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CONTENTS

- 140 Editorial
Chris Evans
- 144 Corruption, complexity and tax evasion
Vito Tanzi
- 161 Corruption, taxation, and tax evasion
James Alm and Yongzheng Liu
- 190 Corruption, taxes and compliance
**Anja Baum, Sanjeev Gupta, Elijah Kimani and
Sampawende Jules Tapsoba**
- 217 The impact of corruption on tax revenues, tax compliance and
economic development: Prevailing trends and mitigation actions
in Africa
Bernd Schlenther
- 243 Causes and consequences of corruption in tax administration: An
Indonesian case study
Christine Tjen and Chris Evans
- 262 Tax and corruption: Is sunlight the best disinfectant? A New
Zealand case study
Lisa Marriott
- 290 Tax corruption and private sector development in Vietnam
Ngoc Anh Nguyen, Quang Hung Doan and Binh Tran-Nam
- 312 Applying foreign anti-corruption law in the Chinese tax context:
Conceptual difficulties and challenges
Nolan Sharkey and James Fraser

CONTENTS CONTINUED

333 Morality associated with fraud, corruption and tax evasion in South Africa
Boela (AP) Swanepoel and Jacolize Meiring

359 Addressing aggressive tax planning through mandatory corporate tax disclosures: An exploratory case study
Heidi Zummo, Bronwyn McCredie and Kerrie Sadiq

Morality associated with fraud, corruption and tax evasion in South Africa

Boela (AP) Swanepoel¹ and Jacolize Meiring²

Abstract

The word ‘moral’ is explained in the Collins English Dictionary as ‘adhering to conventionally accepted standards of conduct, based on a sense of right and wrong according to conscience’. The aim of this article is to gauge the morality associated with fraud, corruption and tax evasion in general in South Africa. This study also discusses the impact that morality may have on the occurrence and prevention of fraud, corruption and tax evasion. A questionnaire was employed to investigate the morality issues associated with fraud, corruption and tax evasion in South Africa. The results show that there are certain morality issues associated with fraud, corruption and tax evasion in general, but that an increase in morality may have a positive impact on the occurrence and prevention of these economic crimes.

Keywords: corruption, economic crime, fraud, morality, tax evasion, South Africa

¹ Associate Professor, Department of Taxation, University of South Africa, swaneap@unisa.ac.za.

² Department of Taxation, University of South Africa.

1. INTRODUCTION

Economic crime has managed to infiltrate virtually all spheres of life in South Africa. The public and private sectors not only testify to the existence of this economic challenge, but also bear the scars of the impact of economic crime in general. Economic crimes such as fraud, corruption, money laundering, and tax evasion may generally have distinct financial and moral consequences.

Due to fraud that goes undetected, corporations pay less tax (Geis, 2007, p. 104). To this end, Beesley (2008, p. 116) contends that the elimination or even the reduction of economic crimes will assist a tax administration in its efforts to increase the tax base and ensure that all taxes are paid. However, economic crimes may never be eliminated because such crime offenders have little or no regard for their victims and only focus on the financial rewards of these crimes. Nevertheless, a proactive risk management plan in the form of preventative measures and corporate ethics could act as an effective countermeasure to manage the levels of economic crimes in general.

Certain factors contribute to the prevalence of fraud and corruption, including changes in social norms, market deregulation consequences, and the democratisation of finance (Bishop & Hydoski, 2009, p. 5). Fraud, corruption, aggressive tax avoidance and tax evasion also seem to disregard set boundaries such as state borders, legal compliance structures, and revenue authorities (Visser, McIntosh & Middleton, 2006, p. 75). The public and private sectors are subject to constant threat from fraud or corruption attempts by fraudsters operating from inside or outside an organisation, testing their defence and control structures for possible weaknesses. Fraud and corruption cannot be eliminated, but they can be reduced (Wells, 2003a, p. 36).

Many new laws have been written and promulgated in the South African Parliament in an attempt to address fraud and corruption. These include the *Prevention of Organised Crime Act 121 of 1998*, the *Prevention of Organised Crime Amendment Act 24 of 1999*, the *Protected Disclosures Act 26 of 2000*, the *Financial Intelligence Centre Act 38 of 2001*, the *Prevention and Combating of Corrupt Activities Act 12 of 2004*, and the *Protection of Constitutional Democracy against Terrorist and Related Activities Act 33 of 2004*. Unfortunately, laws alone might not be enough to curb fraud and corruption. Many organisations have come to realise that a crucial connection between ethics and organisational success exists (Van Vuuren, 2002, p. 21). Hughes, Kaidonis and Anderson (2008, p. 28) suggest that ethics might be the magic product that many companies could employ to build customer, investor, and employee loyalty. Even though it may take years for a company to build up a good reputation, it can be lost in a matter of seconds. Silverstone and Sheetz (2007, p. 68) state that '[o]ne of the more important controls over the accounting system has to be the ethical conduct of management'. The actions taken by management thus influence the actions of those below them (Coenen, 2008, p. 178).

Each person has a moral code that serves as a foundation for daily ethical decisions (Wells, 2003b, p. 5). Certain characteristics such as honesty, fairness, kindness, courtesy and respect are universal aspects of people's moral codes (Wells, 2003b, p. 5). Many people find themselves sacrificing short-term rewards for long-term goals and are even willing to sacrifice their sense of morality if they can obtain an immediate benefit from a transaction (Wells, 2003b, p. 5).

Morality and ethical conduct, therefore, are paramount in complementing current legal efforts to curb fraud and corruption in the public and private sectors. This article sets out to investigate the possible moral issues associated with fraud, corruption and tax evasion in South Africa.

The remainder of this article is organised as follows: in section 2, the relevant literature on the morality associated with fraud, corruption and specifically tax evasion is discussed. This is followed in section 3 by a short description of the research methodology. In section 4, the empirical findings of this article are reported and discussed, followed finally in section 5 by a summary of the key findings and conclusion, as well as the implications of this research for the public and private sectors.

2. LITERATURE REVIEW

The Collins English Dictionary explains the word '*moral*' as 'being concerned with or relating to human behaviour, especially the distinction between good and bad or right and wrong behaviour'. The word '*moral*' is further explained as 'adhering to conventionally accepted standards of conduct, based on a sense of right and wrong according to conscience'. Synonyms for the word '*moral*' include good, right, principled, pure, decent, proper, noble, ethical, honourable, honest, righteous, blameless and incorruptible.

