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# Official Committee Hansard

## SENATE

ECONOMICS LEGISLATION COMMITTEE

**Reference: Trade Practices Amendment (Guaranteed Lowest Prices—Blacktown  
Amendment) Bill 2009**

MONDAY, 5 OCTOBER 2009

MELBOURNE

BY AUTHORITY OF THE SENATE

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**SENATE ECONOMICS  
LEGISLATION COMMITTEE  
Monday, 5 October 2009**

**Members:** Senator Hurley (*Chair*), Senator Eggleston (*Deputy Chair*) and Senators Cameron, Joyce, Pratt, and Xenophon

**Participating members:** Senators Abetz, Adams, Back, Barnett, Bernardi, Bilyk, Birmingham, Mark Bishop, Boswell, Boyce, Brandis, Bob Brown, Carol Brown, Bushby, Cash, Colbeck, Jacinta Collins, Coonan, Cormann, Crossin, Farrell, Feeney, Ferguson, Fielding, Fierravanti-Wells, Fifield, Fisher, Forshaw, Furner, Hanson-Young, Heffernan, Humphries, Hurley, Hutchins, Johnston, Joyce, Kroger, Ludlam, Lundy, Ian Macdonald, Marshall, Mason, McEwen, McGauran, McLucas, Milne, Minchin, Moore, Nash, O'Brien, Parry, Payne, Polley, Ronaldson, Ryan, Scullion, Siewert, Sterle, Troeth, Trood, Williams and Wortley

**Senators in attendance:** Senators Eggleston and Pratt

**Terms of reference for the inquiry:**

To inquire into and report on:

Trade Practices Amendment (Guaranteed Lowest Prices—Blacktown Amendment) Bill 2009

**WITNESSES**

**GREGSON, Mr Scott, Group General Manager, Enforcement Operations, Australian  
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**Committee met at 1.49 pm**

**ACTING CHAIR (Senator Eggleston)**—I declare open this hearing of the Senate Economics Legislation Committee into the Trade Practices Amendment (Guaranteed Lowest Prices—Blacktown Amendment) Bill 2009, better known as the Blacktown amendment. On 12 August 2009 the Senate referred the provisions of this bill to this committee. The bill is designed to limit the practice of geographic price discrimination. It will require large retailers such as major supermarket chains and the oil companies to charge the same prices at any two of their sites that are within 35 kilometres of each other. This committee is due to report on this matter on 24 November 2009.

These are public proceedings, although the committee may agree to a request to have evidence heard in camera or determine that certain evidence should be heard in camera. I remind witnesses that, in giving evidence to the committee, they are protected by parliamentary privilege. It is unlawful for anyone to threaten or disadvantage a witness on account of evidence given to a Senate committee and such action may be treated by the Senate as a contempt. It is also a contempt to give false or misleading evidence to the committee.

If a witness objects to answering a question, the witness should state the ground upon which the objection is taken and the committee will determine whether it will insist on an answer, having regard to the ground which is claimed. If the committee determines to insist on an answer, a witness may request that the answer be given in camera. Such a request may of course be made at any other time. I remind members of the committee that the Senate has resolved that departmental officers shall not be asked to give opinions on matters of policy and shall be given reasonable opportunity to refer questions to superior officers or to a minister. This resolution only prohibits asking for opinions on matters of policy and does not preclude questioning to seek explanations of policies or factual questions about when and how policies were adopted.

[1.51 pm]

**GREGSON, Mr Scott, Group General Manager, Enforcement Operations, Australian Competition and Consumer Commission**

**ACTING CHAIR**—Mr Gregson, I welcome you to this hearing and ask if you would like to make an opening statement.

**Mr Gregson**—Thank you. Yes, I do have a short statement. Thank you for the invitation to attend this committee hearing today. I am the Group General Manager of the enforcement operations of the Australian Competition and Consumer Commission throughout Australia. I guess it is my teams across Australia that will be responsible for the investigation and ultimate enforcement of any price discrimination laws that might be introduced. I do not have an economics degree and I am not legally qualified but rather I have on-the-ground, hands-on experience of the application of the Trade Practices Act which I can bring to you today. As the agency that will ultimately be responsible for the enforcement of the laws enacted by parliament, without fear or favour, the ACCC is ordinarily reluctant to comment on the merits of proposed legislation. That said, the ACCC does have some concerns in relation to the bill as it currently stands and I hope to be able to convey these to you today.

