



# Media Release

## Senator Mathias Cormann

### *Shadow Assistant Treasurer*

### *Shadow Minister for Financial Services and Superannuation*

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#### WHEN WILL SHORTEN START MAKING DECISIONS?

Bill Shorten's release of the *Privilege in relation to tax advice* discussion paper confirms that he is the Minister for Reviews and Discussion Papers and the Minister for Not Making Decisions.

Since he was appointed Assistant Treasurer and Minister for Financial Services and Superannuation in September 2010 Shorten has established 9 reviews, panels or reports and has issued 27 discussion papers, option papers or exposure drafts for consultation.

"Many of them are reviews into previous reviews, or discussions of previous discussion papers," Senator Cormann said.

"The issue of privilege in relation to the provision of tax advice was fully canvassed by the Australian Law Reform Commission in its 2007 inquiry titled *Privilege in Perspective: Client Legal Privilege and Federal Investigatory Bodies*," he said.

"This report clearly recommended the creation of a 'tax advice privilege' to protect the confidentiality of tax advice given by independent professional accounting advisers from the information-gathering powers of the Commissioner of Taxation," he said.

"The Members of the ALRC involved in this inquiry included 2 Federal Court judges and 2 High Court judges, including the current Chief Justice of the High Court.

"Given the clear recommendations of the senior judges, lawyers and academics on the ALRC there is no need for Shorten to restart the entire process with yet another discussion paper or more inquiries," he added.

"It is time Shorten actually started to make some decisions – specifically, will he and the government accept the recommendation to enact this privilege or will he reject it?"

"The tax advice industry rightly demands certainty in this area rather than more procrastination and more delays.

"If Bill Shorten can't make decisions in his current job what will he be like if he ever gets the job he really wants?" Senator Cormann asked.

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