

SUBMISSION TO THE

SENATE ECONOMICS LEGISLATION

COMMITTEE

DESIGNS BILL 2002

AND

DESIGNS (CONSEQUENTIAL AMENDMENTS)

BILL 2002

Australian Automotive Aftermarket Association Ltd (AAAA)

Suite 11, 622 Ferntree Gully Rd

MULGRAVE VIC 3170

Ph: 03 9561 7044 Fax: 03 9561 7066

E: HYPERLINK "mailto:info@aaaa.com.au" info@aaaa.com.au Web:

HYPERLINK "http://www.aaaa.com.au" www.aaaa.com.au

KIM ELLIOTT

EXECUTIVE DIRECTOR



The AAAA

The Australian Automotive Aftermarket Association Ltd (AAAA) represents the interests of manufacturers, re-manufacturers, importers, distributors, wholesalers, re-sellers and retailers of automotive parts, accessories, tools and equipment in Australia.

The AAAA has in excess of 640 members, most of which would be classified as Small and Medium Sized businesses (SME's).

The association is governed by an elected National Council representing the interests of all sectors of membership. It has a National Office in Melbourne, Victoria and a State Office in Parramatta, NSW and has a staff of 5.

The main markets the automotive aftermarket industry operates in include replacement parts, service parts and accessories for passenger motor vehicle, light commercial vehicles and 4x4 vehicles.

The Designs Act

The AAAA has been involved in discussions on the review of the Designs Act for in excess of 10 years and has made submissions to the Australian Law Reform Commission (ALRC) review of the Designs Act and to IP Australia.

The AAAA has also been involved in discussions with the Consumers Federation of Australia and the Australian Automobile Association with respect to the changes to the Designs Act.

The AAAA position

The AAAA supports the Designs Bill 2002 and Designs (Consequential Amendments) Bill 2003 as currently constructed.

In particular, the AAAA supports the position adopted in relation to "spare parts" within the Bills.

This provision, known as the "right of repair" provision is supported by the National Council of the AAAA and generally by our membership.

The provisions maintain the competitive nature of the automotive spare parts market which is good for both business and the consumer but also provides more than sufficient incentive to designers to continue innovation in the automotive industry.

Conclusion

The AAAA urges the Committee to adopt the two Bills as currently constructed in the interests of business and the consumer.