

## Success for CTM's first "Means of Knowledge" Appeal

Please contact us if you have any questions regarding this Newsletter



**Liban Ahmed**  
Director

**London Office**  
The 401 Centre  
302 Regent Street  
London  
W1B 3HH  
Tel: 0870 405 7695

**liban.ahmed**  
**@ctmltd.com**

Liban worked for HM Revenue & Customs for 20 years, predominately in VAT investigations, before being recruited as an indirect tax advisor at KPMG. He formed CTM in 2005 and now manages all Tribunal appeals.

### Useful Links:

- [Tribunal Decision Database](#)
- [Calltel Decision](#)
- [Livewire Decision](#)
- [Olympia Decision](#)
- [Honeyfone Decision](#)
- [MobilX Decision](#)

### CPU trader wins Tribunal appeal

Pure Trading Limited, represented by CTM, received a negative decision from Customs in July 2007. The date for its hearing was set for end of August 2008, but Customs withdrew its decision just two weeks before. They have now agreed to make full payment, together with interest and repayment supplement.

The case was a hard fought case with both sides submitting 3 sets of witness statements running to hundreds of pages. In addition, it was vital to our case to obtain disclosure of Customs internal documents to both strengthen our case and attack false statements made by Officers.

The Customs Officer, who gave the trader no reason to worry about fraud while it was trading, was now stating that he informed the Pure Trading director, in 2004, that its due diligence could not assist in identifying fraud and that he should leave the industry. The Officer also made a number of other statements that, because of our experience when working for Customs, we knew required further investigation. CTM fought hard and, through many requests for disclosure, and after several preliminary hearings, obtained disclosure of crucial documents. Some documents showed that the Officer was not being truthful and others simply supported an already strong appeal.

Customs withdrew its decision when they had a final conference with Counsel to assess the strength of our appeal. The advice was to withdraw the appeal and we are grateful, at least, that the horrendous ordeal endured by this trader was not prolonged through a lengthy hearing.

Matthew Jones, the Pure Trading director, has kindly agreed to discuss this case with anyone wishing to know more about the important role of a trader in the appeal process. He is also happy to discuss the case in general, if it assists others, and can be contacted on 07813 820670

### General news on the appeals

There is no real change in the approach by Customs and they continue to make decisions to deny input tax on a constant basis. They appear to be targeting the smaller CPU traders now and working on the assumption that companies with small repayment claims will not appeal. We believe that we have a winning strategy for such cases and will gladly discuss this further.

We continue to represent all traders on a no win no fee basis and are happy to discuss this option. If you would like more information, please feel free to contact us.