



Combined Small Business Alliance of Western Australia Inc. (CoSBA)

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WBA_Sundowner.pdf

WBA_Business_Breakfast.pdf

Business_Theft_Prevention_Workshop.pdf

SBA_Luncheon.pdf



CoSBA Small Business Policy Position Launch

Special guest, Parliamentary Secretary to the Minister for Small Business, Liza Harvey MLA, will launch and be presented with CoSBA's Small Business Policy Position Statement on 23 August 2011

Following CoSBA discussions with Premier Colin Barnett, Hon Simon O'Brien has been appointed Small Business Minister. Parliamentary Secretary Liza Harvey, assisting the Minister has a specific responsibility for Small Business.

You are Invited to a cocktail party for the launch of CoSBA's Small Business Policy Position Statement. **RSVP essential. See attachment: CoSBA_PolicyLaunchFlyerAug2011.pdf**

New CoSBA Board Member

The Joondalup Business Association has nominated Mr Stuart Redmond as its representative on the CoSBA Board.

Minimal small business presence at Swan's tax forum

The Gillard Labor Government has again displayed its indifference and disdain toward Australia's small businesses and family enterprises by inviting only one dedicated representative to the tax forum to be held later this year. Treasurer Wayne Swan can talk the talk but consistently fails to walk the walk when it comes to small business.

Just two days after addressing the Council of Small Business of Australia annual summit, the Treasurer's words of support for small business and claims of understanding that *'small business creates almost half of the jobs in Australia'* have proven hollow.

In Wayne's world, the small business community that supports the livelihood of nearly half the workforce warrants just one small business-specific voice at the tax event that has shrunk from a summit to a seminar, while just 18% of the workforce that is unionised warrants 13 union representatives.

This is just another clear example of how those involved in Australia's small businesses and family enterprises know the Gillard Labor Government certainly is not on their side.

See attachment: Minimal_small_business_presence_at_Swan's_tax_forum.pdf

Tough new powers for carbon cop

A new carbon cop will be given sweeping powers to enter company premises, compel individuals to give self-incriminating evidence and copy sensitive records under a carbon tax package that will force about 60,000 businesses to pay 6c a litre extra for fuel. *The Aus* (SOURCE: *WA BUSINESS NEWS*, Today's Business Headlines, 29.7.11)

Union talks tough after court victory

Union warhorse Kevin Reynolds warned WA companies yesterday to negotiate or face industrial action after his Construction Forestry Mining and Energy Union mounted a successful legal attack against mining giant Rio Tinto. The CFMEU divisional secretary said businesses who had signed workers up to non-union agreements and refused to bargain with unions would hit strife.

The CFMEU this week won the right to bargain about future pay and conditions on behalf of workers at Rio Tinto's Pilbara operations after the Full Bench of the Federal Court ruled that an existing non-union collective agreement struck in 2008 was invalid.

Rio Tinto is believed to be considering a High Court appeal against the decision, which could pave the way for challenges to other non-union agreements and has prompted fears the WA mining industry could return to the industrial mayhem of the 1970s and 1980s. Mr Reynolds claimed yesterday that governments and the judiciary were doing their best to destroy the CFMEU and other militant unions by fines and legal actions.

Mr Reynolds said unions had to be able to carry out protected industrial action and needed the support of workers to do this. "The companies have to understand that we will use protected action to its fullest and we just suggest they negotiate," he said. "Provided the companies negotiate in good faith, as they are required to do under the act, they do not have a problem." (SOURCE/EXTRACT: *The West Australian*, 29.7.11)

Rio Tinto to put its non-union deal to the High Court

RIO Tinto will launch a High Court action in a bid to overturn a ruling that opens the way for unions to get an increased foothold in Western Australia's Pilbara. The union movement last night condemned the move, accused the company of "clinging to Work Choices" and vowed to use whatever resources were necessary to contest the move.

The mining giant told its employees yesterday that the company would apply for special leave to appeal to the High Court after the Full Bench of the Federal Court last week found a non-union agreement covering thousands of workers at Rio was invalid.

The president of the company's Pilbara operations, Greg Lilleyman, said the High Court move was a "very serious step to take" and designed to ensure certainty for workers covered by the non-union deal and "for the business more generally". "The ability to directly engage with each of you about the matters that affect you remains our key consideration," he said.

