

The Senate

Standing Committee on Economics

Trade Practices Amendment (Small Business
Protection) Bill 2007 [Provisions]

September 2007

© Commonwealth of Australia 2007

ISBN 978-0-642-71870-9

Printed by the Senate Printing Unit, Parliament House, Canberra.

Senate Standing Committee on Economics

Members

Senator the Hon Michael Ronaldson, Chair	Victoria, LP
Senator Ursula Stephens, Deputy Chair	New South Wales, ALP
Senator Cory Bernardi	South Australia, LP
Senator Grant Chapman	South Australia, LP
Senator Annette Hurley	South Australia, ALP
Senator Barnaby Joyce	Queensland, NATS
Senator Andrew Murray	Western Australia, AD
Senator Ruth Webber	Western Australia, ALP

Participating Senator

Senator Rachael Siewert	Western Australia, AG
-------------------------	-----------------------

Secretariat

Mr Peter Hallahan, Secretary
Mr Andrew Bomm, Senior Research Officer
Dr Richard Grant, Senior Research Officer
Ms Stephanie Holden, Senior Research Officer
Mr Glenn Ryall, Estimates/Research Officer
Ms Lauren McDougall, Executive Assistant

PO Box 6100

Parliament House

Canberra ACT 2600

Ph: 02 6277 3540

Fax: 02 6277 5719

E-mail: economics.sen@aph.gov.au

Internet: http://www.aph.gov.au/senate/committee/economics_ctte/index.htm

TABLE OF CONTENTS

Membership of Committee	iii
Chapter 1	1
Introduction	
Background	1
Conduct of the inquiry	1
Chapter 2	3
The bill	
Chapter 3	5
Issues relating to the bill	
Conflicting views on the bill—COSBOA and the ACTU	6
Representative actions through the Federal Magistrates Court	7
The bill and concerns about freedom of speech	8
Conclusion	11
Supplementary Remarks – Senator Andrew Murray	13
Dissenting Report by The Australian Greens	21
APPENDIX 1	25
Submissions Received	
APPENDIX 2	27
Public Hearing and Witnesses	
APPENDIX 3	29
ACCC court cases on sections 45D & 45E, 1997 - 2007	