

**Senate Economics Legislation Committee**  
**Treasury Laws Amendment (Making Sure Foreign Investors Pay Their Fair Share of Tax in Australia and Other Measures) Bill 2018, Income Tax (Managed Investment Trust Withholding Tax) Amendment Bill 2018, Income Tax Rates Amendment (Sovereign Entities) Bill 2018**

ANSWERS TO QUESTIONS ON NOTICE

**Australian Taxation Office**

October 2018

**Department:** ATO

**Question:** 1

**Topic:** Tax Benefits through stapled structures

**Hansard:** page 34

**Question:**

**Senator KETTER:** Does the ATO have any estimates of the extent of the tax benefits that have been obtained through stapled structures?

**Ms Knight:** We may need to take that on notice to check whether there were any costings done on those.

**Senator KETTER:** And this is through the application of the general anti-avoidance rules?

**Ms Knight:** I think we'd have to take on notice whether there were costings done.

**Answer:**

The ATO does not have an economy wide estimate to reflect the tax benefits that have been obtained through stapled structures. Nevertheless, it is considered that without the proposed change in law, hundreds of millions of dollars in revenue could be forgone due to the use of staples and the associated tax concessions for passive income.