

# **#AOSIS**

# Obstacles encountered by tax practitioners



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#### Dates:

Received: 07 Mar. 2023 Accepted: 03 Oct. 2023 Published: 08 Jan. 2024

#### How to cite this article:

Ndlovu, M.O & Schutte, D.P., 2024, 'Obstacles encountered by tax practitioners', Journal of Economic and Financial Sciences 17(1), a867. https://doi.org/10.4102/jef.v17i1.

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© 2024. The Authors. Licensee: AOSIS. This work is licensed under the Creative Commons Attribution License. **Orientation:** Tax practitioners (such as accountants and bookkeepers) are important enablers of tax compliance. Taxpayers, particularly small businesses, look to tax practitioners for expert advice because of increasingly complex tax legislation.

**Research purpose:** There is a dearth of studies specifically highlighting the challenges faced by tax practitioners, with most studies focusing on the problems faced by taxpayers or tax administrators instead. The purpose of this article is to understand the obstacles encountered by tax practitioners with their small business clients towards improving compliance and revenue collection.

**Motivation for the study:** Small businesses constitute a sizeable portion of tax practitioners' clients in South Africa. However, not much is written about the obstacles tax practitioners encounter in their journey of assisting small businesses with tax compliance.

**Research approach/design and method:** The study employed a qualitative research approach through the utilisation of semi-structured interviews.

Main findings: Tax practitioners are often not able to charge market-related rates from their small business clients. Small businesses struggle to maintain the data required to file tax returns. Furthermore, tax practitioners experience pressure from dealing with historical tax matters. Lastly, tax practitioners are sometimes faced with resistance from their small business clients wherein they cooperate with tax practitioners albeit begrudgingly.

**Practical/managerial implications:** Through awareness, policymakers and small business owners can help lessen these obstacles.

**Contribution:** This article adds to the body of knowledge, obstacles encountered by tax practitioners in their journey of assisting small businesses with tax compliance.

**Keywords:** interpretive phenomenology; obstacles; small businesses; SME taxation; tax practitioners.

## Introduction

Research shows that a vast number of small businesses are not effectively and efficiently taxed, because of prevailing challenges that impede the broadening of the tax base, also compounding tax leakages and non-compliance (Björklund 2017; Morse, Karlinsky & Bankman 2009; Slemrod et al. 2017). To improve on the status quo, tax practitioners have stepped in to assist with assessment, completion, and submission of tax returns. Although the taxpayer and the revenue authority are considered the primary parties when it comes to the tax compliance relationship, tax practitioners such as accountants and bookkeepers (including other key players such as consultants and lawyers) can exert an extraordinary influence because of their tax knowledge, both technically and procedurally (Erard 1993).

The term 'tax practitioner' includes a wide variety of individuals who provide tax services to their clients (Akinboade 2014). The *Tax Administration Act 28 of 2011 (Tax Administration Act*), Section 240, defines a tax practitioner as every natural person who offers advice to another person regarding the application of the tax act, or completes or assists in completing a tax return by another person. In this regard, all tax practitioners are required by the *Tax Administration Act* to register with South African Revenue Service (SARS).

The regulation of South African tax practitioners was first proposed by the then Minister of Finance, Mr Trevor Manuel in 2002 (National Treasury 2002). This proposal was followed by the amendment of the *Income Tax Act in 2005*, where tax practitioners were required to register with SARS irrespective of whether they held formal qualifications or had experience in tax law (South African Institute of Taxation 2013).

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Stricter requirements have since been established in the *Tax Administration Act*, where tax practitioners must register with controlling bodies listed in the act. These controlling bodies must maintain, among others, relevant and effective minimum qualification and experience requirements as well as the continuing professional education requirements and codes of ethics and conduct (*Tax Administration Act 28 of 2011*, Section 240A). Recently, tax practitioners are required to undergo 'The SARS Tax Practitioner Readiness Programme' (SARS 2022). This programme is compulsory for individuals who want to register as tax practitioners from 01 July 2022 (SARS 2022).

These regulations are necessary as tax practitioners influence taxpayer decisions through the provision of advice as well as by their interaction with revenue authorities on behalf of their clients (Mahomed 2013; Organisation for Economic Cooperation and Development [OECD] 2007). In this regard, tax practitioners have an impact on how taxpayers report their tax liabilities to the revenue authorities and they have a bearing on the tax compliance behaviour of their clients (Wurth 2012). Accordingly, they act as important gatekeepers to the tax system (Sakurai & Braithwaite 2003).

