

**NATIONAL INDEPENDENT RETAILERS
ASSOCIATION INC.**

Inc. No. AOO36928E Reg. in Victoria ABN 73 545 959 026

13 Essex Road, Mt Waverley, Victoria, 3149
Tel (03) 9809 5577 Fax (03) 9809 5677 Email: fmsassoc@netstra.com.au

The General Manager
Adjudication Branch
Australian Competition and Consumer Commission
P O Box 119
DICKSON ACT 2602

FILE No
DOC:
MARS/PRISM

Dear Sir

Review of Authorisation A6058 – SA Mixed Business Association Inc.

I write to comment on the decision by the ACCC to review the authorization granted to SAMBA on 9 April 1979.

NIRA is an Association of independent retail organisations including the Small Retailers Association of S.A. Inc. formerly SAMBA.

NIRA believes that the authorization should be left in place because it is still relied upon by SAMBA for the issue of a recommended price guide for the use of small retailers.

Although NIRA accepts that material changes of circumstances have occurred since the authorization was granted our view is that these are not sufficient to warrant a revocation of the authorization.

The authorized conduct still benefits small retailers who, in many cases, do not have access to internet information – because they do not have computers. In other cases they often do not have the time to search websites for pricing information which is more easily accessed from the Association publication. There is a wide spread view that all business people have internet access and the time to spend on web inquiries. That is not the case in our experience for a large number of very small shopkeepers.

NIRA does not know of the precise membership make-up of the Small Retailers Association and leaves submission in that respect to the organisation itself.

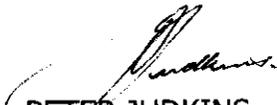
As concerns changes to retail trading hours NIRA acknowledges that these are a material change of circumstance but not a change which diminishes the need to access pricing information. In fact increased trading hours have made life more difficult for small retailers and they need more assistance than ever before to maintain their viability. The price guide plays a role in this regard.

NIRA makes the point that there is a public benefit from small retailers being assisted to be more efficient. This helps keep them in the market place as an alternative for small quantity purchasers and those members of the public who want the convenience of visiting a small shop.

It is NIRA's view that price guidance helps ensure fair and reasonable pricing policy by the small stores to the benefit of the business and the customers.

In summary NIRA believes that there is not a compelling case to revoke the present authorization and that it ought be allowed to continue acknowledging that changing circumstances have not been of a sufficient magnitude to warrant revocation.

Yours sincerely



PETER JUDKINS
Secretary

29 September 2006