remarkable project.

Kind regards,

Prof. Dr Carlos E. Weffe Managing Editor IBFD Observatory on the Protection of Taxpayers' Rights.

<sup>\*</sup> Better if filled in using Google Chrome © or Mozilla Firefox ©

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Country: *
Colombia
Affiliation *
Taxpayers / Tax Practitioners
Tax Administration
Judiciary  (Tan) One harden and an
(Tax) Ombudsperson  Academia
Other:

## Instructions

1. Please answer all questions. The form will not allow you to continue/submit your responses until you have answered all questions.

- 2. All questions are two or three-tiered (namely, either with parts "MS" and/or "BP", and "S"). They comprise a minimum standard and /or a best practice, and a "summary of relevant facts in 2020", a space for providing a summarized account on facts (legislation enacted, administrative rulings, circulars, case law, tax administration practices), in a non-judgmental way.
- 3. Please Indicate, by clicking on the corresponding button, whether there was an improvement or a decrease of the level of compliance of the relevant standard/best practice in your country in 2020. If there were no changes, please indicate so by clicking on the corresponding button.
- 4. In ALL cases where an assessment of either improvement or decrease is reported, please refer the relevant novelties in the space provided under "summary of relevant facts in 2020", for each question. Please give a summarized account of facts (legislation enacted, administrative rulings, circulars, case law, tax administration practices), in a non-judgmental way. Specify if some content is no longer applicable, due to other developments. If applicable, indicate whether the fact reported is under a minimum standard or fully complies with the best practice. In case there is nothing to report for a given minimum standard/best practice, please answer "no changes".
- 5. If any, make additional, non-judgmental commentaries at the space provided under "summary of relevant facts in 2020".
- 6. Back up your assertions with the relevant documentary materials, if possible. While it is not mandatory, a short summary of such materials in English is appreciated. You are welcomed to send us these materials to our email: <a href="mailto:optr@ibfd.org">optr@ibfd.org</a> and <a href="mailto:c.weffe@ibfd.org">c.weffe@ibfd.org</a>.
- 7. When completed, please submit the survey.
- 8. Once you have submitted the survey, you will receive an email acknowledging your participation in the OPTR and providing a backup of your answers.
- 9. The email will also include an "edit your survey" link, in case you want to modify any of your answers. You will receive this email every time you submit partial responses.
- 10. An option to quit the survey and save your answers is provided at the end of each section. This survey has 12 sections, as many as those identified by Baker and Pistone in their 2015 IFA General Report.
- 11. If answering partially, please select "Yes" at the end of the section in which you are to submit your partial answers to the survey. To edit/complete your answers later, please use the "edit your response" link sent to your email after submitting this survey.
- 12. For editing your answers, please use the last "edit your response" link provided to you via email. Please bear in mind that this is the only way the system will acknowledge your previous answers. If you use a link other than the last one provided, some (or all) changes might not be retrieved by the system.
- 13. When clicking on the last "edit your response" link, the system will lead you to the front page of the survey. Click on "Next" as many times as needed to get to the section you want to continue in. Once you have reached said section, please remember to change your answer to the question "Do you want to save your results and quit?" to "No", in order to be able to continue.

Area 1 - Identification of taxpayers, issuing tax returns and communicating with taxpayers

1 (MS). Implement safeguards to prevent impersonation when issuing a unique identification number *
No changes
Shifted away
○ Shifted towards
1 (S). Summary of relevant facts in 2020  Only if answered "shifted away" or "shifted towards", please give here a summarized account of facts (legislation enacted, administrative rulings, circulars, case law, tax administration practices), in a non-judgmental way. Specify if some content is no longer applicable, due to other developments. If applicable, indicate whether the fact reported is under a minimum standard or fully complies with the best practice. Thank you.
2 (MS). The system of taxpayer identification should take account of religious sensitivities *
No changes
Shifted away
○ Shifted towards
2 (S). Summary of relevant facts in 2020  Only if answered "shifted away" or "shifted towards", please give here a summarized account of facts (legislation enacted, administrative rulings, circulars, case law, tax administration practices), in a non-judgmental way. Specify if some content is no longer applicable, due to other developments. If applicable, indicate whether the fact reported is under a minimum standard or fully complies with the best practice. Thank you.

4 (MS). Where pre/populated returns are used, these should be sent to taxpayers to correct errors. *
O No changes
Shifted away
Shifted towards
4 (S). Summary of relevant facts in 2020  Only if answered "shifted away" or "shifted towards", please give here a summarized account of facts (legislation enacted, administrative rulings, circulars, case law, tax administration practices), in a non-judgmental way. Specify if some content is no longer applicable, due to other developments. If applicable, indicate whether the fact reported is under a minimum standard or fully complies with the best practice. Thank you.  3 million pre-filled tax returns were made available to taxpayers through electronic services. These tax returns incorporated the content of the information reported by third parties and may be modified by the taxpayer according to their economic reality.
5 (MS). Provide a right to access to taxpayers to personal information held about them, and a right to correct inaccuracies. *
No changes
Shifted away
Shifted towards

5 (BP). Publish guidance on taxpayers' rights to access information and correct inaccuracies *
O No changes
Shifted away
Shifted towards
5 (S). Summary of relevant facts in 2020  Only if answered "shifted away" or "shifted towards", please give here a summarized account of facts (legislation enacted, administrative rulings, circulars, case law, tax administration practices), in a non-judgmental way. Specify if some content is no longer applicable, due to other developments. If applicable, indicate whether the fact reported is under a minimum standard or fully complies with the best practice. Thank you.  The tax administration sends an email to Personal Income Tax taxpayers in order to inform them that they are obliged to file their tax return and pay, and to inform them how to consult their information reported by third parties.
6 (MS). Where communication with taxpayers is in electronic form, institute systems to prevent impersonation or interception *
O No changes
Shifted away
Shifted towards

6 (S). Summary of relevant facts in 2019  Only if answered "shifted away" or "shifted towards", please give here a summarized account of facts (legislation enacted, administrative rulings, circulars, case law, tax administration practices), in a non-judgmental way. Specify if some content is no longer applicable, due to other developments. If applicable, indicate whether the fact reported is under a minimum standard or fully complies with the best practice. Thank you.  A module for consulting the veracity of emails was incorporated into the DIAN mobile app.
7 (MS). Where a system of "cooperative compliance" operates, ensure it is available on a non-discriminatory and voluntary basis *
No changes
Shifted away
Shifted towards
7 (S). Summary of relevant facts in 2019  Only if answered "shifted away" or "shifted towards", please give here a summarized account of facts (legislation
enacted, administrative rulings, circulars, case law, tax administration practices), in a non-judgmental way. Specify if some content is no longer applicable, due to other developments. If applicable, indicate whether the fact reported is under a minimum standard or fully complies with the best practice. Thank you.
enacted, administrative rulings, circulars, case law, tax administration practices), in a non-judgmental way. Specify if some content is no longer applicable, due to other developments. If applicable, indicate whether the fact reported is
enacted, administrative rulings, circulars, case law, tax administration practices), in a non-judgmental way. Specify if some content is no longer applicable, due to other developments. If applicable, indicate whether the fact reported is under a minimum standard or fully complies with the best practice. Thank you.  8 (MS). Provide assistance for those who face difficulties in meeting compliance obligations, including those with disabilities, those located in remote areas, and those unable or
enacted, administrative rulings, circulars, case law, tax administration practices), in a non-judgmental way. Specify if some content is no longer applicable, due to other developments. If applicable, indicate whether the fact reported is under a minimum standard or fully complies with the best practice. Thank you.  8 (MS). Provide assistance for those who face difficulties in meeting compliance obligations, including those with disabilities, those located in remote areas, and those unable or unwilling to use electronic forms of communication *

8 (S). Summary of relevant facts in 2020
Only if answered "shifted away" or "shifted towards", please give here a summarized account of facts (legislation enacted, administrative rulings, circulars, case law, tax administration practices), in a non-judgmental way. Specify if some content is no longer applicable, due to other developments. If applicable, indicate whether the fact reported is under a minimum standard or fully complies with the best practice. Thank you.
As of March, the face-to-face provision of customer assistance was suspended as a measure adopted by the National Government for the prevention and mitigation of COVID-19. Consequently, virtual media service has been expanded and this has become the primary way in which DIAN assists those who have difficulty meeting compliance obligations.

