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Inquiry into Microeconomic Reform in Western Australia  
Economic Regulation Authority  
PO Box 8469  
Perth Business Centre  
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**Re: Inquiry into Microeconomic Reform in Western Australia**

I write to outline the Australian National Retailers' Association (ANRA) views on the benefits of further deregulation of trading hours in Western Australia. This letter follows an earlier submission from ANRA (13/9/13) to the Economic Regulation Authority's (ERA) inquiry into opportunities for microeconomic reform in Western Australia.

ANRA represents Australia's largest retailers across the full spectrum of retail goods and services. ANRA's membership includes leading household names in supermarkets, department stores and specialty retailers. ANRA members account for more than \$110 billion of the \$260 billion in retail spending across Australia annually.

ANRA welcomes the ERA's decision to proceed with further investigations into the benefits of deregulated trading hours, as outlined in the Discussion Paper associated with this Inquiry (Nov 8).

This Discussion Paper poses the question:

*Would there be any benefits in further deregulating the State's retail-trading legislation? If so, what are the costs and benefits of moving to a more deregulated environment?*

ANRA endorses the ERA's analysis in the Discussion Paper with respect to the costs that accrue to retailers, consumers and employees of the retail sector due to regulated trading hours. The corollary of these costs is the potential benefits that could accrue to these groups if trading hours were deregulated.

Further deregulating trading hours would benefit consumers because they would have the opportunity to shop for what they want, when they want and from where they want. This option is currently only available from online retailing in WA, not the larger store-based retail sector.

Deregulating trading hours would benefit retailers in a number of ways. Firstly, it would remove the numerous anomalies that exist in the current WA system around geographic locations and the types of goods stores can sell at different times. Indeed, ANRA endorses the comments made by the Master Builders Association of WA, which appeared in the Discussion Paper, with respect to the current situation around complex store definitions where a 'domestic development shop' can sell indoor lights but not outdoor lights. Furthermore, online stores are not restricted on when they can open, or only being able to sell certain products at certain times. This gives online retailers a clear competitive advantage over store-based retailers.

Deregulating trading hours would also reduce the significant red tape constraints faced by national retailers, which operate under unnecessarily complex systems in different states and even different regions or cities within states.

Deregulating trading hours would generate greater opportunities for retail employees to earn income, in particular when being paid penalty rates for working on weekends and public holidays. Deregulating trading hours would also create more employment opportunities for employees that want to work outside traditional 9-5 hours because of family and study commitments.

A recent ANRA commissioned survey, which included 330 past or current retail employees from WA, found that over half of all WA respondents (60%) indicated they are prepared to work on public holidays. This compares with just over half (53%) of respondents whom have ever actually worked on a public holiday at some point in their retail career. This suggests there is demand amongst retail employees for more public holiday work opportunities in Western Australia.<sup>1</sup>

Of those keen to work on public holidays by far the most popular reason given is the penalty rates available (76%). Other reasons for public holiday work being attractive are that they would rather have the time off when other people are at work (18%) and that public holiday work fits in with family (14%) or study (9%) commitments.

Based on feedback from ANRA members, and borne out in recent experience with the introduction of Sunday trading, there is the potential for a further employment boost in the sector with deregulated trading hours. Woolworths has already reported to the ERA that it has increased WA employment by 700 employees as a result of the introduction of Sunday trading hours in Perth. These employment benefits could be spread further if deregulated trading hours were deeper and more widespread.

In addition, ANRA member Petbarn has indicated that the introduction of Sunday trading hours in the Perth metropolitan area was a key reason behind its decision to expand its operations into Perth.

As per ANRA's initial submission, the deregulation of trading hours in Western Australia would involve three key amendments to the Retail Trading Hour Act 1987:

- Removal of all references to the Perth Metropolitan area so that all retailers covered by the Act are treated equally, regardless of location.
- Removal of specific trading hours for all non-public-holiday weekdays and weekends.
- Retain only restricted trading days of Christmas Day, Good Friday and ANZAC Day morning only.

ANRA has no objection to retaining exemptions for 'special' stores to remain open during the restricted trading times detailed above.

Thank you for considering ANRA's views. Please contact Mr Russell Goss, Deputy Chief, on  
or via email on if you have any questions about ANRA's position.

Sincerely,

Margy Osmond  
Chief Executive

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<sup>1</sup> Unpublished survey results. Survey in the field 22<sup>nd</sup> October – 3 November, 2013.