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# THE PERSONAL TAX PLANNING REVIEW

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# EDITORIAL

This is the first issue of the Personal Tax Planning Review under the joint editorship of Keith Gordon and James Henderson.

The issue opens with an article by Karen Hepworth of 5 Stone Buildings about the recent decision of the High Court in *Wolff v Wolff* [2004] EWCH 2110 (Ch) and the implications for tax advisers.

The second article is a discussion by David Pievsky (junior Counsel in *United States of America v Philip Morris Inc & Ors* [2004] EWCA Civ 330) of what was (and, more importantly what was not) concluded by the House of Lords in *Three Rivers District Council v Bank of England*. The scope of privilege has always been relevant to tax advisers (as demonstrated by the *Morgan Grenfell* decision in 2002). However, the exemption from the FA 2004 disclosure rules makes the issue particularly topical.

The third article is by Chris Lallemand. He considers the impact of common restrictions on the transfer of company shares on the charge under Part 7 of the Income Tax (Earnings and Pensions) Act 2003.

The final two articles are by Keith Gordon. The first challenges the decision in *Griffin (Inspector of Taxes) v Craig-Harvey* [1994] STC 54 and suggests that taxpayers need not necessarily make protective main residence claims in the first two years of owning two residences. The second article analyses the recent decision in *Christensen (HM Inspector of Taxes) v Vasili* [2004] EWHC (Ch) 476; [2004] STC 935 to see where it leaves other shared ownership schemes.

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