2016-2017-2018

The Parliament of the

Commonwealth of Australia

HOUSE OF REPRESENTATIVES/THE SENATE

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| **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

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

The Parliament of Australia enacts:

1 Short title

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

2 Commencement

 (1) Each provision of this Act specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

| 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. |  |

Note: This table relates only to the provisions of this Act as originally enacted.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

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

3 Schedules

 Legislation that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.

Schedule 1—Amendments

Taxation Administration Act 1953

1 Section 396‑55 in Schedule 1 (table item 12)

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 |
| 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 |
| 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 |

2 Application

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

 (a) the transaction happens before 1 July 2019; or

 (b) the transaction happens during an alternative reporting period that begins before 1 July 2019.

(2) An inserted item applies to a transaction unless:

 (a) the transaction happens before 1 July 2019; or

 (b) the transaction happens during an alternative reporting period that begins before 1 July 2019.

(3) Subitem 3(3) of Schedule 2 to the *Treasury Laws Amendment (Black Economy Taskforce Measures No. 1) Act 2018* applies as if:

 (a) the reference in that subitem to item 12 of the table in section 396‑55 in Schedule 1 to the *Taxation Administration Act 1953* were a reference to item 12 as amended by item 1 of this Schedule; and

 (b) the reference in that subitem to the supply of a courier service included a reference to the supply of a road freight service.

(4) In this item:

 ***alternative reporting period***, in relation to an inserted item, means a period specified for the inserted item under subparagraph (a)(ii) of the amended provision.

 ***amended provision*** means section 396‑55 in Schedule 1 to the *Taxation Administration Act 1953*, as amended by item 1 of this Schedule.

 ***inserted item*** means either item 13 or 14 of the table in the amended provision.

 ***road freight service transaction*** means a transaction described in item 12 of the table that is not a transaction in relation to a courier service.