The subject of taxation is increasingly becoming complex, thus making it necessary for taxpayers to seek assistance with tax compliance functions (Akinboade 2014). Burkinshaw (2021) argued that complexity is a fundamental reason behind taxpayers seeking assistance from tax practitioners. In this regard, the utilisation of tax practitioners is sometimes necessitated by uncertainty surrounding the tax law (Burkinshaw 2021; MacNeil 2009). However, government cannot be solely responsible for complex tax laws (Tran-Nam, Oguttu & Mandy 2019). Complex tax laws are sometimes a result of non-cooperative, multi-player games of large corporations and wealthy individuals (Tran-Nam et al. 2019). In this regard, complex tax laws are partly driven by the need to counter tax avoidance as well as consider individual circumstances and complex economic transactions in order to promote fairness and certainty of the tax system (Budak, James & Sawyer 2016).

South Africa has progressively moved towards the self-assessment system (SAS) for establishing tax obligations as it relates mainly to value-added tax (VAT) and to a limited extent, income tax, for example, provisional tax (*Tax Administration Act 28 of 2011*, Section 1). The move towards the SAS may place an additional burden on taxpayers as they are expected to have adequate tax knowledge to be able to meet its demands (Erard 1993; Loo 2016; Marshall, Armstrong & Smith 1998; Seralurin & Ermawati 2019).

Specifically, small businesses often do not have the internal expertise to handle tax compliance matters (Coolidge, Ilic & Kisunko 2009). As a result, small businesses may seek external help because of the lack of internal expertise (Coolidge et al. 2009). Additionally, the amount of work in a small business typically does not warrant the hiring of a full-time accountant (Coolidge et al. 2009). In such circumstances,

tax practitioners play a key role in increasing the level of taxpayer compliance (Akinboade 2014). Although, in certain circumstances, tax compliance rate is reported to be lower among taxpayers who utilise tax practitioner services (Erard 1993; Hite & Sawyer 1993; Klepper & Nagin 1989).

It is estimated that there are 34 000 tax practitioners registered with SARS, representing approximately 3 million taxpayers (Mahomed 2013). A study conducted in New Zealand by Colmar Brunton Social Research Agency (2005) found that 87% of micro and small businesses with employees between 1 and 19 outsourced some tax-related services. In South Africa, 57% of small, medium and micro enterprises (SMMEs) surveyed reported some outsourcing of tax compliance services (Coolidge et al. 2009). Coolidge et al. (2009) found that about 43% of small businesses do all their tax compliance work in-house, while 11% outsource all their tax compliance work, and the remainder of 46% use a combination of both.

Small businesses constitute a sizeable portion of tax practitioners' clients (Smulders & Stiglingh 2008). Smulders and Stiglingh (2008) conducted a tax practitioner survey, which solicited 3429 responses. Only 3% (103) of the tax practitioners surveyed served clients whose turnover is above R14 million (Smulders & Stiglingh 2008), while the remainder of 97% (3326) only served clients whose turnover is below R14 million (Smulders & Stiglingh 2008).

Tax practitioners have therefore played a significant role in assisting small businesses improve on compliance and navigate some of the prevailing challenges. Therefore, the objective of the current article is to understand the obstacles encountered by tax practitioners in their day-to-day journey of assisting small businesses with tax compliance. In the next section, the topic is delineated within the context of existing literature.

### Literature review

Taxpayers look to tax practitioners for expert advice (Sakurai & Braithwaite 2003). Tax practitioners assist their clients by reducing the time and anxiety costs as well as the uncertainty associated with tax compliance (Erard 1993). According to Coolidge, Ilic and Kisunko (2008), taxpayers who do not utilise the services of tax practitioners face significantly higher costs in terms of the opportunity cost of staff time and are subject to higher rates of SARS queries, penalties, and inspections.

Lack of basic tax knowledge coupled with the cost of tax compliance remains a key challenge for small businesses (Deloitte 2019). As a result, the small businesses often do not have the skills and staff resources to timeously and fully comply with all the tax obligations (Deloitte 2019). Inability to timeously comply may negatively impact small businesses' ability to supply goods and services to government entities and certain private corporations (CMS 2021). Government is compelled to source goods and services from tax compliant businesses (CMS 2021). Furthermore, certain private

organisations also prefer to procure goods and services from tax compliant businesses (CMS 2021).

Over and above tax knowledge and tax compliance costs, there are other factors that impact tax compliance both positively and negatively. Higher trust levels between the state and its citizens often lead to higher levels of voluntary compliance (Kirchler, Hoelzl & Wahl 2008; Mutanga et al. 2021). Satisfactory service delivery from government institutions leads to higher levels of tax morale as well as more tax compliance (Alasfour, Samy & Bampton 2016; Alm & Gomez 2008; Prichard et al. 2019; Sipos 2015; Vythelingum, Soondram'& Jugurnath 2017). Accordingly, lack of service delivery from government institutions frequently results in citizens pursuing alternative means of redistribution (Bergman 2009; Rothstein 2011). In this regard, the government has put in place various mechanisms to support small businesses, such as with National Youth Development Agency (NYDA), Small Enterprise Development Agency (SEDA) and Small Enterprise Finance Agency (SEFA) (Republic of South Africa 2022).

