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| **EXPOSURE DRAFT** |

Inserts for

Treasury Laws Amendment Bill 2025: Miscellaneous and technical amendments (Autumn 2025)

| Commencement information | | |
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| Column 1 | Column 2 | Column 3 |
| Provisions | Commencement | Date/Details |
| 1. Schedule 1, Part 1 | The day after this Act receives the Royal Assent. |  |
| 2. Schedule 1, Part 2 | The first 1 January, 1 April, 1 July or 1 October to occur after the day this Act receives the Royal Assent. |  |
| 3. Schedule 1, Part 3 | The 28th day after this Act receives the Royal Assent. |  |

Schedule 1—Miscellaneous and technical amendments

Part 1—Amendments commencing day after Royal Assent

Division 1—Sustainability reporting

Corporations Act 2001

1 Section 285A (table heading)

After “**financial**”, insert “**and sustainability**”.

2 After section 342B

Insert:

342C Documents to be treated as sustainability reports for certain purposes

Orders

(1) This section applies in relation to an order made under subsection 340(1) or 341(1) relieving, or having the effect of relieving, a company, registered scheme, registrable superannuation entity or disclosing entity, or companies, registered schemes, registrable superannuation entities or disclosing entities, from a requirement to prepare a sustainability report for a financial year.

(2) The order may provide that paragraph (4)(b) of this section applies to a specified document for the year.

(3) Section 342 does not limit subsection (2) of this section.

Relief condition reports

(4) Subsection (6) applies to a document (the ***relief condition report***) for a year if:

(a) the document is prepared by a company, registered scheme, registrable superannuation entity or disclosing entity (the ***reporting entity***); and

(b) the order provides under subsection (2) that this paragraph applies to the document for the year; and

(c) the document contains a declaration, in accordance with subsection (5), that the directors of the reporting entity intend that subsection (6) apply to the document.

(5) For the purposes of paragraph (4)(c), the declaration must:

(a) be made in accordance with a resolution of the directors; and

(b) specify the date on which the declaration is made; and

(c) be signed by a director.

(6) The following provisions apply in relation to the relief condition report as if it were a sustainability report that the reporting entity was required to prepare for the year:

(a) section 296E (ASIC directions);

(b) section 301A (audit of annual sustainability report).

3 At the end of Division 2 of Part 10.77

Add:

1707DA Reports not required under section 292A

(1) This section applies if a company, registered scheme, registrable superannuation entity or disclosing entity:

(a) is not required to prepare a sustainability report for a particular financial year that commences during the 3 years starting on the start date; but

(b) prepares a document that:

(i) would be a sustainability report for the year if the company, scheme or entity were required to prepare a sustainability report for the year; and

(ii) contains a declaration, in accordance with subsection (2), that the directors intend that this section apply to the document.

(2) For the purposes of subparagraph (1)(b)(ii), the declaration must:

(a) be made in accordance with a resolution of the directors; and

(b) specify the date on which the declaration is made; and

(c) be signed by a director.

(3) To avoid doubt, the declaration referred to in subparagraph (1)(b)(ii) of this section is in addition to the declaration referred to in paragraph 296A(1)(e).

Note: See also section 1707C.

(4) The following provisions apply in relation to the document mentioned in paragraph (1)(b) of this section as if the company, scheme or entity were required to prepare a sustainability report for the year:

(a) section 296E (ASIC directions);

(b) section 301A (audit of annual sustainability report);

(c) section 1707D (limited immunity for statements in new sustainability reporting).

1707DB Documents specified by exemption orders

Orders

(1) This section applies in relation to an order that, under subsection 342C(2), provides that paragraph 342C(4)(b) applies to a document for a financial year that commences during the 3 years starting on the start date.

(2) The order may provide that paragraph (4)(b) of this section applies to a specified statement made in the document.

(3) Section 342 does not limit subsection (2) of this section.

Relief condition reports

(4) Subsection (5) applies to a statement if:

(a) the statement is made in a relief condition report (within the meaning of subsection 342C(4)) for the year; and

(b) the order provides under subsection (2) of this section that this paragraph applies to the statement for the year.

(5) Section 1707D (limited immunity for statements in new sustainability reporting) applies in relation to the statement as if:

(a) the relief condition report were a sustainability report for the financial year; and

(b) the references in subparagraphs 1707D(3)(a)(i) and (4)(a)(i) to complying with a sustainability standard were omitted.

Division 2—Deregistration

Corporations (Aboriginal and Torres Strait Islander) Act 2006

4 Paragraphs 546‑10(1)(c) and (2)(b)

Omit “subsection 509(2)”, substitute “subsection 550(3)”.

Corporations Act 2001

5 Section 9

Insert:

***end of administration return*** has the same meaning as in Schedule 2.

6 Section 509

Repeal the section.

7 At the end of Division 4 of Part 5.6

Add:

550 Deregistration

(1) This section applies if an end of administration return for a company is lodged with ASIC on the basis that the affairs of the company are fully wound up.

ASIC must deregister at the end of 3 month period

(2) Subject to any order under subsection (3), ASIC must deregister the company at the end of the period of 3 months beginning on the day after the return is lodged (the ***deregistration period***).