The non-union agreement was made in the transition period between Work Choices and the full operation of the Fair Work Act, and resource-sector employers said the ruling had increased uncertainty in workplaces. The Australian Mines and Metals Association says many resource-sector workplaces had their terms and conditions set by pre-Fair Work Act legislation, and most agreements would expire over the next 2 1/2 years.

But ACTU secretary Jeff Lawrence last night condemned the legal move by Rio. "It's disappointing that Rio Tinto continues to use every legal avenue possible to cling to Work Choices-style agreements," Mr Lawrence said. (SOURCE/EXTRACT: *The Australian*, 2.8.11)

Payroll tax tops business leaders' wish list

CUTS to payroll tax and stamp duty sit at the top of the business sector's tax reform agenda for Western Australia. The opposition to payroll tax reflects the very nature of the impost: it is a tax on employment and, as the number of staff increases, the cost of payroll tax goes up.

In WA, payroll tax applies to any business with an annual wages bill of \$750,000 or more. Any business above that size is liable for payroll tax at a rate of 5.5 per cent. (SOURCE: *WA BUSINESS NEWS*, 30.6.11)

SMEs unsure about carbon tax

SMALL businesses and industry groups are calling for more clarity on the federal government's carbon price policy and the impact it will have on small and medium-sized enterprises. Institute of Public Accountants CEO Andrew Conway said last week, after the government released the first details of the carbon price policy, SME owners were no closer to knowing how the carbon tax would affect them.

"It is clear that more modelling is urgently needed to assess the impact that it will have on SMEs across a range of industries from retailers to manufacturers," Mr Conway said. He also expressed his concern that the only direct benefit small business owners would receive as a result of the policy would be in the reform of personal income tax.

"We are deeply disappointed that there will be no direct assistance provided to the small business sector – many of whom are already feeling the pinch," Mr Conway said. "As we move closer to 2012, it will become vital for SMEs to identify new ways of delivering their products and services more efficiently to help minimise the impact to their bottom line."

Meanwhile, the Sensis Business Index has shown that 38 per cent of SMEs in WA said they did not understand the proposed carbon tax and 52 per cent said they only partially understood the tax. In addition, more than half of WA's SMEs said a carbon tax would have a negative impact on their business, with 11 per cent saying they would consider closing or selling their business. (SOURCE: *WA BUSINESS NEWS*, 21.7.11)

Retail law plans divide tenants, landlords

THE Barnett government's planned push to give retail tenants more say and power in lease negotiations continues to divide the industry. Proposed changes to the long-standing Commercial Tenancy (Retail Shops) Agreements Act focus in part on the vexed issue of market rent reviews for retail properties.

It has long been an issue in the retail sector that valuers cannot get sufficient information from landlords to draw up the market valuations for lease agreements. The Commercial Tenancy (Retail Shops) Agreements Amendment Bill 2011 aims to give more bargaining power and information access to tenants in relation to their shop leases.

The Bill would require landlords to supply valuers with leasing information that would assist in the preparation of leases, rent reviews and would reveal discounts and incentives that are often closely guarded. Late last week the government called for more comment over the impact of the planned reforms as part of a 'regulatory impact statement'.

Commerce Minister Simon O'Brien said the government released the consultation paper in response to concerns raised by small business tenants about the lack of transparency in shop-lease information. "Without access to information on comparable rents, tenants and valuers may be unable to determine what constitutes fair market rent for a particular retail shop," Mr O'Brien said.

WA Retailers Association CEO Martin Dempsey said the Act had been detrimental to small retailers. "Because of this [Act], small businesses are going broke, they are being forced into administration, liquidation and bankruptcy, it's

one-sided and the landlords are not accountable and been getting away with blue murder for ages," Mr Dempsey said. "It's make or break time for small business in WA, these changes are a good start but they need to be followed up with a real understanding of the sector."

Lavan Legal partner Peter Beekink said the amendments were beneficial for small businesses, but argued landlords could encounter difficulties relating to the management of their shopping centres. "It's [the Bill] driven by small business and by and large landlords accept what it is and it's not unexpected," Mr Beekink said.