Taxpayers outsource tax compliance functions out of a desire to file accurate tax returns (Wurth 2012). However, studies such as those by Klepper and Nagin (1989), Erard (1993) as well as Hite and Sawyer (1998) argued that there is a lower compliance rate among taxpayers who use tax practitioners. This is due partly to aggressive tax avoidance strategies (Sakurai & Braithwaite 2003). The aggressive tax avoidance strategies are sometimes a result of high competition, which leads tax practitioners to exploit loopholes in the tax act to entice their clients (Sakurai & Braithwaite 2003).

According to SARS (2003), a lot of time was spent trying to correct errors made by tax practitioners as well as dealing with unprofessional conduct of a small but significant number of tax practitioners. The unprofessional conduct often put the taxpayer's funds at risk (SARS 2003), hence the introduction and implementation of stricter regulation of tax practitioners in South Africa as described in the previous section. The main aim of the regulation of the tax practitioners is to protect taxpayers from unscrupulous tax practitioners. This demonstrates that a lot has been done by the National Treasury to ensure that small businesses that constitute a sizeable portion of tax practitioners' clients are protected.

However, there is a dearth of literature on obstacles experienced by tax practitioners with their small business clients, including how these difficulties can be minimised, either through, among others, awareness or legislation intervention (see Akinboade 2014; Akinboade, Mokwena & Grobler 2015; Doyle, Frecknall Hughes & Summers 2013; Erard 1993; Mahomed 2013; Marshall et al. 1998; Nienaber 2010, 2013; Takril & Sanusi 2014; Wurth & Braithwaite 2017). As mentioned previously, much interest has been shown in ensuring that tax practitioners provide professional services to their clients. This is through the *Tax Administration Act* as well as professional bodies that prescribe code of conducts to their members. There is a platform that small business

owners can utilise to lay complaints should they not be satisfied with the services offered by their tax practitioners.

In addition, a number of authors such as Abrie and Doussy (2006); Smulders and Naidoo (2013); Schutte et al. (2019) as well as Hellberg, Smulders and Ndlovu (2022) have explored obstacles encountered by small business owners in their tax compliance journey. Furthermore, Myeko and Madikane (2019) argued that most of the small businesses have not put in place proper recordkeeping practices. Taxpayers need accounting records to be able to file tax returns.

Although not related to the obstacles encountered in their journey of assisting small businesses with tax compliance, there are several studies (see Akinboade 2014; Akinboade et al. 2015; Doyle et al. 2013; Erard 1993; Mahomed 2013; Marshall et al. 1998; Nienaber 2010, 2013; Takril & Sanusi 2014; Wurth & Braithwaite 2017) in the literature discoursing other relevant aspects of tax practitioners.

In an international context, studies discoursed issues such as role of tax practitioners in tax compliance (see Erard 1993), ethical dilemmas (see Doyle et al. 2013; Marshall et al. 1998), and tax avoidance practices (see Takril & Sanusi 2014; Wurth & Braithwaite 2017) among others. While in a South African context, research by Killian and Doyle (2004) studied tax aggression among tax professionals. Nienaber (2010) studied factors that could influence the ethical behaviour of tax professionals. Akinboade (2014) focused on the tax compliance culture of tax practitioners in South Africa. Mahomed (2013) attempted to understand the relationship between taxpayers and tax practitioners. Nienaber (2013) explored the expectation gap between taxpayers and tax practitioners. Akinboade et al. (2015) analysed taxpayer service needs of tax practitioners from SARS. None of these studies explored obstacles encountered by tax practitioners specifically with their small business clients and hence the importance of this article.

Despite the important role of tax practitioners in the taxpayers and tax administrators' nexus, most studies in the extant literature have seldom tried to understand some of the obstacles they encounter in performing their functions with their small business clients. Authors such as Smulders and Stiglingh (2008) conducted a country-wide survey on tax practitioners in South Africa, seeking to understand the annual tax compliance costs for small businesses, and found compliance costs to be generally regressive, with the smaller businesses bearing the greater burden. While this was a good study that extensively engaged a decent number of tax practitioners across the country (3429 respondents), the authors missed an opportunity to equally seek to understand or shed more light on the experiences and challenges faced by tax practitioners with their clients particularly small businesses.

This article therefore fills the very important gap in the aforementioned study and generally in the tax literature, in that it looks at the other side of the complementary relationship between the taxpayer and tax practitioners, by investigating inhibiting factors or the obstacles which prevent the latter from being more productive. This article is important, given the dearth of studies specifically highlighting the obstacles faced by tax practitioners who are important role players in ensuring compliance, with most studies focusing on the problems faced by taxpayers, tax administrators, or tax policymakers instead.

