

Senate Economics Legislation Committee
ANSWERS TO QUESTIONS ON NOTICE

Treasury Portfolio

Additional Estimates

2016 - 2017

Division/Agency: Australian Taxation Office

Question No: 188

Topic: Diverted Profits Tax

Reference: Written

Senator: Ketter

Question:

1. The Treasurer promised twice that the Diverted Profits Tax would be introduced to Parliament in 2016. Instead, exposure draft legislation was revealed in November 2016, and the Bill introduced into Parliament in February 2017. In last October's Senate Estimates, Treasury officials said that at the time the legislation was "yet to be drafted". Was the Australian Taxation Office consulted on the drafting and introduction of the legislation?
2. What are the benefits to the Australian Taxation Office of a beneficial ownership register?
3. What are the constraints for the ATO on a beneficial ownership register? What resources are required to administer, monitor etc. the ATO's involvement and use?
4. Was the Treasurer informed of these difficulties? If so, when was he informed?
5. Treasury reportedly held a second round of consultations regarding the DPT legislation. Was the ATO one of the stakeholders in the second round of consultations?
6. What were the primary issues raised in consultations?

Answer:

1. Yes.
2. The information may assist in a range of compliance activities that rely on matching of third party data to ensure compliance (and detect non-compliance) with tax obligations.
3. The ATO is unable to comment before a register is finalised.
4. Not applicable.
5. Yes.
6. Questions on the consultation regarding the legislation are a matter for Treasury.