



Lockhart Shire Council

File Ref: GJ:RD-D20-005

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28th May, 2002

Review of Section 2D
Productivity Commission
PO Box 80
BELCONNEN 2616

Dear Sir,

Re: Review of Section 2D of Trade Practices Act, 1974

After reading the Commission's Draft Report regarding Review of Section 2D of the Trade Practices Act, 1974, and, in particular, the detailed legal opinion contained in the draft report I agree that the position regarding local government exemptions needs both clarifying and simplifying.

This Council would support the Commission's view that Section 2D be replaced with a direct provision that limits the application of Part IV to the business activities of local government. Such a provision would place local government on a similar footing to state governments in the execution of its regulatory and licensing functions.

While this Council is not aware of any anti-competitive behaviour by any local government authority, such a provision would also make restrictions on such behaviour clear and reflect the original intention of the National Competition Policy Reforms.

Yours faithfully,

L.R. Carter
GENERAL MANAGER