(Amendment to be moved by Mr Fitzgibbon)

(1) Page 39, after Part 2 of Schedule 2 (after line 10) insert the following heading:

**Part 2A - Other business related costs**

*Income Tax Assessment Act 1997*

(2) After item 50, page 39 (after line 10) insert:

**50A Subsection 26-52(4)**

Repeal the subsection, substitute

(4) An amount is not a *bribe to a foreign public official* if

(a) it is incurred for the sole or dominant purpose of expediting or securing the performance of a routine government action of a minor nature, and

(b) the value of the benefit was of a minor nature, and

(c) as soon as practicable after the loss or outgoing was incurred, the person made a record of the loss or outgoing and the record complies with subsection 70.4(3) of the *Criminal Code Act 1995*. 