"However, the things I think are silly include the ability for the tenant not to have to exercise the right to extend his lease until 30 days out, given the landlord has an obligation to give 6 months notice of the expiration and that means a difficulty in running the shopping centre properly."

The government is also seeking comment on a proposal to establish a publicly accessible lease register that would be maintained by landlords and include details such as the annual rent of the premises. This worries landlords who say a register would drive up costs and posed issues of confidentiality. The government is also lukewarm on the idea after a review of submissions it received on the reforms last year.

But Mr Dempsey claimed a register would be a vital source of information for tenants. "The register is to provide transparency to the market so everyone can see that everyone else is paying their fair share, if it doesn't go ahead, tenants will continue to unnecessarily experience financial hardship," he said. (SOURCE/EXTRACT: *WA BUSINESS NEWS*, 21.7.11)

Local content debate rages despite new deals

A \$US2.3 billion contract awarded by Chevron has been lauded as a significant contribution to local content; but the deal, the biggest single agreement for the Gorgon project so far, is unlikely to temper the fierce debate about the amount of work taking place in Western Australian fabrication yards.

Chevron confirmed last week that a joint venture between New York-based CB&I and Kentz Corporation, a Channel Islands-domiciled company that originates from Ireland, will undertake structural, mechanical, piping, electrical, instrumentation and commissioning support for the construction of three LNG trains at Chevron's Gorgon natural gas project.

A spokesman for Chevron said the contract was part of the forecast \$20 billion it expected would be local content for the \$43 billion project, with more than half of that now contracted. However, it was unclear how much, if any, of the CB&I/Kentz deal would have been anything other than local content due to the nature of the work involved.

At the same time it was revealed that Cimec Construction and Engineering had won a contract to supply about 10,000 tonnes of structural steel for the construction of the gas processing plant on Barrow Island. Cimec said the contract would create work for 60 employees at its Henderson workshop over the next 18 months.

Australian Steel Institute WA state manager James England said the contract vindicated Cimec's commitment to building its facility at the Australian Marine Complex. But while he welcomed the contract announcement, Mr England said the institute was concerned about the level of work going to small- to medium-sized workshops.

He said there was an enormous group of smaller engineering and fabrication firms struggling to tick things over. "We're taking care of the tip of the iceberg, we need the rest of the iceberg looked at now," Mr England said. "Most of them, the majority of the small to medium workshops are just going from month-to-month, struggling to pick up what they can. They are feeling very worried about the future."

Mr England called on the state government to be clear over long-term support for the sector. "The big headline projects and the big attention grabbers are all well and good, but what's paying everyone's mortgages is the day to day work that goes through the little shops," he said.

Mr England said the \$2 billion-plus contract announced by Chevron last week was unlikely to create work for WA steel fabricators. As far as I can tell no there is not, there is nothing in that contract for any steel company in this country," he said. "It is zero."

Meanwhile, there has been plenty of other work contracted at WA mining ventures. (SOURCE/EXTRACT: *WA BUSINESS NEWS*, 21.7.11)

New contractor rule panned

INDUSTRY groups have outlined their opposition to the federal government's new tax reporting requirements for businesses in the building and construction sector, saying the changes will only create more red tape for contractors and small business operators.

Master Builders Australia, Independent Contractors Australia and the Housing Industry Association have spoken out against the consultation paper released in May by Assistant Treasurer Bill Shorten to modify the existing reporting regime. Mr Shorten said the government would introduce a requirement for certain businesses to report to the ATO annually on payments made to contractors, with effect from July 1 2012.

Master Builders Australia questioned the validity of the data and claimed existing tax reporting mechanisms were

appropriate. "One can question the veracity or the lack of veracity in connection with the data the ATO has relied upon with respect to the miniscule number of contractors," Master Builders of WA construction director Kim Richardson said. "That number is less than 2,000 in an industry with an estimated 330,000 contractors ... and if you look at the numbers, the ATO appears to be taking a sledgehammer to a walnut."

In addition, Mr Richardson said the reporting requirements would only create more red tape for small businesses that operated in the residential property sector. "When it gets down to it, we need to know what quality of information is required for the reporting purposes," he said.

"If it's extensive, it will cost those small businesses time and money because they will have more red tape; and to make matters worse, this is at a time when the industry is struggling with reduced housing starts and reduced activity in the commercial sector."

