

Senate Standing Committee on Economics

ANSWERS TO QUESTIONS ON NOTICE

Treasury Portfolio

Additional Estimates

26 February 2014

Question: AET 3047

Topic: Payment to News Corp in MYEFO

Hansard Page: page 113, 26 February 2014

Senator DASTYARI asked:

Senator DASTYARI: Could you take it on notice? I get the sensitivity around it until now; I do not get the sensitivity around it now. The question is about whether that \$880 million was part of the 2.7. The question on notice is: was that \$880 million part of the 2.7, which Mr Tune thought it was, but again you are the expert and he is not, and he made quite clear that it is a matter for you and not for him.

Mr Heferen: He is very much an expert.

Senator DASTYARI: He is an expert on a lot of things, actually.

Mr Heferen: He is. We will take it on notice

Answer:

3047. The estimated value of net compliance payments, including outcomes of known court cases, are factored into the forward estimates at every estimates round. As the decision in the court case in question was handed down in July 2013, the estimates published in the 2013-14 MYEFO would take into account any impacts on the revenue estimates arising from this decision.

However due to taxpayer confidentiality, the ATO is unable comment on the specifics of any impact on the revenue estimates, as this is protected taxpayer information.

While there has been some public discussion about this court case, section 355-35 of the *Tax Laws Amendment (Confidentiality of Taxpayer Information) Bill 2010* states that 'consent is not a defence' for disclosing protected taxpayer information. This means that even if an entity appears to disclose protected information about itself, the ATO is still not allowed to comment on the tax affairs of that entity.