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**Book review**

**GAAR: A Practical Approach**

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**GAAR: A PRACTICAL APPROACH**

Author: Patrick Cannon LLB BCL CTA(Fellow) barrister

Publisher: Key Haven Publications Ltd, paperback, 309 pages, £140

Patrick Cannon had a busy summer. While the Finance (No 2) Bill 2013 passed parliament, he wrote what I believe is the first and so far only textbook devoted entirely to the general anti-abuse rule (GAAR) — its publication coinciding with the enactment of the bill.

The book is in two sections. The first is the commentary, consisting of seven chapters and runs to 84 pages. The second reproduces the legislation and HMRC's GAAR guidance as appendices, and runs to 210 pages. The seven chapters (overview and origins, when the GAAR can apply, counteraction by HMRC, GAAR advisory panel, court and tax tribunal proceedings, GAAR and particular taxes and commencement and transitional) are taken in a logical order and examine critically each component of the rule and the process by which it is applied.

Taking into account the importance of the provision and its potential impact, the rationale for the book is sound. Its aim is to “assist professional tax advisers to understand the GAAR and to give sensible and practical advice to their clients ...”. Is that aim met? I think to a large extent, it is. The scope of the book is broad and it highlights the parts of the legislation and the guidance that are controversial. The book is not, and does not purport to be, a tool to be applied to discern whether tax planning at the margins will be subject to the GAAR. That remains a subjective judgment for the tax adviser. It does though assist that examination. The message is that one should not be intimidated by the GAAR.

The book's benefits from having the legislation and guidance at the back. Since there is no mention in the blurb that only one-third of the book is commentary one might feel a little short-changed. On the flip side, the book's brevity and the author's style of writing, make it easily digestible, even in one sitting.

It is evident that Patrick Cannon enjoyed writing the material and this translates to the reader. If, as I hope, further editions are produced, covering developments in case law and opinions from the GAAR advisory panel, this work may become indispensable. Nevertheless, even at this stage, one might argue that reading it could reasonably be regarded as a reasonable course of action in preparation of what is to come.

Key Haven give thanks and credit to the author Sean Randall and the publishers of the review 'Taxation Magazine' Lexis Nexis - <http://www.taxation.co.uk>.