Mr Richardson said the reporting requirements led back to the 'sham contracting' campaign led by the CFMEU in recent years and the current inquiry into sham contracting by the Australian Building and Construction Commission. Independent Contractors Australia called the policy a politicised attack against the right of people to be self-employed in the construction sector. (SOURCE/EXTRACT: *WA BUSINESS NEWS*, 7.7.11)

Changing of the guard at business association

WANNEROO Business Association held its annual general meeting last week, with a change of guard on the board. Outgoing president Ewan McAllister said the association had a successful year, noting the sponsorship arrangement with the Small Business Growth Centre and a \$2000 donation to Youth Care for a chaplain at Wanneroo Primary School.

Executive officer Bev Letton said the association now had 215 members, and outgoing vice-president Bill Meredith said it was gratifying to have a strong membership because when he first joined 30 years ago, the organisation had just four members.

A new board was elected unopposed, led by new president John Denton. Mr Denton said the association would act as a voice for businesses with the three levels of government, as well as providing information, advice and training to members.

UNLTD Solar's Kieron D'Arcy spoke about the success of his family business, which was named the top WA company in *Business Review Weekly's* Top 100 Fast Starter 2011 list. Mr D'Arcy said although initially they were doing everything themselves in the family business, as it grew they employed passionate people who shared the same work ethic and this contributed to the company's success. "This year we turned over over \$30 million," he said.

BraveNUweb founder Todd Sainsbury launched the association's new website, which will include profiles and contact details of members in an online register. (SOURCE/EXTRACT: *Community News*, 26.7.11)

Tort lawsuits could hit productivity

CANBERRA'S plan to create a tort of privacy has raised fears that productivity could suffer from a wave of class actions against business, police and hospitals. Peak business groups have urged the government to reconsider, warning the proposed federal civil action on privacy was not justified and could drive up the cost of insurance.

Business Council of Australia chief executive Steven Munchenberg said the suggestion that extra laws were needed here after events offshore was "very poor justification for more regulatory change and regulatory intervention" and he was not convinced there was a problem. His assessment is in line with the Australian Bankers Association and peak business groups in NSW and Victoria which all said Labor had not shown why local factors justified a new privacy tort.

"We want to see clearly what the problem is that needs to be fixed before we start even discussing what the solution should be," Mr Munchenberg said. Protecting privacy was important, but Australia already had robust privacy laws backed by significant penalties, he said.

BCA spokesman Scott Thompson said it was important to get the balance right so people could be confident about the way personal information was being used and there needed to be consistency in state and federal privacy laws. But he cautioned: "Privacy legislation, of itself, should not impede the potential take-up of productivity-enhancing measures."

The plan was raised by Greens leader Bob Brown and Privacy Minister Brendan O'Connor in the wake of the hacking scandal at Britain's now defunct News of the World, owned by the British unit of News Corporation, owner of News Limited, publisher of The Australian. Mr O'Connor plans to produce an issues paper on the scheme based on a 2008 report by the Australian Law Reform Commission. He said the issues paper would canvass the scope of the scheme and Labor would consider the views of business, individuals and government agencies.

Stephen Cartwright, chief executive of the NSW Business Chamber, urged Canberra not to succumb to "a knee-jerk reaction to something that happened on the other side of the world". The Victorian Employers Chamber of Commerce and Industry warned the scheme could drive up insurance costs, increase frivolous lawsuits and cost taxpayers large amounts of money. (SOURCE/EXTRACT: *The Australian*, 1.8.11)

Small business people and the carbon tax - we must be involved in consultations

Admin Cosboa 18 May 2011 07:00:41 AM

COSBOA was disappointed that we were not at the business round tables discussing the impact on small business of any carbon tax. But we have now been consulted and can focus on the key issues for our sector. Peter Strong, Executive Director of COSBOA has stated "We know that the small business community is diverse. When it comes to the climate change debate small business people are like everyone else - there are believers, there are deniers and many are confused. What we are sure of is that small business people will suffer if implementation and management of any process does not include consideration of our needs.

We know that whatever the government decides there will be an impact on every small business owner in Australia. These additional costs have to be passed on and in turn will increase the cost of living on every Australian." He added "COSBOA will not support any process that is imposed without proper consultation with the small business community. In the end COSBOA may oppose whatever is proposed depending upon its impact and we will be watching for any process developed by government and big business that suits their own purposes and does not include our input."

