



Australian Government



Australian
**Small Business and
Family Enterprise**
Ombudsman

23 December 2020

Australian Competition & Consumer Commission
23 Marcus Clarke Street
CANBERRA ACT 2601

via email: exemptions@accc.gov.au

Dear Sir/Madam

Shopping Centre Council of Australia - Application for Authorisation: AA1000529

My Office supports this application, with the following observations:

1. It is intended the Casual Mall Licensing Code of Practice (the Code) continues as a voluntary arrangement. The current voluntary arrangement appears to be delivering good outcomes, strengthened by the appointment of an independent and effective Chair to the Code Administration Committee, the broadening of the membership of retailer industry groups to the Committee, and with stakeholders typically acting in good faith. However circumstances do change and the voluntary nature of the Code may need to be reviewed should it cease to be effective.
2. The approval of this application will give effect to the amended version of the Code for 10 years. Even though the current environment works well, it may be prudent to either reduce the period of effect to a shorter time, say five years, and at the very least include 3 -5 yearly reviews.

Thank you for the opportunity to comment. If you would like to discuss this matter further, please contact Mike Kearney on [REDACTED] or at [REDACTED]

Yours sincerely

[REDACTED]

Kate Carnell AO
Australian Small Business and Family Enterprise Ombudsman

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