



Clubs Australia

Friday, 18 January 2013

Manager  
Consumer Policy Framework Unit  
Competition and Consumer Division  
The Treasury  
Langton Crescent  
PARKES ACT 2600

***Restaurant and Cafe Menu Surcharges- Draft amendments to the single pricing requirements***

Thank you for the opportunity to provide comment on the draft amendments exempting cafes and restaurants from single pricing requirements contained in the Australian Consumer Law. Clubs Australia is the peak, national industry association representing the interests of Australia's 6,500 licensed not-for-profit clubs. The purpose of this letter is to express Clubs Australia's support for the views presented in the submission by Restaurant & Catering Australia.

Under current legislative arrangements, club restaurants and cafes that apply a percentage surcharge on public holidays or weekends produce separate menus for different days, frequently update display boards, or show two price lists for menu items in order to comply with Section 48 of the Australian Consumer Law. As a result, they incur increased operating expenses and additional administrative duties.

It is our belief that an exemption will greatly reduce the regulatory burden currently placed on restaurant and cafe operators without adversely affecting consumers. Existing provisions in the Australian Consumer Law regarding false representations and deceptive conduct afford customers sufficient protections within restaurant and cafe settings. Moreover, restaurant customers are accustomed to calculating the various charges associated with a total dining bill and are therefore capable of factoring in small percentage surcharges.

Clubs Australia is supportive of an amendment that enables cafes and restaurants to return to printing percentage surcharges for specified days at the base of the menu in a visible and conspicuous manner.

Should you have any further questions about the views of Clubs Australia in regards to this issue, please contact Olivia Graham on 02 9268 3028 or email [ograham@clubsnsw.com.au](mailto:ograham@clubsnsw.com.au).

Yours sincerely,

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