The identified research problem is supported by the 'role theory', wherein roles are perceived to carry a set of specific expectations and obligations (Tan 2014). The set of specific expectations and obligations prescribe the appropriate behaviours for a person to perform in their role (Tan 2014). There are certain expectations and obligations that are placed upon the tax practitioners in their role as tax preparers. However, there may be obstacles that inhibit the fulfilment of these expectations and obligations. This article sought to understand the obstacles that may inhibit the fulfilment of the expectations and obligations that are placed upon the tax practitioners.

# Research design and methodology

This article employed qualitative research methodology. The secondary data collection (literature review) followed a themed approach organised around the topic of tax practitioners in their role as tax preparers (Brooke 2021). Semi-structured interviews were used as a method of primary data collection. The length of the interviews with the tax practitioners ranged between 40 min and 1 h and 17 min with the average time of 1 h and 6 min. Regarding the challenges encountered by tax practitioners in their journey of assisting small businesses with tax compliance, the following question were posed to the participants:

- Have you encountered challenges in your journey of assisting small businesses with tax compliance?
- Please take me through some or all the challenges that you have encountered in your journey of assisting small businesses with tax compliance.
- Is there anything that SARS or government or small businesses can do to ease these challenges? What can the government do?

Responses to the aforementioned questions included other challenges such as with SARS; however, the focus of this article is specifically on obstacles encountered by tax practitioners with their small business clients. As this study is part of a bigger project, the research instruments included other questions not produced here. These questions were informed by themes that emanated from the literature review.

The participant information sheet provided an emphasis on the anonymity, confidentiality, and the voluntary nature of the interview (Wahyuni 2012). The research team comprised the researchers, the transcriptionist, and the independent coder. The transcriptionist and the independent coder signed a confidentiality agreement. Furthermore, pseudonyms (fictitious

names) were utilised during the reporting of the results to ensure anonymity.

The article is underpinned by an interpretive phenomenological research design. An interpretive phenomenological research design places an emphasis on the subjective lived experiences constructed within a sociocultural context (Feeley & Thomson 2016; Regan 2012). Accordingly, the interpretive phenomenological research design appeared to be the most appropriate as the aim of the current article is to understand the day-to-day lived experiences of tax practitioners when assisting small businesses with tax compliance functions.

The target population for this article covers tax practitioners servicing small businesses in the Gauteng province of South Africa. A combination of purposive and snowball sampling techniques was employed to select the participants. Qualitative sampling ought to be purposeful and participants were selected to represent individuals who have all experienced the phenomenon under investigation (Creswell 2007; Morrow 2005). The majority of the tax practitioners were sourced from www.findanaccountant.co.za, a website that lists companies and individuals offering accounting-related services. The website provides information such as the location, type of services and years of experience among other information. Thus, the researcher was able to employ purposive sampling technique to select tax practitioners with varying attributes.

An appropriate sample size for a phenomenological study usually ranges between 6 and 10 participants (Haase 1987; Morse 1994). Specifically, as it relates to interpretive phenomenological studies, the sample sizes are usually small (Groenewald 2004). In the current article, new meanings and rich data continued to emerge even after the first 10 interviews which were conducted using a combination of telephonic, in person and online (Microsoft teams and zoom) mechanisms. It was for this reason that the researchers extended the sample size to 22. At this point, the researchers were satisfied that they were able to uncover the multiple layers of hiddenness of the lived experiences of the tax practitioners (Frechette et al. 2020). No new meanings continued to emerge after the first 20 tax practitioner interviews.

The findings in this article were presented thematically using guidelines offered by Max van Manen (Chagadama 2018; van Manen 1990). The data analysis process followed four steps. The steps included: (1) uncovering thematic aspects; (2) isolating thematic statements; (3) composing linguistic transformations, and (4) gleaning thematic descriptions.

Uncovering thematic aspects entailed the process of preparing the interview transcripts to ensure they are accurate and ready for the next step of the analysis process (Ritruechai et al. 2018). It is a process wherein the researchers engage with and reflect on the text (Ritruechai et al. 2018). The researchers employed the services of an experienced transcriptionist to transcribe the data. This was followed by the researchers checking the accuracy of the transcripts by

listening to the digital audio files while at the same time reading the transcripts. This process afforded the researchers the opportunity to re-live the interview experience.

Isolating thematic statements entailed a process whereby the researchers repeatedly read the transcripts and reflected on the text yet again, this time with the aim of assigning codes. The researchers utilised computer-assisted qualitative data analysis software (CAQDAS) ATLAS.ti to conduct the coding process. During this process, five levels (rounds) of coding emerged, namely: (1) holistic coding, (2) separating the data into manageable parts, (3) highlighting significant statements, (4) assigning codes to the significant statements (line by line coding), and (5) assigning codes to a paragraph containing a significant statement. The majority of the codes were data-driven and the aim was to elevate the voice of the tax practitioners by allowing the primary data to speak for itself.