I will start by dealing with the issue of international comparisons. I note that senators have inquired as to similarities between the proposed amendments of the proposed legislation and other jurisdictions. The ACCC is not familiar with any jurisdiction that has geographic price discrimination laws akin to those proposed here. Some jurisdictions do have price discrimination laws; however they are significantly different to what is proposed here. Indeed at face value I would suggest that they are chalk and cheese.

I will start with the Canadian experience. Until recently Canada had general price discrimination prohibitions but with an underlying requirement to demonstrate the effect or tendency of substantial lessening of competition or eliminating a competitor, or designed to have that effect. This is a significant difference to what is proposed in the bill currently before you. After much debate, and over a long period of time, the Canadian parliament has recently repealed these provisions, as I know you are aware. The parliamentary committee, in recommending the repeal of those provisions, stated that ‘differential pricing is commonplace’, ‘often does not have a negative or anti-competitive effect’ and ‘prohibition can risk legitimate pricing practices that benefit consumers’.

Moving to the US experience, the Robinson-Patman Act has been quoted by some as being akin to the proposals in the Blacktown amendments. Commentators that draw that analogy must be reading different text to what I am. I understand that US laws do not prohibit price discrimination per se but rather prohibitions require a finding of a substantial lessening of competition. Defences are also available, allowing businesses to reflect differing costs and to match prices. These are big differences to what is on the table here today. I note also that both judicial and academic commentators in the US encourage a reading down of those provisions, and commentators note that regulators have not been particularly active in the field.

Comparisons with laws in the UK and Europe are also mischievous. In these jurisdictions the price discrimination is either linked to anti-competitive agreements or abuse of dominance rather than per se prohibitions on price discrimination. In Australia we can already look at price discrimination through these prisms. Before leaving the topic of international comparisons, I would note that, as with everything in life, it is a case of horses for courses. I do not suggest that, just because there are not similar provisions elsewhere, Australia may not have different circumstances. But where we are going into very different territory I think parliament needs to consider very carefully whether they are the appropriate paths to take.

I would like to move on to addressing some more of the underlying rationale for the proposed reforms. The ACCC has some sympathy for arguments that price discrimination can be used by those with market power for the purpose of damaging or deterring competitors or competition. That is fairly well accepted. Of course the ACCC can currently look at such allegations through the prism of section 46 of the act prohibiting misuse of market power. While the ACCC has previously raised some concerns as to the ability of section 46 to deal with areas of concern, amendments in recent years post the High Court decision in Boral and other matters have addressed deficiencies by clarifying the concepts of market power, taking advantage and predatory pricing.

The ACCC currently has two major cases before the courts in relation to section 46, demonstrating its preparedness to use that section where appropriate to deal with allegations of abuse of power. Where evidence supports the view that large companies are engaging in price discrimination for an anti-competitive purpose,

we will act. I guess where we depart from the underlying rationale of the bill is that the ACCC does not believe there is something inherently wrong with price discrimination. We do not believe it is inherently anti-competitive.

Unfortunately the bill takes quite a blunt approach when dealing with this issue—an issue which has more than one dimension. The absence of a link to anti-competitive effect or purpose means that the bill will catch not only the occasions of anti-competitive price discrimination but also the many examples of harmless or even pro-competitive price discrimination that occur in the marketplace today. Related to this is the real concern that, absent that link, the amendments could do more harm than good. I would like to expand on this just a little.

Generally speaking it is markets and not regulators that are best placed to make pricing decisions. We are told by the experts that in general the welfare of society, both the consumers and the traders, is maximised where prices are set by traders having regard to the supply and demand environment they face. Regulations that prevent traders from taking into account supply characteristics such as varying costs or the presence of different competitors will interfere with these efficient pricing decisions. Similarly, the removal of differing demand conditions from pricing decisions, such as different consumer preferences in different areas or the difference between high- and low-volume sales, will prevent the market from determining efficient prices.

In a similar vein, I note that senators are particularly interested in the price impacts of the proposed amendment. It is relevant here to mention that we believe the proposed amendment in some industries could result in single prices from a trader across the whole of a metropolitan area such as Greater Sydney or Greater Melbourne. I have taken the liberty of providing you two maps that demonstrate some of the overlapping 35-kilometre effects, and I will come back to that a bit later.

