



Australian Automotive Dealer Association Ltd.

ACN: 167 598 085

The Sir Jack Brabham Automotive Centre of Excellence

8/2728 Logan Road, Eight Mile Plains, Brisbane Queensland 4113

7 April 2015

Manager

Small Business Ombudsman and Programmes Unit

Small Business, Competition and Consumer Policy Division

The Treasury

Langton Crescent

PARKES ACT 2600

Email: small.business@treasury.gov.au

Dear Sir or Madam

AUSTRALIAN SMALL BUSINESS AND FAMILY ENTERPRISE OMBUDSMAN AUSTRALIAN AUTOMOTIVE DEALER ASSOCIATION LIMITED (AADA)

AADA welcomes the exposure draft legislation establishing the Ombudsman to act as an independent Commonwealth-wide advocate for small businesses and family enterprises (advocacy function), to act as a concierge for dispute resolution (assistance function), and contribute to the development of small business-friendly laws and regulations.

AADA is the peak industry body that represents franchised new car Dealers in Australia. Our members include family-owned small businesses operating in regional and metropolitan areas.

The Government has recognised the role that small business plays in the economy and the draft legislation is a timely response to the needs of small business that often lack time and resources to understand complex Government information and deal with business disputes and avoiding expensive litigation. The Government response is to be commended.

AADA notes that access to the Ombudsman is limited by the definition of "small business" or "family enterprise". That is, for the purposes of the legislation, a business is a small business or family enterprise if it has fewer than 100 employees or revenue of \$5 million or less.

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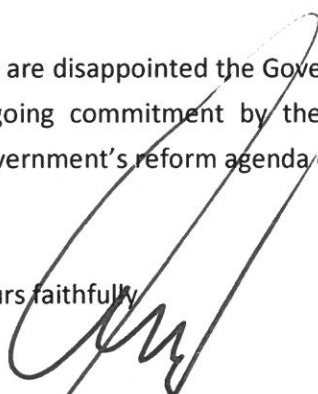
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AADA's previous submission dated 23 May 2014 supported the creation of the Ombudsman and submitted that access to the Ombudsman not be limited to a definition of "small business" or "family enterprise" but be based on the concept of relative size where a significant imbalance of market power exists. We also submitted that in the case of an industry sector, a representative and approved body or other entity be permitted to assist a party in dealing with a dispute before the Ombudsman. We also submitted that such an industry body also be permitted to bring forward on a confidential basis industry specific issues for mediation and advocacy.

We are disappointed the Government has not accepted these aspects of our submission but acknowledge the ongoing commitment by the Minister for Small Business, the Hon Bruce Billson MP in advancing the Government's reform agenda of support for small business.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Patrick Tessier', written over the 'Yours faithfully' text.

Patrick Tessier
Chief Executive Officer