Composing linguistic transformations and gleaning thematic descriptions entailed the development of themes from the first cycle codes. This was done through ongoing dialogue and engagement with first-cycle codes. During this process of developing themes, the first-cycle codes were first reorganised and reconfigured to generate a list of categories. A number of categories were thereafter grouped together to form subthemes. The subthemes were then brought together and lifted up to form the themes. These themes are discussed in the upcoming section.

#### **Ethical considerations**

Ethical clearance to conduct this study was obtained from the North-West University Economic and Management Sciences Research Ethics Committee (EMS-REC) (No. NWU-00616-20-A4).

# **Findings**

Small business owners are often not able to comply with tax laws all by themselves (Coolidge et al. 2009). For this reason, they outsource the tax compliance functions to a tax practitioner. However, the tax practitioners' journey in ensuring that small businesses are tax compliant is not always an easy one, as they face several challenges. The tax practitioners described the obstacles they experience in their day-to-day lived experiences of assisting small businesses with tax compliance.

Accordingly, four key themes emerged from these descriptions. Firstly, tax practitioners are usually unable to charge market-related rates. This is because many small businesses struggle with working capital and cannot afford to pay market-related rates for tax services. Secondly, it is sometimes a struggle for tax practitioners to obtain data or source documents from their small business clients on time. Thirdly, tax practitioners are often meted with high-stress levels as they try to resolve historical tax issues. Small business owners often wait until it is too late to resolve tax matters and only approach tax practitioners when their

tax compliance situations have worsened. Fourthly, tax practitioners often encounter small business owners who are resistant towards the act of paying taxes. In these circumstances, tax practitioners must find ways to convince small business owners to do the right thing. A detailed discussion of each theme is provided in the following sections.

# Inability to charge market-related rates

Tax practitioners are sometimes not able to charge market-related fees when dealing with small business owners. Dealing with small business clients means that tax practitioners are often required to reach a compromise on their fees, and setting a price becomes a balancing act. Tax practitioners 1, 2, 4, 5, 6, 7, 11, 12, 15, 16, 17, 19, and 22 all alluded to the challenge of affordability by their small business clients. The challenge pertaining affordability negatively impacts the tax practitioners who are running private practices as they themselves need to hire qualified accountants and bookkeepers, who would have to be paid market-related salaries:

'So, we do quite a lot of free work if I can call it that as our way of giving back to the community. Especially during Covid, there are some of our clients who have not been able to pay us since March, but we still service them because for us we are also here to help the ecosystem, to help small businesses become successful.' (Tax Practitioner 1, Male, affiliated with SAICA)

'When you are dealing with small businesses, you cannot even afford to charge per hour because you know you will spend a lot of hours trying to even make the entrepreneur understand what you want to achieve, so an hourly rate will not work with very small companies.' (Tax Practitioner 4, Female, affiliated with SAICA and IRBA)

Tax practitioners 1, 2, 4, 6, 7, and 16 emphasised that they are usually willing to invest in their small business clients; as a result, they are not only focused on short-term profits. These tax practitioners believe that, as the small business grows, they will also be able to increase their fees:

'... what we also take into account is investing in a client, I could have a client coming to me that is still small, but I can see the potential. So, the moment I quote him R2000.00, he will say no, I am too expensive. But in two years' time, he could be very successful and then I can charge him R5000.00 ....' (Tax Practitioner 2, Male, affiliated with SAICA)

Furthermore, the affordability challenges often result in some tax practitioners not enforcing advance payments, consequently giving their small business clients an opportunity to pay the fee in instalments. However, with this type of arrangement, there may be default rates as well as additional costs linked to debt collection:

'And then also you do have your smaller businesses that you might be doing the books once a year and it might be quite a big bill once a year. But I let them pay it off because I am not a greedy person, I do understand you cannot suddenly pay a R7000.00 bill and the rest of the year nothing. So please, here is the bill but you

are allowed to pay it off on a monthly basis.' (Tax Practitioner 17, Female, affiliated with SAIT)

'... some we struggle with payments yes. But with others and sometimes with us it is much easier we had to come up with ways to make sure that we are able to get our money on time and so on ... we have got the debt collection company to imagine if we are spending R3000.00 ....' (Tax Practitioner 22, Male, affiliated with SAIBA and SAIT)

Tax practitioners 3, 4, and 16 recommended some form of subsidy to meet small business owners halfway regarding tax compliance costs. The subsidy will also ensure that tax practitioners, who are an important part of the small business tax compliance puzzle, are able to run sustainable businesses:

'... maybe if they come up with groups, micro-enterprises they register and be on the database and all that they get tax practitioners to go in there and you know the government will pay a portion or something like that, but they are on their own as far as I am concerned right now.' (Tax Practitioner 3, Female, affiliated with ACCA and SAIPA)

Tax practitioners play an important role in assisting small businesses with compliance. The inability to charge market-related rates negatively impacts their sustainability. This is because, for the tax practitioners who are running private practices, they themselves need to employ qualified staff who need to be paid market-related salaries. This finding is consistent with that of Smulders and Stiglingh (2008) who found that the smaller the business, the heavier the tax compliance burden. In this regard, small businesses are more susceptible to the compliance burden and at a significant competitive disadvantage (Smulders & Stiglingh 2008).