In most cases, for industries that currently have price differentials across regions it is very unlikely that prices will gravitate towards the lower end. Generally speaking businesses will want to maintain at least the same average margins. More likely, at the very least, some prices will go up and others will go down. For example, the higher margin areas might see price falls but the current lower margin areas might see price increases. I am a little worried that, at worst, under the proposal as it is, prices could gravitate upwards to the current ceiling or beyond. This could happen where ad hoc discounting, currently prevalent in the Australian marketplace, which lowers overall pricing, is discouraged or where competitive pressures are dampened because of these provisions. I would like to be helpful and put forward some suggested changes that would help avoid this. It is a little difficult to envisage, given the bluntness of this proposal—the fact that it covers all industries and with such large application across those 35 overlapping circles.

Importantly, too, the lack of connection to any impact on competition is very hard to address, absent some significant overhauls. In this regard I note the 35-kilometre restriction contained within the bill, no doubt intended to dull the bluntness of the proposal. I guess if you thought 35 kilometres was too broad you could cut it back. Similar effects would take place. The maps I have shown you demonstrate the ability to go beyond Sydney and Melbourne metropolitan areas with about four or five well placed outlets. If you reduced that kilometre radius obviously the impact might be dulled but it would only take two or three more outlets before you had a similar effect.

This reveals the crux of our concerns. The geographic dimensions of the markets differ greatly. Many grocery markets have radiuses of around 5 kilometres, where other markets may be bigger, smaller or even differently shaped, taking into account major highways or geographic issues. The one-size-fits-all proposal makes it difficult to assist with possible fixes to the bill.

Let me move past the principal concerns arising from the bill and look at some of the practical difficulties with the proposal. Unfortunately, there are quite a few. While some could be resolved, some probably could not be. There are also some that are yet to be identified. Let me refer to just four to give you a feel to the difficulties we might face. Firstly, the concept of ‘must supply’. The bill provides that a retailer must supply a product at the lowest price supplied at any other of its outlets in the overlapping 35 kilometre radius. Read literally, as a court may well read it, this requires a retailer to sell the same products at each of its outlets and exposes retailers who choose to supply different product ranges to suit the market differences to possible prosecution. Obviously unintentionally it would expose retailers to alleged contravention when they run out of stock at one location but continue to supply it at other locations.

Secondly, the concept of the same time. The bill requires ‘supply’ or ‘offer to be supplied’ at the same time. This can create a logistical red-tape nightmare for retailers caught by the proposal who want to change their

prices. Simultaneous price changes across different sites might be easier for some businesses; it would not be for others. A difference of 10 minutes in changing price boards may expose businesses to prosecution.

Thirdly, ad hoc discounts. The provision of ad hoc discounts is a normal feature of many Australian markets. Negotiated prices for electrical goods, for example, or a discount to local community organisations may well be a thing of the past. More formal policies, such as trade discounts or match-or-beat policies may, too, come into question, depending on the interpretation of the legislation.

Finally, delayed supply. This is linked to the time-of-supply issue that I have just raised. It is fairly common for arrangements to involve delayed supply. These will be thrown into question. How will the proposed laws apply to rain checks, lay-by sales and deposit arrangements, where prices change between the time of the deal being done and supply taking place?

Senators, my closing remarks remind you that the question of price discrimination laws in Australia is not new. On lengthy and careful review much more restrained Australian laws were repealed in 1995—the former section 49 of the act. Various reviews since, including the comprehensive review in the competition provisions of the Trade Practices Act by Daryl Dawson concluded that there is no case for the reintroduction of such laws. While there is some scope for regulatory discretion in the legislation in its present form to avoid ridiculous scenarios, the ACCC is not in a position to pick and choose the laws it enforces. It will need to enforce those laws without fear or favour. I hope this assists senators. I would be pleased to answer any questions you might have or expand where necessary.

**CHAIR**—Thank you very much. I will ask you some questions. From my reading of the Law Council of Australia's submission, they argue that while this bill is said to be designed to prevent predatory pricing behaviour, they believe the Trade Practices Amendment (Blacktown Amendment) Bill 2009 is not likely to achieve that in itself and will, overall, have an anticompetitive effect.

