



17 July 2015

Mr Jason McNamara
Executive Director
Office of Best Practice Regulation

Dear Mr McNamara,

SUNSETTING OF THE INCOME TAX REGULATIONS 1936

I am writing to the Office of Best Practice Regulation (OBPR) regarding the *Income Tax Regulations 1936* (Regulations), which, as per the *Legislative Instruments Act 2003*, are scheduled to sunset on 1 October 2015. It has been decided that the instrument is to be remade without significant amendment.

The Department of the Treasury certifies that the Regulations are operating effectively and efficiently, and therefore a Regulation Impact Statement is not required for the Regulations to be remade.

The assessment that the Regulations are operating effectively and efficiently has been informed by a sunseting review and consultation process. The sunseting review of the Regulations was conducted in three stages.

Stage one made amendments to the primary legislation as part of the *Treasury Legislation Amendment (Repeal Day) Act 2015*. Public consultation on these amendments was conducted between 27 August 2014 and 17 September 2014.

Stage two made amendments to the Regulations and other related regulations including repealing redundant regulations and consolidating duplicated taxation administration provisions as part of the *Treasury Laws Amendment (2015 Measures No. 1) Regulation 2015*. Public consultation was conducted on these amendments between 17 December 2014 and 6 February 2015.

The remade Regulations, the proposed *Income Tax Assessment (1936 Act) Regulation 2015*, will finalise stage three of the sunseting review by restructuring, renumbering and simplifying language in the provisions to improve readability. Due to the nature of these changes and that public consultation was conducted in stages one and two of the sunseting review, public consultation was not conducted for stage three.

I acknowledge that OBPR will publish this letter for transparency purposes.

If you have any queries about this advice, please contact Laurel Beresford on 02 6263 3065 or laurel.beresford@treasury.gov.au.

Yours sincerely

Rob Heferen
Deputy Secretary
Revenue Group