

# ***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](mailto:TCNLawPublishingandPolicy@ato.gov.au) if required.

⚠ This document has changed over time. This version was published on *19 December 2012*



# 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.

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**FOI status: may be released**

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*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 officers unless doing so creates unintended consequences or where it is considered incorrect. Where this occurs, tax officers must follow their business line's escalation process.*

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**SUBJECT:** The Online Resource Centre for Law Administration (ORCLA)  
**PURPOSE:** To prescribe the mandatory use of ORCLA by all tax officers involved in technical decision making.

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## **STATEMENT**

1. ORCLA is a 'virtual' manual of policies, procedures and other instructions for tax officers who make technical decisions in respect of laws administered by the Commissioner of Taxation. ORCLA replaces the ATO Advice Manual.
2. Tax officers 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 officers must follow any of their business lines' 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 of this practice statement 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. Tax 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) of Schedule 1 to the *Taxation Administration Act 1953* (TAA).
  - 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, reviews and appeals) of Schedule 1 to the TAA.
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.

### Amendment history

| <b>Date of amendment</b> | <b>Part</b>                 | <b>Comment</b>  |
|--------------------------|-----------------------------|---|
| 19 December 2012         | Generally                   | Updated to current style guide and updated legislative references.  |
|                          | Contact details             | Updated.  |
| 28 February 2008         | Paragraph 11                | Added reference to objections<br>Update references from Part IVAA to Division 358 and from Part IVAAA to Division 359 of Schedule 1 to the TAA. |
|                          | Related practice statements | Update references to PS LA 2008/3.  |
| 1 July 2006              | Legislative references      | Update reference from section 37 to section 105-60  |
| 17 July 2004             | Contact details             | Updated.  |
| 22 October 2003          | Paragraph 10                | New.  |

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|--------------------------------|--|
| Subject references             | ATO Advice Manual<br>ATO AM<br>Advice<br>Objections<br>Provision of advice   |
| Legislative references         | TAA 1953 Sch 1 105-60<br>TAA 1953 Sch 1 Div 358<br>TAA 1953 Sch 1 Div 359<br>TAA 1953 Sch 1 Div 360<br>TAA 1953 Pt IVC |
| Related practice statements    | PS LA 2002/17<br>PS LA 2004/6<br>PS LA 2005/24<br>PS LA 2008/3   |
| Other references               | <a href="#">ORCLA</a> (link available internally only)   |
| File references                | 07-5294  |
| Date issued                    | 22 September 2003  |
| Date of effect                 | 22 September 2003  |
| Other Business Lines consulted | All  |