

2014

**THE LEGISLATIVE ASSEMBLY FOR
THE AUSTRALIAN CAPITAL TERRITORY**

**TAXATION ADMINISTRATION AMENDMENT REGULATION 2014 (NO 1)
SUBORDINATE LAW SL2014-15**

EXPLANATORY STATEMENT

Circulated by the authority of
Andrew Barr MLA
Treasurer

Background

The object of the Taxation Administration Amendment Regulation 2014 (No 1) (the Regulation) is to allow the Commissioner for Revenue (the Commissioner) to release ratepayer information to the Head of the Asbestos Response Taskforce to enable relevant correspondence to be personally addressed to owners of homes affected by loose-fill asbestos insulation (“Mr Fluffy”) at the address provided for rates notices.

More information about the role of the Asbestos Response Taskforce and loose-fill asbestos insulation can be found at www.act.gov.au/asbestostaskforce .

Clause 1 — Name of Regulation

This clause provides for the regulation’s name.

Clause 2 — Commencement

This clause provides for the regulation to commence on the day after it is notified on the ACT Legislation Register at www.legislation.act.gov.au .

Clause 3 — Legislation amended

This clause provides that the regulation amends the Taxation Administration Regulation 2004.

Clause 4 — New section 4 (3)

This clause gives effect to the object of the regulation and enables the Commissioner for revenue to provide tax information to the head of the Asbestos Response Taskforce. This position is held by Mr Andrew Kefford. The Asbestos Response Taskforce was established by the ACT Government in June 2014 to respond to emerging issues arising from the presence of loose-fill asbestos insulation in the Territory. The taskforce reports to the Chief Minister.

It is necessary for the head of the taskforce to be provided information relating to the ownership of affected homes so appropriate contact be made with, and correspondence be sent to, homeowners in order to manage potential risk and provide appropriate assistance. It is intended that information will include the names of owners of those homes identified in documents originally generated by the loose-fill asbestos insulation removal program. This program was designed and commenced by the Commonwealth Government in 1988 and continued by the ACT Government until 1993 in accordance with a memorandum of understanding.

Information will also include the direct mailing addresses of affected homeowners, specifically disclosure of the recorded address for rates notices. This will ensure appropriate and reliable contact is made with affected homeowners.

The provision is appropriately limited to information relating to homes affected by the presence of loose-fill asbestos insulation.

However the term 'affected' is intended to be interpreted broadly. For instance, in future the owner details and appropriate mailing addresses for properties that are affected by the presence of loose-fill asbestos insulation, but do not necessarily contain loose-fill asbestos insulation may be required. This may include homes, that in future, may be suspected to contain loose-fill asbestos, or are directly affected by another home that does contain loose-fill asbestos – such as an affected home that may be demolished or something else that could require direct consultation with neighbouring or affected properties.