



SHOP TALK

ISSUES AND NEWS AFFECTING THE AUSTRALIAN SHOPPING CENTRE INDUSTRY

SHOPPING CENTRE
COUNCIL OF AUSTRALIA

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RACE DISCRIMINATION COMMISSIONER INVOLVES HER OFFICE IN UNION STUNT

The latest media stunt by United Voice is a report alleging exploitation of international students working as cleaners in major shopping centres. Astonishingly, the Federal Race Discrimination Commissioner, Dr Helen Szoke, associated herself with the report, without making any effort to independently inform herself of its accuracy or establish the report's context as yet another shot by the union in its long-running industrial campaign for over-award payments in the shopping centre industry ([Shop Talk 25/11/11](#)). Nor did Dr Szoke, or her office, bother to contact the Shopping Centre Council (or any of our members) before taking part in the union's campaign. She would have learned that Shopping Centre Council members have imposed rigorous requirements on their cleaning contractors ([Shop Talk 14/2/12](#)), far more so than any other section of the cleaning industry. Given that a union official has told us this industrial campaign is "all about the money", Dr Szoke has unwittingly been used by the union and, as a result, has diminished her office. The Fair Work Ombudsman has now launched an inquiry into the allegations made by United Voice. The union should have referred this to the FWO in the first place but, of course, that would not have served its real purpose. We welcome the inquiry which will give us the opportunity to highlight the steps which SCCA members and contractors have taken, through the joint Code of Conduct, to impose high standards of corporate responsibility on all parties.

LOCAL GOVERNMENT AREAS TO BE VALUED IN QUEENSLAND FOR 2013

The Queensland Valuer-General has announced that [27 local government areas](#) have been selected for this year's round of valuations. The new valuations, which will operate for land tax and council rating purposes, have to be issued by 31 March 2013 and will take effect on 30 June 2013.

NSW GOVERNMENT INTRODUCES SMALL BUSINESS COMMISSIONERS BILL

The NSW Government has introduced a [Bill](#) to provide legislative authority for the Office of the Small Business Commissioner. The Minister's second reading speech on the Bill is [here](#). Yasmin King was appointed as Small Business Commissioner in July 2011 ([Shop Talk 7/7/11](#)). The Shopping Centre Council lodged a [submission](#) following the release of the consultation paper "A legislative framework for the NSW Small Business Commissioner", which preceded this Bill. ([Shop Talk 23/8/12](#)). The Bill will not be debated until the NSW Parliament resumes in February 2013.

AUTHORISATION PROCESS FOR CODE OF PRACTICE FOR CASUAL MALL LICENSING

The voluntary Code of Practice on Casual Mall Licensing ([Shop Talk 13/9/12](#)) is still winding its way through the processes required by the Australian Competition and Consumer Commission. The Code, which has to be authorised by the ACCC to provide immunity for any possible breaches of the *Competition and Consumer Act*, expires on 31 December 2012, as does the existing ACCC authorisation. The ACCC circulated the Code to interested parties and by the closing date had only received one response. The Franchise Council of Australia, however, lodged a response five weeks after the closing date. The Shopping Centre Council has [responded](#), as required, to the matters raised in the two submissions. The next step in the process is the issuing of a draft determination by the ACCC which leads to a further round of consultation. Because it is unlikely that these processes will now be concluded by 31 December, the Shopping Centre Council has also lodged an application for interim authorisation which, if approved, will extend the existing authorisation past 31 December 2012 until the ACCC makes its final decision.