



SHOP TALK

ISSUES AND NEWS AFFECTING THE AUSTRALIAN SHOPPING CENTRE INDUSTRY

SHOPPING CENTRE
COUNCIL OF AUSTRALIA

Thursday 15 March 2012

[Archive](#)

STOP PRESS: CARBON TAX WILL INCREASE BUSINESS COSTS AND PRICES

Some newspapers are today carrying an 'exclusive' report quoting a retailer claiming that some shopping centre landlords are including a new lease provision passing on the effects of the new carbon tax to retailers. Leave aside the fact that this clause is actually several years old - which is why it does not refer directly to a 'carbon tax' - and was included in leases once debate began about the need for legislative action to combat greenhouse gas emissions. The reality is the carbon tax, after 1 July 2012, will inevitably increase electricity charges in shopping centres (and elsewhere), and if the lease permits the recovery of such outgoings, this will mean some retailers will be paying higher prices for their electricity. If the lease does not permit such recovery, the higher charges will be borne by the landlord. (Electricity charges are a recoverable outgoing under retail tenancy legislation.) This is no different to what will be happening in office buildings: if a lease permits the recovery of electricity charges then office tenants will also be paying higher prices for electricity. This is, after all, one of the objectives of the carbon tax. There should be no surprise, after years of public debate over the need for a carbon tax, that certain business costs, both for landlords and tenants, are going to increase after 1 July and, therefore, the prices of some goods will inevitably rise too.

FEDERAL GOVERNMENT ANNOUNCES A SMALL BUSINESS COMMISSIONER

The Federal Government has [announced](#) the establishment of a national Small Business Commissioner, which it says will "provide small businesses with a new voice to highlight their issues to the Australian Government". The position will also "ensure the interests of small business remain at the forefront of government policy-making". An appointment to the position is not expected until the second half of 2012.

SCCA SUBMISSION TO NATIONAL INQUIRY INTO GIFT CARDS IN AUSTRALIAN MARKET

The Shopping Centre Council has lodged a [submission](#) in response to the Issues Paper '[Gift Cards in the Australian Market](#)', which was released by the Commonwealth Consumer Affairs Advisory Council (CCAAC). Our submission argues there is no justification for additional regulation of gift cards, which are already regulated by the Australian Consumer Law (part of the Federal *Competition and Consumer Act 2010*) and the *Corporations Act 2001*. We have argued that if the CCAAC believes there is a need for additional regulation - and the Issues Paper fails to make that case - this should be done by means of formal guidelines to gift card issuers, gift card providers and consumers after full consultation with all relevant parties. We believe the Australian Competition and Consumer Commission (ACCC) is the appropriate body to issue such guidelines. A full list of submissions to the inquiry is available [here](#).

CALL FOR NON-JUDICIAL MEMBERS OF THE RETAIL LEASES DIVISION OF THE NSW ADT

The NSW Government is [advertising](#) for expressions of interest from qualified persons for appointment as part-time, non-judicial members of the Retail Leases Division of the Administrative Decisions Tribunal of NSW. The non-judicial members sit in an advisory capacity on panels hearing retail tenancy disputes, which were not able to be successfully mediated.

PROPERTY COUNCIL WESTERN AUSTRALIA 2012 SHOPPING CENTRE AWARDS

A reminder that nominations close on 31 March for the PCA WA *2012 Shopping Centre Awards*, which will be held in Perth on 18 May. Click [here](#) for an entry kit. The Shopping Centre Council is a sponsor of these awards.