21 March 2003

The Manager
Mutual Recognition Review
Productivity Commission
PO Box 80
Belconnen ACT 2616
AUSTRALIA

Dear Sir/Madam

We understand that the Commission has been asked to undertake a review of the Trans-Tasman Mutual Recognition Agreement and we wish to make the following brief comments, largely to support a very detailed submission filed by Coles Myer Ltd in respect of ceramic-ware.

By way of background our files show that in 1995 we filed a summary submission that supported the objectives of the proposed TTMRA from the premise that "if goods can be legally sold in one state or territory, then they can be sold in any other participating territory or state". We stated that this objective was in conformity with the CER Agreement which sets out the terms and conditions for quota free and duty free trade between the two counties.

The situation today is that we have a number of Australian owned retailers that have operations in New Zealand and an increasing number of New Zealand retailers in Australia. These range from chain stores to owner operators and one New Zealand niche women's footwear manufacturer is understood to have more retail stores selling New Zealand made product in Australia than in New Zealand. The implications of this is that our retailing has become an export service industry, and retailers on both sides of the Tasman trade openly but competitively in each others market

There have been relatively few examples or problems associated with Trans-Tasman trade that have been drawn to the attention of the Association. Our 1995 submission highlighted that fireworks were to stand aside from the Agreement but no recent difficulties have been drawn to our attention in respect of any imports from Australia as most fireworks are imported from the Peoples Republic of China.

However, it is clear that difficulties do exist in respect of ceramic tableware and we would commend the very detailed submission from Coles Myer to the Commission for careful consideration.

The only other sector in which we recognise different rules apply is in respect of appliances. We suggest that the review provides yet another opportunity to review the respective regimes and to seek ways in which common rules can be developed.

We would be more than happy to meet with the Commission should they visit New Zealand.

Yours sincerely

Barry Hellberg
Government Relations Consultant