PS LA 2003/9 - The Online Resource Centre for Law Administration (ORCLA)

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Refer to end of document for amendment history. Prior versions can be requested by emailing TCNLawPublishingandPolicy@ato.gov.au
if required.

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Practice Statement Law Administration

PS LA 2003/9

Refer to end of document for amendment history. Prior versions can be obtained from the Practice Statements mailbox if required.

FOI status: may be released

This practice statement is issued under the authority of the Commissioner of Taxation and must be read in conjunction with Law Administration Practice Statement PS LA 1998/1. It must be followed by Tax Office staff unless doing so creates unintended consequences. Where this occurs Tax Office staff must follow their business line's escalation process.

SUBJECT: **The Online Resource Centre for Law Administration (ORCLA)**

PURPOSE: **To prescribe the mandatory use of ORCLA by all Tax Office staff involved in technical decision making.**

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STATEMENT

1. ORCLA is a 'virtual' manual of policies, procedures and other instructions for staff who make technical decisions in respect of laws administered by the Commissioner of Taxation. ORCLA replaces the ATO Advice Manual.
2. Tax Office staff who carry out technical decision making must follow the policies and procedures set down in ORCLA.
3. ORCLA may be accessed via the link available in the Other References section at the end of this practice statement.

Business line supplementary policy and procedures

4. Tax Office staff must follow any of their business line supplementary policy and procedures that are incorporated in ORCLA.

5. Business lines are responsible for the currency and maintenance of their own material contained in ORCLA, and must submit all proposed changes to the ORCLA Reference Group mailbox in Outlook for editorial approval.

Status of linked documents

6. As a 'virtual' manual, ORCLA refers to documents that are stored elsewhere but accessible from ORCLA. The documents listed in paragraph 13 are to be treated as part of ORCLA, and adherence to their content is also mandatory.

Currency of ORCLA

7. The online version of ORCLA is the only current version of ORCLA. Tax officers must check the online version for updates before finalising their work.

8. All material changes to ORCLA are recorded in 'What's New' and listed in each document's version control table. Officers who require previous versions of updated documents should contact the ORCLA Reference Group.

9. Tax officers who have any concerns about the accuracy or currency of the material in ORCLA should contact the ORCLA Reference Group.

10. Additionally, where there is any reason to doubt the correctness or applicability of technical information provided in ORCLA, the matter must be escalated for review (together with documented reasons) in accordance with the escalation process of the relevant business line.

EXPLANATION

11. ORCLA contains or links to the corporate policies and procedures, as well as business lines' supplementary policies and procedures (where relevant), on:

    - Division 359 private rulings and Division 358 public rulings
    - indirect tax private and public rulings
    - administratively binding advice
    - advice about proposed changes to tax laws
    - written guidance
    - oral rulings, and
    - Part IVC taxation objections.

12. ORCLA has been designed for ease of use in an on-line environment, and includes various searching options for quick access to information. While there is a strong emphasis on written binding advice it will be progressively expanded to cover all technical decision making in accordance with corporate priorities.

Linked documents to be treated as part of ORCLA

13. The following documents are to be treated as part of ORCLA and are linked from it:

    - the Public Rulings Manual, and
    - oral ruling policies and procedures.

Subject references	advice; provision of advice; objections; ATO Advice Manual; ATO AM
Legislative references	TAA 1953 Sch 1 105-60 TAA 1953 Sch 1 Div 358 TAA 1953 Sch 1 Div 359 TAA 1953 Sch 1 Div 360 TAA 1953 Part IVC
Related public rulings	
Related practice statements	PS LA 2002/17; PS LA 2004/6; PS LA 2005/24; PS LA 2008/3
Other references	ORCLA (link available internally only)
Amendment history	22 October 2003: New paragraph 10 added 17 July 2004: Contact details updated 1 July 2006: Update reference to section 37 of the TAA to section 105-60 of Schedule 1 to the TAA 28 February 2008: Amend paragraph 11 to include objections Update references to Divisions 358 and 359 of Schedule 1 to the TAA Update references to PS LA 2008/3
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