



Tax Transparency Report

2022-2023

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1. Introduction

AMCIL Investments Limited (“AMH” or “AMCIL”) is a Listed Investment Company as defined in the Income Tax Assessment Act 1997 s 115.290.

AMCIL is listed on the Australian Securities Exchange (code “AMH”) and its shares may be purchased or sold via a broker. Full details regarding the Company’s corporate history, Board & Management, Corporate Governance, Financial Statements and Annual Reports and dividend payment are available via its website www.amcil.com.au

AMCIL through its Board and Investment Committee manage the Company’s portfolios of investments. It has an arrangement with Australian Investment Company Services Limited to provide administrative and operational services.

Listed Investment Companies (LIC) which make capital gains upon which tax is payable on the sale of investments held for more than one year are able to attach to their dividends a LIC capital gains amount which some shareholders are able to use to claim a tax deduction. For more details, see the Company’s Annual Report.

As a listed company with approximately 3,200 shareholders, AMCIL is fully compliant with Principle 6 of the “ASX Governance Principles” in respecting the rights of security holders. As part of that, the Board of AMCIL maintains that this includes being transparent about the taxation affairs of the Company.

The Board has therefore determined that AMCIL should publish a Tax Transparency Report in accordance with the Voluntary Tax Transparency Code as developed by the Board of Taxation and released as part of the Federal Budget in May 2016.

As AMCIL is a Listed Investment Company with operations only in Australia, it has no international related party dealings or offshore financing or tax concessions.

2. Approach to Tax Strategy and Governance

Tax Strategy & Governance

The Board has a formal policy in place with regards to taxation strategy. This is disclosed below :

“The Board of AMCIL Limited (“AMCIL”) seeks to meet its obligations with regards to current and future taxation on its activities in a manner that maintains its reputation as a responsible and secure vehicle for its shareholders’ funds.

AMCIL will prepare tax returns and disclose its tax positions based on its, and its advisers’, interpretation of current taxation legislation and consistent with ATO guidance, where applicable.

AMCIL’s strategy is to provide an optimal investment outcome for its shareholders consistent with its stated goals. This by necessity will not involve utilising high-risk taxation-driven strategies.

Unless a range of taxation outcomes is specifically provided for under the legislation (e.g. parcel selection for Capital Gains Tax), if there is a possibility that a transaction or range of transactions could be taxed in different ways, or if there is a difference of views, AMCIL will usually seek to record the transaction in a conservative manner consistent with legislation and ATO guidance.

Management and their advisers will inform the Board either directly or through the Audit Committee when such a disparity of outcomes exists, whilst being mindful of materiality and reputational risk.

GST and other indirect taxes such as FBT, SGC and withholding tax legislation will be complied with to the fullest extent possible, and after consultation with external advisers where appropriate. Where the payment of such taxes is managed by outsourced agencies, the Company shall review those taxes as part of its ongoing compliance procedures. Any errors in meeting obligations once discovered will be reported to the Audit Committee and remedied as soon as possible.

AMCIL will meet its taxation obligations in a timely manner and will ensure that the policies, procedures and practices are maintained to meet this policy.”

A standing item on the Board meeting agenda allows Management to provide the Board with an update on taxation matters, consistent with the above policy.

In addition, the Board’s Audit Committee receives reports from the external auditor relating to the conduct of financial statement audits/reviews, which includes procedures performed by the auditor (see below) on material tax balances within the half-year and year-end financial reports.

As an LIC that invests primarily in Australian listed assets, the Company’s tax affairs are relatively simple, and relate to income tax payable on the distributions that it receives (whilst accounting for any attached franking credits) plus the net income from interest and option trading, and tax on the capital gains that it makes from its investments held on capital account. Much of the tax paid and franking credits received are passed onto AMCIL’s shareholders in the form of franked dividends.

Taxation Risk Management

The Board of AMCIL Limited is responsible for overseeing the operations of the Company and ensuring that a sound system of internal controls are in place for risk management purposes.

This includes taxation risk, which is defined by the Company as the risk that the Company takes a tax position that is not in accordance with its risk appetite and/or the risk that the amounts of tax due are incorrectly calculated, provisioned for and/or paid.

The Board receives assurances from the Managing Director and the Chief Financial Officer (“CFO”) twice yearly regarding the operation and effectiveness of the Company’s internal controls (see the Corporate Governance Statement available on the website).

The Board has approved the overarching risk appetite of the Company and is assisted in its risk management activities by the Audit Committee. Coordination of risk management activities, including taxation risk, is done by the Chief Financial Officer, who reports to the Audit Committee on such matters.

The Risk Management Framework is reviewed by the Audit Committee on an annual basis, and such a review was done in 2023. The framework has been developed to take into account the principles and guidelines outlined in AS/NZS ISO 31000: 2009 Risk Management – principles and guidelines. This approach involves establishing the context in which it operates, identifying the risks, analysing those risks, evaluating the risks, treating the risks where appropriate and monitoring, reviewing and reporting risks and the overall performance of the framework.

