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Committee Secretary
Education, Employment and Training Committee
Parliament House
BRISBANE QLD 4000
By email: EETC@parliament.qld.gov.au

15 October 2021

To whom it may concern:

I write broadly in support of deregulation of trading hours in Queensland.

With regard to the terms of reference of this enquiry, my views are as below:

1a) the moratorium has had the impact of impeding a move toward a consistency of trading hours across Queensland, with the shopping public being the ones negatively affected; during the period of the moratorium, online shopping and/or delivery services have weakened the intended 'social good' outcomes of the moratorium.

1c) the burden and cost of administering applications made under section 5 of the Act, on the part of the applicants and the QIRC, is excessive. It should be replaced by broad deregulation of trading hours across Queensland. In a deregulated environment trading hours would still be kept within community standards, as no business will operate during times that it is not economically viable.

1d) the QIRC with its corporate knowledge and ability to hold hearings is best placed to make decisions on permitted hours, albeit the permitted hours should be deregulated in general.

1e) the current arrangement of differing permit hours in different parts of Queensland – in fact different parts of SEQ – is non-sensical, differing hours in Toowong vs New Farm cannot be justified in any logical way. That special application for change needs to be made when a festival is held is not conducive to a modern vibrant economy. The artificial restraint placed on shop trading hours is not conducive to the urgent need for economic activity as we come out of the covid-10 health crisis.

2). The increase in online shopping and delivery services combined with new 'ways to work' be it working from home, or being a 'contractor' for a delivery service means that 2021 is substantially different to 2016. Increased use of online shopping and delivery services – often at times outside of normal business hours – means that the protections sought by various provisions in the Act are in fact being circumvented by modern technology and the act is no longer able to provide the support to the worker that it once was able to provide. Regulation on trading hours should largely be abolished. The way people work now means that they don't really benefit from the 'protections' on their worklife that the Trading Hours Act tries to

provide. They will have multiple jobs through the course of their life and will make decisions on them based on their personal circumstances at various life stages, while at all times remaining the beneficiary of the protections provided by Australia's strong – and now nationalised – industrial relations system. Further, insofar as the act seeks to provide protections to community from things such as late-night/early morning noise etc, these matters can be dealt with by local governments, which in 2021 following amalgamations are larger and more professional entities than they were at the time of first drafting the Trading Hours Act.

On the matter of independent retail shops and the cap on staff operating in one shop/multiple shops, I draw your attention to the testimony of Mr Tony James A/DDG OIR at the public briefing into this inquiry on 30 September 2021. He states that since 2016 he has had no conversations about his matter, it can therefore be reasonably inferred that independent retail shops are already operating in effect as exempt shops. And as such, it would be more beneficial to the broader community to level the playing field, eliminate all categories and deregulate trading hours as much as possible.

3) As we recover from the economic impacts of the covid-19 health crisis, there is no need for any unnecessary impediment on economic activity. We can reasonably assume that the effect of trading hour regulation on the Queensland economy is negative and as such it should be removed.

Thank you for accepting this submission.

Yours faithfully

Marc Fotsch-Heatley