Do you want to save your results and quit? *
If "Yes", please submit the form. To edit/complete your answers later, please use the "edit your response" link sent to your email after submitting this form. If not, click "Next" to continue.
O Yes
<ul><li>No</li></ul>
Area 2 - The issue of tax assessment
9 (BP). Establish a constructive dialogue between taxpayers and revenue authorities to ensure a fair assessment of taxes based on equality of arms *
No changes
Shifted away
Shifted towards

9 (S). Summary of relevant facts in 2020  Only if answered "shifted away" or "shifted towards", please give here a summarized account of facts (legislation enacted, administrative rulings, circulars, case law, tax administration practices), in a non-judgmental way. Specify if some content is no longer applicable, due to other developments. If applicable, indicate whether the fact reported is under a minimum standard or fully complies with the best practice. Thank you.
10 (BP). Use e-filing to speed up assessments and correction of errors, particularly systematic errors *
No changes
Shifted away
Shifted towards
10 (S). Summary of relevant facts in 2020  Only if answered "shifted away" or "shifted towards", please give here a summarized account of facts (legislation enacted, administrative rulings, circulars, case law, tax administration practices), in a non-judgmental way. Specify if some content is no longer applicable, due to other developments. If applicable, indicate whether the fact reported is under a minimum standard or fully complies with the best practice. Thank you.
Do you want to save your results and quit? *  If "Yes", please submit the form. To edit/complete your answers later, please use the "edit your response" link sent to your email after submitting this form. If not, click "Next" to continue.
O Yes
<ul><li>No</li></ul>

<ul> <li>attainable. *</li> <li>No changes</li> <li>Shifted away</li> <li>Shifted towards</li> </ul>		
Shifted towards  11 (BP). Encrypt information held by a tax authority about taxpayers to the highest level attainable. *  No changes Shifted away Shifted towards	No changes	
11 (BP). Encrypt information held by a tax authority about taxpayers to the highest level attainable. *  No changes Shifted away Shifted towards	Shifted away	
<ul><li>Shifted away</li><li>Shifted towards</li></ul>	Shifted toward	ls
Shifted away Shifted towards		nformation held by a tax authority about taxpayers to the highest level
Shifted towards	No changes	
	Shifted away	
44 (6), 6	Shifted toward	ls
11 (S). Summary of relevant facts in 2020	11 (S). Summary (	of relevant facts in 2020
Only if answered "shifted away" or "shifted towards", please give here a summarized account of facts (legislation enacted, administrative rulings, circulars, case law, tax administration practices), in a non-judgmental way. Specify if some content is no longer applicable, due to other developments. If applicable, indicate whether the fact reported is under a minimum standard or fully complies with the best practice. Thank you.	enacted, administrativ some content is no lo	e rulings, circulars, case law, tax administration practices), in a non-judgmental way. Specify if nger applicable, due to other developments. If applicable, indicate whether the fact reported is

12 (MS). Introduce an offence for tax officials covering up unauthorised disclosure of confidential information. *
No changes
Shifted away
Shifted towards
12 (S). Summary of relevant facts in 2020
Only if answered "shifted away" or "shifted towards", please give here a summarized account of facts (legislation enacted, administrative rulings, circulars, case law, tax administration practices), in a non-judgmental way. Specify if some content is no longer applicable, due to other developments. If applicable, indicate whether the fact reported is under a minimum standard or fully complies with the best practice. Thank you.
13 (MS). Restrict access to data to those officials authorised to consult it. For encrypted data, use digital access codes. *
No changes
Shifted away
Shifted towards

13 (BP). Ensure an effective fire-wall to prevent unauthorised access to data held by revenue authorities. *
No changes
Shifted away
Shifted towards
13 (S). Summary of relevant facts in 2020  Only if answered "shifted away" or "shifted towards", please give here a summarized account of facts (legislation enacted, administrative rulings, circulars, case law, tax administration practices), in a non-judgmental way. Specify if some content is no longer applicable, due to other developments. If applicable, indicate whether the fact reported is under a minimum standard or fully complies with the best practice. Thank you.
14 (MS). Audit data access periodically to identify cases of unauthorised access. *
No changes
Shifted away
Shifted towards
14 (S). Summary of relevant facts in 2020  Only if answered "shifted away" or "shifted towards", please give here a summarized account of facts (legislation enacted, administrative rulings, circulars, case law, tax administration practices), in a non-judgmental way. Specify if some content is no longer applicable, due to other developments. If applicable, indicate whether the fact reported is under a minimum standard or fully complies with the best practice. Thank you.

15 (MS). Introduce administrative measures emphasizing confidentiality to tax officials. *
No changes
Shifted away
○ Shifted towards
15 (BP). Appoint data protection/privacy officers at senior level and local tax offices. *
No changes
Shifted away
○ Shifted towards
15 (S). Summary of relevant facts in 2020
Only if answered "shifted away" or "shifted towards", please give here a summarized account of facts (legislation enacted, administrative rulings, circulars, case law, tax administration practices), in a non-judgmental way. Specify if some content is no longer applicable, due to other developments. If applicable, indicate whether the fact reported is under a minimum standard or fully complies with the best practice. Thank you.
16 (MS). If a breach of confidentiality occurs, investigate fully with an appropriate level of seniority by independent persons (e.g. judges). *
No changes
Shifted away
○ Shifted towards

16 (S). Summary of relevant facts in 2020  Only if answered "shifted away" or "shifted towards", please give here a summarized account of facts (legislation enacted, administrative rulings, circulars, case law, tax administration practices), in a non-judgmental way. Specify if some content is no longer applicable, due to other developments. If applicable, indicate whether the fact reported is under a minimum standard or fully complies with the best practice. Thank you.
17 (MS). Provide remedies for taxpayers who are victims of unauthorised disclosure of confidential information. *
No changes
Shifted away
Shifted towards
17 (S). Summary of relevant facts in 2020  Only if answered "shifted away" or "shifted towards", please give here a summarized account of facts (legislation enacted, administrative rulings, circulars, case law, tax administration practices), in a non-judgmental way. Specify if some content is no longer applicable, due to other developments. If applicable, indicate whether the fact reported is under a minimum standard or fully complies with the best practice. Thank you.
18 (MS). Exceptions to the general rule of confidentiality should be explicitly stated in the law, narrowly drafted and interpreted. *
O No changes
Shifted away
Shifted towards

18 (S). Summary of relevant facts in 2020
Only if answered "shifted away" or "shifted towards", please give here a summarized account of facts (legislation enacted, administrative rulings, circulars, case law, tax administration practices), in a non-judgmental way. Specify if some content is no longer applicable, due to other developments. If applicable, indicate whether the fact reported is under a minimum standard or fully complies with the best practice. Thank you.
By Internal Circular 26 of 2020, the rules on transparency and confidentiality of information were compiled to guide the work of Tax Administration officials.

19 (MS). If "naming and shaming" is employed, ensure adequate safeguards (e.g. judicial authorisation after proceedings involving the taxpayer). *
No changes
Shifted away
Shifted towards
19 (BP). Require judicial authorisation before any disclosure of confidential information by revenue authorities *
revenue authorities *
revenue authorities *  No changes

## 19 (S). Summary of relevant facts in 2020

Only if answered "shifted away" or "shifted towards", please give here a summarized account of facts (legislation enacted, administrative rulings, circulars, case law, tax administration practices), in a non-judgmental way. Specify if some content is no longer applicable, due to other developments. If applicable, indicate whether the fact reported is under a minimum standard or fully complies with the best practice. Thank you.

