



THE TAX INSTITUTE

THE MARK OF EXPERTISE



Law Council
OF AUSTRALIA

Business Law Section

25 February 2016

Dr Kathleen Dermody
Committee Secretary
Senate Economics Legislation Committee
PO Box 6100
Parliament House
Canberra ACT 2600

By email: economics.sen@aph.gov.au

Dear Dr Dermody,

Inquiry into Tax Laws Amendment (New Tax System for Managed Investment Trusts) Bill 2015 and associated bills

The Tax Institute and the Business Law Section of the Law Council of Australia (**the Bodies**) welcome the opportunity to make a submission to the Senate Economics Legislation Committee (**Committee**) in relation to the *Inquiry into Tax Laws Amendment (New Tax System for Managed Investment Trusts) Bill 2015 and associated bills (Inquiry)*.

Subject to our comments below, the Bodies support the introduction of the new legislation introducing a new tax regime for managed investment trusts as this legislation is critical to the reform of the financial services industry.

The legislation the subject of the Inquiry has been developed after extensive discussion and consultation (both public and confidential) with the major stakeholders. The early introduction and enactment of this legislation is critical to the effective commencement of the new regime.

The introduction of the legislation will require significant investment by industry. It is important for this reason that the legislation is introduced as a matter of urgency.

The Bodies recognise and appreciate that the legislation is complex. However, we believe it provides an appropriate balance in seeking to deal with what are complex commercial issues.

We also believe that it will be important to have a post-implementation review to deal with any anomalies that may arise, or become clear, including residual issues remaining from the latest confidential consultation process, once the regime begins to apply in practice.

If you would like to discuss any of the above, please contact Tax Counsel, Stephanie Caredes, on [redacted] for The Tax Institute and Clint Harding on [redacted] for the Business Law Section of the Law Council of Australia.

Yours sincerely

Arthur Athanasiou
President
The Tax Institute

Teresa Dyson, Chairman
Business Law Section
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