When an issue is recognised as involving ethical considerations, the ethical components should be evaluated (Fleischman, Valentine & Finn, 2007, p. 115). Moral judgment is exercised when determining whether actions are morally right or wrong, and can be affected by personal values (Hobson, Mellon & Stevens, 2011, p. 87). Bell et al. (2011, p. 1) observe that personal history and social traditions may become part of a person's philosophical and behavioural responses.

Burt (2009, p. 12) states that greed appears to have clouded the moral fibre of society. Unethical decision-making and behaviour within organisations have received increasing attention over the last decade in the popular press, especially with regard to moral turpitude (Bell et al., 2011, p. 2). In light of this, business ethics is described as a 'process of promoting moral principles and standards to guide business behaviour' (Rezaee, 2009, pp. 64-65). The violation of ethics, trust and responsibility may be at the heart of economic crimes (Rezaee & Riley, 2010, p. 26). For this reason, ethical behaviour is the bedrock of every successful society, individual, company or organisation (Hughes et al., 2008, p. 30). By implementing and dealing with ethics at all levels in the public and private sector, and by setting the tone at the top levels, the temptation to commit economic crimes may be handled appropriately in conjunction with prevailing law enforcement and legislation.

Jones and Rhoades-Catanach (2011, p. 576) state that 'non-compliance with the tax laws can result in monetary penalties, and, in extreme cases, criminal prosecution'. Enforcement therefore influences compliance as an individual pays taxes out of fear of the economic consequences of detection and punishment (Alm & Torgler, 2011, p. 637). However, tax compliance is not only impacted by the opportunity to evade taxes, but also tax rates, and the probability of detection (Torgler, 2006, p. 101). Tax compliance is an intricate decision that is motivated by a host of factors, including

those that are non-economic in nature (Torgler, 2006, p. 101; Cummings et al., 2009, p. 456). Alm and Torgler (2011, p. 638) observe that a taxpayer will comply as long as the taxpayer believes that compliance is the 'right thing to do'. Tax morality therefore impacts tax compliance.

The most difficult issue to deal with is probably whether there are any moral limits to the steps or procedures a taxpayer may take to reduce tax. To act as an ethical person, one should be capable of taking a stand regarding an important and difficult problem in one's life (such as being tax compliant) and be able to justify and explain one's stance regarding the dilemma being faced and the course of action to be followed to handle the problem (for example an adverse tax position) (Brooks & Dunn, 2012, p. 132). A decline in ethics 'is largely cultural and appears to be closely associated with a failing system of morality' (Stephens, Vance & Pettegrew, 2012, p. 17). In a study conducted by Murphy (2004, p. 318), it was found that the overall level of morality in terms of paying tax is much lower for taxpayers that have an aggressive tax agent.

From the sources consulted, it is obvious that ethics are essential in preventing the occurrence of economic crime. The promotion and implementation of steps to prevent economic crime and promote sound management may positively affect the reduction of economic crime. It can therefore be said that the negative impacts of economic crime can be influenced by addressing the moral orientation of people and promoting ethical conduct in all spheres of life.

3. RESEARCH METHODOLOGY

A typical South African society or community is composed of people working in various spheres of the economy, being either self-employed, employed in the public or private sectors, or retired. People, in general, interact with other people, being from either the same or a different society or community. This interaction may occur in the fields of education (pre-school, primary school, secondary school and tertiary training), sport, arts, business, government, culture and church or religion. Most people who are part of a society or community interact by way of one or more of the abovementioned fields of involvement.

Within a society or community, all of the laws promulgated by the South African Parliament, and subsequently gazetted, would apply. However, not all members of a society or community would adhere to or comply with all the applicable laws and regulations. This may cause members of a society or community to come to the fore and deal with or promote the morality issues associated with certain non-compliance by other members of their society or communities. In order to research the morality issues associated with fraud, corruption and tax evasion in this study, a questionnaire was provided to respondents who were involved in their community or society. The purpose of the questionnaire was to establish the perceptions and observations of the respondents regarding morality issues associated with fraud, corruption and tax evasion in general.

3.1 Measurement instrument and respondent profiles

The data for this research project were obtained through a questionnaire provided to 185 members of societies and communities in South Africa that fulfil some sort of leadership role. The internet, as well as telephone directories were used to identify

possible respondents at random for this research project. The respondents were contacted by telephone to explain the purpose of the research and to enquire whether the prospective respondent would be willing to participate. If a respondent agreed to participate, the questionnaire was sent via either electronic mail or fax to the respondent. All of the completed questionnaires that were returned were analysed using specialised statistical software.

The questionnaire comprised 20 questions and the terms 'fraud', 'corruption', 'tax evasion' and 'South African Revenue Service (SARS)' were explained to respondents in the 'General information' section. The 20 questions were not directly related to each other, but the questionnaire was designed in such a manner that it grouped related questions under the relevant sub-headings. The main objectives for this questionnaire were to determine a preferable framework for people in general to direct their actions or decisions, the involvement of the church, community and society in moral issues, people's attitudes regarding morality issues, people's moral values, morality in taxpayers' conduct, morality in tax evasion, morality in tax planning, and the main reasons for perpetrating tax evasion, fraud and corruption. By analysing the research results, the research objectives were addressed. The questionnaire is set out in the annexure to this article.

The respondents were selected to represent the fields of education, sports, arts, business, government, culture, church and religion in general. To this end, the respondents had to indicate their position and respective roles in their society/community, for example, a legal practitioner indicated that he was a church cell group leader, and a pharmacist indicated that she was a mother and wife. The reason for this approach was to obtain the widest possible spectrum of respondents from various spheres of societal involvement. If the respondents were to come from the business environment only, this would have provided responses from a business perspective alone. By selecting respondents from various spheres of involvement, this research provides a more holistic view of the morality issues associated with fraud, corruption and tax evasion in general.

A total of 185 people agreed to participate and were provided the questionnaire to complete. Only 140 completed questionnaires were received, indicating a 76 per cent response rate. The 140 respondents comprised 52 per cent males and 48 per cent females, with Gauteng having the highest representation with 68 respondents. Table 1 provides a demographic overview of the respondents by province and gender.

