



**Australian
Competition &
Consumer
Commission**

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Our Ref: A91049-A91050
Contact Officer: Louise Hird
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17 December 2007

Dear Sir/Madam

**Application for minor variation -
Shopping Centre Council of Australia Authorisations A91049 and A91050
- interested party consultation**

The Australian Competition and Consumer Commission (the ACCC) has received an application to vary authorisations A91049 and A91050 previously granted to the Shopping Centre Council of Australia (SCCA). The ACCC would like to invite you to comment on the application. Attached is a summary of the authorisation process including how to make a submission to the ACCC.

Authorisations A91049 and A91050 were originally granted by the ACCC on 29 August 2007. The authorisation relates to the Casual Mall Licensing Code of Practice (the Code) and in particular clause 6 of the Code. The Code is a voluntary code of practice that the SCCA submits aims to provide balanced guidelines to ensure that the practice of casual mall licensing delivers benefits in a way that is fair to shopping centre owners and managers and to shopping centre retailers. In particular, clause 6 provides that a lessor must not grant a casual mall licence that results in the unreasonable introduction of a competitor of an adjacent lessee.

Proposed minor variation to A91049 and A91050

The minor variation sought by the SCCA involves extending the period of authorisation such that authorisation will expire on 31 December 2012 rather than 29 August 2012.

For further information on SCCA's application for minor variation, please see the attached submission.

Request for submissions

The ACCC invites you to make a submission on the likely public benefits and the likely effect on competition, or any other public detriment, from the proposed variation.

If you intend to provide a submission, please do so by **18 January 2008**.

Alternatively, if you would like to provide comments orally, please contact Louise Hird on 03 9290 1484 to organise a suitable time.

Submissions, including oral submissions, will be placed on the ACCC's public register subject to any request for exclusion (guidelines are attached).

You can also forward this letter to any other party who may wish to make a submission to the ACCC regarding this application for minor variation.

This letter has been placed on the ACCC's public register. If you wish to discuss any aspect of this matter, please do not hesitate to contact Louise Hird on 03 9290 1484.

Yours sincerely



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Gavin Jones
Director
Adjudication Branch

Interested Parties

Westfield Group

Queensland Retail Traders & Shopkeepers Association

Australian Retailers' Association

The GPT Group

National Independent Retailers Association
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Small Business Development Corporation
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WA Retailers Association Inc Office of Consumer and Business Affairs
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