



September 2019

Mr Jason Lange  
Executive Director  
Office of Best Practice Regulation  
Department of the Prime Minister and Cabinet  
1 National Circuit  
BARTON ACT 2600  
[helpdesk-obpr@pmc.gov.au](mailto:helpdesk-obpr@pmc.gov.au)

Dear Mr Lange

### PRIVATE ANCILLARY FUND GUIDELINES 2009

I am writing to the Office of Best Practice Regulation (OBPR) regarding the *Private Ancillary Fund Guidelines 2009*, which, as per the *Legislation Act 2003*, are scheduled to sunset on 1 October 2019. However, it has been decided that the instrument is to be remade without significant amendment.

The Treasury certifies that *Private Ancillary Fund Guidelines 2009* have been operating effectively and efficiently, and that therefore a Regulation Impact Statement is not required for this instrument to be remade.

The assessment that the instrument is operating effectively and efficiently has been informed through consultation with the Australian Taxation Office and a public consultation process. Public consultation on exposure draft guidelines to replace those that are sunsetting was conducted over the period 25 July to 21 August 2019. Six submissions were received. In response to these submissions, minor drafting changes have been made to clarify the operation of provisions in the guidelines.

Some submissions also proposed policy changes that are outside the scope of the remaking process. Should it be decided later to implement these proposals, their regulatory impact will be assessed.

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

If you have any queries about this advice, please contact [REDACTED] on [REDACTED] or [REDACTED]

Yours sincerely

Maryanne Mrakovic  
Deputy Secretary  
Revenue Group

FIND TREASURY ON   