



Hon Sean L'Estrange MLA
Minister for Mines and Petroleum; Small Business

Your Ref: Petition 110
Our Ref: 56-00103

Hon Simon O'Brien MLC
Chairman
Standing Committee on Environment and Public Affairs
Parliament House
PERTH WA 6000

Dear Chairman

Thank you for your letter dated 23 March 2016 to the former Minister for Small Business, the Hon Joe Francis MLA, seeking his views on Petition No. 110 – Deregulation of retail trading hours. I apologise for the delay in responding to you.

As you are aware, the Liberal National Government has made the commitment to incrementally deregulate retail trading hours in the Perth metropolitan area to provide retailers with increased flexibility in when they open, increased competition between retailers and increased choice for consumers.

The proposed reforms to retail trading hours contained within the Retail Trading Hours Amendment Bill 2015 are designed to allow general retail shops to better meet the needs of their customers by providing greater flexibility and choice.

The recent Competition Policy Review chaired by Professor Ian Harper also highlighted the anti-competitiveness of restricted trading hours and recommended the removal of regulations governing retail trading hours.

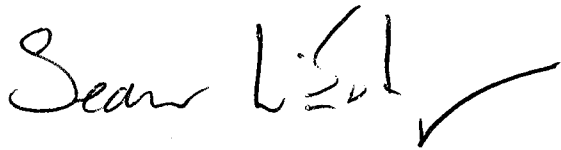
Under the current retail trading hours framework, small retail shops in the Perth metropolitan area have been able to operate 24 hours a day, every day of the year. The Government plans to maintain this policy and has no intention of forcing small retailers to open at times it is not profitable for them to do so.

The submissions to the petition cite that small retailers may feel pressured to trade longer hours to compete with larger competitors like Coles and Woolworths. Importantly, the protections in place under the *Commercial Tenancy (Retail Shops) Agreements Act 1985* prohibit landlords from forcing tenants to open on Sundays and charging them operating expenses beyond the standard trading hours that they do not open. However, I do acknowledge that until penalty rates are reformed, small retailers may be at a competitive disadvantage.

The submissions also focused on the impacts of workers being forced to work longer shifts, or shifts that do not suit their family arrangements. Whilst I sympathise with these circumstances, these concerns revolve around employee-employer relations rather than the Government's policy on retail trading hours.

Thank you for the opportunity to comment on the petition, I trust this information is of assistance.

Yours sincerely

A handwritten signature in black ink that reads "Sean L'Estrange". The signature is written in a cursive style with a large, sweeping flourish at the end.

Hon Sean L'Estrange MLA

MEdLeadership; GradDipResourceMan; GradDipMan

MINISTER FOR MINES AND PETROLEUM; SMALL BUSINESS

16 MAY 2016