

SHOP TALK

ISSUES AND NEWS AFFECTING THE AUSTRALIAN SHOPPING CENTRE INDUSTRY

THURSDAY 20 AUGUST 2015

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UNFAIR CONTRACT TERMS BILL SENT TO A SENATE COMMITTEE FOR EXAMINATION

Federal legislation to prohibit 'unfair contract terms' in contracts involving small businesses has been referred to the Senate Economics Legislation Committee for inquiry (*Shop Talk 25/6/15*). Submissions to the Committee close on 28 August and the Committee is to report to the Senate by 14 September 2015. The Bill, which was introduced into Parliament on 24 June 2015, was debated and passed this week by the House of Representatives. Debate on the Bill was superficial, with little examination of the detail of the proposed new law. The Bill implements the Federal Government's election commitment to extend existing protections (in the Australian Consumer Law in the *Competition and Consumer Act*) to contracts involving small businesses. This follows submissions last year on a Consultation Paper issued by the Federal Treasury (*Shop Talk 21/8/14*). Meanwhile the submissions lodged on the Exposure Draft Bill, which was released in April (*Shop Talk 30/4/15*), have now been published on the Treasury website. The Shopping Centre Council submission on the Exposure Draft Bill is available [here](#).

UPDATED ACTIVE SHOOTER GUIDELINES FOR PLACES OF MASS GATHERING NOW AVAILABLE

In 2013 the Australia-New Zealand Counter-Terrorism Committee published the [Active Shooter Guidelines for Places of Mass Gathering](#), which obviously covers shopping centre situations. 'Active shooter' incidents are those where an offender seeks to kill as many people as possible within a short period of time, as opposed to shootings where people may be killed accidentally. These guidelines have now been updated and are available here. These Guidelines are to be read in conjunction with the *National Guidelines for the Protection of Places of Mass Gathering from Terrorism*. An article detailing the earlier active shooter guidelines, and the relationship to shopping centre management, is available here.

VICTORIAN GOVERNMENT CONFIRMS TWO NEW PUBLIC HOLIDAYS

Easter Sunday and the Friday before the AFL Grand Final have been [gazetted](#) as public holidays in Victoria. In his [media statement](#) announcing the change, the Small Business Minister, Philip Dalidakis stressed that no trading restrictions had been imposed on either Easter Sunday or Grand Final Friday. The establishment of these two new, additional public holidays was an election Commitment of the now Andrews Labor Government. The Shopping Centre Council contributed to the recent Regulatory Impact Statement (RIS) process (*Shop Talk 6/8/15*), highlighting to the Government that the Productivity Commission recently noted that reform was needed to see that "employers are not required to pay for leave or any additional penalty rates for any newly designated state and territory public holidays". The Government was unmoved by this, or by the hundreds of millions the independently prepared RIS estimated this move will cost Victoria in lost production.

SUBMISSION PROVIDED ON DRAFT PERTH AND PEEL STRATEGIC PLAN

The Shopping Centre Council has provided comments on [Perth and Peel @ 3.5million](#), the WA Government's draft planning strategy to facilitate the State's growth to 2050. Inherent in the strategy is considerable population and employment growth, both of which have an impact on demand for retail space and employment. The strategy acknowledges the "increasingly crucial role" activity centres will play in the development of Perth and Peel.

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