

**Senate Standing Committee on Economics**

**ANSWERS TO QUESTIONS ON NOTICE**

**Treasury Portfolio**

Budget Estimates 2012

30 May 2012

**QUESTION: BET 3**

**Topic: Fair Work Australia Report – tax liabilities (ATO)**

**Hansard Page: 75**

**Senator ABETZ asked:**

**Senator ABETZ:** I do not want to delay my colleagues any longer on this, but perhaps you could take that on notice, please. If I did not make myself clear at the beginning—I think we were talking at cross-purposes—there are two Fair Work Australia reports into the HSU. Clearly all of your activity seems to have been centred around HSU No. 1 Branch, which was the earlier report, but my questioning relates to the National Office report as to whether Mr Shorten has referred that to the Australian Taxation Office and whether the Australian Taxation Office is now investigating to ascertain whether any officers, past or present, might have extra tax liabilities arising from the disclosures made in that report. If you can take that on notice I would be obliged.

**Mr Quigley:** Yes. I will just add one other thing. The advice I have is that the complete report—and this is referred to as a complete report—was publicly released on 7 May 2012. I assume that was when we got it, but I will take that on notice.

**Senator ABETZ:** Wait a minute. The 7 May report was in fact the National Office report.

**Mr Quigley:** This briefing refers to the complete report, which was publicly released on 7 May.

**Senator ABETZ:** It would be a matter of some concern, quite frankly, if Fair Work Australia had made available to you a draft report before Mr Craig Thomson and others had had the opportunity to provide their response, which was then fed into the final report. Perhaps you could clarify that for us.

**Mr Quigley:** I understand the thread and thrust of the questions. We will make a chronology of those questions and those answers fully in relation to both sets of reports.

**Answer:**

The Minister for Education and Workplace Relations' Chief of Staff contacted the ATO about the Fair Work Australia investigation into the Health Services Union Victoria No 1 Branch report on 19 March 2012 and advised us of the relevant link to access the report on the internet.

The ATO has examined the No. 1 Branch report to see whether or not there were any tax related implications.

The ATO obtained a copy of Fair Work Australia's Report of the Investigation into the Health Services Union National Office on 7 May 2012, when it was publicly released.

We are reviewing the National Office report to see whether or not there are any tax related implications.