Table 1: Demographic Detail of Respondents

<i>Province</i>	<i>Males</i>	<i>Females</i>	<i>Total</i>	
	<i>N</i>	<i>N</i>	<i>N</i>	<i>%</i>
Eastern Cape	3	1	4	2.9
Free State	3	2	5	3.6
Gauteng	39	29	68	48.6
Kwazulu-Natal	5	3	8	5.7
Limpopo	2	2	4	2.9
Mpumalanga	2	1	3	2.1
Northern Cape	1	2	3	2.1
North-West	2	1	3	2.1
Western Cape	16	26	42	30.0
Total	73	67	140	100.0

The 140 respondents represented 68 different professional positions in their society/community. The different professional positions included accountants, auditors, business owners, care workers, church ministers, engineers, financial advisors, journalists, lecturers, medical and dental practitioners, pharmacists, psychologists, sales representatives, personal assistants, students, school teachers and public health workers. The 140 respondents represented 48 different leadership roles in their respective society/community. These included administration roles at various levels, care and spiritual leadership, chairpersons of homeowner associations, church deacons and elders, counselling services, involvement in community sport development and training, the management of community projects, leading and uplifting disadvantaged people, the management of a mission office, pastoral work, public service, private practice, the rendering of professional services, being a school psychologist, and teaching.

3.2 Statistical methods

The integrity of the results obtained with the questionnaires was statistically analysed by considering frequencies and distributional statistics. Distributional analysis furthermore provided insight into the importance of moral issues regarding the morality associated with fraud, corruption and tax evasion in general in South Africa.

Pearson Chi-Square tests were employed to test for meaningful associations between some of the questions in the questionnaire. The Chi-Square test is used to test for a statistically significant association or dependence between two variables. It is important to note that the Chi-Square test only indicates whether two variables are dependent (or related), it does not say anything about the magnitude of the dependency (Welman, Kruger & Mitchell, 2005, p. 229). Statistical significance is determined by considering the respective *p*-values, where a *p*-value of below 0.01 indicates statistical significance at a 1 per cent level.

4. EMPIRICAL RESULTS AND FINDINGS

This study aims to establish people's perceptions of their own moral values regarding fraud, corruption and tax evasion. As such, the following is considered regarding morality associated with fraud, corruption and tax evasion:

1. a preferable framework for people to direct their actions or decisions;
2. the involvement of the church, community and society in moral issues;
3. people's attributes in terms of morality issues;
4. people's moral values;
5. morality in taxpayers' conduct;
6. morality in tax evasion;
7. morality in tax planning; and
8. reasons for perpetrating tax evasion, fraud and corruption.

Each of these is discussed in the following section by considering the responses to various questions in the questionnaire.

4.1 A preferable framework for people to direct their actions or decisions

An individual may act in a manner befitting his own moral ontology and when such an individual is faced with new and challenging decisions, he or she may seek counsel from other more knowledgeable persons (Beattie, 2010, p. 92). The first question required the respondents to indicate a preferable framework to direct people's actions or decisions in the absence of an effective law or a lack of adequate law enforcement. The following is a summary of the main responses:

1. the values of the community should be of such a nature that its members would realise the purpose of taxation and that a moral obligation should be the main motivational instrument in this regard;
2. companies should utilise a strategy for the training of employees in the essence of business ethics regarding corporate governance;
3. if there were no legal system in place, the preferable system would be one based on what the general community finds acceptable – each person needs to do what is considered reasonable by one's own culture and values;
4. companies should have standard operating procedures, which entail written procedures clearly identifying and guiding people in the correct way of conducting their business (actions and decisions).

Based on the responses given, leaders could formulate their own value system with reference to the values of the community and educate their followers or employees in the essence of business ethics.

4.2 Involvement of the church, community and society in morality issues

Churches, community and society play a significant role in forming public opinion on various issues. With the globalisation of world economies, and the arrival of the internet and electronic communication such as email, Skype, Twitter, Facebook and YouTube, the role of churches, community and society as shapers of values may have changed.

The involvement of the church, community and society in morality issues is addressed in the answers given for the two questions listed in Table 2.

Table 2: Church/Community/Society versus Fraud, Corruption and Tax Evasion

Question	Yes		No		Uncertain		Total	
	<i>N</i>	<i>% of Total</i>	<i>N</i>	<i>% of Total</i>	<i>N</i>	<i>% of Total</i>	<i>N</i>	<i>% of Total</i>
Do you think that the church/community/society in general can play a role in modern society in condemning tax evasion and promoting tax morality?	122	87%	13	9%	5	4%	140	100%
Do you think that the church/community/society should take a more open or firm public stance against fraud, corruption and tax evasion?	123	88%	10	7%	7	5%	140	100%

Despite the elements of today's modern era, 87 per cent of the respondents indicated that churches, community and society could play a role in modern society in condemning tax evasion and promoting tax morality. Only 9 per cent of the respondents had an opposing viewpoint. The church/community/society therefore has an important role to play when voicing an opinion about what is deemed unacceptable by the community, and may influence people's perspective on such an issue. However, churches and the community can assist in promoting morality far beyond just tax matters, for example, in terms of respect for the law, respecting other people's rights, and behaving in an orderly manner in public.

Surprisingly, 88 per cent of the respondents indicated that churches, community and society should take a more open or firm public stance against fraud, corruption and tax evasion. Only 7 per cent of the respondents held an opposing viewpoint. All of these transgressions have one goal in common and that is to enrich the perpetrator and to deprive the victim of certain benefits, money or revenue. Law enforcement is the primary vehicle for dealing with fraud, corruption and tax evasion. However, law enforcement alone may not be enough to combat these economic crimes, and therefore the assistance of churches, the community and society is required.

4.3 People's attributes in morality issues

With the realisation of the new democratic South Africa, the Constitution of 1996 was drafted and promulgated as law in 1996. Chapter 2 of the Constitution contains the Bill of Rights, which is applicable to all South Africans. It was against the backdrop of the Constitution that three questions were posed to the respondents regarding people's attributes in terms of morality issues; their responses are indicated in Table 3.

Table 3: People's Attributes in Morality Issues

Question	Yes		No		Uncertain		Total	
	<i>N</i>	<i>% of Total</i>	<i>N</i>	<i>% of Total</i>	<i>N</i>	<i>% of Total</i>	<i>N</i>	<i>% of Total</i>
Do you think that people are more aware of their human rights than of their responsibility to comply with tax laws and regulations?	117	83%	15	11%	8	6%	140	100%
Do you think that a change in taxpayers' attitude towards SARS and the government may positively affect eliminating tax evasion, fraud, corruption and strengthen tax morality?	121	86%	10	7%	9	7%	140	100%
Do you think that materialism; greed and self-enrichment have become more important to people than old-fashioned moral values?	120	85%	8	6%	12	9%	140	100%

The majority of the respondents (83 per cent) were of the opinion that people are more aware of their human rights than of their responsibility to comply with tax laws and tax regulations. Only 11 per cent of the respondents did not agree with this statement. This corresponds with an observation made by Bondeson (2006, p. 5) that there has been a renewed focus on human rights in recent years.

