

Legislation update

9 March 2018

Status of tax-related bills in Parliament

Name	Status	Description
Higher Education Support Legislation Amendment (Student Loan Sustainability) Bill 2018	House of Reps Referred to Education and Employment Legislation Committee to report by 16 March 2018	Makes changes to Higher Education Loan Program (HELP) and debt recovery of the Student Financial Supplement Scheme (SFSS) including changing repayment thresholds and repayment rates; aligning the indexation of the HELP repayment thresholds to the Consumer Price Index (CPI) instead of Average Weekly Earnings (AWE); changing order of various repayment of various student loan debts; and introducing a new, combined loan limit to how much students can borrow under HELP to cover their tuition fees from 1 January 2019.
Treasury Laws Amendment (2018 Measures No. 2) Bill 2018	House of Reps Referred to Economics Legislation Committee to report by 15 March 2018	Amends the venture capital and early stage investor tax concession provisions to make minor changes to ensure that the provisions operate as intended and contains the FinTech Sandbox Regulatory Licensing Exceptions
Treasury Laws Amendment (Black Economy Taskforce Measures No. 1) Bill 2018	House of Reps	<ul style="list-style-type: none">• Prohibits the production, distribution and possession of sales suppression tools as well as prohibits the use of electronic suppression tools to incorrectly keep tax records• Requires entities providing courier or cleaning services that have an ABN to report to the ATO information about transactions that involve engaging other entities to undertake those courier or cleaning services for them
Treasury Laws Amendment (2018 Measures No. 1) Bill 2018	Senate	Contains various measures including the requirement for purchasers of new residential premises and new subdivisions of potential residential land to make a payment of part of the

		purchase price to the ATO and extending the tax relief for merging superannuation funds until 1 July 2020.
Treasury Laws Amendment (Illicit Tobacco Offences) Bill 2018	Senate	Amends the taxation law to establish a new tobacco offence regime that provides a comprehensive set of offences for illicit tobacco that has been domestically manufactured or produced; or for which the origin of production or manufacturing is unknown or uncertain.
Treasury Laws Amendment (Income Tax Consolidation Integrity) Bill 2018	Senate	Makes changes to improve the integrity and operation of the tax consolidation regime including removing a double benefit that can arise in respect of certain liabilities held by an entity that joins a consolidated group and simplifying the operation of the entry and exit tax cost setting rules by ensuring that deferred tax liabilities are disregarded.
<ul style="list-style-type: none"> • Treasury Laws Amendment (Reducing Pressure on Housing Affordability Measures No. 2) Bill 2018 • Foreign Acquisitions and Takeovers Fees Imposition Amendment (Near-new Dwelling Interests) Bill 2018 	Senate Referred to Economics Legislation Committee to report by 23 March 2018	<ul style="list-style-type: none"> • Remove the entitlement to the CGT main residence exemption for foreign residents; • Modify the foreign resident CGT regime to clarify that, for the purpose of determining whether an entity's underlying value is principally derived from TARP, the principal asset test is applied on an associate inclusive basis • Enables a reconciliation payment to be made by developers who sell dwellings to foreign persons under a near-new dwelling exemption certificate • Provides an additional affordable housing capital gains discount of up to 10 per cent
Family Assistance and Child Support Legislation Amendment (Protecting Children) Bill 2017	Senate	Contains various child support amendments and replaces the current compliance incentive under <i>the No Jab No Pay</i> 2015-16 Budget measure. From 1 July 2018, families who do not meet the health check requirements or immunisation requirements for a child will, instead of losing their FTB Part A end of year supplement, have approximately \$28 per child withheld from their fortnightly rate of FTB Part A.
Higher Education Support Legislation Amendment (A More Sustainable, Responsive and Transparent Higher Education System) Bill 2017	Senate	Recalibrate the costs of higher education between, taxpayers, higher education providers and students as well as make changes to HELP eligibility and repayment arrangements
Treasury Laws Amendment (2017 Enterprise Incentives No. 1) Bill 2017	Senate	Contains the following measures from the National Innovation and Science Agenda: <ul style="list-style-type: none"> • the introduction of the similar business test, which will supplement the same business test, to increase access to losses for companies (and certain trusts) that have changed

		<ul style="list-style-type: none"> provides taxpayers a choice to self-assess the effective life of certain intangible depreciating assets they start to hold on or after 1 July 2016, rather than using the statutory effective life currently specified in the law
Treasury Laws Amendment (Enhancing Whistleblower Protections) Bill 2017	Senate (NB: originated in Senate) Referred to the Economics Legislation Committee for inquiry and report by 16 March 2018	<ul style="list-style-type: none"> amends the whistleblower protections in the Corporations Act so that a single, strengthened whistleblower protection regime covers the corporate, financial and credit sectors inserts a comprehensive regime into the TAA 1953 for the protection of individuals who report breaches of the tax laws or misconduct
Treasury Laws Amendment (Enterprise Tax Plan Base Rate Entities) Bill 2017	Senate	Amends the <i>Income Tax Rates Act 1986</i> to ensure that a corporate tax entity will not qualify for the lower corporate tax rate if more than 80 per cent of its assessable income is income of a passive nature
Treasury Laws Amendment (Enterprise Tax Plan No. 2) Bill 2017	Senate	Reintroduces the remaining elements of the first Enterprise Tax Plan Bill, i.e. progressively extending the reduction of the corporate tax rates to all corporate tax entities
Treasury Laws Amendment (Junior Minerals Exploration Incentive) Bill 2017	Senate	Replaces the former Exploration Development Incentive with the Junior Mineral Exploration Incentive (JMEI). The JMEI provides a tax incentive to invest in small minerals exploration companies undertaking greenfields minerals exploration in Australia. Australian resident investors of these companies receive a tax incentive where the companies choose to give up a portion of their tax losses relating to their exploration expenditure in an income year.
<ul style="list-style-type: none"> Medicare Levy Amendment (National Disability Insurance Scheme Funding) Bill 2017 Fringe Benefits Tax Amendment (National Disability Insurance Scheme Funding) Bill 2017 Income Tax Rates Amendment (National Disability Insurance Scheme Funding) Bill 2017 Superannuation (Excess Non-concessional Contributions Tax) Amendment (National Disability Insurance 	Senate	These 10 bills are part of a package of bills to increase funding for the National Disability Insurance Scheme by increasing the Medicare Levy rate from 2% to 2.5%

<p>Scheme Funding) Bill 2017</p> <ul style="list-style-type: none">• Superannuation (Excess Non-concessional Contributions Tax) Amendment (National Disability Insurance Scheme Funding) Bill 2017• Income Tax (TFN Withholding Tax (ESS)) Amendment (National Disability Insurance Scheme Funding) Bill 2017• Family Trust Distribution Tax (Primary Liability) Amendment (National Disability Insurance Scheme Funding) Bill 2017• Taxation (Trustee Beneficiary Non-disclosure Tax) (No. 1) Amendment (National Disability Insurance Scheme Funding) Bill 2017• Taxation (Trustee Beneficiary Non-disclosure Tax) (No. 2) Amendment (National Disability Insurance Scheme Funding) Bill 2017• Treasury Laws Amendment (Untainting Tax) (National Disability Insurance Scheme Funding) Bill 2017		
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