	). No disclosure of confidential taxpayer information to politicians, or where it might d for political purposes. *
<ul><li>No</li></ul>	changes
Shi	fted away
Shi	fted towards
officials	. Parliamentary supervision of revenue authorities should involve independent s, subject to confidentiality obligations, examining specific taxpayer data, and then ng to Parliament. *
<ul><li>No</li></ul>	changes
○ Shi	fted away
○ Shi	fted towards
20 (S). S	Summary of relevant facts in 2020
enacted, a	swered "shifted away" or "shifted towards", please give here a summarized account of facts (legislation administrative rulings, circulars, case law, tax administration practices), in a non-judgmental way. Specify if a non-judgmental way if a non-

21 (MS). Freedom of information legislation may allow a taxpayer to access information about himself. However, access to information by third parties should be subject to stringent safeguards: only if an independent tribunal concludes that the public interest in disclosure outweighs the right of confidentiality, and only after a hearing where the taxpayer has an opportunity to be heard. *
<ul><li>No changes</li><li>Shifted away</li><li>Shifted towards</li></ul>
21 (S). Summary of relevant facts in 2020  Only if answered "shifted away" or "shifted towards", please give here a summarized account of facts (legislation enacted, administrative rulings, circulars, case law, tax administration practices), in a non-judgmental way. Specify if some content is no longer applicable, due to other developments. If applicable, indicate whether the fact reported is under a minimum standard or fully complies with the best practice. Thank you.  In 2020, the cases in which the taxpayer was not allowed to access information about himself increased. This, in the context of the abbreviated procedure established by Decree with force of law 535 of 2020 to process refund requests submitted by taxpayers who were not classified as high risk. Those who were classified as high risk could not know the reasons for that decision.
22 (MS). If published, tax rulings should be anonymised and details that might identify the taxpayer removed. *  No changes Shifted away Shifted towards

22 (BP). Anonymise all tax judgments and remove details that might identify the taxpayer *
<ul><li>No changes</li><li>Shifted away</li></ul>
○ Shifted towards
22 (S). Summary of relevant facts in 2020  Only if answered "shifted away" or "shifted towards", please give here a summarized account of facts (legislation enacted, administrative rulings, circulars, case law, tax administration practices), in a non-judgmental way. Specify if some content is no longer applicable, due to other developments. If applicable, indicate whether the fact reported is under a minimum standard or fully complies with the best practice. Thank you.
23 (MS). Legal professional privilege should apply to tax advice. *  Please provide separately (via <a href="mailto:optr@ibfd.org">optr@ibfd.org</a> ) an annex with the actual wording of relevant excerpts of your country's legislation regarding this matter. Technically accurate translations of such material into English, if possible, would be very appreciated. Thank you.
<ul><li>No changes</li><li>Shifted away</li><li>Shifted towards</li></ul>

23 (BP). Privilege from disclosure should apply to all tax advisors (not just lawyers) who supply similar advice to lawyers. Information imparted in circumstances of confidentiality may be privileged from disclosure. *
Please provide separately (via <a href="mailto:optr@ibfd.org">optr@ibfd.org</a> ) an annex with the actual wording of relevant excerpts of your country's legislation regarding this matter. Technically accurate translations of such material into English, if possible, would be very appreciated. Thank you.
No changes
Shifted away
Shifted towards
23 (S). Summary of relevant facts in 2020
Only if answered "shifted away" or "shifted towards", please give here a summarized account of facts (legislation enacted, administrative rulings, circulars, case law, tax administration practices), in a non-judgmental way. Specify if some content is no longer applicable, due to other developments. If applicable, indicate whether the fact reported is under a minimum standard or fully complies with the best practice. Thank you.
24 (MS). Where tax authorities enter premises which may contain privileged material, arrangements should be made (e.g. an independent lawyer) to protect that privilege. *
Please provide separately (via <a href="mailto:optr@ibfd.org">optr@ibfd.org</a> and <a href="mailto:c.weffe@ibfd.org">c.weffe@ibfd.org</a> ) an annexe with the actual wording of relevant excerpts of your country's legislation regarding this matter. Technically accurate translations of such material into English, if possible, would be very appreciated. Thank you.
No changes
Shifted away
Shifted towards

24 (S). Summary of relevant facts in 2020  Only if answered "shifted away" or "shifted towards", please give here a summarized account of facts (legislation enacted, administrative rulings, circulars, case law, tax administration practices), in a non-judgmental way. Specify if some content is no longer applicable, due to other developments. If applicable, indicate whether the fact reported is under a minimum standard or fully complies with the best practice. Thank you.
Do you want to save your results and quit? *
Yes
No
Area 4 - Normal audits
25 (MS). Audits should respect the following principles: (i) Proportionality. (2) Ne bis in idem (prohibition of double jeopardy). (3) Audi alteram partem (right to be heard before any decision is taken). (4) Nemo tenetur se detegere (principle against self/incrimination). Tax notices issued in violation of these principles should be null and void. *
No changes
Shifted away
Shifted towards

25 (S). Summary of relevant facts in 2020  Only if answered "shifted away" or "shifted towards", please give here a summarized account of facts (legislation enacted, administrative rulings, circulars, case law, tax administration practices), in a non-judgmental way. Specify if some content is no longer applicable, due to other developments. If applicable, indicate whether the fact reported is under a minimum standard or fully complies with the best practice. Thank you.
26 (MS). In application of proportionality, tax authorities may only request for information that is strictly needed, not otherwise available, and must impose least burdensome impact on taxpayers. *
No changes
Shifted away
Shifted towards
26 (S). Summary of relevant facts in 2020  Only if answered "shifted away" or "shifted towards", please give here a summarized account of facts (legislation enacted, administrative rulings, circulars, case law, tax administration practices), in a non-judgmental way. Specify if some content is no longer applicable, due to other developments. If applicable, indicate whether the fact reported is under a minimum standard or fully complies with the best practice. Thank you.
27 (BP). In application of ne bis in idem the taxpayer should only receive one audit per
taxable period, except when facts that become known after the audit was completed. *
No changes
Shift away
Shift towards

27 (S). Summary of relevant facts in 2020	
Only if answered "shifted away" or "shifted towards", please give here a summarized account of facts (legislation enacted, administrative rulings, circulars, case law, tax administration practices), in a non-judgmental way. Specify if some content is no longer applicable, due to other developments. If applicable, indicate whether the fact reported is under a minimum standard or fully complies with the best practice. Thank you.	
28 (MS). In application of audi alteram partem, taxpayers should have the right to attend all relevant meetings with tax authorities (assisted by advisors), the right to provide factual information, and to present their views before decisions of the tax authorities become final.	
O No changes	
Shifted away	
Shifted towards	

## 28 (S). Summary of relevant facts in 2020

Only if answered "shifted away" or "shifted towards", please give here a summarized account of facts (legislation enacted, administrative rulings, circulars, case law, tax administration practices), in a non-judgmental way. Specify if some content is no longer applicable, due to other developments. If applicable, indicate whether the fact reported is under a minimum standard or fully complies with the best practice. Thank you.

Decree with force of law 807 of 2000 provided for the virtual realization of accounting and tax inspections, as well as inspection, surveillance and control visits by the Tax Authority. In this way, it has been possible to continue carrying out audits and guarantee the assistance of taxpayers and their advisers.