Eighty-six per cent of the respondents were of the opinion that a change in taxpayers' attitudes towards SARS and the government may positively affect eliminating tax evasion, fraud, and corruption, and could strengthen tax morality. Only 7 per cent of the respondents had an opposing viewpoint. This result may emphasise the general attitude displayed by taxpayers towards SARS and the government.

Eighty-five per cent of the respondents indicated that materialism, greed and self-enrichment have become more important than old-fashioned moral values. Only 6 per cent of the respondents had an opposing opinion. The majority of the respondents therefore had the view that many people have indeed experienced a shift in their value systems. Materialism, greed and self-enrichment have, for many people, replaced their original value system.

The role that churches, community and society could play in curbing fraud, corruption and tax evasion should not be underestimated. Many people still regard the opinion of their churches, community or society on various issues as important.

4.4 People's moral values

People pursue their own interests and most often choose the option that most likely yields the greatest benefit to them (Larmore, 2008, p. 92). Tax laws and regulations govern the payment of tax and the taxpayer is therefore legally bound to comply with the applicable tax laws and regulations. Tax morality is and will always be a contentious issue. The respondents' answers to the three questions relating to people's moral values are set out in Table 4.

Table 4: People's Moral Values

Question	Yes		No		Uncertain		Total	
	<i>N</i>	<i>% of Total</i>	<i>N</i>	<i>% of Total</i>	<i>N</i>	<i>% of Total</i>	<i>N</i>	<i>% of Total</i>
Do you think that it is morally justifiable not to comply with tax rules and regulations in order to save an amount of taxation because, for example, the taxpayer might disapprove of the present government?	13	9%	119	85%	8	6%	140	100%
Do you think that tax morality should be governed by tax rules and tax regulations?	108	77%	27	19%	5	4%	140	100%
Do you think that fraud, corruption and tax evasion can be minimised by addressing the moral values of people?	111	79%	19	14%	10	7%	140	100%

Only 9 per cent of the respondents indicated that it is morally justifiable not to comply with tax rules and regulations in order to save an amount of taxation. However, 85 per cent of the respondents indicated that it would not be morally justifiable to not comply with tax laws in order to save an amount of taxation because the taxpayer may, for example, disapprove of the present government. Taxpayers would therefore not be prepared to fail to comply with tax laws should they disapprove of any particular issue of note.

The majority of the respondents (77 per cent) were also of the opinion that tax morality should rather be governed by tax rules and regulations than by something else such as personal, spiritual, religious or another set of moral values. However, 19 per cent of the respondents had an opposing opinion on this issue. When a taxpayer is not tax compliant, it would be much easier to address such non-compliance if it were governed by a tax law rather than by some personal, spiritual, religious or other set of moral values. This is the case because not all people may have the same moral values, but the law applies equally to every person. A society or a community could probably

function without any moral values and only rely on official laws and regulations to maintain law and order.

It is noteworthy that 79 per cent of the respondents indicated that fraud, corruption and tax evasion could be minimised by dealing with the moral values of people. To the contrary, 14 per cent of the respondents opposed this statement. The respondents were in consensus that moral values can play a role in dealing with fraud, corruption and tax evasion in general. People with established moral values align their conduct accordingly. Attempts to limit fraud, corruption and tax evasion should therefore involve educating members of the community regarding moral value systems.

4.5 Morality in taxpayer conduct

Morality in taxpayer conduct was measured by considering the responses to four questions in the questionnaire. The respondents' answers are indicated in Table 5.

Table 5: Morality in Taxpayer Conduct

Question	Yes		No		Uncertain		Total	
	N	% of Total	N	% of Total	N	% of Total	N	% of Total
Do you think that if a taxpayer has been dishonest in the past when declaring his/her income for tax purposes, the taxpayer should notify SARS and declare the correct income for previous years?	99	71%	16	11%	25	18%	140	100%
Do you think that continued tax dishonesty/tax evasion may cause taxpayers to experience health or psychological problems?	91	65%	25	18%	24	17%	140	100%
Do you think that if one taxpayer becomes aware of another taxpayer's tax dishonesty or tax evasion, he/she should report the fact to SARS?	84	60%	34	24%	22	16%	140	100%
Do you think that tax laws and regulations should primarily guide a taxpayer's actions?	103	74%	31	22%	6	4%	140	100%

Only 11 per cent of the respondents indicated that SARS should not be notified of tax dishonesty in previous tax years. A further 18 per cent of the respondents indicated that they were uncertain regarding this issue. However, 71 per cent of the respondents answered affirmatively about notifying SARS of tax dishonesty in previous tax years. It may be fair to conclude that those respondents who indicated that SARS should be

notified about tax dishonesty in previous tax years had a certain level of tax morality. However, it would be unfair to conclude that those respondents that replied negatively had little or no tax morality as other external factors may have influenced the respondents' views on tax compliance. It is nevertheless noteworthy that 71 per cent of the respondents believed that SARS should be notified of tax dishonesty in previous tax years. Alexander (2007, p. 285) observed that people make choices about what they value, and would learn to behave morally. Morality is therefore a choice and not a law, and cannot be enforced on anyone.

Only some of the respondents in this research project had a medical or psychological background. Thus, the opinions expressed by the majority of the respondents relating to the issue of whether continued tax dishonesty/tax evasion may cause taxpayers to experience health or psychological problems were based on their own perceptions of this issue. Sixty-five per cent of the respondents replied in the affirmative to this question, while 18 per cent of respondents did not agree with the probability that continued tax dishonesty/tax evasion may cause taxpayers to experience health or psychological problems. A further 17 per cent of the respondents were uncertain on this issue. A person displaying sound morality and adhering to or complying with tax laws and regulations need not be concerned with the consequences of non-adherence or non-compliance.

