



SHOP TALK

ISSUES AND NEWS AFFECTING THE AUSTRALIAN SHOPPING CENTRE INDUSTRY

SHOPPING CENTRE
COUNCIL OF AUSTRALIA

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SCCA SUBMISSION ON REVIEW OF THE FRANCHISING CODE OF CONDUCT

The Shopping Centre Council has lodged a [submission](#) to the [Review](#) of the *Franchising Code of Conduct* ([Shop Talk 31/1/13](#)), being conducted by Mr Alan Wein. Our submission is confined to two aspects of the terms of reference: the notion of 'good faith in franchising'; and the rights of franchisees at the end of the franchise agreement. The Review's Discussion Paper is [here](#).

QLD GOVERNMENT ANNOUNCES A REVIEW OF REAL ESTATE AGENTS LEGISLATION

The Queensland Government has [announced](#) a review of its real estate agents legislation, the [Property Agents and Motor Dealers Act](#). The Government proposes to repeal the present Act, which regulates and licenses a range of occupations, and replace it with a number of more industry-specific Bills, including a [Property Occupations Bill 2013](#) and a [Commercial Agents Bill 2013](#). Encouragingly the Government has stressed that, as part of this review, it is particularly seeking input from stakeholders on measures which will slash red tape and will reduce the legislative burden on businesses. The Shopping Centre Council will be lodging a submission, seeking to remove the need for regulation and licensing of agents (managers) who are managing on behalf of related corporate entities and also agents who are managing on behalf of professional property owners, who neither need, nor want, the protection of such regulation.

LATEST ISSUE OF INSIDE RETAIL MAGAZINE IS NOW AVAILABLE

The February/March issue of [Inside Retail](#) Magazine is now published. This edition includes a guide to the various industry associations within the retailing industry. Subscriptions (\$59.95 a year) are available at: subs@octomedia.com.au.

DOUBTS OVER THRESHOLD FOR RETAIL TENANCY LEGISLATION SOUTH AUSTRALIA

The rent threshold for determining whether the SA [Retail and Commercial Leases Act](#) applies to a retail shop lease was increased from \$250,000 pa to \$400,000 pa by regulation in 2011. The SA Government gave assurances, in writing and publicly, that the new threshold would only apply to leases entered into on or after 4 April 2011 (the operative date of the new regulation). This decision has now been overturned by a SA Supreme Court decision in December 2012 which applied the new threshold to a lease which was entered into before April 2011. The Shopping Centre Council has raised this issue with the South Australian Government. Incidentally, this once again shows the silliness of SA having a monetary threshold for determining the Act's application – as does Victoria – instead of the fixed floor space threshold used in other States.

SCCA SUPPORT FOR CHAIN REACTION CHARITY CYCLING EVENT

The Shopping Centre Council is again donating to [Chain Reaction](#), a corporate bike challenge which raises money for a range of projects devoted to curing illness in children. Chain Reaction, which is strongly supported within the shopping centre industry, and within the property industry generally, is seeking interest from other riders prepared to undertake challenging bike rides (in Queensland, NSW or Victoria) and also raise money for a very worthy cause. Please contact Sarah Richardson (03-8623 3467 or sarah@chain-reaction.org.au).

WORLD RETAIL CONGRESS ASIA PACIFIC IN SINGAPORE IN MARCH 2013

The next [World Retail Congress Asia Pacific](#) will be held in Singapore from 19-21 March 2013. Click [here](#) for the brochure and [here](#) to register.