29 (MS). In application of nemo tenetur, the right to remain silent should be respected in all tax audits. *
No changes
Shifted away
Shifted towards
29 (S). Summary of relevant facts in 2020  Only if answered "shifted away" or "shifted towards", please give here a summarized account of facts (legislation enacted, administrative rulings, circulars, case law, tax administration practices), in a non-judgmental way. Specify if some content is no longer applicable, due to other developments. If applicable, indicate whether the fact reported is under a minimum standard or fully complies with the best practice. Thank you.
30 (BP). Tax audits should follow a pattern that is set out in published guidelines. *
O No changes
Shifted away
Shifted towards
30 (S). Summary of relevant facts in 2020
Only if answered "shifted away" or "shifted towards", please give here a summarized account of facts (legislation enacted, administrative rulings, circulars, case law, tax administration practices), in a non-judgmental way. Specify if some content is no longer applicable, due to other developments. If applicable, indicate whether the fact reported is under a minimum standard or fully complies with the best practice. Thank you.

31 (BP). A manual of good practice in tax audits should be established at the global level. *
No changes
Shifted away
Shifted towards
31 (S). Summary of relevant facts in 2020  Only if answered "shifted away" or "shifted towards", please give here a summarized account of facts (legislation enacted, administrative rulings, circulars, case law, tax administration practices), in a non-judgmental way. Specify if some content is no longer applicable, due to other developments. If applicable, indicate whether the fact reported is under a minimum standard or fully complies with the best practice. Thank you.
32 (BP). Taxpayers should be entitled to request the start of a tax audit (to obtain finality). *
No changes
Shifted away
Shifted towards
32 (S). Summary of relevant facts in 2020  Only if answered "shifted away" or "shifted towards", please give here a summarized account of facts (legislation enacted, administrative rulings, circulars, case law, tax administration practices), in a non-judgmental way. Specify if some content is no longer applicable, due to other developments. If applicable, indicate whether the fact reported is under a minimum standard or fully complies with the best practice. Thank you.

33 (MS). Where tax authorities have resolved to start an audit, they should inform the taxpayer *
No changes
Shifted away
Shifted towards
33 (BP). Where tax authorities have resolved to start an audit, they should hold an initial meeting with the taxpayer in which they spell out the aims and procedure, together with timescale and targets. They should then disclose any additional evidence in their possession to the taxpayer. *
No changes
Shifted away
○ Shifted towards
33 (S). Summary of relevant facts in 2019  Only if answered "shifted away" or "shifted towards", please give here a summarized account of facts (legislation enacted, administrative rulings, circulars, case law, tax administration practices), in a non-judgmental way. Specify if some content is no longer applicable, due to other developments. If applicable, indicate whether the fact reported is under a minimum standard or fully complies with the best practice. Thank you.

34 (MS). Taxpayers should be informed of information gathering from third parties. *
No changes
Shifted away
Shifted towards
34 (S). Summary of relevant facts in 2020
Only if answered "shifted away" or "shifted towards", please give here a summarized account of facts (legislation enacted, administrative rulings, circulars, case law, tax administration practices), in a non-judgmental way. Specify if some content is no longer applicable, due to other developments. If applicable, indicate whether the fact reported is under a minimum standard or fully complies with the best practice. Thank you.
35 (BP). Reasonable time limits should be fixed for the conduct of audits. *
No changes
Shifted away
Shifted towards
35 (S). Summary of relevant facts in 2020
Only if answered "shifted away" or "shifted towards", please give here a summarized account of facts (legislation enacted, administrative rulings, circulars, case law, tax administration practices), in a non-judgmental way. Specify if some content is no longer applicable, due to other developments. If applicable, indicate whether the fact reported is under a minimum standard or fully complies with the best practice. Thank you.

36 (MS). Technical assistance (including representation) should be available at all stages of the audit by experts selected by the taxpayer. *
No changes
Shifted away
Shifted towards
36 (S). Summary of relevant facts in 2020  Only if answered "shifted away" or "shifted towards", please give here a summarized account of facts (legislation enacted, administrative rulings, circulars, case law, tax administration practices), in a non-judgmental way. Specify if some content is no longer applicable, due to other developments. If applicable, indicate whether the fact reported is under a minimum standard or fully complies with the best practice. Thank you.
37 (MS). The completion of a tax audit should be accurately reflected in a document, notified in its full text to the taxpayer. *
No changes
Shifted away
Shifted towards

37 (BP). The drafting of the final audit report should involve participation by the taxpayer, with the opportunity to correct inaccuracies of facts and to express the taxpayer's view. *
No changes
Shifted away
Shifted towards
37 (S). Summary of relevant facts in 2020  Only if answered "shifted away" or "shifted towards", please give here a summarized account of facts (legislation enacted, administrative rulings, circulars, case law, tax administration practices), in a non-judgmental way. Specify if some content is no longer applicable, due to other developments. If applicable, indicate whether the fact reported is under a minimum standard or fully complies with the best practice. Thank you.
38 (BP). Following an audit, a report should be prepared even if the audit does not result in additional tax or refund. *
No changes
Shifted away
Shifted towards
38 (S). Summary of relevant facts in 2020  Only if answered "shifted away" or "shifted towards", please give here a summarized account of facts (legislation enacted, administrative rulings, circulars, case law, tax administration practices), in a non-judgmental way. Specify if some content is no longer applicable, due to other developments. If applicable, indicate whether the fact reported is under a minimum standard or fully complies with the best practice. Thank you.

Do you want to save your results and quit? *
Yes
No
Area 5 - More intensive audits
39 (BP). More intensive audits should be limited to the extent strictly necessary to ensure an effective reaction to non-compliance. *
No changes
Shifted away
Shifted towards
39 (S). Summary of relevant facts in 2020
Only if answered "shifted away" or "shifted towards", please give here a summarized account of facts (legislation enacted, administrative rulings, circulars, case law, tax administration practices), in a non-judgmental way. Specify if some content is no longer applicable, due to other developments. If applicable, indicate whether the fact reported is under a minimum standard or fully complies with the best practice. Thank you.

40 (MS). If there is point in an audit when it becomes foreseeable that the taxpayer may be liable for a penalty or criminal charge, from that time the taxpayer should have stronger protection of his right to silence, and statements from the taxpayer should not be used in the audit procedure. *
No changes
Shifted away
Shifted towards
40 (S). Summary of relevant facts in 2020  Only if answered "shifted away" or "shifted towards", please give here a summarized account of facts (legislation enacted, administrative rulings, circulars, case law, tax administration practices), in a non-judgmental way. Specify if some content is no longer applicable, due to other developments. If applicable, indicate whether the fact reported is under a minimum standard or fully complies with the best practice. Thank you.
41 (MS). Entering premises or interception of communications should be authorised by the judiciary. *
No changes
Shifted away
Shifted towards

41 (S). Summary of relevant facts in 2020  Only if answered "shifted away" or "shifted towards", please give here a summarized account of facts (legislation enacted, administrative rulings, circulars, case law, tax administration practices), in a non-judgmental way. Specify if some content is no longer applicable, due to other developments. If applicable, indicate whether the fact reported is under a minimum standard or fully complies with the best practice. Thank you.
42 (MS). Authorisation within the revenue authorities should only be in cases of urgency, and subsequently reported to the judiciary for ex-post ratification. *
No changes
Shifted away
Shifted towards
42 (S). Summary of relevant facts in 2020
Only if answered "shifted away" or "shifted towards", please give here a summarized account of facts (legislation enacted, administrative rulings, circulars, case law, tax administration practices), in a non-judgmental way. Specify if some content is no longer applicable, due to other developments. If applicable, indicate whether the fact reported is under a minimum standard or fully complies with the best practice. Thank you.
43 (MS). Inspection of the taxpayer's home should require authorisation by the judiciary and only be given in exceptional cases. *
No changes
Shifted away
○ Shifted towards

43 (BP). Where tax authorities intend to search the taxpayer's premises, the taxpayer should be informed and have an opportunity to appear before the judicial authority, subject to exception where there is evidence of danger that documents will be removed or destroyed.
No changes
Shifted away
Shifted towards
43 (S). Summary of relevant facts in 2020
Only if answered "shifted away" or "shifted towards", please give here a summarized account of facts (legislation enacted, administrative rulings, circulars, case law, tax administration practices), in a non-judgmental way. Specify if some content is no longer applicable, due to other developments. If applicable, indicate whether the fact reported is under a minimum standard or fully complies with the best practice. Thank you.
44 (BP). Access to bank information should require judicial authorisation. *
44 (bi ). Access to bank information should require judicial authorisation.
No changes
Shifted away
○ Shifted towards
44 (S). Summary of relevant facts in 2020
Only if answered "shifted away" or "shifted towards", please give here a summarized account of facts (legislation enacted, administrative rulings, circulars, case law, tax administration practices), in a non-judgmental way. Specify if some content is no longer applicable, due to other developments. If applicable, indicate whether the fact reported is under a minimum standard or fully complies with the best practice. Thank you.

