



# SHOP TALK

ISSUES AND NEWS AFFECTING THE AUSTRALIAN SHOPPING CENTRE INDUSTRY

SHOPPING CENTRE  
COUNCIL OF AUSTRALIA

Thursday 7 August 2014

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## ACCC AUTHORISATION OF NEWSAGENTS COLLECTIVE BARGAINING APPLICATION

The Australian Competition and Consumer Commission has granted final authorisation to the Australian Newsagents Federation to engage in collective bargaining with a range of targets, including landlords ([Shop Talk 8/5/14](#) & [27/3/14](#)). The SCCA has consistently opposed the ANF's application, not because we oppose collective bargaining, but because the ANF has refused to provide detailed information on the matters on which it proposes to bargain. This is in contrast to the other targets, such as newspaper publishers and lottery operators, where the ANF listed the specific matters on which it proposes to bargain. This is also in contravention of the ACCC's *Authorisation Guidelines 2013* which requires applicants to "provide comprehensive and detailed submissions" and to "respond fully to issues". A 34-word sentence (supplied only after the ACCC, at the SCCA's request, sought more detail) hardly qualifies as "comprehensive and detailed submissions".

The ACCC has overruled the SCCA's objections and granted authorisation for 10 years. The ACCC has, however, now included a condition in the authorisation. This requires the ANF to write to individual landlords inviting them to participate in the collective negotiations and provide details of the authorisation, including the fact that participation is voluntary. The ANF will also have to obtain the written consent of the landlord to participate in the collective negotiations. Despite this condition we believe the ACCC's 'blank cheque' approach to authorisation is wrong. Without knowing the specific matters on which the ANF proposes to bargain, we do not believe the ACCC is in a position to properly assess 'public benefits' and 'public detriments' as it is required to do under section 90 of the *Competition and Consumer Act*. Click [here](#) to view the ACCC's final determination of 1 August 2014 and all other relevant documentation.

## LATEST EDITION OF SHOPPING CENTRE NEWS IS NOW AVAILABLE

The August issue of [SCN](#) (*Shopping Centre News*) is now available. The cover story is CFS Retail Property Trust's new Emporium Melbourne and also includes an update by JLL on the current retail investment market. There is also a full account by the SCCA of the newsagents' collective bargaining application discussed in this *Shop Talk*. Subscriptions can be made via [SCN's website here](#).

## NATIONAL RETAIL ASSOCIATION'S YOUNG RETAILER OF THE YEAR FINALISTS

Congratulations to the [Finalists](#) in the 2014 National Retail Association's Young Retailer of the Year. The 25 finalists will assemble on Friday 26 September, for the final stage of judging at the [Future of Retail Forum](#). To attend the [dinner](#) that evening at the Sofitel Sydney Wentworth, there is a link on [this page](#). The Shopping Centre Council is a proud sponsor of the Young Retailer of the Year awards.

## ICSC RECON ASIA GLOBAL RETAIL REAL ESTATE CONVENTION 10-12 NOVEMBER

The ICSC's [RECon Asia](#) is a must attend event for information, best practice and developments in retailing and the shopping centre industry in our region. *RECon Asia* will be held this year at Marina Bay Sands in Singapore on 10-12 November. Click [here](#) for the brochure and click [here](#) to register.

## ADVANCED RETAIL PROPERTY COURSE BY PROPERTY COUNCIL ACADEMY IN SYDNEY

An advanced course on Retail Property is offered by the Property Council Academy in Sydney on 12 August. This is a comprehensive 3-day course and participants will need to have completed Retail Property Introduction. Further details can be found [here](#) and click [here](#) to register online.