

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
AUSTRALIAN GOVERNMENT SOLICITOR

Question No. 47

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

On which date was the advice regarding the RSPT requested by the government, and given to the government. Please also provide a full copy of the letter of instructions or other commissioned document by which the Treasury sought AGS's advice. Please also provide a full copy of the advice in respect of the now waived privilege.

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

Questions about the advice are a matter for the Treasurer or the Department of the Treasury. AGS has, however, consulted the Department of the Treasury and provides the following response.

The advice was requested on 14 April 2010 and given on 27 April 2010.

Attachment A to this answer reproduces those parts of the Treasury request for advice which are relevant to the extract of AGS advice attached to the document entitled 'Resource Super Profits Tax and Constitutional Issues'.

This extract represents the entirety of advice in relation to which privilege may have been waived. (The redacted parts of the advice related to a separate issue on which advice was also provided by AGS.)