45 (BP). Authorisation by the judiciary should be necessary for the interception of telephone communications and monitoring of internet access. Specialised offices within the judiciary should be established to supervise these actions. *
No changes
Shifted away
Shifted towards
45 (S). Summary of relevant facts in 2020
Only if answered "shifted away" or "shifted towards", please give here a summarized account of facts (legislation enacted, administrative rulings, circulars, case law, tax administration practices), in a non-judgmental way. Specify if some content is no longer applicable, due to other developments. If applicable, indicate whether the fact reported is under a minimum standard or fully complies with the best practice. Thank you.
46 (MS). Seizure of documents should be subject to a requirement to give reasons why seizure is indispensable, and to fix the time when documents will be returned; seizure
should be limited in time. *
No changes
Shifted away
Shifted towards

Only if answered "shifted away" or "shifted towards", please give here a summarized account of facts (legislation enacted, administrative rulings, circulars, case law, tax administration practices), in a non-judgmental way. Specify if some content is no longer applicable, due to other developments. If applicable, indicate whether the fact reported is under a minimum standard or fully complies with the best practice. Thank you.
47 (BP). If data are held on a computer hard drive, then a backup should be made in the presence of the taxpayer's advisors and the original left with the taxpayer. *
No changes
Shifted away
Shifted towards
47 (S). Summary of relevant facts in 2020
Only if answered "shifted away" or "shifted towards", please give here a summarized account of facts (legislation enacted, administrative rulings, circulars, case law, tax administration practices), in a non-judgmental way. Specify if some content is no longer applicable, due to other developments. If applicable, indicate whether the fact reported is under a minimum standard or fully complies with the best practice. Thank you.
48 (MS). Where invasive techniques are applied, they should be limited in time to avoid a disproportionate impact on taxpayers. *
No changes
Shifted away
Shifted towards

48 (S). Summary of relevant facts in 2020  Only if answered "shifted away" or "shifted towards", please give here a summarized account of facts (legislation enacted, administrative rulings, circulars, case law, tax administration practices), in a non-judgmental way. Specify if some content is no longer applicable, due to other developments. If applicable, indicate whether the fact reported is under a minimum standard or fully complies with the best practice. Thank you.
Do you want to save your results and quit? *
○ Yes
No
Area 6 - Reviews and appeals  Please provide separately (via <a href="mailto:optr@ibfd.org">optr@ibfd.org</a> and <a href="mailto:c.weffe@ibfd.org">c.weffe@ibfd.org</a> ) an annexe with the actual wording of relevant excerpts of your country's legislation regarding this matter. Technically accurate translations of such material into English, if possible, would be very appreciated. Thank you.
49 (BP). E-filing of requests for internal review to ensure the effective and speedy handling of the review process. *
O No changes
Shifted away
Shifted towards

49 (S). Summary of relevant facts in 2020
Only if answered "shifted away" or "shifted towards", please give here a summarized account of facts (legislation enacted, administrative rulings, circulars, case law, tax administration practices), in a non-judgmental way. Specify if some content is no longer applicable, due to other developments. If applicable, indicate whether the fact reported is under a minimum standard or fully complies with the best practice. Thank you.
A draft resolution to regulate the electronic submission of applications, appeals and other documents, was published for citizen comment. Once the period for citizen comments is over, the resolution has not yet been issued.
50 (MS). The right to appeal should not depend upon prior exhaustion of administrative reviews. *
No changes
Shifted away
○ Shifted towards
50 (S). Summary of relevant facts in 2020
Only if answered "shifted away" or "shifted towards", please give here a summarized account of facts (legislation enacted, administrative rulings, circulars, case law, tax administration practices), in a non-judgmental way. Specify if some content is no longer applicable, due to other developments. If applicable, indicate whether the fact reported is under a minimum standard or fully complies with the best practice. Thank you.
51 (BP). Reviews and appeals should not exceed two years. *
O No changes
Shifted away
Shifted towards

## 51 (S). Summary of relevant facts in 2020

Only if answered "shifted away" or "shifted towards", please give here a summarized account of facts (legislation enacted, administrative rulings, circulars, case law, tax administration practices), in a non-judgmental way. Specify if some content is no longer applicable, due to other developments. If applicable, indicate whether the fact reported is under a minimum standard or fully complies with the best practice. Thank you.

As a consequence of the quarantine measure adopted to mitigate the Covid-19 pandemic, it was necessary to suspend the terms of the Tax Administration procedures, as well as the judicial processes, for a few months. Reviews and appeals were affected by the suspension decision.

52 (MS). Audi alteram partem should apply in administrative reviews and judicial appeals. *
No changes
Shifted away
Shifted towards
52 (S). Summary of relevant facts in 2020  Only if answered "shifted away" or "shifted towards", please give here a summarized account of facts (legislation enacted, administrative rulings, circulars, case law, tax administration practices), in a non-judgmental way. Specify if some content is no longer applicable, due to other developments. If applicable, indicate whether the fact reported is under a minimum standard or fully complies with the best practice. Thank you.
53 (MS). Where tax must be paid in whole or in part before an appeal, there must be an effective mechanism for providing interim suspension of payment. *
No changes
Shifted away
Shifted towards

53 (BP). An appeal should not require prior payment of tax in all cases. *
No changes
Shifted away
Shifted towards
53 (S). Summary of relevant facts in 2020  Only if answered "shifted away" or "shifted towards", please give here a summarized account of facts (legislation enacted, administrative rulings, circulars, case law, tax administration practices), in a non-judgmental way. Specify if some content is no longer applicable, due to other developments. If applicable, indicate whether the fact reported is under a minimum standard or fully complies with the best practice. Thank you.
54 (BP). The state should bear some or all of the costs of an appeal, whatever the outcome.
No changes
Shifted away
○ Shifted towards
54 (S). Summary of relevant facts in 2020  Only if answered "shifted away" or "shifted towards", please give here a summarized account of facts (legislation enacted, administrative rulings, circulars, case law, tax administration practices), in a non-judgmental way. Specify if some content is no longer applicable, due to other developments. If applicable, indicate whether the fact reported is under a minimum standard or fully complies with the best practice. Thank you.

55 (MS). Legal assistance should be provided for those taxpayers who cannot afford it. *
No changes
Shifted away
Shifted towards
55 (S). Summary of relevant facts in 2020
Only if answered "shifted away" or "shifted towards", please give here a summarized account of facts (legislation enacted, administrative rulings, circulars, case law, tax administration practices), in a non-judgmental way. Specify if some content is no longer applicable, due to other developments. If applicable, indicate whether the fact reported is under a minimum standard or fully complies with the best practice. Thank you.
56 (MS). Taxpayers should have the right to request the exclusion of the public from a tax appeal hearing. *
No changes
Shifted away
Shifted towards
56 (S). Summary of relevant facts in 2020
Only if answered "shifted away" or "shifted towards", please give here a summarized account of facts (legislation enacted, administrative rulings, circulars, case law, tax administration practices), in a non-judgmental way. Specify if some content is no longer applicable, due to other developments. If applicable, indicate whether the fact reported is under a minimum standard or fully complies with the best practice. Thank you.

