

GST DISTRIBUTION — CONSTITUTIONAL CHALLENGE — SOLICITOR-GENERAL'S ADVICE

568. Hon MICHAEL MISCHIN to the Leader of the House representing the Attorney General:

I refer to Attorney General Quigley's disclosure to media organisations on Monday, 28 August 2017 of advice from the Solicitor-General on the prospects of a constitutional challenge to current goods and services tax arrangements, and call upon him to table that advice; and if he refuses to do so, the reasons for that refusal.

Hon SUE ELLERY replied:

I thank the honourable member for some notice of the question. I think he knows what the answer is going to be.

The Attorney General will not be tabling the advice of the Solicitor-General. The detail of the advice remains the subject of legal professional privilege, as is the case of any advice provided by the Solicitor-General on this topic. The Attorney General advised the media of the general conclusion of the Solicitor-General in relation to the prospects of success and did not reveal the content of the reasoning in that regard. Legal issues in relation to commonwealth grants are an ongoing matter in relation to other issues facing government and it would be inappropriate to reveal the detail of any legal advice in that regard.