ASIC must deregister on a day specified by the Court

(3) On application by the liquidator or any other interested party, the Court may make an order that ASIC deregister the company on a specified day. The Court must make the order before the end of the deregistration period.

(4) The person on whose application an order under subsection (3) is made must, within 10 business days after the making of the order, lodge a copy of the order.

8 Subsection 601AC(1)

Omit “(1)”.

9 Paragraph 601AC(1)(c)

Omit “subsection 509(2)”, substitute “subsection 550(3)”.

10 Paragraph 1239C(c)

Omit “subsection 509(2)”, substitute “subsection 550(3)”.

11 Subsection 70‑6(3) of Schedule 2 (note 2)

Omit “section 509”, substitute “section 550”.

12 In the appropriate position in Chapter 10

Insert:

Part 10.80—Application provisions relating to Schedule 1 to the Treasury Laws Amendment Bill 2025

1710 Application of amendments

The amendments made by Division 2 of Part 1 of Schedule 1 to the *Treasury Laws Amendment Bill 2025* apply in relation to an end of administration return that is lodged with ASIC on or after the commencement of this section.

Division 3—Notifying ASIC about authorised representatives

Corporations Act 2001

13 Subsection 916F(1)

Omit “15 business days”, substitute “30 business days”.

14 Subsection 916F(3)

Omit “10 business days”, substitute “30 business days”.

Division 4—Inspector‑General of Taxation Act 2003

Inspector‑General of Taxation Act 2003

15 After subsection 42(1)

Insert:

(1A) The Inspector‑General may, in writing, delegate any of the following powers to a member of the Inspector‑General’s staff to whom subsection (1B) of this section applies:

(a) the Inspector‑General’s powers under sections 9 and 10 of this Act (about not investigating, or transferring, complaints);

(b) the Inspector‑General’s powers under section 37C of this Act (about quoting tax file numbers).

(1B) This subsection applies to a member of the Inspector‑General’s staff who is:

(a) either:

(i) a member of the staff referred to in subsection 36(1); or

(ii) an employee or officer whose services are made available as referred to in subsection 36(3); and

(b) either:

(i) an SES employee or acting SES employee; or

(ii) an APS employee who is classified as Executive Level 1 or 2 or equivalent, or acting in a position usually occupied by an APS employee who is so classified.

(1C) The Inspector‑General may, in writing, delegate any of the Inspector‑General’s powers under section 37B of this Act (about requesting and providing tax file numbers) to:

(a) a member of the staff referred to in subsection 36(1); or

(b) an employee or officer whose services are made available as referred to in subsection 36(3).

(1D) The Inspector‑General may delegate a power to a person under subsection (1), (1A) or (1C) only if the Inspector‑General is satisfied that the person has appropriate qualifications, training or experience to exercise the power.

16 Subsection 42(2)

After “delegation”, insert “under subsection (1), (1A) or (1C) of this section”.

17 Application of amendments

The amendments made by this Division apply in relation to a delegation made on or after the commencement of this item.

Part 2—Amendments commencing first quarter after Royal Assent

Division 1—A New Tax System (Goods and Services Tax) Act 1999

A New Tax System (Goods and Services Tax) Act 1999

18 Section 38‑40

Before “A supply”, insert “(1)”.

19 Section 38‑40

Before “*Disability Services Act 1986*”, insert “former”.

20 At the end of section 38‑40

Add:

(2) A supply of services is ***GST‑free*** if the supplier receives funding under the *Disability Services and Inclusion Act 2023* or under a complementary \*State law or \*Territory law in respect of the services.

21 Application of amendments

Subsection 38‑40(2) of the *A New Tax System (Goods and Services Tax) Act 1999* applies in relation to a supply that occurred or occurs on or after 1 January 2024.

Part 3—Amendments with other commencements

Division 1—Excise tariff alterations

Excise Act 1901

22 Subsection 114(2)

Omit “a notice”, substitute “an instrument made”.

23 Paragraph 114(2)(a)

Repeal the paragraph, substitute:

(a) the earlier of:

(i) the seventh sitting day of the House of Representatives after the date of registration of the instrument under the *Legislation Act 2003*; and

(ii) the last day of the 6 months from the date of registration of the instrument under the *Legislation Act 2003*; or

24 Subsection 160B(1)

Omit “CEO”, substitute “Minister”.

25 Subsection 160B(1)

Omit “publish in the *Gazette* a”, substitute “make a notifiable instrument giving”.

26 Subsection 160B(1)

Omit “publication of the notice” (first occurring), substitute “registration of the instrument under the *Legislation Act 2003*”.

27 Subsection 160(1)

Omit “in the notice” (wherever occurring), substitute “in the instrument”.

28 Paragraphs 160B(1)(a) and (b)

Omit “publication of the notice”, substitute “registration of the instrument under the *Legislation Act 2003*”.

29 Subsection 160B(2)

Omit “published”, substitute “given”.

30 Application of amendments

The amendments made by this Division do not apply in relation to a notice published before the commencement of this item.