**Mr Gregson**—Certainly a number of the issues that are raised with the ACCC in relation to below-cost pricing may well arise absent price differentiation. The ability to price at low levels by large players is often influenced by factors other than discrimination, such as lower supplier costs and the ability to sustain losses for a greater period of time. The suggestion that equalising prices across all outlets will deal with all cases of predatory pricing is certainly not the case.

**CHAIR**—Another point the Law Council made was that they felt there were significant conceptual flaws in the Blacktown bill. They thought it was inconsistent with the recommendations of several Australian competition and regulatory review committees which have considered price discrimination issues in Australia in detail, as well as being inconsistent with the approach taken in comparable jurisdictions, which you have referred to in passing already. Would you like to make a comment on that point of view expressed by the Law Council?

**Mr Gregson**—In its current form, and indeed in revised forms, the proposed Blacktown amendments would be inconsistent with a number of inquiries that have happened over a long period of time, dating back to the Swanson review, going through to the Hilmer review and to the Dawson review, each of which determined that price discrimination laws were not required. Similarly, it is also consistent with the ACCC's views expressed in the grocery report in relation to price discrimination. You have picked up there the issue of international comparisons. As I mentioned in my opening statement, while some jurisdictions do have price discrimination laws, we do consider they are chalk and cheese with what is proposed here. Predominantly, the absence of a link back to a competition impact fails to distinguish between pro-competitive discounting and those that might be a problem.

**CHAIR**—You mentioned the Hilmer report. The Hilmer review concluded that the purpose of section 49 was not for the promotion of competition but for the protection of small business. It found no significant benefits were conferred on small business by section 49, which was repealed in 1995, in accordance with the recommendations of the Hilmer report. At that point, according to the Law Council submission, Senator Crowley commented:

Prohibition against price discrimination is to be repealed as the provision is largely redundant, and the conduct it is designed to address is adequately covered by other provisions of the Act—

that is, the Trade Practices Act. Could it also be said in relation to the Blacktown amendment that other provisions of the Trade Practices Act are sufficient to protect consumers and small business?

**Mr Gregson**—That is consistent with our comment that the absence of a link back to competition or an anticompetitive purpose is fundamental to this question. The ACCC would take the view that a provision like

section 46 of the Trade Practices Act, which prohibits the misuse of market power for an anticompetitive purpose, is better designed to separate those instances of price discrimination which may be quite normal and legitimate and part of everyday business from those that may have an anticompetitive purpose and abuse of dominance. These are the provisions that we think will do a better job of that.

**CHAIR**—I believe the ACCC conducted an inquiry into price discrimination in 2008. Is that right? The most recent inquiry into price discrimination was undertaken in 2008 by the ACCC in relation to retail pricing for standard groceries, the grocery inquiry.

**Mr Gregson**—The ACCC undertook a comprehensive review of the retail grocery market in 2008, and one part of that did consider the issue of price discrimination in that context.

**CHAIR**—I believe that it also considered geographic price discrimination. The ACCC report stated that they believe that ‘geographic price discrimination encourages local competition and is generally not anticompetitive’. Would you like to make any comment about that finding of that report?

**Mr Gregson**—Only that the comments you have read out there do seem to be similar to those that I understand that the grocery report found. I am not sure that I can expand on that other than to say that it supports the position we have taken.

**CHAIR**—But the ACCC would still hold those views, I presume.

**Mr Gregson**—Certainly.

**CHAIR**—The Law Council said that the Blacktown amendment:

- fails to distinguish between pro-competitive and anti-competitive discounting and so will cause a chilling of beneficial price competition, to the detriment of consumers; and
- is likely to have adverse effects on the less advantaged members of society.

Would you in the ACCC agree with that view that lower income people might be disadvantaged were this amendment to be incorporated in trade practices law?

**Mr Gregson**—As I think I have picked up a couple of times, our real concern here is the inability of this legislation to distinguish between procompetitive and anticompetitive price differentiation in certain markets. I have to say ‘in certain markets’ because this legislation is so broad that it catches many industries, not just the grocery and petrol markets that are often focused upon. Certain industries might reflect higher prices in higher socioeconomic areas, and the arguments may well be that the price reductions in those areas are the ones that may come out positively in relation to these bills, whereas those in lower socioeconomic areas may actually see increased prices. Again, that is a very general comment based on the fact that it is a very general provision.

