

SHOP TALK

ISSUES AND NEWS AFFECTING THE AUSTRALIAN SHOPPING CENTRE INDUSTRY

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INDEPENDENT REVIEW INTO BOXING DAY TRADING IN NSW

Treasurer and Minister for Industrial Relations, the Hon Dominic Perrottet MP, has appointed former NSW Treasury Secretary, Professor Percy Allan AM to undertake the [independent review](#) of the *Retail Trading Amendment Act 2015*. The Act was amended in November 2015 to facilitate a two-year trial of widespread trading on Boxing Day throughout NSW in 2015 and 2016 ([Shop Talk 19/11/15](#)). The Act included a requirement for an independent review after its second year of operation to determine whether the objectives of the Act remain valid. The report is to be tabled in Parliament no later than 1 September 2017. The Review seeks to determine whether the trial was successful as a trading day for retailers, consumers and employees, and to assess the effectiveness of protection policies for employees and shop lessees. Submissions on the review close 10 March 2017.

TREASURY LAWS AMENDMENT (GST LOW VALUE GOODS) BILL 2017 INTRODUCED TO PARLIAMENT

The Federal Treasurer, Scott Morrison, recently introduced a Bill to Parliament to extend the GST to low-value imported goods. Currently, imported goods valued at less than \$1,000 do not attract GST. This has been a long-standing anomaly in the application of the GST and, as noted by the Treasurer in the Parliament, "these changes are about ensuring that Australian businesses, particularly small retailers, do not continue to be unfairly disadvantaged...". Closing this loophole, which was a commitment in the 2016-17 Federal Budget, will be underpinned by a 'vendor registration model', whereby overseas vendors will be required to register for, collect and remit GST if they have a turnover of greater than \$75,000 in Australia. It is intended that this new measure will come into force on 1 July 2017. The Shopping Centre Council will monitor the progress of this Bill and urges the Government, Opposition and cross-benchers to hold their nerve on this issue and not cave into pleas to water-down this important GST integrity measure ([Shop Talk 9/12/17](#)).

FAIR WORK COMMISSION MAKES SIGNIFICANT CHANGES TO SUNDAY PENALTY RATES

The full bench of the Fair Work Commission handed down its 551-page [decision](#) following its review of weekend and public holiday penalty rates under the four yearly Modern Award Review. In what has been described as a landmark decision, a key element is the reduction of the existing Sunday loading rate from 200% to 150% (for full-time/part-time employees i.e. from 'double time' to 'time and a half') and from 200% to 175% (for casual employees) under the Retail Award. Similar determinations were made under the Hospitality, Fast Food and Pharmacy Awards. While the Commission disagreed with a recommendation from the Productivity Commission inquiry into workplace relations ([Shop Talk 26/1/17](#)) for a 12-month transition period, it has noted a provisional view (subject to further submissions) that the reductions should transition across "a series of annual adjustments on 1 July each year (commencing 1 July 2017)".

RETAIL LEASES AMENDMENT REVIEW BILL PASSES NSW PARLIAMENT

As flagged in last week's edition, the *Retail Leases Amendment (Review) Bill* rapidly moved through the NSW Parliament's Upper House this week ([Shop Talk 17/2/17](#)). The Bill was subject to minimal debate and moved through un-amended with the support of the Opposition, the Greens and the Christian Democrats. In a [media statement](#) issued following its passage, the Minister for Small Business (and Deputy Premier), John Barilaro, noted that changes to the Act have been made to create "stronger and fairer relationships between tenants and landlords". The Minister also profiled the voluntary code of practice which has been agreed between retail stakeholders on the provision of turnover information. The Minister notes that "signatories to the Code will represent parties to retail leases inside large shopping centres in order to increase the sharing of information between landlords and tenants". Date of commencement of the new provisions is still to be determined.

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