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**From:** [REDACTED]  
**Sent:** Sunday, 21 June 2020 2:26 PM  
**To:** Adjudication [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** AA1000512 - National Retail Association - submission

**Attention: Will Sommers and Sam Strudwick-Day**

Dear Will and Sam

We wish to make a submission on the above application.

We are a SME retailer with six physical shops and an online business, employing ~80 people. We are an NRA member.

We acknowledge that this submission is past the date of 5 June 2020 for submissions to be taken into account in the draft determination. However, this submission:

- could not be made prior to this date as the content is dependent on Landlord communication that was only received on the 19 June 2021, and
- goes to the critical need for final authorisation to be granted, rather than the precise terms of the authorisation.

**Submission**

[REDACTED] submits that it is critical that final authorisation be granted in respect of the subject application.

As evidence of the importance of final authorisation being granted, we attached an application form for COVID-19 relief received from [REDACTED] on the 19 June 2020. [REDACTED] is a Landlord to [REDACTED]. Prior to this application form we have received no material or meaningful communication from [REDACTED] in respect of rental abatement or relief since the commencement of the coronavirus crisis a quarter of a year ago.

The following is clear from the application form:

1. [REDACTED] has implemented a process that only provides rental relief for tenants that have qualified for the Job Keeper programme. This is clearly because it has been legislated and thus [REDACTED] is required to do so. There is no relief process described for any other tenants, notwithstanding their trade in [REDACTED] managed tenancies may have been reduced to nil for months. [REDACTED] clearly intends to use its enormous market power (other than where by legislation it can't) in respect of requiring pre-coronavirus crisis lease commitments to be honoured despite the trading impact of the crisis. With no legislative protection, it is critical for retailers that have not qualified for Job Keeper to be able to share information, collectively negotiate and agree positions in order to balance the enormous market power of [REDACTED] and similar landlords.
2. [REDACTED] requires that – in order to even submit the application form for rent relief (for those businesses that have qualified for Job Keeper) – applicants meet Confidentiality requirements that effectively prohibit sharing information, collective negotiations or agreeing positions. An extract is pasted below. Again, [REDACTED]