57 (A). Tax judgments should be published. *
<ul><li>No changes</li><li>Shifted away</li><li>Shifted towards</li></ul>
57 (S). Summary of relevant facts in 2020  Only if answered "shifted away" or "shifted towards", please give here a summarized account of facts (legislation enacted, administrative rulings, circulars, case law, tax administration practices), in a non-judgmental way. Specify if some content is no longer applicable, due to other developments. If applicable, indicate whether the fact reported is under a minimum standard or fully complies with the best practice. Thank you.
Do you want to save your results and quit? *  Yes  No
Area 7 - Criminal and administrative sanctions 58 (MS). Proportionality and ne bis in idem should apply to tax penalties. *
<ul><li>No changes</li><li>Shifted away</li><li>Shifted towards</li></ul>

58 (S). Summary of relevant facts in 2020
Only if answered "shifted away" or "shifted towards", please give here a summarized account of facts (legislation enacted, administrative rulings, circulars, case law, tax administration practices), in a non-judgmental way. Specify if some content is no longer applicable, due to other developments. If applicable, indicate whether the fact reported is under a minimum standard or fully complies with the best practice. Thank you.
59 (BP). Where administrative and criminal sanctions may both apply, only one procedure and one sanction should be applied. *
No changes
Shifted away
Shifted towards
59 (S). Summary of relevant facts in 2020
Only if answered "shifted away" or "shifted towards", please give here a summarized account of facts (legislation enacted, administrative rulings, circulars, case law, tax administration practices), in a non-judgmental way. Specify if some content is no longer applicable, due to other developments. If applicable, indicate whether the fact reported is under a minimum standard or fully complies with the best practice. Thank you.
60 (BP). Voluntary disclosure should lead to reduction of penalties. *
No changes
Shifted away
Shifted towards

60 (S). Summary of relevant facts in 2020  Only if answered "shifted away" or "shifted towards", please give here a summarized account of facts (legislation enacted, administrative rulings, circulars, case law, tax administration practices), in a non-judgmental way. Specify if some content is no longer applicable, due to other developments. If applicable, indicate whether the fact reported is under a minimum standard or fully complies with the best practice. Thank you.
61 (MS). Sanctions should not be increased simply to encourage taxpayers to make voluntary disclosures. *
No changes
Shifted away
Shifted towards
61 (S). Summary of relevant facts in 2020  Only if answered "shifted away" or "shifted towards", please give here a summarized account of facts (legislation enacted, administrative rulings, circulars, case law, tax administration practices), in a non-judgmental way. Specify if some content is no longer applicable, due to other developments. If applicable, indicate whether the fact reported is under a minimum standard or fully complies with the best practice. Thank you.
Do you want to save your results and quit? *
Yes
No

Please provide separately (via <a href="mailto:optr@ibfd.org">optr@ibfd.org</a> and <a href="mailto:c.weffe@ibfd.org">c.weffe@ibfd.org</a>) an annexe with the actual wording of relevant excerpts of your country's legislation regarding this matter. Please be particularly aware of regulations on the COVID-19 pandemic. Technically accurate translations of such material into English, if possible, would be very appreciated. Thank you.

62 (MS). Collection of taxes should never deprive taxpayers of their minimum necessary for living. *
O No changes
Shifted away
Shifted towards

## 62 (S). Summary of relevant facts in 2020

Only if answered "shifted away" or "shifted towards", please give here a summarized account of facts (legislation enacted, administrative rulings, circulars, case law, tax administration practices), in a non-judgmental way. Specify if some content is no longer applicable, due to other developments. If applicable, indicate whether the fact reported is under a minimum standard or fully complies with the best practice. Thank you.

Due to the economic difficulties associated with the COVID-19 pandemic, the tax authority ordered the postponement of the date of fulfillment of some tax obligations for certain groups of taxpayers.

These postponement measures included the filing of tax information by third parties, the filing of income tax and VAT tax returns, the payment of income tax, the reduction of the income tax advance, and the reduction of withholdings. Measures included the presentation of tax information by third parties, the presentation of tax returns for income tax and VAT, the payment of income tax, the reduction of the advance payment of income tax, and the reduction of withholdings.

<ul> <li>No changes</li> <li>Shifted away</li> <li>Shifted towards</li> </ul> 63 (S). Summary of relevant facts in 2020 Only if answered "shifted away" or "shifted towards", please give here a summarized account of facts (legislation enacted, administrative rulings, circulars, case law, tax administration practices), in a non-judgmental way. Specify if
Shifted towards  63 (S). Summary of relevant facts in 2020  Only if answered "shifted away" or "shifted towards", please give here a summarized account of facts (legislation enacted, administrative rulings, circulars, case law, tax administration practices), in a non-judgmental way. Specify if
63 (S). Summary of relevant facts in 2020  Only if answered "shifted away" or "shifted towards", please give here a summarized account of facts (legislation enacted, administrative rulings, circulars, case law, tax administration practices), in a non-judgmental way. Specify if
Only if answered "shifted away" or "shifted towards", please give here a summarized account of facts (legislation enacted, administrative rulings, circulars, case law, tax administration practices), in a non-judgmental way. Specify if
Only if answered "shifted away" or "shifted towards", please give here a summarized account of facts (legislation enacted, administrative rulings, circulars, case law, tax administration practices), in a non-judgmental way. Specify if
some content is no longer applicable, due to other developments. If applicable, indicate whether the fact reported is under a minimum standard or fully complies with the best practice. Thank you.
64 (MS). Taxpayers should have the right to request delayed payment of arrears. *
O No changes
Shifted away
Shifted towards

## 64 (S). Summary of relevant facts in 2020

Only if answered "shifted away" or "shifted towards", please give here a summarized account of facts (legislation enacted, administrative rulings, circulars, case law, tax administration practices), in a non-judgmental way. Specify if some content is no longer applicable, due to other developments. If applicable, indicate whether the fact reported is under a minimum standard or fully complies with the best practice. Thank you.

Due to the economic difficulties associated with the COVID-19 pandemic, the requirements for granting payment extension for taxes generated during 2020 were relaxed.

In effect, the taxpayer must only attach to his request, a certification issued by the legal representative on the financial situation, without the need to provide a guarantee of compliance.

65 (BP). Bankruptcy of taxpayers should be avoided, by partial remission of the debt or
structured plans for deferred payment. *
No changes

- Shifted away
- Shifted towards

## 65 (S). Summary of relevant facts in 2020

Only if answered "shifted away" or "shifted towards", please give here a summarized account of facts (legislation enacted, administrative rulings, circulars, case law, tax administration practices), in a non-judgmental way. Specify if some content is no longer applicable, due to other developments. If applicable, indicate whether the fact reported is under a minimum standard or fully complies with the best practice. Thank you.

Decree with the force of law 560 of 2020 established specific measures to facilitate companies in restructuring processes to comply with their tax obligations during 2020. Thus, the reduction of the withholding rate was foreseen, the obligation to pay was eliminated the advance payment of corporate income tax, and the obligation to calculate presumptive taxes for income tax.

