

## Wilmar Sugar

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Mr Paul Lindwall  
Presiding Commissioner  
Productivity Commission

Dear Commissioner

### **Draft Report – Regulation of Australian Agriculture**

Wilmar Sugar Australia Limited welcomes the opportunity to respond to the Commission's Draft Report on Regulation of Australian Agriculture published on 20 July 2015 (the Report). We look forward to discussing our submission with you at the Brisbane public hearing.

Wilmar has interest in a number of issues covered in the Report. However, we confine our submission to competition regulation, and in particular Draft Recommendation 11.2 as it relates to the sugar industry.

Wilmar agrees with the Commission's assessment of the potentially damaging and deleterious effects of Queensland's *Sugar Industry (Real Choice in Marketing) Amendment Act 2015*. We support the Commission's recommendation that the legislation be repealed.

Our submission contains information that supports the conclusions reached in both the Commission's Draft Report, and a 2015 Queensland Productivity Commission Regulatory Impact Study. There remains no evidence of market failure or abuse of market power in the Queensland sugar industry that warranted legislative intervention.

We urge the Commission to bring to the attention of the Australian Government the circumstances in which the Queensland Parliament enacted unnecessary and anti-competitive legislation against the wishes of the State Government, with disregard for the advice of the independent state productivity commission, without need for assessment of regulatory impact, and without requirement for a Public Interest Test.

Evidence suggests that inter-government agreements and protocols for uniform competition policy have been dismissed, ignored or have failed.

Yours sincerely

Shayne Rutherford  
Executive General Manager Strategy and Business Development  
Wilmar Sugar Australia