



SPIER CONSULTING

REGULATORY STRATEGIES & SOLUTIONS

Mr Peter Hallahan
Secretary
Senate Standing Committee on Economics
PO Box 6100
Parliament House
CANBERRA ACT 2600

10 July 2007

Dear Mr Hallahan,

(1) Trade Practices Legislation Amendment Bill (No 1) 2007. (2) Trade Practices Amendment (Predatory Pricing) Bill 2007

Submission on behalf of the INDEPENDENT LIQUOR GROUP.

This submission is made on behalf of the Independent Liquor Group. (ILG) and its Chairman, Mr Bob Bourne.

ILG is a member owned Co-operative wholesaler that services over 1,200 hotels, bottle shops, licensed clubs, bars and restaurants across NSW and Queensland

ILG has long been concerned about predatory pricing and other anti competitive practices in the liquor industry.

ILG supports both the above pieces of legislation. It views the first Bill (the Governments Bill) as necessary to overcome some of the current weakness in the TPA and the effects of some High Court decisions. Any improvements in the misuse of market power and unconscionable conduct provisions are a move in the right direction.

ILG understands that these amendments largely reflect the majority recommendations of a Senate Committee which inquired into Small Business and the TPA. Small business groups have long fought for the amendments recommended by the majority of that Committee. The Bill now reflects some of those recommendations. There are other recommendations that ILG would still like to see become law and in particular some controls on " creeping acquisitions". Further ILG would like to see the TPA be amended to make it much easier for victims of conduct in breach of the TPA be able to obtain compensation following a successful ACCC action. ILG has recent experience in this regard.

ILG also sees considerable merit in the second Bill (the Fielding Bill)but would strongly urge that the liquor industry be added to the list of three (3) industries subject to that Bill.

The ILG is not a member of the Fair Trade Coalition (FTC) but has always supported its goals. It endorses the detailed submission made to the Committee by the FTC

Yours truly,

A handwritten signature in black ink, appearing to be 'Hank Spier', written over the typed name below.

Hank Spier