66 (MS). Temporary suspension of tax enforcement should follow natural disasters. *  Please provide separately (via optr@ibfd.org and c.weffe@ibfd.org) an annexe with the actual wording of relevant excerpts of your country's legislation regarding this matter. Please be particularly aware of regulations on the COVID-19 pandemic. Technically accurate translations of such material into English, if possible, would be very appreciated. Thank you.
No changes
Shifted away
Shifted towards
Only if answered "shifted away" or "shifted towards", please give here a summarized account of facts (legislation enacted, administrative rulings, circulars, case law, tax administration practices), in a non-judgmental way. Specify if some content is no longer applicable, due to other developments. If applicable, indicate whether the fact reported is under a minimum standard or fully complies with the best practice. Thank you.  Due to the natural disaster generated by the passage of Hurácan Lota through the Archipelago of San Andrés, Providencia and Santa Catalina, the deadlines for filing and paying local tax returns were postponed and (Act 11 of 2020) and another type was adopted of tax measures such as the creation of tax reliefs.
Do you want to save your results and quit? *
O Yes
No

Area 9 - Cross-border situations

67 (MS). The requesting state should notify the taxpayer of cross-border requests for information, unless it has specific grounds for considering that this would prejudice the process of investigation. The requested state should inform the taxpayer unless it has a reasoned request from the requesting state that the taxpayer should not be informed on grounds that it would prejudice the investigation. *
No changes
Shifted away
Shifted towards
67 (BP). The taxpayer should be informed that a cross-border request for information is to be made. *
No changes
Shifted away
Shifted towards
67 (S). Summary of relevant facts in 2020
Only if answered "shifted away" or "shifted towards", please give here a summarized account of facts (legislation enacted, administrative rulings, circulars, case law, tax administration practices), in a non-judgmental way. Specify if some content is no longer applicable, due to other developments. If applicable, indicate whether the fact reported is under a minimum standard or fully complies with the best practice. Thank you.

68 (BP). Where a cross-border request for information is made, the requested state should also be asked to supply information that assists the taxpayer. *
No changes
Shifted away
Shifted towards
68 (S). Summary of relevant facts in 2020  Only if answered "shifted away" or "shifted towards", please give here a summarized account of facts (legislation enacted, administrative rulings, circulars, case law, tax administration practices), in a non-judgmental way. Specify if some content is no longer applicable, due to other developments. If applicable, indicate whether the fact reported is under a minimum standard or fully complies with the best practice. Thank you.
69 (BP). Provisions should be included in tax treaties setting specific conditions for exchange of information. *
No changes
Shifted away
Shifted towards
69 (S). Summary of relevant facts in 2020  Only if answered "shifted away" or "shifted towards", please give here a summarized account of facts (legislation enacted, administrative rulings, circulars, case law, tax administration practices), in a non-judgmental way. Specify if some content is no longer applicable, due to other developments. If applicable, indicate whether the fact reported is under a minimum standard or fully complies with the best practice. Thank you.

70 (MS). If information is sought from third parties, judicial authorisation should be necessary. *
No changes
Shifted away
Shifted towards
70 (S). Summary of relevant facts in 2020  Only if answered "shifted away" or "shifted towards", please give here a summarized account of facts (legislation enacted, administrative rulings, circulars, case law, tax administration practices), in a non-judgmental way. Specify if some content is no longer applicable, due to other developments. If applicable, indicate whether the fact reported is under a minimum standard or fully complies with the best practice. Thank you.
71 (BP). The taxpayer should be given access to information received by the requesting state. *
No changes
Shifted away
Shifted towards
71 (S). Summary of relevant facts in 2020  Only if answered "shifted away" or "shifted towards", please give here a summarized account of facts (legislation enacted, administrative rulings, circulars, case law, tax administration practices), in a non-judgmental way. Specify if some content is no longer applicable, due to other developments. If applicable, indicate whether the fact reported is under a minimum standard or fully complies with the best practice. Thank you.

72 (BP). Information should not be supplied in response to a request where the originating cause was the acquisition of stolen or illegally obtained information. *
No changes
Shifted away
Shifted towards
72 (S). Summary of relevant facts in 2020  Only if answered "shifted away" or "shifted towards", please give here a summarized account of facts (legislation enacted, administrative rulings, circulars, case law, tax administration practices), in a non-judgmental way. Specify if some content is no longer applicable, due to other developments. If applicable, indicate whether the fact reported is
under a minimum standard or fully complies with the best practice. Thank you.
73 (BP). A requesting state should provide confirmation of confidentiality to the requested state. *
No changes
Shifted away
Shifted towards
73 (S). Summary of relevant facts in 2020
Only if answered "shifted away" or "shifted towards", please give here a summarized account of facts (legislation enacted, administrative rulings, circulars, case law, tax administration practices), in a non-judgmental way. Specify if some content is no longer applicable, due to other developments. If applicable, indicate whether the fact reported is under a minimum standard or fully complies with the best practice. Thank you.

74 (MS). A state should not be entitled to receive information if it is unable to provide independent, verifiable evidence that it observes high standards of data protection. *
No changes
Shifted away
Shifted towards
74 (S). Summary of relevant facts in 2020  Only if answered "shifted away" or "shifted towards", please give here a summarized account of facts (legislation enacted, administrative rulings, circulars, case law, tax administration practices), in a non-judgmental way. Specify if some content is no longer applicable, due to other developments. If applicable, indicate whether the fact reported is under a minimum standard or fully complies with the best practice. Thank you.
75 (BP). For automatic exchange of financial information, the taxpayer should be notified of the proposed exchange in sufficient time to exercise data protection rights. *
No changes
Shifted away
Shifted towards
75 (S). Summary of relevant facts in 2020  Only if answered "shifted away" or "shifted towards", please give here a summarized account of facts (legislation enacted, administrative rulings, circulars, case law, tax administration practices), in a non-judgmental way. Specify if some content is no longer applicable, due to other developments. If applicable, indicate whether the fact reported is under a minimum standard or fully complies with the best practice. Thank you.

76 (BP). Taxpayers should have a right to request initiation of mutual agreement procedure. *
No changes
Shifted away
○ Shifted towards
76 (S). Summary of relevant facts in 2020
Only if answered "shifted away" or "shifted towards", please give here a summarized account of facts (legislation enacted, administrative rulings, circulars, case law, tax administration practices), in a non-judgmental way. Specify if some content is no longer applicable, due to other developments. If applicable, indicate whether the fact reported is under a minimum standard or fully complies with the best practice. Thank you.
77 (MS). Taxpayers should have a right to participate in mutual agreement procedure by being heard and being informed as to the progress of the procedure. *
No changes
Shifted away
Shifted towards
77 (S). Summary of relevant facts in 2020
Only if answered "shifted away" or "shifted towards", please give here a summarized account of facts (legislation enacted, administrative rulings, circulars, case law, tax administration practices), in a non-judgmental way. Specify if some content is no longer applicable, due to other developments. If applicable, indicate whether the fact reported is under a minimum standard or fully complies with the best practice. Thank you.

Do you want to save your results and quit? *
Yes
No
Area 10 - Legislation
78 (MS). Retrospective tax legislation should only be permitted in limited circumstances which are spelt out in detail. *
<ul><li>No changes</li></ul>
Shifted away
Shifted towards
78 (BP). Retrospective tax legislation should ideally be banned completely. *
<ul><li>No changes</li></ul>
Shifted away
Shifted towards
78 (S). Summary of relevant facts in 2020
Only if answered "shifted away" or "shifted towards", please give here a summarized account of facts (legislation enacted, administrative rulings, circulars, case law, tax administration practices), in a non-judgmental way. Specify if some content is no longer applicable, due to other developments. If applicable, indicate whether the fact reported is under a minimum standard or fully complies with the best practice. Thank you.

