
From: StrongerSuper
Sent: Monday, 10 September 2012 7:37 PM
To: StrongerSuper
Subject: [SEC=UNCLASSIFIED]

Consultation

Administrative Consequences and Penalties for Trustees of SMSFs

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Are you submitting on behalf of your Company

No

Do you want your submission to be confidential

No

Accessibility Statement

Yes

Submission files

Support files

Submission text

I consider the period of appeal under sec 164(2), being limited to the notice period, is inadequate and too arbitrary. The trustee may, for any number of reasons, be unable to respond in what suspect may be a short a period as 28 days. They may be ill, overseas or just not contactable for others reasons. The period of notice should be specified, and twice the period at least, be allowed for sec 164 appeals.

If no response is forthcoming from the Commissioner, from an appeal under sec 164(5), within 28 days, the the appeal should be considered successful. It is unjust to place a burden of response on trustees, which does not have to be matched by the Commissioner to the same level.

Finally, the appeal process of sec 165 will propose a substantial cost burden on trustees, to the advantage of the Commissioner, so the appeal rights of trustees under sec 164 should be enhanced, on the lines specified above.