



12th April 2024

To whom it may concern,

**RE: Senate Committee Inquiry: COMPETITION AND CONSUMER AMENDMENT
(DIVESTITURE POWERS) BILL 2024**

Queensland Fruit and Vegetable Growers have been invited to submit our thoughts on the Competition and Consumer Amendment (Divestiture Powers) Bill 2024 as it seeks to amend the Competition and Consumer Act 2010 (the Act) which governs Australia's competition and consumer rights laws.

We understand that the amendment will add a further legal remedy available where a corporation that has, or is taken to have, a substantial degree of market power has been found to have misused their market power under section 46 of the Act.

We further understand that the Bill will grant powers to the Court, following an application by the Australian Consumer and Competition Commission (ACCC) to issue orders that will reduce that corporation's power in a particular market, or their share in the market and that these powers granted to the Court do not limit the Court's powers under any other section of the Act. We also make note that the Court may also exercise these powers by consent of all parties, even where a misuse of market power has not been found to have occurred under section 46.

We offer the Senate Committee a series of statements summarising the QFVG position:

- *QFVG doesn't have divestiture mandate rather we have a "be a better corporate citizen" mandate.*
- *Our issue isn't that they're (supermarkets) too big and that then produces bad behaviour, we believe good corporate behaviour should exist regardless of size.*



- *QFVG values the supermarket's role in the food chain in the form of accessibility of fresh produce for the great majority of Australians however we want them to do better, to be better.*
- *Government has a role in regulating behaviour through their powers. We do then acknowledge that our government currently is without the power other countries (USA, EU, Canada and UK) have in their toolbox.*

If you require any further information, please do not hesitate to contact me

Kind regards

Rachel Chambers
Chief Executive Officer