

**SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
ATTORNEY-GENERAL'S PORTFOLIO**

Program: 1.1 AGD Operating Expenses - Civil Justice and Legal Services

Question No. SBE16/114

Senator Watt asked the following question at the hearing on 12 December 2016:

Senator WATT: Senator Brandis, just returning to the Bell matter, last week at the hearing the tax office gave evidence that a request was made on or before 5 June from your office for a briefing from the tax office, regarding introduction of the Bell legislation. Did you make that request?

Senator Brandis: On 5 June?

Senator WATT: On 5 June 2015. They were not entirely clear on the date that the request was made but they provided a briefing to your office on 5 June 2015.

Senator Brandis: I will check the transcript and I will check with my office to see if that, in fact, is this case. So I will take that on notice.

Senator WATT: Are you also taking on notice whether you made that request for a briefing?

Senator Brandis: Me, personally?

Senator WATT: My question to you is whether you, personally, made a request for a briefing.

Senator Brandis: I have no recollection of having done so and I am reasonably sure that I did not do so. Of course, my office and the department deal with other agencies and departments all the time, as you would understand, having been a minister yourself, so I do not believe that came to my attention, no.

Senator WATT: When were you made aware that a request had been made by your office for a briefing around that time?

Senator Brandis: I was not aware. I will check the transcript of the Hansard of the hearing.

Senator WATT: So this is the first time you have been made aware that your office made a request around 5 June.

Senator Brandis: From the ATO?

Senator WATT: From the ATO.

Senator Brandis: I have not heard of it before but, as I say, I will check the Hansard. I will take the question on notice. I have no recollection of it.

Senator WATT: In that case, do you recall ever being given a copy of that briefing in around June 2015?

Senator Brandis: No, I do not.

Senator WATT: It was a little unclear from the ATO's evidence last week, but they said that they had provided ministers with further written and verbal updates on the Western Australian government's proposed legislation in June, July and August 2015. Do you know whether they provided those updates to your office?

Senator Brandis: I would have to check, so I will take that on notice.

REPEATED QUESTION:

Senator WATT: Again, when you read the transcript of last week's hearing, in relation to the Bell matter, you will see that Mr Mills from the tax office talked about the fact that he had received a phone call from you, in relation to these matters, and he described that as most unusual. Do you agree that it is most unusual for you to contact an official from a different agency about constitutional challenges?

CHAIR: I think the Attorney has already indicated that he will take that on notice.

Senator Brandis: I will have a look at the transcript. I will see what Mr Mills had to say, and I will have a look—

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

No. The request was made by my office.

I was not aware of the request, nor of the ATO response. I am not aware of any further updates from the ATO being provided to my office in the period June to August 2015.