



SHOP TALK

ISSUES AND NEWS AFFECTING THE AUSTRALIAN SHOPPING CENTRE INDUSTRY

SHOPPING CENTRE
COUNCIL OF AUSTRALIA

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SOUTH AUSTRALIAN INQUIRY INTO ELECTRICITY INSET SCHEMES

The South Australian Small Business Commissioner is conducting an [inquiry](#) into electricity inset schemes (or 'embedded networks') by which shopping centres, and other commercial landlords, on-sell electricity to tenants. No Issues Paper has been released and it is not clear why an inquiry is necessary since inset schemes – which actually facilitate a more competitive electricity market – have been operated in accordance with laws and guidelines laid down by the SA Government. The Australian Energy Regulator (AER), from tomorrow, assumes regulatory responsibility for on-selling activities in SA, raising further questions about the need for an inquiry and the future role of the SA Government. Under SA guidelines, landlords are already required to enable tenants to access other electricity retailers if they believe they can gain a better deal than the rate charged by their landlord. The terms of reference of the inquiry are [here](#).

DISCUSSION PAPER ON ELECTRICITY ON-SELLING IN QUEENSLAND

The Queensland Government (which has not adopted the AER framework) has released a Discussion Paper, '[Electricity On-Supply in Queensland](#)', as part of a broader review of electricity sector reform. This was largely prompted by tariff reforms on 1 July 2012, including those set by the independent Queensland Competition Authority, which has created various commercial and regulatory issues. Submissions close on 22 February.

FEDERAL GOVERNMENT REVIEW OF THE FRANCHISING CODE OF CONDUCT

The Federal Government has [announced](#) a review of the Franchising Code of Conduct, to be conducted by Alan Wein, an independent small business adviser. Submissions close on 15 February. Further information on the review is available [here](#).

SUBMISSION TO SA REVIEW OF PUBLIC HOLIDAY TRADING RESTRICTIONS

When discriminatory legislation in South Australia, allowing only retailers in the Adelaide CBD to trade on all but 2½ public holidays, was passed last year the Legislative Council insisted on a review after one year ([Shop Talk 12/4/12](#)). The [review](#) is being conducted by the SA Centre for Economic Studies. The Shopping Centre Council has lodged a [submission](#), arguing that these advantages should be extended to all non-exempt shops in the Greater Adelaide Shopping District. The SCCA also continues to strongly oppose the associated creation of part-day public holidays on Christmas Eve and New Year's Eve. Where Parliaments choose to intervene in the marketplace they must be guided by considerations of equity amongst those subject to intervention and they must ensure policy consistency. Parliaments should, wherever possible, require a level playing field for businesses. Parliaments should certainly not restrict competition on the basis of geographic location; nor draw a circle on a map and declare that businesses falling within the circle will gain a competitive advantage while those outside the circle will be denied the same advantage (and, indeed, will be harmed).

AUSTRALIAN RETAILERS ASSOCIATION PUBLIC HOLIDAY TRADING GUIDE

The Australian Retailers Association has released a useful national guide to 2013 public holidays and holiday trading restrictions. Click [here](#) for the guide.

THE PROPERTY COUNCIL RUNS RETAIL OUTLOOK 2013 IN VICTORIA, NSW AND SA

The Property Council begins its Retail Outlook '13, series providing an overview and discussion on critical issues in the retail sector in 2013. Click on your preferred location and date to register: [Adelaide \(6 February\)](#); [Melbourne \(14 February\)](#); [Sydney \(22 February\)](#).