AICS as the provider of administrative and operational services to the Company has its own risk management processes and controls, including taxation risk and taxation policies and procedures. The efficacy of these internal controls is reported to the Company’s Audit Committee via an ASAE 3150 report from the AICS internal auditor, Ernst & Young.

With regards to calculation of and provision for taxation, the Company notes the following controls that are in place to reduce the risk of material misstatement:

- Company’s tax returns are prepared by external advisers (PricewaterhouseCoopers, who are also the Company’s auditors).
- Company’s provisions for tax payable are reviewed twice a year by the auditors as part of the annual and half-yearly audit and review. This includes franking credit balances and LIC gain accounts.
- Company’s auditors perform a review, on a sample basis, of the Company’s capital gains in the year to attest to the accuracy of the record-keeping with regards to the tax cost-base of securities sold, and thus the amount of Capital Gains Tax incurred.

The Board believes that the Company has effective policies and processes in place to manage tax risk.

3. Reconciliation of Accounting Profit for the year ended 30 June 2023 to Taxes Payable at 30 June 2023

	2023 \$'000
Profit for the year before tax	8,011
Nominal tax at 30%	2,403
Less : net impact of franking credits on dividends received	(1,782)
Less : over provision in 2022	(75)
Less : sundry items non-taxable in current year	(90)
Total tax expense for the year per P&L	456
Add : Capital Gains Tax for Year on realised gains	-
Total tax charge 'incurred' for year including Capital Gains Tax	456
Less : PAYG tax for year already paid	(168)
Less : foreign tax credits	(105)
Add : other timing differences (i.e. movements in deferred tax assets and liabilities)	103
Total tax payable per Balance Sheet at 30 June 2023	286

4. Effective Company Tax Rates

As per the figures in Section 3. above :

	2023
	\$'000
Profit for the year before tax	8,011
Total tax expense for the year per P&L	456
Effective Tax Rate	6%

However, these figures do not include the tax that has already been paid on the dividends that the Company has received.

Franked dividends that AMCIL receives are not free from tax. Instead, the tax (at 30%) has already been paid on the profits from which these dividends are sourced.

Imputation instead acts to ensure that these same profits are not taxed twice – by the company that paid the dividend to AMCIL and then by AMCIL itself or even three times – by the original paying company, by AMCIL and then by the shareholder on receipt of a dividend from AMCIL.

Including the imputation or franking credits, therefore, the effective tax rate would be as follows :

	2023
	\$'000
Profit for the year before tax	8,011
Net impact of franking credits received	1,782
Add : foreign tax credits	105
Total tax expense for the year per P&L	456
Tax Expense including franking credits	2,343
Effective Tax Rate including franking	29%

This is comparable to the prior year's figure, including franking credits, which was an effective tax rate of 33%. Minor differences (e.g. items where income was accounted for in a previous year but taxable in the current year) account for the difference between 33% or 29% and 30%.

5. Reconciliation of Taxes payable at 30 June 2023 to Taxes Paid for the 2022-23 year

	\$'000
Tax Payable as at 30 June 2023	286
Less : PAYG instalment subsequent	(65)
Less : Income deferred per annual tax statements received after year-end from trusts that the Company invests in and sundry minor adjustments	(179)
Tax to be paid per Tax Return	42
Add back : tax paid early under PAYG	233
Total tax paid or payable for 2022-23	275

Note that as disclosed in Section 4, the tax paid or payable above does not include the tax already paid on the dividends that the Company received (see below).

6. Total Taxes Paid Summary for the year ended 30 June 2023

As well as corporate income taxes paid, AMCIL and its employees pay a number of other taxes.

AMCIL's total tax contribution is summarised (note that this does not include taxes prepaid by other entities on income that AMCIL receives) :

	\$'000
Tax Paid per Tax Return	42
Tax paid in advance via PAYG	233
Total corporate income tax paid	<hr/> 275
Irrecoverable GST incurred by AMH	93
PAYG on salaries withheld by AMH	132
Total tax contribution for the 2022-23 year	<hr/> 500

7. Reconciliation of Accounting Profit for the Year Ended 30 June 2023 to Taxable Income

The accounting profit is not the same as taxable income due predominantly to the franking credits and foreign tax credits received, plus the adjustments to accounting income noted in Section 3.

	\$'000
Accounting Profit before tax per 2023 Annual Report	8,011
Gains from investments on capital account	-
Gains from investments on revenue account	63
Net unrealised gains on open options positions	(18)
Income accounted for last year but taxed this year	595
Income accounted for this year but taxed next year/future years	(1,467)
Minor items taxable	28
Franking credits received	2,546
Taxable income	9,758
Tax payable at 30%	2,927
Tax paid overseas	(106)
Tax pre-paid by companies that AMH invests in received as franking credits on dividends	(2,546)
Total tax paid or payable	275
Tax paid in advance	(233)
Tax payable	42