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Submission from the Tax Justice Network Australia and the Centre for International Corporate Tax Accountability and Research on the Inquiry into *Treasury Laws Amendment (Delivering Better Financial Outcomes and Other Measures) Bill 2024*

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The Tax Justice Network Australia (TJN-Aus) and the Centre for International Corporate Tax Accountability and Research (CICTAR) welcome the opportunity to make a submission to the inquiry into *Treasury Laws Amendment (Delivering Better Financial Outcomes and Other Measures) Bill 2024*. The following submission responds to Schedules 2 and 3 in the Bill.

We support Schedule 2 of the Bill, which aligns the anti-avoidance provisions in the *Petroleum Resource Rent Tax Assessment Act* with the general anti-avoidance rules in the *Income Tax Assessment Act* to overcome court cases in which entities were able to argue that a 'tax benefit' was not obtained because, without the tax avoidance scheme, they would not have entered into an arrangement that attracted tax.

We also support Schedule 3 of the Bill to amend the *Petroleum Resource Rent Tax Assessment Act* to:

- Clarify the meaning of 'exploration for petroleum';
- Ensure mining, quarrying, or prospecting rights cannot be depreciated for income tax purposes until they are used, not merely held; and,
- Clarify the circumstances in which the issue of new rights over areas covered by existing rights leads to income tax adjustments.

We agree that, for the purpose of the *Petroleum Resource Rent Tax Assessment Act*, determining commercial viability, economic feasibility, technical feasibility or how to recover the petroleum should not fall within the definition of "exploration of petroleum".

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Background on the Tax Justice Network Australia

The Tax Justice Network (TJN) is an independent organisation launched in the British Houses of Parliament in March 2003. It is dedicated to high-level research, analysis and advocacy in the field of tax and regulation. TJN works to map, analyse and explain the role of taxation and the harmful impacts of tax evasion, tax avoidance, tax competition and tax havens. TJN's objective is to encourage reform at the global and national levels.

The Tax Justice Network believes our tax and financial systems are our most powerful tools for creating a just society that gives equal weight to the needs of everyone. But under pressure from corporate giants and the super-rich, our governments have programmed these systems to prioritise the wealthiest over everybody else, wiring financial secrecy and tax havens into the core of our global economy. This fuels inequality, fosters corruption and undermines democracy. We work to repair these injustices by inspiring and equipping people and governments to reprogram their tax and financial systems.

The Tax Justice Network Australia (TJN-Aus) is the Australian arm of TJN.

In Australia, the current members of TJN-Aus are:

- ActionAid Australia
- Aid/Watch
- Anglican Overseas Aid
- Australian Council for International Development (ACFID)
- Australian Council of Social Service (ACOSS)
- Australian Council of Trade Unions (ACTU)
- Australian Education Union (AEU)
- Australian Manufacturing Workers Union (AMWU)
- Australian Nursing & Midwifery Federation (ANMF)
- Australian Services Union (ASU)
- Australian Workers Union, Victorian Branch (AWU)
- Baptist World Aid
- Caritas Australia
- Centre for International Corporate Tax Accountability & Research (CICTAR)
- Community and Public Service Union (CPSU)
- Electrical Trades Union, Victorian Branch (ETU)
- Evatt Foundation
- Friends of the Earth (FoE)
- GetUp!
- Greenpeace Australia Pacific
- International Transport Workers Federation (ITF)
- Jubilee Australia
- Maritime Union of Australia (MUA)
- National Tertiary Education Union (NTEU)
- New South Wales Nurses and Midwives' Association (NSWMWA)
- Oaktree Foundation
- Oxfam Australia
- Publish What You Pay Australia
- Save Our Schools
- SEARCH Foundation
- SJ around the Bay
- TEAR Australia
- The Australia Institute
- Union Aid Abroad – APHEDA
- United Workers' Union (UWU)

- Uniting Church in Australia, Synod of Victoria and Tasmania
- UnitingWorld
- Victorian Trades Hall Council
- World Vision Australia

Background on the Centre for International Corporate Tax Accountability & Research (CICTAR)

CICTAR is a global corporate tax research centre that produces information and analysis to untangle the corporate tax web. The Centre is a collective resource for workers and the wider public to understand how multinational tax policy and practice affects their daily lives. CICTAR's work supports public participation in the tax debate so that everybody can participate in decision-making that affects their communities.

For more information, visit the CICTAR website here: <https://cictar.org/>