

SHOPTALK

ISSUES AND NEWS AFFECTING THE AUSTRALIAN SHOPPING CENTRE INDUSTRY

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FEDERAL TREASURY RELEASES PAPER ON NATIONAL REFORM OF GIFT CARDS

Federal Treasury has this week issued a [Consultation Regulation Impact Statement](#) (RIS) on gift card expiry dates. The objective of potential future reform "is to ensure that where a consumer purchases a gift card they can have confidence that the gift card will be able to be used for a reasonable period of time". Following recent reform in NSW and wide speculation that other jurisdictions may follow ([Shop Talk 2/2/18](#)), the RIS seeks feedback on three options to "reduce consumer detriment and improve outcomes for consumers in relation to gift card expiry dates": 1) the status quo, 2) a prohibition on gift card expiry dates, and 3) imposing three-year minimum expiry dates (generally equivalent to the recent NSW reforms). The RIS notes that the preferred policy option "at this time" is option 3. Treasury is welcoming written submissions in response to the RIS by 30 May. The Shopping Centre Council is engaged in direct stakeholder consultation.

VICTORIAN BUDGET: FUNDS FOR CHANGES TO VALUATION PROCESS

This week's Victorian Budget allocated additional funds to implement recent amendments to the *Valuation of Land Act* which passed through the Parliament late last year ([Shop Talk 15/12/18](#)). This includes the centralisation of statutory valuation functions with the Valuer-General from the 2019 revaluation year. The budget also included support for small business, particularly in regional areas. For example, the payroll tax rate will be lowered to 2.425 per cent, half that of the metropolitan rate.

INCREASED LICENCE TARIFFS FOR THE PUBLIC PERFORMANCE OF SONGS AND MUSIC VIDEOS

The Phonographic Performance Company of Australia has advised the Shopping Centre Council that, as of 1 July 2018, it is proposing to increase tariff rates for licenses for protected sound recordings played as a general amenity or background music in shopping centres. More information is available [here](#).

GOVERNMENT RESPONDS TO DATA INQUIRY: PROPOSES A CONSUMER DATA RIGHT

In 2016-17, the Productivity Commission undertook a comprehensive [inquiry](#) into data availability and use, with Treasurer, Scott Morrison, having directed an inquiry "into the benefits and costs of options for increasing availability of and improving the use of public and private sector data by individuals and organisations". This was a wide-ranging inquiry which, among other things, contemplated a new 'Comprehensive Right' which "would give individuals and small/medium businesses opportunities for active use of their own data". The Productivity Commission also noted that a 'Comprehensive Right' would be "significant...beyond its ability to support a social licence for better data-use economy wide" and may "offer the capacity to underpin a new wave of competition policy, similar in its catalytic effect to the Hilmer reforms of the 1990s". Late last year, the then Assistant Minister for Cities and Digital Transformation, Angus Taylor, [announced](#) the Government's commitment to legislating a Consumer Data Right and, this week, the Minister Assisting the Prime Minister for Digital Transformation, Michael Keenan, along with the Assistant Minister to the Treasurer, Michael Sukkar, [released](#) the Government's [comprehensive response](#) to the Commission's recommendations and announced a \$65 million commitment to the implementation of the full suite of reforms. In addition to the Consumer Data Right, the Government has also announced a commitment to creating a National Data Commissioner role which will lead a "simpler and more efficient data sharing and release framework within Government". The Government's response notes that the "implementation of the Consumer Data Right will begin in the banking, energy and telecommunications sectors, and will be rolled out to other sectors over time". It also notes that it will be "introduced primarily through changes to the *Competition and Consumer Act 2010*". The Shopping Centre Council will monitor the development and implementation of this and related reforms, including the proposed legislative package.

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