



20 July 2016

Ministry of Business, Innovation and Employment

via email: [commerceact@mbie.govt.nz](mailto:commerceact@mbie.govt.nz)

**Cross-Submission Process: Targeted Review of the Commerce Act 1986**

I am writing to you to express Business Central's support for BusinessNZ's letter in respect to the original 39 submissions to the review and the Commerce Commission's follow-up letter to the Minister. The Commerce Commission wrote to the Minister giving reasons why those against the changes to Section 36 outlined in the Issues Paper were believed to be incorrect.

Business Central represents business interests throughout central New Zealand from Taranaki across to Gisborne and down to Nelson. Business Central is one of the four regional organisations comprising New Zealand's peak business advocacy group, BusinessNZ. In Wellington, our organisation operates the Wellington Chamber of Commerce, accredited to the New Zealand Chamber of Commerce network. Our organisation also delivers ExportNZ to Wellington and the Hawke's Bay.

Business Central supports BusinessNZ's submission to the Ministry of Business, Innovation and Employment and wholly endorses BusinessNZ's comments.

Business Central is concerned that the letter from the Commerce Commission seemed to disregard the submission process for amending s36 as offering value, and sought to justify its own position in the face of criticism from the business community.

Business Central would like to emphasise that there is little or no evidence that s36 has been unsatisfactory for New Zealand consumers. In addition, the Commerce Commission has given little regard to the potential chilling effect on business investment/behaviour that a change to s36 will have, and their preferred replacement scheme (an 'effects test' for unilateral conduct) is an extreme solution for New Zealand, with a high likelihood of depressing business activity.

As analysed by BusinessNZ, Business Central does not support the reasons outlined by the Commerce Commission.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'John Milford', written in a cursive style.

John Milford, CE, Business Central