



Australian Government
Payment Times Reporting Regulator

LIAISON FORUM

Regulator's Update | July 2022

WELCOME

Emma Punyer

Communications and Education Lead

THE REGULATOR

Mary Jeffries

Assistant Secretary,
Payment Performance Branch

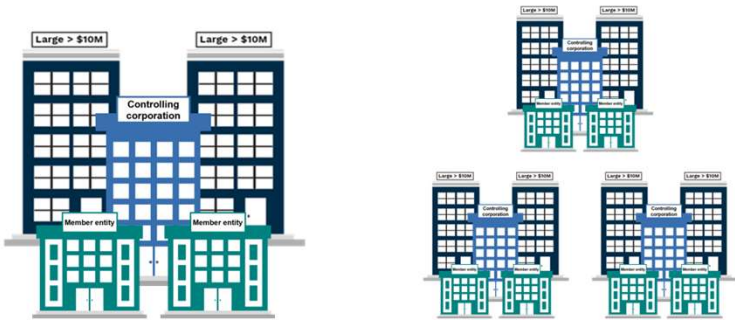
INSIGHTS

Kate Tagg
Director, Risk and Governance

REPORTS AND ENTITIES

8,885

Reporting entities



6,857

Entities that reported as part of a group

1,846

Reporting groups

16,801

Payment times reports received by the Regulator



8,921

First reports

7,880

Second reports



Based on reports received at 30 June 2022. This includes reports received but not yet published to the register.

Based on reports received at 30 June 2022. This includes 819 reports received but not yet published to the register.

PAYMENT TERMS

30

**Median payment terms
at the START of the
FIRST reporting period**

(calendar days)



36.6

**Average payment terms
at the START of the
FIRST reporting period**

(calendar days)

30

**Median payment terms
at the END of the
SECOND Reporting period**

(calendar days)



36.2

**Average payment terms
at the END of the
SECOND Reporting period**

(calendar days)

0

**Change in median
payment terms
across reporting
periods**

(calendar days)



-.40

**Change in average
payment terms across
reporting periods**

(calendar days)

Based on reports published to the register.

POLICY UPDATES

Carlie Beach
Director, Policy

LEGISLATION UPDATES

- Technical amendments to the [Payment Times Reporting Act 2020](#) (the Act) were passed by Parliament on 10 February 2022.
- These amendments are operational in nature and address regulator delegations, provide clarity and consistency for reporting requirements, and remedy reporting restrictions for entities volunteering to report.
- The changes allow volunteering entities to commence reporting in the first reporting period after giving notice to volunteer, including in the middle of an income year.
- Previously, volunteering entities were required to wait until the beginning of the next income year before commencing to report.

STATUTORY REVIEW

- The Payment Times Reporting Act requires a statutory review be completed in the first half of 2023.
 - Exact timing is a matter for the Minister to decide
- This review will assess the efficacy of the PTRS, as well as the alternative measures that are available.
- The Review will provide for public consultation and all interested parties are encouraged to participate.
- The independent reviewer will submit a written report of findings and recommendations to the Government.

COMPLIANCE AND ENFORCEMENT

Samantha Griffiths
Director, Operations

APPLICATIONS

- 1,431 applications.
- 49 notices from entities to volunteer to report.

1,431

Applications received

(1 July 2021 - 30 June 2022)

49

Entities giving notice to volunteer



1,249

Extension of time applications



49

Cease to be a reporting entity applications



133

Revised report applications



COMMENCEMENT OF ENFORCEMENT POWERS

- Commenced on 1 January 2022.
- A number of compliance and enforcement powers are available to the Regulator.
- An information sheet on our enforcement powers is planned to be published soon.

COMPLIANCE PROGRAMS

- Compliance programs have commenced.
- Our focus areas for 2022:
 - > quality assurance
 - > failure to submit a report.
- Targeted compliance action may be taken.
- Our approach to non-compliance is set out in [Information sheet 1: Our approach to regulation](#).

UPDATED GUIDANCE AND COMMUNICATIONS

Chloe Richardson

Director, IT and Communications

UPDATED GUIDANCE MATERIAL

- To assist reporting entities to meet their obligations and understand the Regulator's expectations, we have prepared 3 draft guidance notes:
 - > Guidance note 1: Key concepts
 - > Guidance note 2: Preparing a payment times report
 - > Guidance note 3: Applications and notifications.
- You may choose to use the draft guidance to prepare reports or applications.
- Consultation closed 2 September.
- We aim to publish finalised guidance notes after the consultation in October 2022 in our new [Regulatory resources](#) section of the website.



