



Australian Government
Inspector-General of Taxation

**PROTOCOL BETWEEN THE INSPECTOR-GENERAL OF TAXATION AND THE
DEPARTMENT OF THE TREASURY**

The aim of this protocol is to support the Inspector-General of Taxation (the Inspector-General) and Treasury in their respective roles by establishing a framework for effective working arrangements and the timely sharing of information.

The Inspector-General's role is to review systems established by the Australian Taxation Office to administer the tax laws, to review systems established by tax laws to the extent those systems deal with administrative matters and to report on those reviews to Treasury ministers.

The role of Treasury is to be the principal source of advice to Treasury ministers on taxation, excise and superannuation policy issues and the design of relevant legislation. Treasury also administers the *Inspector-General of Taxation Act 2003* and provides advice to Treasury ministers on issues relating to the administration of that Act.

The Inspector-General is an operationally independent agency operating under the *Financial Management and Accountability Act 1997*.

Protocol

To support Treasury in its role, the Inspector General is to provide the Secretary to the Treasury with timely information and, where necessary, briefings on any significant issues related to the Inspector-General's activities. In particular the Inspector-General will provide to Treasury, as early as possible, drafts of documents to be delivered to Treasury ministers or published, including:

- updates of the Inspector-General's work programme
- terms of reference in relation to proposed reviews
- review reports
- speeches
- public submissions (for example to Parliamentary committees)
- the Inspector-General's Annual Report.

Similarly, Treasury will keep the Inspector-General informed of Government decisions and other developments relevant to the Inspector-General's activities.

Consistent with the Legal Services Directions, Treasury has the portfolio responsibility, as necessary, to provide guidance to the Inspector-General on the operation of the *Inspector-General of Taxation Act 2003*. Where the Inspector-General wishes to obtain independent legal advice on the interpretation of that Act, the Inspector-General is to provide to Treasury:

- a reasonable opportunity to consult on the proposal to seek advice
- a draft copy of the request for advice

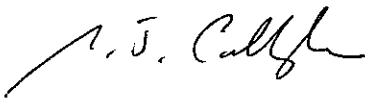
- a reasonable opportunity to consult on the matter prior to the advice being finalised, including consultation with the Inspector-General's legal services provider, and
- a copy of the advice.

The Inspector-General and Treasury will meet as required to discuss matters arising from the Inspector-General's reviews and other activities and to share information on matters of mutual interest to both parties.

The Manager of the Integrated Tax Design Unit in Revenue Group will be the primary point of contact in Treasury for the Inspector-General and the Inspector-General's staff.

In addition to, and separate from, these portfolio arrangements, the Inspector-General may from time to time enter into agreements with Treasury for the provision of corporate support or other services.

The Inspector-General and the Treasury have joint responsibility for supporting, monitoring and reviewing this protocol and may agree to amend it at any time to improve their working and information sharing arrangements.



Mike Callaghan
Executive Director - Revenue Group
on behalf of the Secretary to the Treasury



David Vos
Inspector-General of Taxation

30 March 2007