




Speech By  
**Bruce Saunders**

**MEMBER FOR MARYBOROUGH**

---

Record of Proceedings, 10 May 2016

**RETAIL SHOP LEASES AMENDMENT BILL**

 **Mr SAUNDERS** (Maryborough—ALP) (4.04 pm): I rise to speak in support of the bill. I thank the committee, the chair and the deputy chair, for their great work on this bill. I think the bill has been going on longer than *Blue Hills* actually. I remember when the first Retail Shop Leases Act came in in 1994. I cast my mind back. At the time I had quite a few shops in shopping centres. It was a bold move by the then government. It saved a lot of small business people because we were at the mercy of some of the multinational shopping centres. I know from firsthand experience what it is like to deal with multinational shopping centres. You turn up with your solicitors and they turn up with three other solicitors plus four other people to intimidate you.

**Ms Grace:** You had to sell a lot of gelato.

**Mr SAUNDERS:** We had to sell a lot of product to compete. To give an example, prior to the act coming in, in terms of my lease in a shopping centre, when I hit a certain turnover the shopping centre had the right to divulge my turnover and divulge my business to a third party. I finished up with competition in the shopping centre two doors down from where I was trading. I was employing at that stage about eight to nine staff in that shop. When the act came in in 1994, I grabbed one of the great Labor men of Queensland Tommy Burns and thanked him very much for bringing in the act in that government.

We know that small business is the backbone of the Queensland economy. It is the backbone of the economy everywhere. Those opposite talk about small business. As I said, I know firsthand about running a small business, working 19 to 20 hours a day with staff. Staff have holidays before you do et cetera. It is not an easy task. If it were easy, everyone would be in small business. I quite enjoyed it. Sometimes you do need government protection, especially when you are competing against and going into negotiations with some of these big landlords. That is what the act does.

Some key amendments in the bill include enhancing tenant protection by requiring landlords to give certain disclosures to retail tenants about shopping centre management fees, marketing expenditures and refurbishment requirements for the tenants' premises. That is one of the good things moving forward. Other amendments include clarifying and improving the operational efficiency and effectiveness of the act including the current market rent determination process, outgoings reporting and auditing requirements, ensuring reasonable administrative time frames and exempting a landlord from liability to compensate tenants for trading losses in the event of emergency shopping centre closure.

We talk about a level playing field. We are bringing things back, getting rid of red tape as those opposite and everyone else talk about. The bill certainly will help. Personally, I would like to see the bill go a bit further for small business operators, but we will work on that in the next review. I would really like to see tougher legislation brought in for the smaller operators who are in the shopping centres because a lot of unconscionable conduct still goes on to this day. This bill is a step in the right direction. I commend the committee. The committee has done some great work on this. I commend the previous government as well for moving this bill forward. I commend this bill to the House.