

SHOP TALK

ISSUES AND NEWS AFFECTING THE AUSTRALIAN SHOPPING CENTRE INDUSTRY

FRIDAY 23 JUNE 2017

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GST LOW VALUE THRESHOLD LOOP-HOLE TO BE CLOSED AS OF 1 JULY 2018

As of 1 July 2018, the \$1,000 GST Low Value Threshold loop-hole on goods purchased from overseas will be closed, with enabling [legislation](#) passing through Federal Parliament this week. While it was intended that the operative date would be 1 July 2017, the Bill was amended in the Senate to specify a 1 July 2018 start date. The Government has also conceded to the Opposition's request for the Productivity Commission to undertake a review of the proposed GST 'vendor collection model' ([Shop Talk 16/6/17](#)). In his comments detailing the Government's concurrence to the amendments, Treasurer Scott Morrison stressed that "the government will not be looking kindly..." at groups which seek further delay in implementation. In an accompanying [media statement](#), the Treasurer also noted that "the States and Territories have been strong supporters of this measure, and unanimously approved the vendor collection model...". The passage of this legislation is quite a significant achievement with retail sector stakeholders, including the Shopping Centre Council, seeking Government action on this issue for the better part of this decade.

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION TRADING HOUR APPLICATION

With legislation stalled in the Queensland Parliament which would incrementally liberalise and streamline trading hour regulations ([Shop Talk 26/5/17](#)), an application has been made to the Queensland Industrial Relations Commission (QIRC) to seek permission for midnight trading in the week prior to Christmas 2017 at some major shopping centres in south-east Queensland, including Westfield Chermside, Pacific Fair, Robina Town Centre and Sunshine Plaza. This is being progressed by the National Retail Association, with the support of the Shopping Centre Council. In related news, the QIRC has issued an order to amend trading hours for Warwick and Stanthorpe in regional Queensland to facilitate trading for non-exempt shops on Sundays. The order comes into effect on 12 July 2017. An equivalent application for Pittsworth was dismissed by the QIRC.

REMINDER THAT AMENDMENTS TO THE NSW RETAIL LEASES ACT COMMENCE ON 1 JULY 2017

Be reminded that amendments to the NSW *Retail Leases Act 1994* commence on 1 July 2017 ([Shop Talk 5/5/17](#)). This will lead to necessary changes in the management of, for example, bank guarantees, the negotiation of lease terms, and lease registration in NSW. The commencement of the new law is the culmination of a review process which commenced in 2013 ([Shop Talk 28/11/13](#)) and, over this time, involved three Small Business Ministers (two of which were also Deputy Premier, including the current Deputy Premier, John Barilaro). It is likely that other jurisdictions will now start 'picking and choosing' from this suite of reforms, with Victoria - which is actively contemplating the further regulation of bank guarantees - being the first out of the gate ([Shop Talk 2/6/17](#)).

FIRE AND EMERGENCY SERVICES LEVY FORMALLY DEFERRED BY NSW PARLIAMENT

The 1 July 2017 implementation of the property-based Fire and Emergency Services Levy (FESL) has officially been deferred, with relevant [legislation](#) passing through NSW Parliament this week. With the deferral having been announced by the Premier, Gladys Berejiklian, and Treasurer, Dominic Perrottet, in May ([Shop Talk 2/6/17](#)), the passage of the [Emergency Services Levy Bill 2017](#) has officially reinstated the insurance-based Emergency Services Levy. The period of deferral is unspecified, with the legislation (which makes consequential amendments to the *Fire and Emergency Services Levy Act 2017*) only requiring that any future implementation of the FESL must occur on a date of 1 July, and there must be 12 months' notice prior to implementation. Practically, this means that the earliest a property-based levy could be introduced is 1 July 2019, which comes following the scheduled March 2019 State election. Since the deferral was announced, the Shopping Centre Council has had constructive engagement with NSW Treasury to ensure there are no unintended compliance issues imposed on landlords as a result of the deferral, particularly with regard to outgoing estimates.

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