

EXPOSURE DRAFT

2016-2017-2018

The Parliament of the
Commonwealth of Australia

HOUSE OF REPRESENTATIVES/THE SENATE

EXPOSURE DRAFT

Treasury Laws Amendment (Black Economy Taskforce Measures No. 2) Bill 2018

No. , 2018

(Treasury)

**A Bill for an Act to amend the law relating to
taxation, and for related purposes**

EXPOSURE DRAFT

EXPOSURE DRAFT

Contents

1 Short title.....	1
2 Commencement.....	1
3 Schedules.....	2
Schedule 1—Amendments	3
<i>Taxation Administration Act 1953</i>	3

EXPOSURE DRAFT

1 **A Bill for an Act to amend the law relating to**
2 **taxation, and for related purposes**

3 The Parliament of Australia enacts:

4 **1 Short title**

5 This Act is the *Treasury Laws Amendment (Black Economy*
6 *Taskforce Measures No. 2) Act 2018.*

7 **2 Commencement**

8 (1) Each provision of this Act specified in column 1 of the table
9 commences, or is taken to have commenced, in accordance with

EXPOSURE DRAFT

Schedule 1 Amendments

1 column 2 of the table. Any other statement in column 2 has effect
2 according to its terms.

3

Commencement information

Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
The whole of this Act	The first 1 January, 1 April, 1 July or 1 October to occur after the day this Act receives the Royal Assent.	

4 Note: This table relates only to the provisions of this Act as originally
5 enacted. It will not be amended to deal with any later amendments of
6 this Act.

7 (2) Any information in column 3 of the table is not part of this Act.
8 Information may be inserted in this column, or information in it
9 may be edited, in any published version of this Act.

3 Schedules

11 Legislation that is specified in a Schedule to this Act is amended or
12 repealed as set out in the applicable items in the Schedule
13 concerned, and any other item in a Schedule to this Act has effect
14 according to its terms.

2

1 **Schedule 1—Amendments**

2 *Taxation Administration Act 1953*

3 **1 Section 396-55 in Schedule 1 (table item 12)**

4 Repeal the item, substitute:

12	an entity that makes a *supply of a courier service or a road freight service and has an *ABN	the provision of consideration (within the meaning of the *GST Act) by the entity to another entity wholly or partly for the *supply by the other entity of a courier service or a road freight service, unless: (a) the entities are *members of the same *consolidated group or *MEC group; or (b) Division 12 requires that an amount be withheld from the payment of the consideration
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13	an entity that makes a *supply of a security, investigation or surveillance service and has an *ABN	the provision of consideration (within the meaning of the *GST Act) by the entity to another entity wholly or partly for the *supply by the other entity of a security, investigation or surveillance service, unless: (a) the entities are *members of the same *consolidated group or *MEC group; or (b) Division 12 requires that an amount be withheld from the payment of the consideration
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14	an entity that makes a *supply of an information technology service and has an *ABN	the provision of consideration (within the meaning of the *GST Act) by the entity to another entity wholly or partly for the *supply by the other entity of an information technology service, unless: (a) the entities are *members of the same *consolidated group or *MEC group; or (b) Division 12 requires that an amount be withheld from the payment of the consideration
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5 **2 Application**

6 (1) Item 12 of the table in the amended provision applies in relation to a
7 road freight service transaction unless:

EXPOSURE DRAFT

Schedule 1 Amendments

- 1 (a) the transaction happens before 1 July 2019; or
2 (b) the transaction happens during an alternative reporting period
3 that begins before 1 July 2019.
- 4 (2) An inserted item applies to a transaction unless:
5 (a) the transaction happens before 1 July 2019; or
6 (b) the transaction happens during an alternative reporting period
7 that begins before 1 July 2019.
- 8 (3) Subitem 3(3) of Schedule 2 to the *Treasury Laws Amendment (Black*
9 *Economy Taskforce Measures No. 1) Act 2018* applies as if:
10 (a) the reference in that subitem to item 12 of the table in
11 section 396-55 in Schedule 1 to the *Taxation Administration*
12 *Act 1953* were a reference to item 12 as amended by item 1
13 of this Schedule; and
14 (b) the reference in that subitem to the supply of a courier service
15 included a reference to the supply of a road freight service.
- 16 (4) In this item:
17 ***alternative reporting period***, in relation to an inserted item, means a
18 period specified for the inserted item under subparagraph (a)(ii) of the
19 amended provision.
- 20 ***amended provision*** means section 396-55 in Schedule 1 to the *Taxation*
21 *Administration Act 1953*, as amended by item 1 of this Schedule.
- 22 ***inserted item*** means either item 13 or 14 of the table in the amended
23 provision.
- 24 ***road freight service transaction*** means a transaction described in
25 item 12 of the table that is not a transaction in relation to a courier
26 service.