

22 April 2021

Australian Competition and Consumer Commission (ACCC)  
23 Marcus Clarke Street  
Canberra ACT 2601

Via email: [exemptions@accg.gov.au](mailto:exemptions@accg.gov.au)

Dear Sir / Madam

### **Authorisation AA1000546**

I refer to your letter of 25 March 2021 seeking comment on the request from Coles Group Limited (Coles) to continue an existing authorisation in place with amendments.

It is understood the intent of the new authorisation is to continue to allow for cooperation amongst retail grocery providers to influence distribution of retail products to Australian consumers in a fair and equitable manner.

As you may be aware CEQ is supplier of retail services to remote Indigenous communities in Queensland currently providing services through 27 stores. Therefore, CEQ has an active interest in the existing and proposed authorisation.

CEQ is generally supportive of a continuation of the existing and new authorisation proposed. CEQ views the existing authorisation as having allowed for a collaborative approach between parties to better service communities in need by opening dialogues which allowed for a more equitable distribution of retail product. From a CEQ perspective the existing authorisation has allowed for a more even distribution of retail product than would have otherwise been the case.

#### *Other Approved Supermarkets (AA1000477 and AA1000546)*

In any existing or new authorisation, CEQ would request that it be granted the status of '**Other Approved Supermarket**' or the like. This status would better allow CEQ to coordinate and manage risk in the event of further anomalies in consumer demand – especially seeing as the communities that CEQ serves are some of the most remote and vulnerable in the Country.

#### *New Application for Authorisation AA1000546*

CEQ has reviewed the proposed changes from Coles and considers that in respect to its business the new application would benefit the communities that it serves. Specifically, CEQ makes the following comments:

Additions to scope of existing authorisation	CEQ response
Authorisation includes a safe operating environment;	CEQ concurs with the request to include consumer and employee safety within the authorisation, including protection for common approaches to implementing regulatory requirements – CEQ notes in some communities that mobile phone reception is poor and or take-up of technology is limited therefore reducing the effectiveness of QR codes.
Authorised meetings expanded to include State or Territory Government representatives not just Federal Government;	CEQ sees public benefit in expanding authorised meetings, especially where swift action is required to be taken at a localised level. CEQ is of the view that Minutes of these meetings should be distributed to Participating Supermarkets, Other Approved Supermarkets and all levels of Government including the ACCC.
Authorised meetings to include meetings called by industry with government representation;	CEQ sees public benefit in expanding authorised meetings to include those meetings called by industry with Government representatives attending. CEQ is of the view that Minutes of these meetings should be distributed to Participating Supermarkets, Other Approved Supermarkets and all levels of Government including the ACCC.
Authorised meetings to include direct meetings between government and individual supermarkets;	CEQ sees public benefit in expanding authorised meetings to include direct meetings between Government and Supermarkets. Subject to any commercial in confidence discussions, CEQ is of the view that Minutes of these meetings should be distributed to Participating Supermarkets, Other Approved Supermarkets and all levels of Government including the ACCC.
Authorised meetings to include 'urgent measures' meetings held between supermarkets only with reporting back to an Authorised Meeting and ACCC within a reasonable time.	With the view that Authorised meetings are held on the principle of delivering on supply of retail products in a fair and equitable manner, CEQ supports this proposal.

To conclude, CEQ generally supports the proposal as put forward by Coles on behalf of participating and other approved supermarkets; and CEQ requests that it be considered an 'other approved supermarket' for the purpose of the existing and any new authorisation.

CEQ is available to provide any further information or requests as required by the ACCC. Should you have any further queries, please give me a call on my mobile [REDACTED] or via my direct email [REDACTED].

Yours faithfully

[REDACTED]

Mr Ian Copeland  
Chief Executive Officer  
Community Enterprise Queensland