**Senator PRATT**—You highlighted in your remarks that this bill might be counterproductive to some positive procompetitive elements that currently exist in the marketplace—for example, catering to different preferences in different areas. A store might choose to price nappies at a lower price in an area where there are lots of young children, in order to get people through the door, whereas it might be soy sauce in a place that has a high Asian population. I eat a lot of soy sauce myself, so perhaps that is not a good example, but I think you know what I am trying to say. How does that kind of pricing currently work in terms of there being opportunities for people to purchase things at a cheaper price because there is a high turnover of particular products in a certain area versus what this bill is trying to attack, which is using a demographic like that to price gouge? How does the ACCC assess those kinds of issues currently?

**Mr Gregson**—Again bearing in mind that it is a very broad application and provision, while we often use groceries as an example, there are other industries that this will apply to. It is also important to distinguish that many outlets, including some grocery outlets, will choose to have the same prices across a broad range, for efficiency reasons, for marketing reasons. But where supply and demand forces suggest that an efficient price should be different, we would say that they should be able to reflect that. As you pointed out, it might be influenced by high demand in a certain area or ancillary higher volumes, which can lead to lower marginal costs. It may well be reflective of the different numbers of competitors in any particular localised market. With all these things, we would say competition drives prices to that equilibrium where both consumers and traders will ultimately win and indeed build a stronger economy. So, yes, we are quite concerned about interference with those price signals where businesses might choose to take them into account.

**Senator PRATT**—How is the kind of map issue that you have highlighted—that in effect you are going to have the whole of a metropolitan area with single prices—going to affect the prospect of discounting, in the sense that often discounting in a product might begin but it will not necessarily begin in all stores at the same

time, depending on how much they have got in stock? For example, a particular store might be short on cheese, so it might not lead in on wanting to discount that particular product immediately, even though some other stores might start to put specials on it? How do those kinds of issues roll out across supermarkets?

**Mr Gregson**—The bill does have some carve-outs. For example, the products that may have a limited shelf life can be discounted.

**Senator PRATT**—It does not need to be cheese. It could be baked beans.

**Mr Gregson**—Indeed. While it takes into account some of the reasons why you might have price discounting in some areas and not others, it certainly does not cover the field. Price discounting in a particular area might reflect the fact that there has been a new entrant. Indeed, consumers should benefit from the pro-competitive effects of that new entrant by having products that can be supplied at a lower price. We are also advised that stock control is a big issue as to why some traders might discount. If they have got high levels of cheese, as you say, it may be quite appropriate for the local store manager to want to move that through and clear that item. There is a large number of impacts. One of the things that we would like to see competition do is have, as you say, that staggered effect where it might have an immediate impact in a market but it might also have some ancillary flow-on effects to neighbouring markets. We certainly see that particularly in markets different from grocers which are perhaps a bit more linear; for example, in relation to following major highways.

**Senator PRATT**—What about issues like opening hours? I suppose it points to things such as the different cost bases. Whilst in many respects the cost bases might be quite similar, there are things like opening hours and leases that can put some variability into the underlying cost bases. What is your consideration of those issues?

**Mr Gregson**—Our understanding when we look at matters is that costs do very much vary. While there might be a standard subset that businesses operate on, rentals, employee costs and particularly those costs if you are talking about the differences between premises which are located within a mall and those which are on a street can be very different. There are transportation costs. There is a large number of costs that you would hope businesses could take into account where they choose to. As I mentioned before, some businesses choose to have broader pricing policies. Those might well reflect the efficiencies of the particular case. We would very much hope that businesses could choose for themselves as to where the balance lies.

**Senator PRATT**—I note that around the corner from where I live there are two IGAs quite close together, and I think one of them runs more like a convenience store. Nevertheless, they are branded in a very similar way. One has considerably higher prices than the other. Both have late opening hours. There is not a Woolies within cooe. There is, I think, a Coles there, a Coles in another suburb across and a Coles another couple of suburbs away too. It would seem to me that in my local area competition is probably a problem considering the fact that we do not have deregulated trading hours in Western Australia, which means that IGA do not necessarily need to compete with Coles because they get most of their business after hours because people are unable to access a Coles supermarket after six o'clock at night. But I do not think that this bill would fix those kinds of problems. What is lacking in a market like that one is clearly competition. Isn't that so?