Sixty per cent of the respondents indicated that when one taxpayer becomes aware of another taxpayer's tax dishonesty or tax evasion, it should be reported to SARS. Twenty-four per cent of the respondents indicated the opposite, while 16 per cent of the respondents were uncertain about this issue. The fact that the majority of the respondents indicated that they would report tax dishonesty or tax evasion to SARS may be of note. People want to know what actions are praiseworthy, blameworthy or morally neutral (Alexander, 2007, p. 268). In this regard, Hare (2007, p. 242) observes that sometimes morality requires sacrifices, however, people attempting morally good behaviour are happier. Reporting another taxpayer to SARS for tax dishonesty could become a moral issue.

The majority of the respondents (74 per cent) indicated that tax laws and regulations should primarily guide a taxpayer's actions. A significant number of the respondents (22 per cent) had an opposing viewpoint, which indicates that other possibilities might also exist to guide taxpayers' actions, apart from tax laws and regulations. The majority of the respondents were, however, of the opinion that taxpayer' actions should primarily be guided by tax laws and regulations rather than something else. Tax law can be successfully enforced on all taxpayers as it sets the tax boundaries. However, tax laws and regulations could be supported by general values in a community.

4.6 Morality in tax evasion

The question could be asked whether a person could feel remorse when committing an offence or transgressing a specific legal or regulatory requirement. The respondents were challenged with four questions relating to morality in tax evasions, the responses to which are indicated in Table 6.

Table 6: Morality in Tax Evasion

Question	Yes		No		Uncertain		Total	
	<i>N</i>	<i>% of Total</i>	<i>N</i>	<i>% of Total</i>	<i>N</i>	<i>% of Total</i>	<i>N</i>	<i>% of Total</i>
If I perceive the current tax system to be unfair or unjust, could that be sufficient grounds for tax evasion?	8	6%	124	88%	8	6%	140	100%
Do you think that tax evaders have any concerns about their tax evasive actions?	47	34%	63	45%	30	21%	140	100%
Do you think that people comply with tax rules and regulations because they respect the law?	94	67%	15	11%	31	22%	140	100%
Do you think that by adding more severe penalties and other punitive measures against tax evasion, fraud and corruption, the current levels of these transgressions would decrease?	73	52%	51	37%	16	11%	140	100%

Most of the respondents (88 per cent) indicated that if a person perceives the current tax system to be unfair or unjust, it would not be sufficient grounds for tax evasion. However, 6 per cent of the respondents indicated that tax evasion could be an option if the current tax system is perceived to be unfair or unjust. The fact that such a large percentage of the respondents answered 'no' to the posed question emphasises the strong moral orientation of these respondents. It can be said that even if they were to perceive the current tax system to be unfair or unjust, they would still adhere to the tax laws and regulations by refraining from tax evasion. Bondeson (2006, p. 5) debates whether 'justice is the law of the ruling society, or something that is related to man's feelings of justice'. Bondeson's conclusion on justice was that the law should be the primary vehicle for addressing justice, but that a person's own conviction may complement justice from a legal perspective (Bondeson, 2006, p. 5).

Only 34 per cent of the respondents indicated that tax evaders might have concerns about their evasive actions, while 45 per cent of the respondents indicated that evaders have no concerns about their tax evasive actions. The remaining respondents (21 per cent) were uncertain about this issue. The respondents that remained uncertain could have had a significant impact on the affirmative or opposing viewpoints expressed by the respondents. The fact that 45 per cent of the respondents indicated that tax evaders have no concerns about their tax evasive actions might imply that such tax evaders may continue with their tax evasion activities until being detected.

The majority of the respondents (67 per cent) were of the opinion that people comply with tax laws and regulations because they respect the law. A considerable number of the respondents (22 per cent) were uncertain about this issue, while 11 per cent of the respondents indicated that people might comply with tax laws and regulations for different reasons.

Only 52 per cent of the respondents indicated that by levelling more severe penalties and other punitive measures against tax evasion, fraud and corruption would the current levels of these transgressions decrease. It is anticipated that by imposing more severe penalties and other punitive measures against tax evasion, fraud and corruption, it might have a positive effect on the levels of these transgressions. However, 37 per cent of the respondents believed that more stringent measures against tax evasion, fraud and corruption would have no impact on these transgressions. These respondents may therefore have affirmed their faith in existing punitive measures to deal with the aforementioned transgressions. It might also be interpreted as an indication of the effectiveness of existing measures and procedures to address tax evasion, fraud and corruption in general.

The general view of the respondents was that there are enough punitive measures in place to deal with fraud, corruption or tax evasion. Introducing additional penalties or punitive measures may, actually, affect law-abiding citizens more than offenders. Current measures in place may be sufficient, but should possibly be enforced more rigorously.

4.7 Morality in tax planning

With almost every transaction that a taxpayer concludes, taxation of some sort could come into play and would have to be considered by the taxpayer. One of the goals of taxation is the raising of revenue; tax law is used to achieve this goal (Dennis-Escoffier & Fortin, 2007, p. 3). In this regard, a taxpayer has the right to plan his or her tax affairs within the parameters of the tax laws in order to pay the least possible taxes. The respondents' answers to the questions relating to morality in tax planning are reflected in Table 7.

Table 7: Morality in Tax Planning

Question	Yes		No		Uncertain		Total	
	<i>N</i>	<i>% of Total</i>	<i>N</i>	<i>% of Total</i>	<i>N</i>	<i>% of Total</i>	<i>N</i>	<i>% of Total</i>
Do you think that taxpayers should pay their tax without any form of tax planning?	5	4%	129	92%	6	4%	140	100%
Do you think that tax planning, when it becomes aggressive (tax planning becomes tax evasion), may become a moral issue?	117	83%	19	14%	4	3%	140	100%

For 92 per cent of the respondents, the payment of tax without any form of tax planning would not be acceptable. Only 4 per cent of the respondents indicated that they would pay their taxes without any form of tax planning.

Furthermore, 83 per cent of the respondents indicated that tax planning might become a moral issue when it becomes aggressive. This emphasises the responsibility of taxpayers in exercising their right to implement tax planning within the ambit of the law. A total of 14 per cent of the respondents were of the opinion that when tax planning does become aggressive, it will not be a moral issue. This could imply that some people therefore employ or use aggressive tax planning to handle an adverse tax

position without considering it immoral and therefore could be willing to use tax evasion to address an adverse tax position to their satisfaction.

4.8 Reasons for perpetrating tax evasion, fraud and corruption

There must be something that triggers the need for tax evasion and the perpetration of fraud and corruption. In this regard, Hare (2007, p. 96) observes that a person has a natural inclination to seek an advantage despite their regard for justice.

