

20 June 2002

Review of Section 2D,
Productivity Commission,
P.O. Box 80,
BELCONNEN ACT 2616



Dear Sir/Madam,

Re: Submission to Productivity Commission re Section 2D

I refer to Council's original submission dated 20th February, 2002, and the Draft Report on the review issued in May 2002 and thank the Commission for the opportunity to submit further comment on the Commission's preferred options. Council supports the Commission's view on the need to safeguard Local Government from any uncertainties and treat it in a similar manner as other tiers of Government. Accordingly, Council raises no objection to the retention of Section 2D of the Trade Practices Act as a minimum.

Council also raises no objection to the replacement of Section 2D with a direct provision that limits the application of Part IV of the Trade Practices Act to the business activities of Local Government subject to such amendments being drafted with the concurrence of Local Government (i.e. through the various State Associations of Local Government) and fully tested to ensure the intent of the amendments are achieved.

Council would also like to direct the Productivity Commission's attention to the possible streamlining and standardisation of the legislation by taking a similar approach of including a direct provision that limits the application of Part IV to the business activities of Federal, State and Territory Governments in the future. Such action would ensure the achievement of the Commission's objective of treating all tiers of Government the same.

Should you require further information in respect of this further submission please do not hesitate to contact Council's Assistant General Manager, Ray Fabris, on 9843 0105.

Yours faithfully,



David Mead,
GENERAL MANAGER.