**Mr Gregson**—Indeed, while in our grocery inquiry of 2008, which Senator Eggleston has referred to, the ACCC found that retail grocery was workably competitive, we did find there were some impediments, particularly barriers to entry and exit. We looked at the issue of restricted leases and we also made some comments in relation to zoning laws. They are the areas that we think should be focused upon in terms of driving further competition in markets such as those you have referred to.

**Senator PRATT**—I suppose in a sense it would fix the problem, because every Coles would have the same price right around the metropolitan area. But I would expect that in a place like Perth Woolies would perhaps not be quite as dominant as Coles and in effect you might actually be supporting the dominant position of some market players through a policy like this one.

**Mr Gregson**—You just never know what some of the unforeseen consequences are of legislation that can be quite blunt. I would also encourage one not to confuse the issue of price equality, the same prices, with actually being more competitive. Indeed, the reverse could actually apply if you take out some of those competitive incentives that are currently there.

**Senator PRATT**—To what extent do you think price gouging is happening on a geographical basis and what analysis have you done on that?

**Mr Gregson**—Price gouging can be understood by different people to mean quite different things. Do you mean the practice of discounting in areas where you face competition?

**Senator PRATT**—I suppose I mean price discrimination in that prices might be higher because there is a lack of competition in an area. A few of the Aldi examples illustrate that at least to some extent that is true.

**Mr Gregson**—Quite a bit of analysis was done in the ACCC's grocery report. Unfortunately I do not have all the figures to hand, but it was certainly the case that we found more competitive pricing in areas in which Aldi had commenced business. That is good and that is what you would expect to see where you have a vibrant competitor enter the marketplace. We would be concerned and worried that you lose that benefit if retailers are not able to respond and match the prices put in place.

**Senator PRATT**—On that basis, the parliament should be looking to encourage competition in the sector. Can I point to some of the other broader issues to do with the way retail leases are currently conducting in terms of Coles and Woolworths having a significant monopoly on access to premises.

**Mr Gregson**—Certainly, and there are two issues that I have already touched upon. One is the restrictive leases. In the ACCC's grocery inquiry we identified over 700 leases that had restrictive clauses in them in one shape or another that restrict the ability of others to come into the same shopping centre or premises. Having identified those concerns, the ACCC undertook a number of investigations. Just recently, in fact two or three weeks ago, we entered into a court enforceable undertaking with both Coles and Woolworths whereby they will agree not to rely upon those leases, at least the majority of those at this stage with a phasing of the others. So that should significantly free up the marketplace, and over time we would hope to see that competition could benefit from those changes.

The other one that we referred to also in the grocery report was the planning laws. Obviously we have been in discussion with government about the issues they can consider in relation to the zoning and planning laws to make it easier for new entrants to enter markets and compete with the larger players.

**Senator PRATT**—Bills like this come up because there is clearly an appetite to improve things for consumers and a perception that consumers perhaps are not benefiting currently from adequate competition. Where does the ACCC see this issue going in the future in terms of the kinds of things that can effectively deliver a better deal to them?

**Mr Gregson**—We will certainly continue to investigate any allegations of anticompetitive conduct and, where we find concerns are substantiated, pursue those through the courts or through some other mechanism. Hopefully that will continue to encourage competition in the marketplace. We will also continue to work with governments in relation to those issues such as zoning laws. We have already indicated in relation to restrictive leases that we will now turn our minds away from just the two larger players to look at the other players in the market. So hopefully all that will continue to encourage what we see as a workably competitive marketplace.

**Senator PRATT**—Do you think the zoning issue will effectively address the fact that you do have large geographical areas without significant competitors inside them?

**Mr Gregson**—I guess all you can do in a capital marketplace is ensure the barriers are not insurmountable and provide all the opportunity you can for players to enter markets where margins might be high. And if there are some marketplaces where either margins are high or choice is low, we would hope that, absent those barriers to entry, businesses would come in and hopefully thrive. So, yes, that is where the zoning laws and the restrictive covenants come into play.

**Senator PRATT**—Thank you.

**ACTING CHAIR**—As there are no further questions, thank you, Mr Gregson, for coming along this afternoon. This concludes the last scheduled hearing of this inquiry. We will see whether the two movers of the bill, who are not here today, wish to have further hearings but, as I said, this is the last scheduled hearing and it may well conclude the inquiry. Thank you again for appearing.

**Mr Gregson**—A pleasure, Senators, thank you.

**Committee adjourned at 2.24 pm**