

Education, Tourism and Small Business Committee

Erratum to Report No. 9, 55th Parliament – Retail Shop Leases Amendment Bill 2015

The Education, Tourism and Small Business Committee has identified errors in Report No. 9, 55th Parliament – *Retail Shop Leases Amendment Bill 2015* at pages vi, 8 and 22

Recommendation 3 at page vi of the report:

Omit

Section 3.3.2, at page 8 of the report, should read as follows:

3.3.2 Listed companies

Some stakeholders argued that, in addition to excluding retail leases over 1000m², lessors which are listed companies should be excluded from the protections in the Act.²⁵ For example, the SCCA submitted that:

Listed retail companies usually have stores which number in the hundreds which gives them enormous bargaining strength. It is absurd that large listed Australian and international retailers are provided with the protection of the Act, particularly when these international retailers do not have the benefit of retail tenancy legislation in their home countries or in other countries in which they operate. An exclusion from the Act of retail shop leases to listed retailers would substantially reduce the regulatory burden on both retail property owners and on these retailers.²⁶

The committee sought further comments from the department on submitters concerns regarding a listed company exclusion. The department advised:

A listed corporation exclusion has not been progressed in the Bill as it was opposed by the reference group majority based on retailer and legal stakeholder concern that such exclusion would deprive a significant proportion of Queensland retail franchisees of statutory protection.²⁷

In addition, the department advised that it “will continue to monitor this issue with regard to relevant developments in other jurisdictions”.²⁸

²⁵ Shopping Centre Council of Australia, submission 2; Assistant Professor Johnson, submission 1

²⁶ Shopping Centre Council of Australia, submission 2, p 2

²⁷ Department of Justice and Attorney-General, correspondence dated 8 January 2016, p 3

²⁸ Department of Justice and Attorney-General, correspondence dated 8 January 2016, p 3

The committee noted the department's advice. The committee also noted that the Reference Group did not support submitter's concerns regarding a listed company exclusion. The committee was satisfied with the department's advice.

Footnote 25, at page 8 of the report, should read as follows:

Assistant Professor Johnson, submission 1; Shopping Centre Council of Australia, submission 2; Property Council of Australia, submission 5

Footnote 99, at page 22 of the report, should read as follows:

Department of Justice and Attorney-General, correspondence dated 8 January 2016, p 2

A handwritten signature in black ink, appearing to read 'Scott Stewart', written in a cursive style.

Scott Stewart MP

Chair

8 February 2016