# **Unavailability of data**

Small business owners battle with recordkeeping; this makes the work of the tax practitioners difficult because each tax return must be supported by source documents. Tax practitioners 1, 4, 7, 8, 9, 11, 14, 15, and 18 all indicated that recordkeeping is a distinct challenge when dealing with small business owners:

'... they just do not have the financial records, or they do not have the receipts, or they do not have anything and now you have to report based on a bank statement. So that is one of the big challenges because, obviously, the tax system is based on the accrual method and not based on the cash basis method. So, it makes it difficult because people just do not have the data.' (Tax Practitioner 1, Male, affiliated with SAICA)

Small business owners often fail to provide tax practitioners with relevant information on time because of their inability to properly maintain financial records. This leads to tax practitioners working under extreme pressure to ensure that returns are submitted to SARS on time:

'The challenge is that some clients are lazy to give you their information, which you can get from bank statements. Come the time when they say the municipalities tell them that we will not pay you until you become compliant. Then they push me ...' (Tax Practitioner 18, Male, affiliated with SAIT)

'And sometimes getting information on time could be a challenge and then you will end up working under pressure because you tell them to give you information by this date and they give it to you by month end. By that time, they want this and this and you then are working under pressure.' (Tax Practitioner 19, Female, affiliated with SAICA)

Not having data means that the tax practitioners do not have the information they need to ensure that small businesses are tax compliant. Furthermore, not being able to safeguard records means that small business owners are often claiming illegitimate expenses for tax purposes. In their study, Myeko and Madikane (2019) also found that most of the small business participants did not put in place proper recordkeeping practices; additionally, the small business owners did not understand the significance of keeping records for their businesses.

### Historical tax issues

According to the tax practitioners interviewed, small business owners often do not see a need for compliance, not until they are required or impelled to do so by a client or potential client or other stakeholders. The impelling comes in different forms, such as when the state and certain private organisations prefer to only deal with tax compliant businesses (CMS 2021). In this regard, the state and certain private organisations usually request a tax compliance status certificate (tax clearance certificate) before they enter into business dealings with the small business (CMS 2021). It will be at this point that the small business sees a need to comply, unfortunately, with tax compliance; the taxpayer is not deemed compliant until they have dealt with all the retrospective tax matters. Tax practitioners 2, 4, 9, 12, 13, 14, 15, 16, and 20 described how they are often obliged to deal with historical tax matters:

'... It is when they start looking for more formal business. That is where one of the requirements will be to comply with your taxes. That is when they sort of come back and say let's use accountants to assist in that regard.' (Tax Practitioner 9, Male, affiliated with SAICA and IRBA)

'So, you will find that my position is that I am more of like, you know, accountants who do historical work, so we are more of like appointed by someone who has probably been in business for two or three years and they have not been compliant, we have to bring them up to the level of compliance ...' (Tax Practitioner 15, Female, affiliated with SAICA and IRBA)

Over and above the small business owners recognising a need to comply as a result of a requirement that comes from stakeholders such as potential clients, they often approach tax practitioners when they are already in trouble with SARS. Trying to resolve the tax issues at this late stage often comes with some level of pressure both for the business owner and the tax practitioner:

'... I am still working with some clients that I have inherited that have got some serious tax issues which we are trying to sort of work through and it is stressful for them and for us ... it takes the focus away from them from actually running their business to now worrying and trying to resolve the tax issues.' (Tax Practitioner 2, Male, affiliated with SAICA)

Tax practitioners 4, 9, 12, 14, 15, and 20 commended SARS for sending constant reminders to small business owners, as this help with increasing the level of compliance:

I think what they have started to do, which I saw this year was very good actually, was they started sending out communication. Communications to the small businesses, because what we saw when we were busy with provisional tax this year [2022] there was quite a lot of clients who actually came to us to say no SARS send me this email 1, 2, 3, 4, 5 what do I need to do ...' (Tax Practitioner 20, Female, affiliated with SAICA and IRBA)

In order to discourage taxpayers from delaying the filing of tax returns, which often result in a backlog dating back many years, SARS has recently started enforcing non-submission administrative penalties:

'... SARS started implementing penalties as of June last year [2022] for non-submission for income tax and such things. There [*It*] is only when they receive such things that they panic, and they start to look for a tax practitioner to assist them with it ...' (Tax Practitioner 12, Female, affiliated with SAICA and SAIPA)

The administrative non-submission penalties are recurring and remain in place until the returns are filed (*Tax Administration Act 28 of 2011*, Section 211). In this regard, tax practitioner 12 hoped that these administrative penalties will go a long way in encouraging small business owners to comply at an early stage. This will in turn alleviate the tax practitioners from the pressure of dealing with historical tax matters that are often difficult to resolve because of, among others, lost or unavailable source documents.