About this guidance note
This guide is for reporting entities under the Payment Times Reporting Act 2020 and entities that would like to volunteer as reporting entities. It provides guidance on the process and content for applications and notifications made to the Regulator. It also details the principles the Regulator applies when assessing applications.



About this guidance note
This guide is for reporting entities under the Payment Times Reporting Act 2020 (the Act). It provides guidance on how to prepare a payment times report. It may also help users of the Payment Times Reports Register to understand the calculations and basis for preparation of payment times reports.



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Our documents
We provide information to reporting entities and other stakeholders to:

- allow contribution to policy development
- inform stakeholders of how we administer the Act
- provide guidance to assist reporting entities to comply with their obligations.

Consultation papers seek feedback from regulated entities and other stakeholders on how we administer the Act or intend to administer the Act. Guidance notes explain how the law operates generally and outline our administrative approach. These documents also provide practical examples that may assist in navigating regulated processes. Examples in this guidance note are purely for illustration; they are not exhaustive and are not intended to impose or imply particular rules or requirements. Information sheets are short guidance documents on a specific process or function.

Document history
This guidance note was first published on [insert date] and based on the Payment Times Reporting Act 2020 and Payment Times Reporting Rules 2020 as of that date.

Disclaimer
This guidance note does not constitute legal or professional advice and it should not be relied on as such. You should seek your own legal or professional advice to find out how the Payment Times Reporting Act 2020 and other applicable laws apply to your organisation, because you are responsible for determining your obligations.

PUBLICATIONS

- Recent publications include:
 - > [Information Sheet 1: Our approach to regulation.](#)
 - > [Information Sheet 2: Regulator decisions – Your rights.](#)
- We intend on adding to the regulatory resources during the remainder of 2022, including guidance notes and additional information sheets.

Australian Government
Payment Times Reporting Regulator

Our approach to regulation

INFORMATION SHEET 1
January 2022 (updated 15 June 2022)

Our role

Our role is to provide a reliable and transparent source of information about payment terms and performance of large businesses to their small business suppliers operating in Australia.

We publish this information to allow small businesses to make more informed decisions when supplying large businesses and to incentivise large businesses to improve payment terms and practices.

Our functions

The Payment Times Reporting Regulator was established under the *Payment Times Reporting Act 2020* (the Act). Our core functions are to receive payment times reports from large businesses every 6 months and publish those reports.

These functions are designed to encourage improved large business payment times by:

- providing transparency on payment terms and performance
- enabling small businesses to assess large businesses performance before agreeing to supply goods or services.

It is not our role to mandate or enforce payment terms and times by large businesses.

We have a range of powers to ensure compliance by reporting entities, including powers to:

- publish details of non-compliance
- undertake an investigation or compliance audit
- issue an infringement notice
- pursue civil penalties.

In addition to our core functions, we must assist large businesses to identify small businesses.

Figure 1: The functions of the Payment Times Reporting Regulator.

paymenttimes.gov.au support@paymenttimes.gov.au Page 1 of 6

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Payment Times Reporting Regulator

Regulator decisions – Your rights

INFORMATION SHEET 2
20 June 2022

Decisions by the Regulator

Our decisions

We make decisions in administering the *Payment Times Reporting Act 2020* (the Act) including decisions about:

- registration of payment times reports (reports), including revised reports
- redaction of reports
- applications for extensions of time to give a report
- applications to cease to be a reporting entity
- publication of non-compliance to the Payment Times Reports Register
- other matters in administering the Act.

Before we decide to publish information about an entity's non-compliance with its obligations under the Act on the Payment Times Reports Register, we must invite the entity to make a written submission. Where appropriate, we may also contact affected entities prior to making other decisions to seek additional information.

Information about a decision

We must provide reasons for certain decisions under the Act. We aim to give written reasons for a decision whenever the decision may have adverse impacts on a reporting entity.

If you have been affected by a decision of the Regulator without being given the reasons for the decision, you may be entitled to ask for this information in writing. You can submit a request for the reasons in writing to support@paymenttimes.gov.au.

You may also request documents regarding a decision under the *Freedom of Information Act 1982*. For information on making a freedom of information request visit the *Freedom of Information* page on the Treasury website.

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COMMUNICATIONS

- Current forms of communications:
 - > Emails
 - > The PTRS website
 - > Publications such as the information sheets and updated guidance
 - > Liaison Forums
- Recognise the reporting portal has some limitations.
- Looking at making substantive changes to the user experience for both of these products.

QUESTIONS

CLOSING REMARKS

Mary Jeffries

Assistant Secretary,
Payment Performance Branch



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Payment Times Reporting Regulator

LIAISON FORUM

Next forum: March 2023

support@paymenttimes.gov.au