



SHOP TALK

ISSUES AND NEWS AFFECTING THE AUSTRALIAN SHOPPING CENTRE INDUSTRY

SHOPPING CENTRE
COUNCIL OF AUSTRALIA

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VICTORIAN GOVERNMENT INTRODUCES PRIVATE CAR PARKS BILL

The Victorian Minister for Consumer Affairs last week introduced the [Road Safety Amendment \(Private Car Parks\) Bill 2015](#) into the Parliament. This Bill would prevent a private car park operator which uses 'pay and display' management from identifying motorists who have breached the terms and conditions of the parking facility in order to recover a fee to compensate for the breach. The Shopping Centre Council has partnered with Parking Australia, the national body representing the interests of the parking industry in Australia, and written to relevant MPs expressing our concerns with the Bill. These include the lack of industry consultation prior to the introduction of the Bill and the lack of recognition of the important role managed car parking plays in ensuring convenient and safe access to car parks for customers and visitors to an activity area, including shopping centres. We have sought a delay in the consideration of the Bill to allow further consultation with industry.

SMALL BUSINESS OMBUDSMAN BILL NOW IN THE FEDERAL PARLIAMENT

The [Australian Small Business and Family Ombudsman Bill 2015](#) has been introduced into the Federal Parliament and has now passed the House of Representatives. Once the Bill is passed by Parliament the Ombudsman will replace the existing position of [Australian Small Business Commissioner](#). The submissions which were lodged on the exposure draft of the Bill have now been [published](#) on the Federal Treasury website, including the [submission](#) lodged by the Shopping Centre Council ([Shop Talk 9/4/15](#)). Despite criticism, (including from the Australia and New Zealand Ombudsman Association), that the term 'Ombudsman' was inappropriate for this position, the Government has refused to change the position's title.

SCCA SUBMISSION ON EXPOSURE DRAFT OF UNFAIR CONTRACT TERMS BILL

The Shopping Centre Council has lodged a [submission](#) on the [Exposure Draft – Treasury Legislation Amendment \(Small Business and Unfair Contract Terms\) Bill 2015](#). This is the Bill, when finalised, to amend the *Competition and Consumer Act* to give effect to the Government's intention to extend unfair contract terms regulation (UCT) to business-to-business contracts. We have made 17 recommendations on the Bill which we consider will make the current UCT law, which only applies to business-to-consumer contracts, more applicable and relevant in a business-to-business context. The UCT regulation will only apply to a 'standard form' small business contract, where at least one party employs fewer than 20 persons and where the value of the contract does not exceed either \$100,000 or \$250,000 for contracts of more than one year duration ([Shop Talk 30/4/15](#)).

SMALL BUSINESS PACKAGE HAS BEEN PASSED BY FEDERAL PARLIAMENT

The Federal Government's signature Jobs and Small Business package, announced in the May Budget, passed through the Parliament this week. This means that small businesses can deduct assets costing less than \$20,000, with the instant write-off window to remain open until the end of June 2017. Small companies with turnover less than \$2 million will now also benefit from a 1.5% reduction in the company tax rate from 1 July. The anticipated stimulatory impact of the Budget still needs to work through the system, with 'flat' month-on-month ABS retail sales figures released in early June (a year-on-year improvement of over 4% gives a more optimistic outlook). Another important Budget measure – the introduction of a 'Netflix Tax' to require off-shore suppliers of digital and other intangible products and services to collect and remit GST – is still the subject of consultation ([Shop Talk 14/5/15](#)).