However, Deloitte (2019) argued that taxpayer education coupled with the cost of tax compliance remains a key challenge for small businesses. As a result, the small businesses often do not have the skills and staff resources to timeously and fully comply with all the tax obligations (Deloitte 2019). In this regard, the imposition of administrative non-compliance penalties may further add to the cost of doing business for the small businesses that are not always able to comply fully on time (Deloitte 2019).

# Resistance to the act of paying taxes

The act of paying taxes is not always easy and some taxpayers may want to try different things to avoid paying taxes (Tran-Nam et al. 2019). Although, to a certain extent, tax practitioners are responsible for coming up with these complex tax avoidance schemes as reported by Klepper and Nagin (1989), Erard (1993), and Hite and Sawyer (1993). Tax practitioners 2, 3, 5, 7, 9, 10, 12, 15, and 18 all raised concerns regarding the level of resistance towards the act of paying taxes by small business owners. In this context, the tax practitioners stated that they are sometimes pressured to stretch the rules:

- '... They think you have control over how much tax they need to pay. So, whenever you tell them you need to pay taxes they fight. So, it is a challenge.' (Tax Practitioner 3, Female, affiliated with ACCA and SAIPA)
- '... They do not want to pay any tax, and sometimes you get a feeling that they want you to do things that you know that you

cannot do, and you have got to be careful about being influenced and manipulated into doing things that you do not agree with ...' (Tax Practitioner 7, Female, affiliated with SAIPA)

However, tax practitioners are bound by the code of professional ethics to act ethically in their dealings with their clients (*Tax Administration Act 28 of 2011*, Section 240A).

'... They [small business owners] even tell you that my previous accountant made me not to pay tax or you have to assist me to reduce paying tax ... people just do not want to comply; do not want to pay tax and it becomes challenging to us. I am a professional, I am a Chartered Accountant, I have to abide by some principles, I have to show that I do my things accurately ...' (Tax Practitioner 15, Female, affiliated with SAICA and IRBA)

I do not want to wake up at night thinking that SARS is behind me, is looking for me because I did this and this. So, if your business is owing tax then your business is owing tax. If your business is going to get a refund from tax, you are going to get a refund from tax. It is not because of me ...' (Tax Practitioner 21, Male, affiliated with SAIPA)

Additionally, the current environment of low trust towards government exacerbates the resistance towards the act of paying taxes (Mutanga et al. 2021; Kirchler et al. 2008). Many small business owners are asking why they should pay taxes when there is corruption:

'If they see all their money being looted and taken by the elites, by the ruling party or whatever there is a massive amount of resistance. And that places a lot of burden on us to do the right thing ... the challenges with my small clients or with my clients that we are dealing with on a regular basis are pushing back on paying taxes. We really have to convince the client that it is the right thing to do ...' (Tax Practitioner 2, Male, affiliated with SAICA)

'... But I think where we are at and what happens to our money that is why people comply out of being feared for the penalties, but they wish they did not have to comply but now they have to comply because they are more scared of SARS for going to jail or all the penalties and all that ...' (Tax Practitioner 5, Female, affiliated with SAIBA)

According to tax practitioner 9, the resistance is further fuelled by business owners' lived experience regarding the support they ought to receive from the government. As a result, the perceived lack or minimal support of small business owners from the government leads to negative attitudes towards paying taxes:

'... the majority will voice their frustration to say the very same government that wants us to pay taxes cannot give us funds to sustain our business so that we can become compliant. There is that frustration out there but at the end of the day compliance, I mean if you come to me compliance is compliance and it is my job to make sure that you do comply. But I do hear their frustrations ...' (Tax Practitioner 9, Male, affiliated with SAICA and IRBA)

According to the tax practitioners interviewed, although small business owners would like to do the right thing, they are sometimes disheartened by reports of corruption and poor service delivery. According to the assertions made by the tax practitioners, the lack of support for small businesses negatively impacts their tax morale. This is despite the number of initiatives implemented by the South African government through different agencies (such as NYDA, SEDA, and SEFA) to support small businesses (Republic of South Africa 2022).

In turn, the low tax morale results in resistance towards the act of paying taxes. This finding concurs with that of Alm and Gomez (2008); Sipos (2015); Alasfour et al. (2016); Vythelingum et al. (2017); and Prichard et al. (2019) who found that efficient service delivery from government institutions leads to higher levels of tax morale as well as more tax compliance. Thus, lack of service delivery from government institutions frequently results in citizens pursuing alternative means of redistribution (Bergman 2009; Rothstein 2011).

