

SHOP TALK

ISSUES AND NEWS AFFECTING THE AUSTRALIAN SHOPPING CENTRE INDUSTRY

FRIDAY 18 NOVEMBER 2016

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REAL ESTATE LICENCING REFORMS PROPOSED FOR CONSIDERATION IN SOUTH AUSTRALIA

Wednesday marked South Australia's '[Simplify Day](#)', an initiative of the Government to make South Australia the "best place to do business" and "remove out-dated and redundant legislation". Critically, as part of the 'Simplify Day' package the Government announced its intention to investigate the removal of real estate licencing requirements for large commercial property owners. The Shopping Centre Council recommended this sensible piece of deregulation in its '[Simplify Day](#)' [submission](#) which drew specific reference to equivalent regulatory changes which were recently progressed in NSW ([Shop Talk 17/3/16](#)). The Government's report notes that "the removal of the requirement for such property owners to be registered as land agents would reduce costs and regulatory burden for these businesses". With equivalent licencing exemptions already in-force in Queensland and NSW, this positive progress in SA further exposes the current Victorian Government – which overturned a decision to progress similar reforms in May 2015 ([Shop Talk 28/5/16](#)) - as the laggard state.

NSW SMALL BUSINESS MINISTER APPOINTED NEW DEPUTY PREMIER

A week after he tabled the *Retail Leases Act Amendment (Review) Bill 2016* in the NSW Parliament ([Shop Talk 11/11/16](#)), the Minister for Small Business, John Barilaro, has been elevated to the role of Deputy Premier following the resignation of former Nationals leader, Troy Grant. There is now wide speculation as to the timing and possible outcomes of a Cabinet reshuffle, noting that Mr Barilaro's current portfolios of Small Business, Regional Development and Skills are relatively 'junior'. Although there is precedent for the Deputy Premier to hold the small business portfolio in NSW (former Deputy Premier, Andrew Stoner, held the portfolio for a short time before his resignation), there is a likelihood that a new Minister may be responsible for the passage of the amendment Bill through the Parliament in 2017.

LOW VALUE THRESHOLD EXPOSURE DRAFT BILL RELEASED FOR CONSULTATION

In the May Federal budget, the Government committed to action on the \$1,000 GST Low Value Threshold (LVT) loophole ([Shop Talk 5/5/16](#)). This followed in-principle agreement having been reached between Australia's Treasurers to address the loophole in August 2015. The Government has now released the exposure draft [Treasury Laws Amendment \(2017 Measures. 1\) Bill 2017: Low value imported goods](#) for comment. The intent of the proposed reforms is to ensure that low value goods - \$1,000 and below - are treated similarly to goods which are purchased domestically. Supporting material to the draft Bill notes that the "...GST will be collected through suppliers, electronic distribution platforms or goods forwarders..." with overseas suppliers being required to register and pay GST. This is generally described as a 'vendor collection model'. This is a milestone development after many years of advocacy from Australia's retail sector which has historically been met with equivocation from Australia's governments. In a [media statement](#), the Treasurer, Scott Morrison, notes that the draft legislation is the "...next step in the Government's commitment to level the playing field for Australian businesses...". Comments on the draft Bill are being welcomed until 2 December and it is anticipated that the new regime will come into force on 1 July 2017. This commencement date will coincide with the implementation of the new GST regime for the purchase of intangible goods from off shore (i.e. the so-called 'Netflix Tax').

NEW VICTORIAN SMALL BUSINESS COMMISSIONER APPOINTED

Ms Judy O'Connell has been appointed as the new Victorian Small Business Commissioner for a term of three years. Ms O'Connell's appointment follows the departure of the former Small Business Commissioner, Mr Geoff Browne, in October ([Shop Talk 11/8/16](#)). Ms O'Connell has previously worked for the Organisation for Economic Co-operation and Development and the Australian Tax office. Her term commences on 29 November. We congratulate Ms O'Connell on her appointment.

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