

20 February 2015

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Australian Taxation Office  
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Dear Steven,

**MBI Properties – Decision Impact Statement**

Thank you for the opportunity to comment on the decision impact statement (DIS) for *MBI Properties Pty Ltd v Commissioner of Taxation* (MBI Case).

The Property Council warmly welcomes the DIS which confirms that the High Court's decision is consistent with the Commissioner's views on the GST consequences following a sale of leased premises, as set out in GSTD 2012/1 and GSTD 2012/2.

Our members are particularly pleased with the ATO's confirmation taxpayers who have lodged GST returns relying on GSTD 2012/1 and GSTD 2012/2 will not have to review their returns.

We congratulate the ATO for proactively working with industry throughout the appeal process to provide taxpayers with much needed certainty.

The Property Council looks forward to working with the ATO on resolving any consequential issues that arise from the High Court decision.

Please contact Belinda Ngo or me if you have any queries.

Yours sincerely,



**Andrew Mihno**  
**Executive Director, International and Capital Markets**  
**Property Council of Australia**  
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