79 (BP). Public consultation should precede the making of tax policy and tax law. *
O No changes
Shifted away
Shifted towards
79 (S). Summary of relevant facts in 2020
Only if answered "shifted away" or "shifted towards", please give here a summarized account of facts (legislation enacted, administrative rulings, circulars, case law, tax administration practices), in a non-judgmental way. Specify if some content is no longer applicable, due to other developments. If applicable, indicate whether the fact reported is under a minimum standard or fully complies with the best practice. Thank you.
Due to the covid-19 pandemic, the national government declared a state of economic, social and ecological emergency that allowed it to issue numerous decrees with force of law on tax matters. The procedure for the issuance of these decrees does not foresee their prior publication for comments by the citizens.
Do you want to save your results and quit? *
Yes
No

Area 11 - Revenue practice and guidance

80 (MS). Taxpayers should be entitled to access all relevant legal material, comprising legislation, administrative regulations, rulings, manuals and other guidance. *
O No changes
Shifted away
Shifted towards
80 (S). Summary of relevant facts in 2020  Only if answered "shifted away" or "shifted towards", please give here a summarized account of facts (legislation enacted, administrative rulings, circulars, case law, tax administration practices), in a non-judgmental way. Specify if some content is no longer applicable, due to other developments. If applicable, indicate whether the fact reported is under a minimum standard or fully complies with the best practice. Thank you.  Dissemination campaigns for relevant legal material have been increased through short videos, extensive webinars, electronic booklets and publicity pieces.
81 (MS). Where legal material is available primarily on the internet, arrangements should be made to provide it to those who do not have access to the internet. *
No changes
Shifted away
Shifted towards
81 (S). Summary of relevant facts in 2020  Only if answered "shifted away" or "shifted towards", please give here a summarized account of facts (legislation enacted, administrative rulings, circulars, case law, tax administration practices), in a non-judgmental way. Specify if some content is no longer applicable, due to other developments. If applicable, indicate whether the fact reported is under a minimum standard or fully complies with the best practice. Thank you.

82 (MS). Binding rulings should only be published in an anonymised form *		
No changes		
Shifted away		
Shifted towards		
82 (S). Summary of relevant facts in 2020		
Only if answered "shifted away" or "shifted towards", please give here a summarized account of facts (legislation enacted, administrative rulings, circulars, case law, tax administration practices), in a non-judgmental way. Specify if some content is no longer applicable, due to other developments. If applicable, indicate whether the fact reported is under a minimum standard or fully complies with the best practice. Thank you.		
83 (MS). Where a taxpayer relies upon published guidance of a revenue authority which subsequently proves to be inaccurate, changes should apply only prospectively. *		
No changes		
Shifted away		
Shifted towards		
83 (S). Summary of relevant facts in 2020		
Only if answered "shifted away" or "shifted towards", please give here a summarized account of facts (legislation enacted, administrative rulings, circulars, case law, tax administration practices), in a non-judgmental way. Specify if some content is no longer applicable, due to other developments. If applicable, indicate whether the fact reported is under a minimum standard or fully complies with the best practice. Thank you.		

Do you want to save your results and quit? *
○ Yes
No
Area 12 - Institutional framework for protecting taxpayers' rights
84 (MS). Adoption of a charter or statement of taxpayers' rights should be a minimum standard. *
No changes
Shifted away
Shifted towards
84 (BP). A separate statement of taxpayers' rights under audit should be provided to taxpayers who are audited. *
No changes
Shifted away
Shifted towards

Only if answered "shifted away" or "shifted towards", please give here a summarized account of facts (legislation enacted, administrative rulings, circulars, case law, tax administration practices), in a non-judgmental way. Specify if some content is no longer applicable, due to other developments. If applicable, indicate whether the fact reported is under a minimum standard or fully complies with the best practice. Thank you.  85 (BP). A taxpayer advocate or ombudsman should be established to scrutinise the operations of the tax authority, handle specific complaints, and intervene in appropriate cases. Best practice is the establishment of a separate office within the tax authority but independent from normal operations of that authority. *  No changes  Shifted away  Shifted towards  Shifted towards  Shifted away' or "shifted towards", please give here a summarized account of facts (legislation enacted, administrative rulings, circulars, case law, tax administration practices), in a non-judgmental way. Specify if some content is no longer applicable, due to other developments. If applicable, indicate whether the fact reported is under a minimum standard or fully complies with the best practice. Thank you.	84 (S). Summary of relevant facts in 2020		
operations of the tax authority, handle specific complaints, and intervene in appropriate cases. Best practice is the establishment of a separate office within the tax authority but independent from normal operations of that authority. *  No changes  Shifted away  Shifted towards  85 (S). Summary of relevant facts in 2020  Only if answered "shifted away" or "shifted towards", please give here a summarized account of facts (legislation enacted, administrative rulings, circulars, case law, tax administration practices), in a non-judgmental way. Specify if some content is no longer applicable, due to other developments. If applicable, indicate whether the fact reported is	enacted, administrative rulings, circulars, case law, tax administration practices), in a no some content is no longer applicable, due to other developments. If applicable, indicate	n-judgmental way. Specify if	
operations of the tax authority, handle specific complaints, and intervene in appropriate cases. Best practice is the establishment of a separate office within the tax authority but independent from normal operations of that authority. *  No changes  Shifted away  Shifted towards  Shifted towards  Shifted towards  Shifted towards  Shifted towards  Shifted away of relevant facts in 2020  Only if answered "shifted away" or "shifted towards", please give here a summarized account of facts (legislation enacted, administrative rulings, circulars, case law, tax administration practices), in a non-judgmental way. Specify if some content is no longer applicable, due to other developments. If applicable, indicate whether the fact reported is			
Shifted away Shifted towards  Shifted towards  Shifted towards  Shifted towards  Shifted towards in 2020  Only if answered "shifted away" or "shifted towards", please give here a summarized account of facts (legislation enacted, administrative rulings, circulars, case law, tax administration practices), in a non-judgmental way. Specify if some content is no longer applicable, due to other developments. If applicable, indicate whether the fact reported is	operations of the tax authority, handle specific complaints, and intercases. Best practice is the establishment of a separate office within	rvene in appropriate	
Shifted towards  85 (S). Summary of relevant facts in 2020  Only if answered "shifted away" or "shifted towards", please give here a summarized account of facts (legislation enacted, administrative rulings, circulars, case law, tax administration practices), in a non-judgmental way. Specify if some content is no longer applicable, due to other developments. If applicable, indicate whether the fact reported is	No changes		
85 (S). Summary of relevant facts in 2020  Only if answered "shifted away" or "shifted towards", please give here a summarized account of facts (legislation enacted, administrative rulings, circulars, case law, tax administration practices), in a non-judgmental way. Specify if some content is no longer applicable, due to other developments. If applicable, indicate whether the fact reported is	Shifted away		
Only if answered "shifted away" or "shifted towards", please give here a summarized account of facts (legislation enacted, administrative rulings, circulars, case law, tax administration practices), in a non-judgmental way. Specify if some content is no longer applicable, due to other developments. If applicable, indicate whether the fact reported is	Shifted towards		
enacted, administrative rulings, circulars, case law, tax administration practices), in a non-judgmental way. Specify if some content is no longer applicable, due to other developments. If applicable, indicate whether the fact reported is	85 (S). Summary of relevant facts in 2020		
	enacted, administrative rulings, circulars, case law, tax administration practices), in a no some content is no longer applicable, due to other developments. If applicable, indicate	n-judgmental way. Specify if	

86 (BP). The organisational structure for the protection of taxpayers' rights should operate at local level as well as nationally. *		
No changes		
Shifted away		
Shifted towards		
86 (S). Summary of relevant facts in 2020		
Only if answered "shifted away" or "shifted towards", please give here a summarized account of facts (legislation enacted, administrative rulings, circulars, case law, tax administration practices), in a non-judgmental way. Specify if some content is no longer applicable, due to other developments. If applicable, indicate whether the fact reported is under a minimum standard or fully complies with the best practice. Thank you.		

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