

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
AUSTRALIAN GOVERNMENT SOLICITOR

Question No. 48

Senator Brandis asked the following question at the hearing on 18 October 2010:

At paragraph 50 of the advice, it references earlier advice dated 9 December 2009, reference 090833409. Please produce this advice.

The answer to the honourable senator's question is as follows:

Questions about the advice dated 9 December 2009 are a matter for the Treasurer or the Department of the Treasury. AGS has, however, consulted the Department of the Treasury. Consistently with the Department of the Treasury's instructions, Attachment A to this answer reproduces those parts of the advice of 9 December 2009 which are relevant to the extract of the advice of 27 April 2010 attached to the document entitled 'Resource Super Profits Tax and Constitutional Issues'. The parts of the advice of 9 December 2009 which are reproduced at Attachment A are general in nature and do not in their effect extend beyond the extract of the advice of 27 April 2010.