Mr Strong also stated that " there are areas where our concerns are deepest, for example a small business family may be hit twice with increased costs, once at home and once at the workplace, so any compensation must be at both these locations. We also are worried that red tape and compliance will be easy for experts in big business and a nightmare for small business. We believe that the two speed economy will be magnified by this process unless we get it right."

Our consultations show that most small businesses will not be impacted by increased power costs. Home based businesses and Independent Contractors, who make up a great number of small businesses, appear to be unaffected by any power cost increase, above and beyond the potential impact on all individuals. The main areas will be those in shops and commercial premises, and those who use large amounts of power such as hair dressers and dry cleaners. We are in dialogue now with the Department to develop ways and means to alleviate any extra costs and ensure that if costs have to be passed onto consumers that big business are not given a chance to gouge small business and that they do not use this as an opportunity to increase their market share at the expense of small business and the expense of choice for consumers.

We have also been assured that there will be no red tape or reporting requirements placed on small business from any carbon tax. We believe what we have been told BUT we will continue to monitor developments and process to make sure that red tape doesn't sneak out from some unnoticed corner of bureaucracy. Small business people are the ones who will innovate and take advantage of changes made to the way we use and produce energy, let's support them and not inhibit this behaviour. We need to be constantly informed and involved in the development of the process or the process will not work. In the end the individuals who are self employed will make their opinions felt at an election, like every other individual so let us have an impact now on process and policy. SOURCE: <http://www.cosboa.org/webs/cosboa/cosboa.nsf/title/Home>

New NASA Data Blow Gaping Hole In Global Warming Alarmism

By James Taylor | Forbes – Wed, Jul 27, 2011

NASA satellite data from the years 2000 through 2011 show the Earth's atmosphere is allowing far more heat to be released into space than alarmist [computer models](#) have predicted, reports a new study in the peer-reviewed science journal *Remote Sensing*. The study indicates far less future global warming will occur than United Nations computer models have predicted, and supports prior studies indicating increases in atmospheric carbon dioxide trap far less heat than alarmists have claimed.

Study co-author Dr. Roy Spencer, a principal research scientist at the University of Alabama in Huntsville and U.S. Science Team Leader for the Advanced Microwave Scanning Radiometer flying on NASA's Aqua satellite, reports that real-world data from NASA's Terra satellite contradict multiple assumptions fed into alarmist computer models. "The satellite observations suggest there is much more energy lost to space during and after warming than the climate models show," Spencer said in a July 26 University of Alabama press release. "There is a huge discrepancy between the data and the forecasts that is especially big over the oceans."

In addition to finding that far less heat is being trapped than alarmist computer models have predicted, the NASA satellite data show the atmosphere begins shedding heat into space long before United Nations computer models predicted. The new findings are extremely important and should dramatically alter the global warming debate. Scientists on all sides of the global warming debate are in general agreement about how much heat is being directly trapped by human emissions of carbon dioxide (the answer is "not much"). *James M. Taylor is senior fellow for environment policy at The Heartland Institute and managing editor of Environment & Climate News.* (SOURCE/FULL REPORT: <http://news.yahoo.com/nasa-data-blow-gaping-hole-global-warming-alarmism-192334971.html>)

Savers to get warning of risky superannuation funds

TWO major groups in the superannuation industry have combined to devise a bushfire-style risk warning system alerting superannuation savers to the varying levels of risk attending different types of product. The Association of Superannuation Funds of Australia and the Financial Services Council have devised a seven-level risk warning matrix that assesses risk based on the number of years a specific fund is likely to suffer negative returns over a 20-year period.

Level one, the lowest, would expect only a 50 per cent chance of negative returns, in one year only, while the top level of risk anticipates getting negative returns in six or more years out of 20. The new standards will apply from next June to all investment offerings currently requiring a product disclosure statement.

David Graus, general manager of policy at ASFA, said the labels would not apply to "whole of fund" superannuation schemes but to

the funds below that have carried labels such as "conservative", "defensive", "balanced" and "growth". "A lot investors found out in the GFC that their balanced funds weren't as balanced as they thought, with a heavy bias to equities that lost value," he said. "This new standard applies to retail funds, industry funds, corporate funds and government funds," he said, adding the new labels would be of most interest to people exercising choice of fund, rather than those in default funds.