The respondents were prompted to indicate why they thought people conducted tax evasion in general or committed fraud and corruption. They also had to supply a short justification in this regard. The following is a summary of some of most the notable justifications supplied by the respondents:

1. the respondents believed that people might distrust the government as they see no attempt to indicate how money is utilised, and may start paying tax in terms of what they perceive as service delivery;
2. the respondents held the opinion that there are excessive taxes in South Africa and a number of people are trying to reduce a large burden that could easily lead to tax evasion in all possible ways;
3. the respondents contended that fraud and corruption are part of an immoral and lawless society that is unaware of the impact of their actions or is not held responsible for its crimes. In this regard, they also observed that it has become acceptable in society to be dishonest, and that a lack or absence of control systems creates opportunities for irregularities without punishment;
4. the respondents observed that given the climate of bribery, poor public service delivery and corruption in government, there may be a growing feeling among the middle and upper classes that being honest is foolish and that they are merely giving money to incompetent officials who may squander or abuse the funds.

To curb tax evasion, fraud and corruption, taxpayers therefore need to see that government utilises tax money in a responsible manner and that law enforcement is adequate and effective. Government should furthermore address misconduct in its ranks and communicate effectively with taxpayers.

4.9 Association between morality issues

A Pearson Chi-Square test was carried out to examine whether there was a statistically significant association between the categorical questions focusing on the impact of the stance of the church/community/society and people's moral values, morality in tax evasion, morality in taxpayers' conduct and people's attributes in terms of morality issues. The null hypothesis of independence is rejected when the p -value is smaller than 0.01, therefore indicating a statistically significant association between two categorical variables at a 99 per cent level of confidence.

Only five of the questions in the questionnaire revealed a statistically significant association with the involvement of the church/community/society, while 11 questions revealed no statistically significant association, as displayed in Table 8. Only those questions that revealed a statistical association with the involvement of the church/community/society are the focus of the remainder of this section.

Table 8: Associations between Moral Issues and the Church/Community/Society

Comparison between questions		Chi-square value	DF	P-value	Result
Base question: Do you think the churches/community/ society should take a more open or firm public stance against fraud, corruption and tax evasion?					
1	If I perceive the current tax system to be unfair or unjust, could that be sufficient grounds for tax evasion?	5.929	4	0.2045	Insignificant
2	Do you think a taxpayer should pay his/her tax without any form of tax planning?	2.324	4	0.6763	Insignificant
3	Do you think that tax planning, when it becomes aggressive, (tax planning become tax evasion), may become a moral issue?	2.635	4	0.6206	Insignificant
4	Do you think it is morally justifiable not to comply with tax rules and regulations in order to save an amount of taxation because, for example, the taxpayer might disapprove of the present government?	18.963	4	0.0008	Significant
5	Do you think that people are more aware of their human rights than of their responsibility to comply with tax laws and tax regulations?	4.314	4	0.3652	Insignificant
6	Do you think that tax morality should be governed by tax rules and tax regulations, or rather by a personal, spiritual, religious or other set of moral values?	3.188	4	0.5269	Insignificant
7	Do you think that when a taxpayer has been dishonest in the past when declaring his/her income for tax purposes, the taxpayer should notify SARS and declare the correct income for previous tax years?	2.507	4	0.6433	Insignificant
8	Do you think that continued tax dishonesty/tax evasion may cause taxpayers to experience health or psychological problems?	3.119	4	0.5382	Insignificant
9	Do you think if one taxpayer becomes aware of another taxpayer's tax dishonesty or tax evasion, he/she should report that fact to SARS?	8.145	4	0.0864	Insignificant
10	Do you think that a change in taxpayers' attitudes towards SARS and the government may positively affect eliminating tax evasion, fraud, corruption, and strengthen tax morality?	1.467	4	0.8325	Insignificant
11	Do you think that tax evaders have any concerns about their tax evasive actions?	25.363	4	0.0001	Significant
12	Do you think that tax laws and regulations should primarily guide a taxpayer's actions?	1.982	4	0.7391	Insignificant
13	Do you think that fraud, corruption and tax evasion can be minimised by addressing the moral values of people?	10.968	4	0.0069	Significant

Comparison between questions		Chi-square value	DF	P-value	Result
Base question: Do you think the churches/community/ society should take a more open or firm public stance against fraud, corruption and tax evasion?					
14	Do you think that materialism; greed and self-enrichment have become more important to people than old-fashioned moral values?	15.882	4	0.0032	Significant
15	Do you think that people comply with tax rules and regulations because they respect the law or simply because they are afraid of being caught for perpetrating non-compliance?	3.195	4	0.5258	Insignificant
16	Do you think that by adding more severe penalties and other punitive measures against tax evasion, fraud and corruption, the current levels of these transgressions would decrease?	17.467	4	0.0016	Significant

The null hypothesis of no association relating to comparison 4 in Table 8 may be rejected at a 1 per cent level of significance ($\chi^2(4) \approx 18.963$; $p=0.0008$). The results therefore reveal that there seems to be a statistically significant association between people's moral values concerning non-compliance with tax rules and regulations and a firmer public stance against fraud, corruption, and tax evasion by churches/community/society. In other words, even though some people's moral viewpoint may cause them to choose not to comply with tax rules and regulations in order to save an amount of taxation, it is nevertheless considered that the involvement of the church/community/society in taking a firmer and more open stance on the matter could possibly curb fraud, corruption and tax evasion as the church/community/society is still viewed by many people to resemble the moral compass of the broad community/society.

The null hypothesis of no association relating to comparison 11 in Table 8 may be rejected at a 1 per cent level of significance ($\chi^2(4) \approx 25.363$; $p=0.0001$). The results therefore reveal that there seems to be a statistically significant association between people's moral values about the fact that tax evaders may have any concerns about their tax evasive actions and a firmer public stance against fraud, corruption and tax evasion by churches/community/society. Even though some tax evaders may have no concern about their evasive tax actions, the involvement of the church/community/society in taking a firmer and more open stance on the matter could possibly curb fraud, corruption, and tax evasion. If people are associated with or linked to the church/community/society, they may well align their own moral conduct accordingly.

