



TRANSCRIPT

ABC Radio 5AN – Adelaide
with Phillip Satchel and David Bevan

Graeme Samuel,
President, National Competition Council
Monday 5 February 2000

Subject: Shop Trading Hours

INTRODUCTION

One of the most tedious debates over all of that time that's being going on in Adelaide is about when we open shops here in S.A. Not so bad out of Adelaide but in Adelaide its been a strange wearisome debate. It looks David like it might be solved from outside rather than from inside.

JOURNALIST:

Well I wonder whether it will in fact be solved from outside. Graeme Samuel is the Head of the National Competition Council. The Competition Council was set up 5 or 6 years ago.

It was agreed by all of the State and Federal Governments that there would be a competition policy which would basically effect all areas of our economy, whether it be shops, electricity, gambling, any part of the economy, any part of the community really, can be judged according to competition.

Every now and then the Competition Council sets out its assessment of how the States have been going and its done that today. And it has released its assessment of whats happening here in South Australia.

Graeme Samuel thank you for joining us.

GRAEME SAMUEL

Thank you very much.

JOURNALIST

How is South Australia going in terms of competition policy. I know there are lots of different areas the Council's looking at. But first of all, on this very troublesome issue of shop trading hours.

GRAEME SAMUEL

Let me say on the general issue that South Australia has actually been performing extraordinarily well in undertaking the commitments that the Government's signed up to in 1995 and fortunately reaffirmed their commitment to do it on November 3rd last year.

Shop trading hours is a vexatious issue - its one of those issues that vexed governments around this country for some time and I know there is a lot of frustration in South Australia over the apparent unwillingness of the South Australian Government to liberalise shop trading hours, particularly outside the central business district.

I can understand that because visitors from South Australia can come over the border to Victoria and New South Wales and they can find that they can shop at 10.30 in the evening or all day Sundays if they want to, that shop keepers are able to trade when they feel like.

They can see evidence that in Victoria when they liberated shop trading hours in 1996 there was an enormous increase in employment in the retail trade by several thousand employees and retail trading increased significantly across that State.

I guess that South Australian's must be wondering why they're different?

Why it is that they shouldn't have that freedom to shop and why it is the shop keepers shouldn't have the freedom to open their stores when they think shoppers want to go and trade with them. That's a matter that we consistently ask the South Australian Government. They've obtained a report, they're holding that report, they won't release it to the public and that's one of the areas where we have some concern. We think that the report, so far as it relates to the public interest ought to be made available, or at least the Government ought to be disclosing to the public the public interest reasons why shop trading hours ought to be constrained in the manner that they are in South Australia.

JOURNALIST

Now what is that report your referring to?

GRAEME SAMUEL

It was a report obtained actually quite a few years ago by the South Australian Government in accordance with its commitment to National Competition Policy

review of anti- competitive legislation. And it's a report which has analysed the plusses and minuses, the advantages and disadvantages of restrictive trading hours, particularly outside Adelaide's CBD.

No one actually knows other than Cabinet and Senior Government Officials what that report says.

JOURNALIST

So you haven't seen it?

GRAEME SAMUEL

No no, we haven't seen it, and the public hasn't seen it, and the public is not yet aware of the reasons for retention of restrictions that the South Australian Government has pursued to date.

I guess all that the National Competition Council is saying to the South Australian Government is ... "Well you reaffirmed your commitment to National Competition Policy on November 3rd last year. The public is really entitled to know the public interest reasons for retaining anti-competitive restrictions".

Indeed, in November last year at CoAG the Government's around this country specifically agreed that they would now disclose their public interest reason for retaining anti-competitive restrictions if they choose to do so.

JOURNALIST

So Graeme Samuel - what would the South Australian Government have to do to satisfy the National Competition Council regarding shop trading hours?

GRAEME SAMUEL

It's probably not so much to satisfy us its to satisfy the public generally that it is in their interest that they be restricted when they can shop.

JOURNALIST

But you're the Policeman in this aren't you? You're overseeing competition guidelines across a range of things across all of the States. What would they have to do to satisfy the Competition Council to get a good report from the Competition Council?

GRAEME SAMUEL

Satisfy us that there are very good public interest reasons for retaining anti-competitive restrictions on the ability of shopkeepers to open their stores when they saw fit.

JOURNALIST

And what happens if they don't? What happens if they don't meet your requirements?

GRAEME SAMUEL

Well they have at least until the 30th June 2002 to undertake these reforms unless their review, the review that they undertook several years ago indicates that deregulation ought to occur fairly quickly.

But if they don't then there is a potential for loss of the dividends that the Commonwealth pays to the States for undertaking these reforms. In South Australia's case, those dividends total each year between 50 and 60 million dollars.

JOURNALIST

So if they don't meet your requirements up to between 50 and 60 million dollars in federal funding can be withheld from South Australia?

GRAEME SAMUEL

Yes but I wouldn't like to suggest that the total of that amount would be applicable to a failure to comply with reforms relating to shop trading hours, but that's the total dividend that the Government pays in to South Australia each year, in return for them undertaking the reforms that they agreed to.

JOURNALIST

So basically the reforms – would they simply be open slather, generally open hours trade when you want to?

GRAEME SAMUEL

Well again, that's a matter of what their review has recommended and this is a review that's been held in Cabinet at the moment, so we are not sure what the review has recommended.

Certainly the experience in those States that have undertaken these reviews and have undertaken reform has been to say to shopkeepers, you can really open

when you like or more importantly you can open when those that want to shop with you want to shop with you.

JOURNALIST

Graeme Samuel is the Chairman of the National Competition Council and that important report will be released today in Adelaide, and I will be back with him in just a few moments, in fact if you would like to be a part of this conversation, please feel free to. The number is 8343 4891 and 1800 811 891. Just after 9.30 the news headlines now with Peter Outt.