### Limitations

The current article was limited by the failure to control the measures and randomise the population (Meyer 2016). Although the results of the study are not generalisable, the researchers utilised purposive sampling technique to ensure that there is a representation of tax practitioners with varying years of experience as well as from different areas in Gauteng, included in the sample. As a result, the results of the study are not generalisable to wider contexts. Hence, qualitative studies are more concerned with transferability and not generalisability. The goal of the article is therefore to attain transferability and not generalisability.

Transferability is concerned with the extent to which the findings of a specific study may be applicable in another context (Wahyuni 2012). The judgement is made by the readers whether the results can be transferred to their specific context (Guba & Lincoln 1989; Lincoln & Guba 1985). The researchers provided a level of detail as it pertains to the scope of the study, population, participants and sampling technique, data-collection procedures, coding process, data-analysis process, the participants, and the phenomenon. Therefore, the researchers are confident that the readers were provided with enough detail to be able to decide whether the findings of the current study may be applicable in their specific contexts.

Confirmability is concerned with the degree to which the study's results are not altered by the researcher's bias (Given & Saumure 2008). The researchers remained open to participants' meaning and put in abeyance potential bias through the use of a robust qualitative methodological audit trail. The audit trail detailed the reasons behind why certain decisions were taken during the research process to improve transparency. Furthermore, the researchers employed the services of an experienced coder. The experienced coder coded the transcripts independently from the researchers, resulting in a systematic coding process (Williamson et al. 2020). The experienced coder, who is also a qualitative researcher, reviewed the themes and discussion of the results.

The independent coder added an additional layer of scrutiny, rigour, and perspectives, thus resulting in a more thorough and balanced analysis (Church, Dunn & Prokopy 2019). Lastly, the researchers provided the participants with a copy of transcripts used in the analysis process, to confirm if it is a true representation of their assertions made during the interviews. The next section offers concluding remarks and recommendations.

#### Recommendations

In order to alleviate the challenge linked to the inability to charge market-related rates, a few of the tax practitioners suggested that the government introduce a subsidy to alleviate the burden linked to tax compliance costs of small businesses. Furthermore, the tax practitioners recommended more educational awareness regarding safekeeping and filing of accounting records as this will reduce the time it takes to resolve tax compliance issues which will also impact the cost charged by tax practitioners for their time. Furthermore, the tax practitioners recommended that SARS makes available a free accounting software that small business owners may utilise to record transactions and safeguard accounting records. More education and awareness are needed to conscientise small businesses of the implications of non-compliance as well as the benefits of tax compliance. Tax practitioners are meted with resistance towards the act of paying taxes by their small business clients. The key reason for the resistance by small business owners towards the act of paying taxes is poor service delivery and theft of taxpayer monies by government officials and politicians. The tax practitioners recommended that governments increase their efforts in fighting corruption and improving service delivery.

# **Concluding remarks**

Tax practitioners play a key role in increasing tax compliance among small businesses. Oftentimes, small business owners are not in a position to be compliant all by themselves for reasons such as lack of in-house tax expertise. There is a dearth of literature regarding the obstacles encountered by tax practitioners in their journey of assisting small businesses with tax compliance. This article revealed that tax practitioners face several challenges with their small business clients.

Firstly, tax practitioners are not able to charge market-related rates as their small business clients cannot afford these. This put a strain on the operations of tax practitioners as they have operational expenses to honour. Many of these tax practitioners run small practices. In this regard, they are required to contend with other operational expenses, as such it is important that they are able to charge market-related rates. Secondly, small business owners fail to maintain the documents that are required to be able to submit tax returns. This in turn makes the work of tax practitioners difficult as they need supporting documents to be able to file tax returns successfully. Furthermore, tax practitioners are often required to resolve small businesses' historical tax matters.

Lastly, tax practitioners are meted with resistance towards the act of paying taxes by their small business clients.

The current research laid a foundation for challenges that are experienced by tax practitioners while servicing their small business clients. More studies are needed to expand on this article utilising alternative research methodologies, such as quantitative research methodology. The employment of quantitative research methodology will help ascertain the extent of these challenges to the wider tax practitioner population.

# **Acknowledgements**

The authors would like to thank each tax practitioner who participated in the research.

### **Competing interests**

The authors declare that they have no financial or personal relationship(s) that may have inappropriately influenced them in writing this article.

### **Authors' contributions**

M.N. and D.P.S. planned the study together. M.N. collected and analysed the data and wrote the first draft of the article. D.P.S. provided guidance and reviewed the research article.

### **Funding information**

This research received funding from the University of South Africa.

### Data availability

The data that support the findings of this study are available on request from the corresponding author D.P.S.

### Disclaimer

The views and opinions expressed in this article are those of the authors and do not necessarily reflect the official policy or position of any affiliated agency of the authors.

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