

Meeting: IESBA

Meeting Location: New York and Virtual

Meeting Date: December 4-8, 13 and 15, 2023

Agenda Item

3

Tax Planning and Related Services

Objective of Agenda Item

1. To consider, with a view to approval, the final text of the proposed revisions to the *International Code of Ethics for Professional Accountants (including International Independence Standards)* (the Code) relating to the provision of tax planning and related services.

Task Force Members

2. The Task Force comprises:
 - Jens Poll, IESBA Member, Task Force Chair
 - Laurie Endsley, IESBA Vice Chair
 - Sanjiv Chaudhary, IESBA Member
 - Andrew Mintzer, IESBA Member
 - Channa Wijesinghe, IESBA Member

Activities since September 2023 Board Meeting

3. To develop the agenda materials for this meeting, the Task Force met in person and via video conference over the period of October and November 2023. As part of its activities, the Task Force discussed:
 - (a) The input from IESBA members on the summary of significant comments raised on the Exposure Draft, [Proposed Revisions to the Code Addressing Tax Planning And Related Services](#) (ED), and the Task Force's responses at the September 2023 Board meeting (Agenda Item [9-A](#) of the September 2023 meeting);
 - (b) The comments from IESBA participants on the advance draft circulated to the Board in October; and
 - (c) The comments raised by the Public Interest Oversight Board (PIOB) pertaining to this project in its November 2023 list of [public interest issues](#) on IESBA projects.

Discussion with National Standards Setters (NSS)

4. At the IESBA-NSS meeting on November 2, 2023, IESBA staff presented the significant matters raised by respondents to the ED and the Task Force's key proposed revisions to the ED. The Board will be briefed on the NSS Representatives' feedback during the Board meeting.

Matters for Consideration

5. At its [September 2023](#) meeting, the Board generally supported the Task Force's responses to the significant comments received on the ED. The Board provided comments or suggestions for further clarifications and refinements. Agenda Item **3-A** includes the background to, and analysis of, the Task Force's proposals to respond to Board members' feedback. In addition, Agenda Item **3-A** sets out the Task Force's proposed effective date for Sections 280 and 380.
6. Agenda Items **3-B** and **3-C** include the proposed revisions in mark-up from the version posted for the September 2023 IESBA meeting. Agenda Items **3-B** and **3-C** also include in comment boxes the Task Force's responses to key comments received.
7. **Agenda items 3-E and 3-F** include the proposed revisions to the text, marked up from the ED.

Material Presented

For Discussion

Agenda Item 3-A	Issues and Task Force Proposals
Agenda Item 3-B	Proposed Revised Section 380 (Marked up from September 2023)
Agenda Item 3-C	Proposed Revised Section 280 (Marked up from September 2023)
Agenda Item 3-D	Proposed Conforming Amendments (Marked Up Extant Code)

For Reference

Agenda Item 3-E	Proposed Revised Section 380 (Marked-up from ED)
Agenda Item 3-F	Proposed Revised Section 280 (Marked-up from ED)
Agenda Item 3-G	Tax Planning and Related Services Due Process
Agenda Item 3-H	Draft report back of September 2023 IESBA CAG Meeting

Action Requested

8. IESBA members are asked to:
 - (a) Consider the revisions and refinements to the proposed provisions in Agenda Item **3-B** and **3-C**;
 - (b) Consider the Task Force's analysis and proposals set out in Agenda Item **3-A**, including the proposed effective date for Sections 380 and 280.
 - (c) Consider whether there are any other matters raised by respondents¹ to the ED that should be discussed by IESBA; and
 - (d) Approve the revised provisions and related conforming amendments to the Code, amended as appropriate during the Board meeting, as a final pronouncement.

¹ Respondents' comment letters can be accessed [here](#).