

REPORT on a MEETING between
representatives of the SCOTTISH
POTATO TRADE ASSOCIATION and
ARTHUR YOUNG at 25 South Methven
Street, PERTH at 2.30 p.m. on
Wednesday, 20th NOVEMBER, 1985

PRESENT: S.P.T.A. - Messrs. G.S. Brass and J. Smillie, with R. David Hunter
(Secretary) and D. Blackmore (Assistant) in attendance.

ARTHUR YOUNG - Mr. A.B. McDougall, C.A.

PAYE/NIC
ON CASUAL
HARVEST
WAGES:

Mr. Hunter explained his instructions to seek Mr. McDougall's views, for the guidance of Council of the Association, on the best way forward following receipt of the Opinion of Mr. Nicholas Fairbairn, Q.C.

In reply, Mr. McDougall stated he had studied the Memorial and Opinion (previously copied to him) with considerable interest. While he did not agree with some points in the Opinion (which view was shared by Mr. Hunter), he had found it most helpful in setting out the points at issue and enabling him to place these in some order of relative significance.

Principally, he felt, the nub of the problem to be to secure a definition of "impossible to identify" (in category (a) of the DHSS letter). He explained the distinct differences between Inland Revenue and DHSS procedures to this end. He discussed the questions of "Contracts of Service" and "contracts for services", as well as "piece work" practices in potato harvesting operations.

Mr. McDougall also pointed out that the Opinion did not make clear that the act of the Inland Revenue issuing an Assessment (whether for itself or DHSS) switches the onus of proof of non-liability on to the taxpayer. Overall, he agreed the Opinion gave some grounds for hope, though not yet enough to enable guidance notes to be compiled for Members with any confidence. The meeting agreed that the aim must now be to issue these in time for 1986 Season.

In this light Mr. McDougall suggested a meeting with high-level DHSS Officials be sought to take place in Edinburgh, for the purpose of persuading them that the interpretation of category (a) workers should be re-considered to a greater depth, to take account of the particular practical difficulties faced by Scottish potato grower/merchants not faced by farmers in general. In turn, it could be hoped, this would lead to a practical interpretation of "impossible to identify" etc.

The SPTA representatives agreed this suggestion be taken back to the Association's Council for consideration and the meeting was thereupon concluded.