

# EXPOSURE DRAFT

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

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**Commencement information**

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<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Provisions</b>	<b>Commencement</b>	<b>Date/Details</b>
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.	

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## 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

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- 1 (b) the order provides under subsection (2) that this paragraph  
2 applies to the document for the year; and  
3 (c) the document contains a declaration, in accordance with  
4 subsection (5), that the directors of the reporting entity intend  
5 that subsection (6) apply to the document.
- 6 (5) For the purposes of paragraph (4)(c), the declaration must:  
7 (a) be made in accordance with a resolution of the directors; and  
8 (b) specify the date on which the declaration is made; and  
9 (c) be signed by a director.
- 10 (6) The following provisions apply in relation to the relief condition  
11 report as if it were a sustainability report that the reporting entity  
12 was required to prepare for the year:  
13 (a) section 296E (ASIC directions);  
14 (b) section 301A (audit of annual sustainability report).

### 15 **3 At the end of Division 2 of Part 10.77**

16 Add:

#### 17 **1707DA Reports not required under section 292A**

- 18 (1) This section applies if a company, registered scheme, registrable  
19 superannuation entity or disclosing entity:  
20 (a) is not required to prepare a sustainability report for a  
21 particular financial year that commences during the 3 years  
22 starting on the start date; but  
23 (b) prepares a document that:  
24 (i) would be a sustainability report for the year if the  
25 company, scheme or entity were required to prepare a  
26 sustainability report for the year; and  
27 (ii) contains a declaration, in accordance with  
28 subsection (2), that the directors intend that this section  
29 apply to the document.
- 30 (2) For the purposes of subparagraph (1)(b)(ii), the declaration must:  
31 (a) be made in accordance with a resolution of the directors; and  
32 (b) specify the date on which the declaration is made; and  
33 (c) be signed by a director.

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

4 Note: See also section 1707C.

- 5 (4) The following provisions apply in relation to the document  
6 mentioned in paragraph (1)(b) of this section as if the company,  
7 scheme or entity were required to prepare a sustainability report for  
8 the year:
- 9 (a) section 296E (ASIC directions);
  - 10 (b) section 301A (audit of annual sustainability report);
  - 11 (c) section 1707D (limited immunity for statements in new  
12 sustainability reporting).

## 13 **1707DB Documents specified by exemption orders**

### 14 *Orders*

- 15 (1) This section applies in relation to an order that, under subsection  
16 342C(2), provides that paragraph 342C(4)(b) applies to a document  
17 for a financial year that commences during the 3 years starting on  
18 the start date.
- 19 (2) The order may provide that paragraph (4)(b) of this section applies  
20 to a specified statement made in the document.
- 21 (3) Section 342 does not limit subsection (2) of this section.

### 22 *Relief condition reports*

- 23 (4) Subsection (5) applies to a statement if:
- 24 (a) the statement is made in a relief condition report (within the  
25 meaning of subsection 342C(4)) for the year; and
  - 26 (b) the order provides under subsection (2) of this section that  
27 this paragraph applies to the statement for the year.
- 28 (5) Section 1707D (limited immunity for statements in new  
29 sustainability reporting) applies in relation to the statement as if:
- 30 (a) the relief condition report were a sustainability report for the  
31 financial year; and
  - 32 (b) the references in subparagraphs 1707D(3)(a)(i) and (4)(a)(i)  
33 to complying with a sustainability standard were omitted.

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## 1 Division 2—Deregistration

### 2 *Corporations (Aboriginal and Torres Strait Islander) Act* 3 *2006*

#### 4 **4 Paragraphs 546-10(1)(c) and (2)(b)**

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

### 6 *Corporations Act 2001*

#### 7 **5 Section 9**

8 Insert:

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

#### 11 **6 Section 509**

12 Repeal the section.

#### 13 **7 At the end of Division 4 of Part 5.6**

14 Add:

#### 15 **550 Deregistration**

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

19 *ASIC must deregister at the end of 3 month period*

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

23 *ASIC must deregister on a day specified by the Court*

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

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

## 4 **8 Subsection 601AC(1)**

5 Omit “(1)”.

## 6 **9 Paragraph 601AC(1)(c)**

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

## 8 **10 Paragraph 1239C(c)**

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

## 10 **11 Subsection 70-6(3) of Schedule 2 (note 2)**

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

## 12 **12 In the appropriate position in Chapter 10**

13 Insert:

## 14 **Part 10.80—Application provisions relating to** 15 **Schedule 1 to the Treasury Laws** 16 **Amendment Bill 2025** 17

### 18 **1710 Application of amendments**

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

### 23 **Division 3—Notifying ASIC about authorised** 24 **representatives**

#### 25 *Corporations Act 2001*

### 26 **13 Subsection 916F(1)**

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

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## 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.

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## 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.



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## 1 **Part 3—Amendments with other commencements**

### 2 **Division 1—Excise tariff alterations**

#### 3 *Excise Act 1901*

#### 4 **22 Subsection 114(2)**

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

#### 6 **23 Paragraph 114(2)(a)**

7 Repeal the paragraph, substitute:

8 (a) the earlier of:

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

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

#### 14 **24 Subsection 160B(1)**

15 Omit “CEO”, substitute “Minister”.

#### 16 **25 Subsection 160B(1)**

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

#### 19 **26 Subsection 160B(1)**

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

#### 22 **27 Subsection 160(1)**

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

#### 25 **28 Paragraphs 160B(1)(a) and (b)**

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

#### 28 **29 Subsection 160B(2)**

29 Omit “published”, substitute “given”.

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1 **30 Application of amendments**

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