



9 January 2025

Committee Secretary
Senate Standing Committees on Economics
PO Box 6100
Parliament House
Canberra ACT 2600

Via email: economics.sen@aph.gov.au

Dear Committee,

**Inquiry into Future Made in Australia (Production Tax Credits and Other Measures) Bill 2024
[Provisions]**

As the representative of over 160 large corporates that operate across 22 industries, the Corporate Tax Association (**CTA**) welcomes the opportunity to make a submission in relation to the Inquiry into the *Future Made in Australia (Production Tax Credits and Other Measures) Bill 2024 (Bill)*.

Our submission is in relation to the Hydrogen Production Tax Incentive in Schedule 1 to the Bill and the Critical Minerals Production Tax Incentive in Schedule 2 to the Bill.

Each measure is a tax offset that only a company is entitled to access. As noted in our submission¹ to Treasury at the time the measure was consulted on, the policy rationale for limiting access to both of these tax offsets to companies (constitutional corporations) is not clear².

Restricting the incentives to constitutional corporations may be at odds with how projects will be undertaken via arrangements that include corporate groups, trusts, unincorporated joint ventures, consortiums or partnerships and as a result, may limit the scope of entities that engage in projects these incentives are designed to encourage. In our view, the measures should be 'entity agnostic' and be available to projects that meet the eligibility criteria regardless of the nature of the holding structure for the project, with eligibility not limited to constitutional corporations only.

Should you have any questions or if you wish to discuss this matter further, please do not hesitate to contact me at scaredes@corptax.com.au or on 0408 028 196.

Yours sincerely,

Stephanie Caredes
Senior Tax and Policy Adviser

¹ [Corporate Tax Association Submission to Treasury on Production Tax Incentives](#)

² Refer to paragraphs 1.29 and 1.30 of the Explanatory Memorandum in relation to the Hydrogen Production Tax Incentive and paragraphs 2.28 and 2.29 of the Explanatory Memorandum in relation to the Critical Minerals Production Tax Incentive.