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25th May 2005

The Secretary
Senate Economics Legislation Committees
Suite SG. 64
Parliament House
CANBERRA, ACT 2600

Dear Secretary

Re: (Improvements to Self Assessment) Bill (No: 1) 2005 and Shortfall Interest Charge (Imposition) Bill 2005.

Our family company established an employee arrangement in 1998, which was self assessed after expert advice and has since prospered and generated much more tax revenue than the original tax the ATO say we evaded. This tax is still payable when we sell our shares plus tax on Capital Gains.

In 2002 (4 years later) the ATO has re-assessed our company's return and seen fit to assess the company for undeclared income and FBT, and the Shareholders for the undeclared dividends. With penalties and interest the liability grew by 5 times as at 2002 and is still growing.

The ATO's harassment, intimidation and punishment have severely restricted our opportunities and caused undue stress to the Directors and family Shareholders.

The ATO has not reviewed our Company's documentation but has bundled us together with others who may have been evading their tax liabilities.

The treatment received by the ATO in this matter is the reason the abovementioned Bills are going through the senate.

We are not tax evaders but are being left out of the legislation proposed in the new Bills to put right a situation that clearly shows that the present Self Assessment System fails to protect taxpayers against unfair and inequitable treatment by the ATO. We insist that the proposed changes must be made retrospective and commence from the beginning of the Self Assessment System.

Our company and all our family members that rely on this family company for their livelihood are perplexed, have their finances on hold and have missed opportunities to advance their earnings. They need to be included in the reform of the failed Self Assessment System, be treated fairly and have their position looked at by the ATO to establish that we have been right in our Self Assessment of our 1998 tax lodgements.

We expect far better treatment and expertise from the ATO in the future, not punishment, intimidation and harassment and being treated as tax evaders without our position being investigated.

When the abovementioned Bills are made retrospective and enacted we will be less susceptible to the problems encountered since 2002, when we were re-assessed by the ATO.

Yours Sincerely

Stanley Robins
Director