

9th May, 2014



Australian National
Retailers Association

ABN 78 118 494 643

8/16 Bougainville Street
Manuka ACT 2603

Tel +61 2 6260 7710

Fax: 61 2 6260 7705

3 Spring Street
Sydney NSW 2000

Tel +61 2 8249 4520

Fax: 61 2 8249 4914

admin@anra.com.au

Inquiry into Microeconomic Reform in Western Australia
Economic Regulation Authority
PO Box 8469 Perth Business Centre
PERTH WA 6849

Dear Sir/Madam,

Re: Response to draft report on Inquiry into Microeconomic Reform in Western Australia

I write to outline the Australian National Retailers' Association (ANRA) response to your draft report on the Inquiry into Microeconomic Reform in Western Australia. This letter follows two earlier submissions from ANRA (September and December 2013) to the inquiry, both of which were focused on the benefits of trading hour deregulation.

In short, ANRA welcomes your recommendation regarding trading hours, that stated:

Amend the Retail Trading Hours Act 1987 such that retail trading hours in Western Australia are fully deregulated, with the exception of:

- a. Christmas Day (12:00am - 11:59pm);*
- b. Good Friday (12:00am - 11:59pm); and*
- c. the morning of ANZAC Day (12:00am – 12pm),*
during which time only retailers that employ ten (or fewer) staff may open.

The cost of continued regulation to consumers, businesses and employees were well documented in your draft paper. However, ANRA was particularly supportive of your recognition that:

There is no market failure that justifies the restriction on competition¹.

and that

customers are better equipped than the Government to determine when and where they want to shop. As such, consumer choice, rather than Government regulation, should determine which shops open and when.²

Your recommendation is the latest in a long list from similar bodies with appropriate expertise; including the Productivity Commission's proposal for the full deregulation of trading hours across Australia in its 2011 inquiry into the retail sector.

Unfortunately, progress has been mixed across the states with respect to governments taking up such recommendations.

On a positive note, Western Australia has made recent progress in this area, by removing the special trading precincts and expanding Sunday and public holiday trading across the Perth Metropolitan area.

¹ ERA Western Australia (2014) *Inquiry into Microeconomic Reform in Western Australia - Draft Report*, Pg 210


² *Ibid*, Pg 232

We hope your comprehensive analysis of all the issues in your draft report will convince the WA Government to take further steps to deliver uniform trading hours across WA and move to a system that only has two-and-a-half restricted trading days.³

ANRA congratulates you on your analysis of this regulatory burden and would welcome an opportunity to work with the ERA and the WA Government to implement this recommendation and deliver better outcomes for consumers, retailers and retail employees in WA.

Should you have any questions please contact Mr Russell Goss, Deputy Chief, at our Sydney office on (02) 8249 4520 or via email on rgoss@anra.com.au

Sincerely,


Margy Osmond
Chief Executive

³ For clarity, ANRA is not proposing that the Retail Trading Hours Act 1987 is amended to capture businesses above the 26th parallel.