The null hypothesis of no association relating to comparison 13 in Table 8 may be rejected at a 1 per cent level of significance ($\chi^2(4) \approx 10.968$; $p=0.0069$). The results therefore reveal that there seems to be a statistically significant association between people's moral values about the fact that fraud, corruption and tax evasion can be minimised by addressing the moral values of people and a firmer public stance against fraud, corruption and tax evasion by churches/community/society. Even though some people may still perpetrate fraud, corruption or tax evasion once their moral values have been addressed, the involvement of the church/community/society in taking a

firmer and more open stance on the matter could possibly curb fraud, corruption, and tax evasion as the church/community/society is still viewed by many people to resemble the moral compass of the broad community/society.

The null hypothesis of no association relating to comparison 14 in Table 8 may be rejected at a 1 per cent level of significance ($\chi^2 (4) \approx 15.882$; $p=0.0032$). The results therefore reveal that there seems to be a statistically significant association between people's moral values about the fact that materialism, greed and self-enrichment have become more important to people than old-fashioned moral values and a firmer public stance against fraud corruptions and tax evasion by churches/community/society. Even though some people may place a higher value on materialism, greed and self-enrichment than old-fashioned moral values, the involvement of the church/community/society in taking a firmer and more open stance on the matter could possibly curb fraud, corruption and tax evasion.

The null hypothesis of no association relating to comparison 16 in Table 8 may be rejected at a 1 per cent level of significance ($\chi^2 (4) \approx 17.467$; $p=0.0016$). The results therefore reveal that there seems to be a statistically significant association between people's moral values concerning the fact that adding more severe penalties and other punitive measures against tax evasion, fraud and corruption would decrease the current levels of these transgressions, as well as a firmer public stance against fraud, corruption and tax evasion by churches/community/society. Even though some people may still commit tax evasion, fraud and corruption in any event, the addition of more severe penalties and other punitive measures against these transgressions, the involvement of the church/community/society in taking a firmer, and more open stance on the matter could possibly curb fraud, corruption and tax evasion as the church/community/society is still viewed by many people to resemble the moral compass of the broad community/society.

4.10 Summary

The following conclusions can be drawn based on the analysis in this section:

1. a preferable framework for people to direct their actions and decisions could be that the values of the community should be of such a nature that its members would realise the purpose of taxation. Also, a moral obligation should be the main motivational instrument in this regard (section 4.1);
2. the majority of the respondents were of the opinion that the involvement of the church, community and society in morality issues should be promoted as a measure to prevent the perpetration of fraud, corruption and tax evasion (section 4.2);
3. people's attributes in terms of morality issues should not be overshadowed by people's human rights when it comes to compliance with tax laws and regulations. The majority of the respondents also indicated that a change in taxpayers' attitudes towards SARS and the government might positively affect eliminating tax evasion, fraud, corruption, and may strengthen tax morality. However, they also indicated that materialism, greed and self-enrichment have become more important to people than moral values (section 4.3);
4. people's moral values cannot be adjusted to save any amount of taxation, and tax morality should be governed by tax rules and regulations. Moreover,

fraud, corruption and tax evasion could be minimised by addressing the moral values of people (section 4.4);

5. the majority of the respondents were of the opinion that the morality in taxpayer conduct should be to act fairly towards SARS in declaring the correct income for past tax years and the current tax year, to rectify any misdeclaration in this regard, and to report any known tax evasion to SARS (section 4.5);
6. there cannot be any morality in tax evasion. Tax evasion remains immoral regardless of the reason for it (section 4.6);
7. the majority of the respondents were of the opinion that taxpayers are entitled to use tax planning, but that tax planning may become a moral issue when it becomes aggressive, leading to immoral behaviour such as tax evasion (section 4.7);
8. of note were the main reasons identified by the respondents for committing economic crimes. Financial stress, economic pressures, needs, greed or simply the thrill and opportunity were some of most the notable justifications (section 4.8).

The Chi-Square test dependency results in section 4.9 indicate a highly significant association between the church/community/society playing a role in society by taking a firmer public stance against fraud corruptions and tax evasion, and:

1. taxpayers' non-compliance with tax rules and regulations in order to save an amount of taxation;
2. whether tax evaders have any concerns about their tax evasive actions;
3. whether fraud, corruption and tax evasion can be minimised by addressing the moral values of people;
4. whether materialism, greed and self-enrichment have become more important to people than old-fashioned moral values;
5. that adding more severe penalties and other punitive measures against tax evasion, fraud and corruption could reduce the current levels of these transgressions.

4.11 Limitations and possible future research

The sample of 185 respondents selected for this research project may create certain limitations due to the research methodology followed in this project. The sample may not be completely representative of a typical South African society or community. Care has been taken to include the widest possible spectrum of community leaders and persons in key roles. This study included people involved in the field of education (pre-school, primary school, secondary school and tertiary institutions), sport, art, business, government, culture, church, and religion in an attempt to make this research as representative as possible. It would have been impossible to identify all prospective respondents fulfilling some sort of leadership role in society and communities in South Africa and to involve them in this research project due to the magnitude and financial implications of such a project.

This study focused only on the morality issues associated with fraud, corruption and tax evasion in general in South Africa. There are additional drivers of the perpetration of economic crimes and the prevention, detection and addressing of economic crimes. This area could prove to be a topic for future research. From the analysis conducted, it was evident that there is a high level of uncertainty regarding questions related to morality in taxpayers' conduct and questions related to morality in tax evasion. The respondents that were uncertain cannot be labelled as being immoral simply because they were uncertain regarding a specific moral issue related to taxpayers' conduct and tax evasion. The respondents may have chosen this option merely because they were in no position to predict the outcome of a scenario as morality if not cast in legislation or formal regulations. The high level of uncertainty in the responses to some of the questions is intriguing and therefore provides scope for future research.

5. CONCLUSION AND IMPLICATIONS FOR THE PUBLIC AND PRIVATE SECTORS

The focus of this study was the moral issues associated with fraud, corruption and tax evasion in general. The representative composition of 140 members of society and communities in South Africa, who were respondents in this study, provides support for the research findings, which represent authoritative views, conclusions and recommendations.

This study has produced results that strongly confirm the need for sound moral values in a society or community. This study furthermore provides strong support for a necessary change in the attitude of taxpayers towards SARS and the government. Based on the responses to the questionnaire, various significant aspects of the morality associated with fraud, corruption and tax evasion were revealed, considering the issues identified from the reviewed literature. The literature consulted for this research suggests that ethics might be the magic product that many companies could employ to build customer, investor and employee loyalty because there seems to be a crucial connection between ethics and success in business. The literature consulted also suggests that if a person has a sound moral development, that person can be expected to display sound moral behaviour.

