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Tel: 62319399 Fax: 62319403

Mr Tony Hinton
Commissioner
Productivity Commission
PO Box 80
Belconnen ACT 2616

Dear Mr Hinton

I refer to your letter of 3 July concerning the draft research report evaluating the Trans Tasman Mutual Recognition Agreement and thank you for the opportunity to comment. I understand my New Zealand colleague will also be giving you a short commentary. Members have also been provided with their own copies of the research extracts.

There is no doubt that most businesses have benefited from the move towards harmonisation of business laws between Australia and New Zealand. However, the Council believes there are opportunities to move forward at a faster rate, towards a “single market” concept under the Closer Economic Relations agreement rather than just a free trade agreement. This is a political decision that is yet to be made. In the Council's view the time has already arrived.

We understand the difficulties and applaud the effort that has been made to move forward in the areas your evaluation has felt able to recommend changes without objections being made by vested interests. It is interesting to observe how those interests have changed over the years as the result of Trans Tasman investment. The Imported Food Control recommendation may be cited in this regard.

The Council suggests that shorter, tighter, time frames to deliver the benefits of harmonisation be adopted by the Productivity Commission and that a more closely aligned company law structure should be recognised as a key element to the TTMRA being a successful instrument.

The Council also sees no reason why Western Australia should continue to choose to stand aside from the agreement.

Yours sincerely

Chris Mackay
Executive Director
7 August 2003