

Senate Economics Legislation Committee
ANSWERS TO QUESTIONS ON NOTICE
Industry, Tourism and Resources Portfolio
2006-07 Additional Budget Estimates Hearing
15 & 16 February 2007

AGENCY/DEPARTMENT: INDUSTRY, TOURISM AND RESOURCES

TOPIC: *Produce and Grocery Industry – Code of Practice*

REFERENCE: WRITTEN QUESTION

QUESTION No. AI-109

Senator SIEWERT asked:— The Minister announced in September last year that he would convene a meeting of the fruit and vegetable grower and wholesale representatives to develop and enforceable code of practice for the industry—
Did the meeting take place?

ANSWER

Yes

QUESTION No. AI-110

Senator SIEWERT asked:— Who was in attendance?

ANSWER

Industry

1. Mr David DePaoli, Managing Director, Austchilli Pty Ltd
2. Mr Kent West, Managing Director, West Farms
3. Mr John Brent, Manager, Bunny Bite Foods
4. Mr Mark Panitz, Manager Policy and Advocacy, Growcom
5. Mr John Roach, Chief Executive Officer, AUSVEG
6. Mr Charles Burke, Vice President, NFF
7. Ms Wendy Lovett, Newcastle Markets
8. Mr Shane Schnitzler, President, Victorian Chamber of Fresh Produce Wholesalers Inc.
9. Mr Tony Joseph, Chairman, Brisbane Markets Limited
10. Mr Andrew Young, Chief Executive Officer, Brisbane Markets Limited
11. Mr Rick Schirripa, President, South Australia Chamber of Fruit and Vegetables
12. Ms Kris Newton, Chief Executive, Horticulture Australia Council
13. Mr Bill Chalk, President, The Australian Chamber of Fruit and Vegetable Industries
14. Mr Martin Clark, Executive Officer, The Australian Chamber of Fruit and Vegetable Industries

Other Government Departments

15. Mr Konrad Chmielewski, Australian Consumer and Competition Commission

16. Mr Peter Hancock, Department of Agriculture, Fisheries and Forestry
17. Mr Stewart Noble, Prime Minister and Cabinet

Working Group Chair

18. Mrs Mary Urquhart, Chair

Government Ministers and Ministerial Staffers

19. Minister Ian Macfarlane, Minister for Industry, Tourism and Resources
20. Minister Peter McGauran, Minister for Agriculture, Fisheries and Forestry
21. Dr Malcolm Roberts, Chief of Staff, Minister Macfarlane's office
22. Ms Suzanne Coombes, Ministerial Adviser, Minister Macfarlane's office
23. Ms Kirsty Boazman, Media Adviser, Minister Macfarlane's office
24. Ms Hellen Georgopolous, Adviser to the Prime-Minister
25. Mr Brett Wood, Ministerial Adviser, Minister Bailey's office
26. Ministerial Adviser to Minister McGauran

Department of Industry

27. Ms Sue Weston, Head of Division, Office of Small Business, DITR
28. Mr Richard Barker, Manager, Markets, Office of Small Business, DITR
29. Ms Susan Pitt, Office of Small Business, DITR
30. Mr Vinh Le, Office of Small Business, DITR

Observers

31. Charles McElhone, Manager, Economics, NFF
32. Stuart Swaddling, Chairman, Horticulture Australia Council

QUESTION No. AI-111

Senator SIEWERT asked:— What were the outcomes of the meeting?

ANSWER

There was no agreement on a code of conduct and the working group did not meet again.

QUESTION No. AI-112

Senator SIEWERT asked:— Can you provide me with a report of the meetings proceedings?

ANSWER

No meeting record was drafted. A report on the meeting's proceedings is as follows:

Summary of Horticulture Code Working Group meeting – 14 September 2006

9.00-9.45am: Ministers Macfarlane and McGauran opened the meeting and welcomed everybody in attendance before inviting comments on the draft enforceable voluntary Horticulture code which was circulated prior to the meeting. The code aimed to promote contractual clarity, identify agent/merchant relationships and establish a dispute resolution framework. With the support and commitment of all parties, the code aimed to be in operation by 1 November 2006.

9.45-11.00am: Both growers and wholesalers put forward their views on the draft code. However, no agreement could be reached on progressing this code before the meeting finished at 11.00am. The working group did not agree to meet further.

QUESTION No. AI-113

Senator SIEWERT asked:— Can you provide me with an update on the current activities of the working group chaired by Mary Urquhart?

ANSWER

A working group was not established

QUESTION No. AI-114

Senator SIEWERT asked:— Can you provide me with a current list of members and former members of the working group?

ANSWER

See answer to AI-113

QUESTION No. AI-115

Senator SIEWERT asked:— What is the timeframe for implementation of an enforceable code of practice?

ANSWER

An enforceable code was not agreed at the meeting.

QUESTION No. AI-116

Senator SIEWERT asked:— What are the objectives of the new code of conduct?

ANSWER

See answer to AI-115

QUESTION No. AI-117

Senator SIEWERT asked:— What are the enforceable measures and what will the penalties be for non-compliance?

ANSWER

See answer to AI-115

QUESTION No. AI-118

Senator SIEWERT asked:— How is it intended to monitor the enforcement of the new code of conduct?

ANSWER

See answer to AI – 115

QUESTION No. AI-119

Senator SIEWERT asked:— What has been the industries response to the new code of conduct?

ANSWER

See answer to AI – 115

QUESTION No. AI-120

Senator SIEWERT asked:— Can you provide me with a copy of all of the Ombudsman's reports since the inception of the Office of the Produce and Grocery Industry Ombudsman and also for when it was know as the Retail Grocery Industry Ombudsman?

ANSWER

Please find attached the first four annual reports. The 5th annual report is yet to be finalised.

