

10 Sept. 03.

T. C. Bonall  
62 Dublin Road  
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Vic 3135

The Federal Minister for Small Business.  
Parliament House, Canberra, ACT.

The Trade Practices Act.

My Dear Minister,

As Genevieve Samuel is interfering with business in a similar way to Alan Fells it is obviously the legislation under which they operate that is wrong.

This Act should be completely re-written to the distinct advantage of small business. If the solution set out here is carried into legislation we ought to be able to guarantee the coalition the small business vote at subsequent elections.

Contained in the new legislation ought to be an opening statement that the ACCC will not interfere with the ordinary course of commerce and trade unless it is to police the following:-

a) Category killers which stock a whole range of goods in a nationwide chain of stores which run all the small stockholders out of business shall not be allowed to develop, and once they have been so allowed, they should be stopped from growing more by opening more stores and over time should be ordered to de-stock all but their core lines, e.g. Bunnings should be confined to timber & hardware, also Coles & Woolworths should not stock and <sup>sell</sup> anything but foodstuffs in their supermarkets - no clothes, hardware, liquor or chemists lines.

When considering a merger or a takeover, the ACCC shall take account of the following: -

- ① Is the major company concerned a national icon in which superannuation funds will be invested? If so the decision must assist in ensuring the continuing viability of the business so that it can retain its market share, continue to employ its staff and pay dividends to super. funds.
- ② Will there be another Australian company able to take over the target Co. if the merger or takeover is rejected? Will a rejection provide an opportunity for a foreign company to take over the target? In this case the decision taken must ensure that an Australian company wins the target. It will not be in the national interest to force the target into the hands of foreigners.
- ③ If there is a question of capacity in any industry the ACCC should be empowered to licence capacity and reject an application for capacity if it would overcrowd an industry and threaten the market share of an icon.

Yours Sincerely  
 J. S. Oxall.