

Senate Economics Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Treasury Portfolio

Supplementary Budget Estimates

2016 - 2017

Division/Agency: Australian Taxation Office

Question No: 297

Topic: Western Australian legislation - Ministerial enquiry

Reference: Hansard page 67-87 (19 October 2016)

Senator: Watt, Murray

Question:

Senator WATT: When you obtained that legal advice, whether it was from AGS or the Solicitor-General, do you remember whether any minister contacted you about that advice having been obtained or your thoughts about intervening in that litigation?

Mr Mills: Yes, I do recall a conversation with a staff member of a minister inquiring in relation to it—I would not say 'intervening' but inquiring in relation to it.

Senator WATT: Which minister was that?

Mr Mills: I would have to double-check. It was either the then Assistant Treasurer or the Treasurer's office—one of the two was asking about it. So they had representations made to them by the Western Australian government, as I recall, and they made inquiries of us.

[...]

Senator WATT: Sure. You do not remember exactly what aspect you were contacted about. Do you remember roughly when that contact occurred, or do you need to look into that as well?

Mr Mills: I would need to look at the dates.

Answer:

Between May and August of 2015 the ATO was contacted by staff members of then Assistant Treasurer Frydenberg, the Attorney-General and then Treasurer Hockey. The ATO was requested to provide information concerning the Commissioner's position regarding to the proposed Bell legislation.