The valuable contribution of this study to the existing body of knowledge is best demonstrated by the fact that it may be practically applied by SARS or correctional services in addressing morality issues associated with economic crimes. Morality is not something that can be regulated by legislation, nor can it be enforced on the public by any government or legislator. The building blocks of morality include justice, principles, morals, honour, integrity, goodness, honesty, decency, courtesy, kindness and fairness. These building blocks should be transferred from parents to their children and continuously reinforced by society/community. Schools, tertiary institutions, churches, community leaders, persons in key community roles and employers can play a vital role in establishing and improving the moral conduct of the members of a community in their interaction with other people, government, and commerce and industry. If people start to implement morality in all spheres of life, it may have a positive impact on the occurrence of fraud, corruption and tax evasion in general and for this reason, morality should be promoted at a grassroots level, as well as at the highest level of corporate governance in South Africa.

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7. APPENDIX

7.1 Questionnaire

General information

The purpose of this questionnaire is to investigate the general perception of leaders in communities regarding the moral issues associated with fraud, corruption and tax evasion in South Africa. Similar studies and research have been undertaken around the globe. It is therefore important to research the moral issues associated with fraud, corruption and tax evasion in the South African context.

Selected community leaders from different social, political and religious perspectives will be interviewed personally to complement this questionnaire.

The input of each respondent is very important for the purpose of this research project. The participation of each respondent is highly valued and will make a difference.

The information supplied by you will be treated as **strictly confidential**. Your responses together with those of other respondents will be used to obtain a complete view.

Any additional comments may be written on a separate sheet of paper, if insufficient space has been provided in the questionnaire.

Please answer every question in the space provided in each question by marking the applicable section with an “X” or write down your answer where required.

For the purpose of this research, the concepts of fraud, corruption, tax evasion and SARS will mean the following:

1. Fraud - The Collins English Dictionary & Thesaurus (2006:474) describes fraud as deliberate deception, trickery, or cheating intended to gain an advantage.
2. Corruption – The Collins English Dictionary & Thesaurus (2006:260) describes corruption as the act of corrupting or a state of being corrupt. It may include depravity, dishonesty like bribery or even an altered form of a word. To be corrupt a person should be open to or be involved in bribery or other dishonest practices.
3. Tax evasion – Stiglingh *et al* (2009:657) describes tax evasion as the illegal activities deliberately undertaken by a taxpayer to free himself from a tax burden. One example of simple tax evasion would occur where taxpayers omit income from their annual tax returns.
4. SARS – South African Revenue Service.

Please indicate your position and role in your community, for example pastor, priest, minister, imam, teacher, lecturer, doctor etc.

Position in your community: _____

Role in your community: _____

Question 1			
In the absence of an effective law or a lack of adequate law enforcement, what should be the preferable framework for people to direct their actions or decisions? Please justify your answer.			
Question 2	YES	NO	UNCERTAIN
If I perceive the current tax system to be unfair or unjust, could that be sufficient grounds for tax evasion?			
Question 3	YES	NO	UNCERTAIN
Do you think a taxpayer should pay their tax without any form of tax planning?			
Question 4	YES	NO	UNCERTAIN
Do you think that tax planning, when it becomes aggressive (tax planning becomes tax evasion), may become a moral issue?			
Question 5	YES	NO	UNCERTAIN
Do you think it is morally justifiable not to comply with tax rules and regulations in order to save an amount of taxation because, for example, the taxpayer might disapprove of the present government?			
Question 6	YES	NO	UNCERTAIN
Do you think that people are more aware of their human rights than of their responsibility to comply with tax laws and tax regulations?			
Question 7	YES	NO	UNCERTAIN
Do you think that tax morality should be governed by tax rules and tax regulations, or rather by a personal, spiritual, religious or other set of moral values? Please supply a short justification.			

Question 8	YES	NO	UNCERTAIN
Do you think that when a taxpayer has been dishonest in the past when declaring his/her income for tax purposes, the taxpayer should notify SARS and declare the correct income for previous tax years?			
Question 9	YES	NO	UNCERTAIN
Do you think that continued tax dishonesty/tax evasion may cause taxpayers to experience health or psychological problems? Please supply a short justification.			
Question 10	YES	NO	UNCERTAIN
Do you think if one taxpayer becomes aware of another taxpayer's tax dishonesty or tax evasion, he/she should report that fact to SARS?			
Question 11	YES	NO	UNCERTAIN
Do you think that the church/community/society in general can play a role in modern society in condemning tax evasion and promoting tax morality? Please supply a short justification.			
Question 12	YES	NO	UNCERTAIN
Do you think that a change in taxpayers' attitudes towards SARS and the government may positively affect eliminating tax evasion, fraud, corruption, and strengthen tax morality? Please supply a short justification.			
Question 13			
Why do you think people embark on tax evasion in general or commit fraud and corruption? Please supply a short justification.			
Question 14	YES	NO	UNCERTAIN
Do you think that tax evaders have any concerns about their tax evasive actions?			

Question 15	YES	NO	UNCERTAIN
Do you think the churches/community/society should take a more open or firm public stance against fraud, corruption and tax evasion? Please supply a short justification.			
Question 16	YES	NO	UNCERTAIN
Do you think that tax laws and regulations should primarily guide a taxpayer's actions? Please supply a short justification.			
Question 17	YES	NO	UNCERTAIN
Do you think that fraud, corruption and tax evasion can be minimised by addressing the moral values of people? Please supply a short justification.			
Question 18	YES	NO	UNCERTAIN
Do you think that materialism; greed and self-enrichment have become more important to people than old-fashioned moral values? Please supply a short justification.			
Question 19	YES	NO	UNCERTAIN
Do you think that people comply with tax rules and regulations because they respect the law or simply because they are afraid of being caught for perpetrating non-compliance?			
Question 20	YES	NO	UNCERTAIN
Do you think that by adding more severe penalties and other punitive measures against tax evasion, fraud and corruption, the current levels of these transgressions would decrease? Please supply a short justification.			

THANK YOU FOR YOUR VALUABLE TIME AND INPUT IN COMPLETING THIS QUESTIONNAIRE. YOU HAVE MADE A GREAT CONTRIBUTION TO THE OUTCOME OF THIS RESEARCH.