

17 October 2023

Anzac Day Retail Trading
Policy & Strategy, Better Regulation Division
Department of Customer Service
4 Parramatta Square
Parramatta NSW 2150

via email: anzacdayretailtrading@customerservice.nsw.gov.au

RE: CONSULTATION PAPER - ANZAC DAY TRADING

The Australian Retailers Association (ARA) welcomes the opportunity to make this submission to the New South Wales Department of Customer Service in response to its consultation on Anzac Day trading hours.

The ARA does not support any change to the current Anzac Day trading hour regulations. We believe that the existing regulations, allowing most stores to open between 01.00pm and 05.00pm, strikes the right balance for consumers, retail workers and small business owners.

A review conducted by the Independent Pricing and Regulatory Tribunal (IPART) in 2006 investigated whether trading restrictions imposed an unnecessary burden on business and the community. In response, IPART acknowledged the transition to a 24-hour economy and recommended reforms to trading hour restrictions in New South Wales which were implemented, reducing some public holiday restrictions including ANZAC Day.

The ARA does not believe that the government has made the case for change, outlining why the 2006 recommendations are no longer fit-for-purpose. Any change to the current regulations, to cease trading entirely on Anzac Day, would restrict consumer choice, reduce the earning potential for retail workers who choose to work, and disproportionately impact small businesses.

These small businesses rely on every opportunity to trade, including public holidays. With softer consumer spending, increased costs and a more complex regulatory environment, this is not the right time to be putting more roadblocks in the way of small business.

Any changes to the existing arrangement will also add another layer of complexity for national retailers. Western Australia is the only state that closes on Anzac Day but all states take their own approach. If New South Wales were to create another set of unique rules, it will become even more complicated for national retailers to manage.

Any change in the current restrictions will also impact retail workers who choose to work on Anzac Day and benefit from receiving public holiday penalty rates. With the rising cost of living, many workers, including casuals, welcome opportunities to work and receive penalty rates.

As Australia's oldest, largest and most diverse national retail body, the ARA is uniquely placed to provide this commentary. As Australia's peak retail body, representing more than 120,000 retail shop fronts and online stores, we are proud to represent the rich diversity of a \$420 billion sector that operates in all states and across all categories - from food to fashion, hairdressing to hardware, and everything in between.

Thank you again for the opportunity to participate in this consultation. Any queries in relation to this submission can be directed to policy@retail.org.au.

Yours sincerely,

Paul Zahra
Chief Executive Officer