



SOUTH AUSTRALIAN FREIGHT COUNCIL



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Submissions — South Australian Ports Access Regime
National Competition Council
GPO Box 250
Melbourne VIC 3001

info@ncc.gov.au

Dear Sir / Madam

RE: Recertification – South Australian Ports Access Regime.

On behalf of the South Australian Freight Council's (SAFC) Executive Committee and Membership I thank you for the opportunity to make a submission on the Recertification of the SA Ports Access Regime under section 44NA of the Competition and Consumer Act 2010.

As you may be aware, SAFC is the State's peak, multi-modal freight and logistics industry group that advises all levels of government on industry related issues. SAFC represents road, rail, sea and air freight modes and operations, freight services users and assists the industry on issues relating to freight logistics across all modes.

SAFC has participated in every 5 year review of the scheme by ESCOSA since it was instituted in 2001. In each instance, we have recommended that the scheme be retained due to the lack of evidence of any anti-competitive conduct, but the potential for it to occur. In each case, ESCOSA has made a similar assessment.

In an environment where there has never been an acknowledged use/abuse of market power, the ideal competition controls are as light-handed as possible – offering a disincentive for the dominant player to change their approach, without imposing stringent controls or significant regulatory cost.

We believe the current SA regime meets these benchmarks, and should be re-certified by the NCC. We note that the SA Government is the proponent of the application, and is therefore of the same opinion as ESCOSA and SAFC. Further, we understand that Flinders Ports is also happy to continue to be bound by the regime. Given this convergence of views from local stakeholders, we urge the NCC to recertify the regime for a further 10 years.

Should you wish to discuss any element of this submission further, please feel free to contact me on (08) 8447 0664 or via email knapp.evan@safreightcouncil.com.au.

Yours Sincerely,

Evan Knapp
Executive Officer, SA Freight Council.