

MT 2008/1ER - Erratum - Penalty relating to statements: meaning of reasonable care, recklessness and intentional disregard

⚠ This cover sheet is provided for information only. It does not form part of *MT 2008/1ER - Erratum - Penalty relating to statements: meaning of reasonable care, recklessness and intentional disregard*

⚠ View the [consolidated version](#) for this notice.



Erratum

Miscellaneous Taxation Ruling

Penalty relating to statements: meaning of reasonable care, recklessness and intentional disregard

This Erratum is a public ruling for the purposes of the *Taxation Administration Act 1953*. It corrects Miscellaneous Taxation Ruling MT 2008/1 to correct a quote from the Federal Court of Australia case *BRK (Bris) Pty Ltd v. Federal Commissioner of Taxation* [2001] FCA 164; 2001 ATC 4111; (2001) 46 ATR 347 (*BRK*) and to correct some references.

Miscellaneous Taxation Ruling MT 2008/1 is corrected as follows:

1. Paragraph 102

After 'incorrect'; insert ', or be grossly indifferent as to whether or not the material is true and correct'.

2. Footnote 2A

Omit '*Tax Laws Amendment (2010 Measures No 1) Bill 2010*'; substitute '*Explanatory Memorandum to the Tax Laws Amendment (2010 Measures No. 1) Bill 2010*'.

3. Legislative references

Insert:

- TAA 1953 Sch 1 286-75(1)
- TAA 1953 Sch 1 Div 358
- Tax Agent Services (Transitional Provisions and Consequential Amendments) Act 2009
- Tax Laws Amendment (2010 Measures No. 1) Act 2010

4. Other references

Insert:

- Explanatory Memorandum to the Tax Laws Amendment (2010 Measures No. 1) Bill 2010

MT 2008/1

Page 2 of 2

This Erratum applies on and from 12 November 2008 for the correction due to the *BRK* case and on and from 1 June 2011 for all other corrections.

Commissioner of Taxation

7 March 2012

ATO references

NO: 1-3QRP945

ISSN: 1039-0731

ATOlaw topic: Income Tax ~~ Administration ~~ penalty tax and general interest charge