The joint proposal followed a letter to super trustees by the Australian Prudential Regulation Authority, which oversees most superannuation funds in Australia. APRA's "twin peak" regulator ASIC, which regulates what funds disclose and how they abide by company law, said the new standard risk measure would give consumers more transparency about the risks associated with their superannuation choices. (SOURCE/EXTRACT: *The Australian*, 2.8.11)

Miner in blistering attack on Gillard alliance

The head of Australia's premier mining conference has launched an extraordinary attack on the Gillard government, saying the Labor-Greens alliance had failed and voters should be allowed to return to the polls. *The West* (SOURCE: *WA BUSINESS NEWS*, Today's Business Headlines, 26.8.11)

Lease alert for small retailers

THE WA Retailers Association is calling on small retailers in local shopping centres to campaign for a lease register to help restore equality for the costs paid by all shops. Commerce Minister Simon O'Brien recently released a consultation paper about transparency of lease agreements in response to concerns raised by small business tenants. (See attachment: CORRESPONDENCE.PDF)

Submissions are being sought on the options to increase access to lease information for valuers, establishing a publicly accessible database of lease information and the compulsory registration of retail shop leases on the land title. WA Retailers Association chief executive Martin Dempsey said while the submissions were not open to retailers, he had several strategies for them to make their opinions heard.

Mr Dempsey said if the Commercial Tenancy (Retail Shops) Agreements Amendment Bill 2011 was passed, he believed there would be several changes for retailers. "There will be shocks by tenants who are charged different amounts and they are likely to work out small ones have been subsidising the large ones," he said.

Mr O'Brien said he believed the new options outlined in the lease register would achieve "a level playing field" and he looked forward to stakeholder submissions. Responses are due by August 19. Details www.commerce.wa.gov.au/cpreviews. (SOURCE/EXTRACT: Community Newspapers, MIDLAND REPORTER, 2 August 2011)

WA to get NBN by end of year

The National Broadband Network will start rolling out in WA by the end of the year, with the preferred contractor to be announced next month for sites in Mandurah, Geraldton and Victoria Park. *The West* (SOURCE: *WA BUSINESS NEWS*, Today's Business Headlines, 3.8.11)

Regional communities to get first wireless

Geraldton will be one of the first five regional areas in Australia to get access to the National Broadband Network (NBN) via high-speed fixed wireless, the federal government has announced. The other four communities will be Ballarat in Victoria, Darwin in the Northern Territory, Tamworth in NSW and Toowoomba in Queensland. It follows NBN Co's June contract with Ericsson to build and operate a 4G fixed wireless network. (SOURCE/EXTRACT: *WA BUSINESS NEWS*, Daily Business Alert, 3.8.11)

Shopping strike worst in 50 years

THE worst retail growth in half a century and fears of a double-dip recession in the US have fuelled concerns of an economic slowdown and stripped billions from the value of Australian shares. Figures released yesterday revealed consumers have embarked on one of their biggest spending strikes in decades, boycotting the shops again in June and forcing economists to predict cuts to growth forecasts.

Retail sales fell for the second month in a row in June, down 0.1 per cent after May's 0.6 per cent slump. The annual growth rate of 2.6 per cent was the lowest since 1962 -- worse than the recession years of the early 1990s and the global financial crisis of 2008-09. "The Aussie consumer is certainly depressed," said CommSec economist Savanth Sebastian. "The latest figures show that consumers are still unwilling to spend despite cheaper prices." (SOURCE/EXTRACT: *The Australian*, 4.8.11)

INTERNATIONAL BUSINESS COUNCIL ACTIVITIES/INFORMATION

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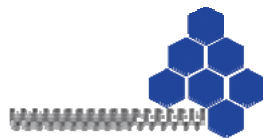
- **CCI International Trade Day - 25 August 2011**
- **LAUNCH OF COSBA'S SMALL BUSINESS POLICY POSITION STATEMENT**
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- **The latest from the EU**

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- Department of Regional Development and Lands - Royalties for Regions Budget Briefing Sessions
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- Cash-rich miners should return more money to investors, says Global Mining
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