



Compliance Essentials e-bulletin July 2012

Looking forward to a new Financial Year

Already we are at the start of FY2013 which seems a good point to take stock of some of the bigger compliance issues of 2012, for the last six months and moving forwards.

The Year to Date

January 2012 brought in a regulation as part of Australian Consumer Law that determines the content of wording where vendors give a voluntary written warranty against defects at point of sale; there is a transition period up to September 2012 in order to allow businesses to fully satisfy this obligation. A verbal warranty given to a consumer at point of sale is still admissible. These requirements do not affect consumer guarantees and rights vested in consumer transactions by Australian Consumer Law legislation.

Also in January came the PPSR (Private Property Securities Register). This register replaces the ASIC Register of Charges as well as bringing together other registers recording security interest in personal property that has been used to secure payments and/or other obligations. Items recorded on the previous Register of Charges and other registers have been migrated to the PPSR. Users can access the new register online for a small fee.

And then, May 28th, ASIC, as administrator, launched the National Names Register changing the way that business names are registered and creating an Australia wide register of business names and information. From the inception of the National Names Register a new business name must have a valid ABN before the business name can be registered.

And some of what's ahead

We have started the new financial year with the introduction of the Carbon Tax regulations. Whilst this is not, at present, aimed at small business, business owners and managers should determine any effect that this legislation may have on their business for whatever reason. Note the ACCC is being vigilant with regard to inappropriate price hikes deemed to result from the Carbon Tax.

July also brings in this current year's minimum wage increase along with an amended tax free threshold, income tax rates and regulations that will administratively affect all employers who operate a payroll. There are changes to the way that individual employee tax is calculated in relation to leave loading, bonuses etc; some examples are provided on the ATO website <http://www.ato.gov.au/content/00325115.htm>.

For those businesses in the building and construction industries there is a requirement from FY2012-2013 to report to the ATO, on an annual basis, payments to sub-contractors along with each sub-contractor's details (ABN, name, address etc) in the prescribed format.

1 October 2012, pending the passing of the ACNC Act, the not-for-profit regulator (ACNC) opens for business, and we expect more news on ACNC activities in the run up to October.

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