

Submission number: 2014/18

22 April 2014

Protection measure for announced but un-enacted tax amendments

In a response to the call for comments on exposure draft legislation to provide legislated protection for taxpayers who have self-assessed in accordance with announced changes that the Government has subsequently determined will not proceed (discontinued announcements) the Association of Superannuation Funds of Australia (ASFA):

- supported the protection provisions to be introduced by the proposed amendments to the *Income Tax Assessment Act 1936* with respect to discontinued announcements, and
- recommended that the structure of the relief provision be modified to enable a government to give early effect to an announcement not to proceed with a particular measure by amending the table by way of legislative instrument

Separately ASFA raised concerns at the increasing tendency for governments to legislate by press release, announcing both a new measure and the commencement date with little regard to the consultative and legislative process involved.

ASFA recommended that, in the interests of reducing unnecessary red-tape costs, clear guidelines be established as to when it is, and is not, appropriate to announce a proposed measure with a specific start date, and when the Government should announce the deferral of a proposed measure's announced start date.