



Friday, July 17, 2015

Committee Secretary
Senate Legal and Constitutional Affairs Committee
PO Box 6100
Parliament House
Canberra ACT 2600

Email: legcon.sen@aph.gov.au

Dear Committee Secretary,

**Re - the Australian Small Business and Family Enterprise Ombudsman Bill 2015 and
the Australian Small Business and Family Enterprise Ombudsman
(Consequential and Transitional Provisions) Bill**

1. Introduction

1.1 The Motor Trades Association (MTA Queensland or the Association) responds to the Senate Legal and Constitutional Affairs Committee invitation for submissions pertaining to the *Australian Small Business and Family Enterprise Ombudsman Bill 2015* and the *Australian Small Business and Family Enterprise Ombudsman (Consequential and Transitional Provisions)* (The Bills). The Association's comments are on behalf of its constituent Divisions and are confined to issues which relate to the interests and fall within the competence of the Queensland automotive value chain.

2. Submission

2.1 The MTA Queensland in its submissions to the Treasury's Competition and Consumer Policy Division relating to the Bills was supportive of the Ombudsman with statutory functionary responsibilities that empower him/her to resolve or arbitrate and settle disputes in a clearly defined role that is separated and mutually exclusive from the Small Business Commissioner/s. The Association reconfirms that support. It is a positive and welcome initiative underpinned by sound policy.

2.2 The Association restates the view that it is important that the role of the Ombudsman have sufficient standing in Government and with the stakeholders so that his/her determinations/resolutions are accepted as final.

2.3 There is a need for cooperation amongst the Commonwealth Agencies that have an interest in Competition Policy not impinge to the extent that the ACCC is not dissuaded from taking legal action to establish a body of legal precedent which the Ombudsman may draw on when arbitrating or mediating disputes.

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2.4 The Association is of the view that the Ombudsman will enable a cross jurisdictional consultative approach and leadership that will ensure that small business decision making is consistent and reliable for the many operators which form the small business sector.

3 The MTA Queensland background

3.1 The MTA Queensland is the peak organisation in the State representing the specific interests of businesses in the retail, repair and service sector of Queensland's automotive industry located in Queensland. In Queensland there are some 14,000 automotive value chain businesses employing in excess of 73,300 persons.

3.2 It is an industrial association of employers incorporated pursuant to the Industrial Relations Act of Queensland. The Association represents and promotes issues of relevance to the automotive industries to all levels of government and within Queensland's economic structure.

3.3 The Association is the leading automotive training provider in Queensland offering nationally recognised training, covering all aspects of the retail motor trades industry through the MTA Institute of Technology (MTAIT). The MTAIT is the largest automotive apprentice trainer in Queensland employing 26 trainers based from Cairns to the Gold Coast and Toowoomba and Emerald. MTAIT last financial year accredited courses to in excess of 1500 apprentices and trainees.

4 Conclusion

4.1 We would be please to provide further comment on any matters in our submission that may require further clarification or amplification.

Thank you for your consideration.

Yours sincerely,

Kellie Dewar
General Manager
MTA Queensland