

Senate Economics Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Treasury

Australian Taxation Office

Additional Estimates 17 February 2005

Outcome 1

Topic: RBL limit-judges

Hansard Page: E57

Senator Sherry asked:

Would you take that on notice and see if there is an issue? I am picking on judges, but it is the nature of the scheme. Lawyers' contributions to private sector super could be quite substantial and could then, because they are appointed judges, flick into a DB fund which is generous by community standards.

Mr Jackson—Can I just clarify—I am not sure what the question is. I understand the situation you are describing.

Senator SHERRY—How many judges are caught by the RBL limit—full stop?

Mr Jackson—Ones who have retired or ones who are not yet retired but look as though they will be caught?

Senator SHERRY—Both.

Mr Jackson—It might be a little hard to estimate the latter.

Senator SHERRY—See how you go. If they are not being caught, I would be very interested to know why and how.

Mr Jackson—We will look into that for you.

Answer:

The Reasonable Benefits Limits (RBL) system does not collect any information on a benefit recipient's occupation. However, by cross referencing data from different sources, we have identified two judges with pensions that have been assessed as exceeding the RBL and eight judges with ETPs that have been assessed as exceeding the RBL.