



# SHOP TALK

ISSUES AND NEWS AFFECTING THE AUSTRALIAN SHOPPING CENTRE INDUSTRY

SHOPPING CENTRE  
COUNCIL OF AUSTRALIA

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[Archive](#)

## NSW GOVERNMENT BEGINS ADVERTISING FOR A SMALL BUSINESS COMMISSIONER

The NSW Government has [announced](#), and has begun advertising for, a Small Business Commissioner, which was an election commitment ([Shop Talk 31/3/11](#)). Although the Government has begun recruiting for the position it is not clear whether the establishment of the position will require legislation – as in other States – or whether the position will be created administratively. The NSW Minister for Small Business, Katrina Hodgkinson, said one of the first tasks of the Commissioner, when appointed, will be to “examine the current legislative and administrative environment in NSW, making recommendations to me on any changes required to make NSW the premier state for small businesses”.

## USA GRAPPLES WITH ENACTMENT OF AN ‘AMAZON TAX’ ON INTERNET SALES

Australia is not the only country coming to grips with the issue of fair taxation of retail sales over the internet. The USA has for some years been grappling with a Supreme Court ruling in 1992 which has meant that internet (and catalogue) sellers are exempt from paying sales tax in a purchaser's state unless the internet retailer has a physical presence or nexus (such as a store or warehouse) in that state. The various American states have been devising what are called ‘Amazon tax’ laws, the most common of which are ‘[affiliate nexus](#)’ laws. Such laws mean that if the internet seller has an affiliate in the purchaser's state which assists the internet seller in some way, they are then liable for sales tax. California is the latest state to debate such a law, although the Governor of Texas has recently vetoed a similar Bill in that state. The US Congress has also been considering a [Main Street Fairness Act](#), to overcome the ruling, but so far little progress has been made on this.

## UPDATE ON PROGRESS OF NATIONAL LICENSING FOR REAL ESTATE AGENTS

The new [Occupational Licensing National Law Act](#), an outcome of the COAG ‘seamless economy’ initiative, has now been passed by Victoria, NSW, Queensland, South Australia and Tasmania. Western Australia has not yet passed the law and a parliamentary committee has (surprise!) recommended against doing so. However the WA Government is still to make a decision on this matter. The ACT Government has also not yet passed the law and (surprise!) has requested additional financial assistance before doing so. Meanwhile the proposed new national license for property agents (i.e. real estate agents) – which will enable real estate agents to practice in all states (or at least those which have passed the law) – is close to finalisation. It is anticipated that a Regulatory Impact Statement in relation to the proposed new national property agent's license will be published in the second half of this year. The new national licensing scheme is scheduled to commence on 1 July 2012. More details are available [here](#).

## NOMINATIONS ARE NOW OPEN FOR ICSC ASIA COMMUNITY SUPPORT AWARD

The ICSC [Asia Community Support Award](#) is designed to recognise exceptional contributions by shopping centres and companies within their community. Click [here](#) to nominate before 2 August.

## LATEST EDITION OF SHOPPING CENTRE NEWS IS NOW ON SALE

The latest edition of SCN (Shopping Centre News) is now on sale. This edition also contains details of how to enter the 2011 Shopping Centre News Australian and New Zealand Marketing Awards. For subscriptions ring (02) 9555 7494 or email: [subscriptions@shoppingcentrenews.com.au](mailto:subscriptions@shoppingcentrenews.com.au).