

**Director  
Corporate Tax Policy Unit  
Treasury  
Langton Cres  
Parkes ACT 2600**

By email: [frankeddistconsult@treasury.gov.au](mailto:frankeddistconsult@treasury.gov.au)

Dear Director,

Thank you for the opportunity to submit a response to the consultation on the proposed legislation relating **to Franked Distributions and Capital Raising**.

I strongly object to the proposed legislation changes.

In particular, I believe that imposition of any tax on a retrospective basis is contrary to the public interest. Once this principle sets such a precedent, no investor can be confident that a decision taken in good faith and compliant with the governing law at the time will not be deemed inappropriate at some later date. Clawing back tax years later from people whose financial circumstances may well have changed for the worst in the interim goes against the standard of natural justice.

I will leave the question as to whether the proposed changes are needed at all to those more expert in the effects such a policy might have on capital markets and corporate financial management. But whatever the merits of amending the legislation, no case has been made to make it retrospective. Linking the decision to a proposal considered but not acted upon years ago is risible and unfair.

Yours sincerely,

Jeremy G Davis AM

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