

Secretary

Trade Practices Act Review

Department of the Treasury

Langton Crescent, PARKES, ACT 2600

Dear Sir/Madam

I strongly recommend that the Trade Practices Act be put into plain English and that this task be undertaken by non-lawyers. It is clearly anti-democratic, inefficient and expensive to have laws which people cannot understand. For example, I draw to your attention the section below, which I picked at random from the act, and which demonstrates its idiotic incomprehensibility.

Without limiting the generality of section 45, a provision of a contract, arrangement or understanding, or of a proposed contract, arrangement or understanding, shall be deemed for the purposes of that section to have the purpose, or to have or to be likely to have the effect, of substantially lessening competition if the provision has the purpose, or has or is likely to have the effect, as the case may be, of fixing, controlling or maintaining, or providing for the fixing, controlling or maintaining of, the price for, or a discount, allowance, rebate or credit in relation to, goods or services supplied or acquired or to be supplied or acquired by the parties to the contract, arrangement or understanding or the proposed parties to the proposed contract, arrangement or understanding, or by any of them, or by any bodies corporate that are related to any of them, in competition with each other.

From the perspective of the interests of the individual, industry and the public, what can be the point of laws which are full of rubbish like this? Australian law is not rocket science, it is supposed to be the statement and practice of community standards as they are defined by a democracy. An act which cannot be understood by non-lawyers is unlikely to generate submissions from non-lawyers.

In summary, the law that is unintelligible is oppressive to everyone except lawyers. One often feels that this country is being run by and for lawyers, and that everyone else exists simply to feed them and fill their cellars. Even the so-called progressives appear to be largely incapable of pointing out the obvious idiocies of the system which bred them. In my view, Law Reform Commissions are a sick and expensive joke on the Australian population. I can be contacted at 10/11 Rosebank Street, Glebe, Sydney NSW 2037 or by phone on 02-96608716.

Yours truly

Carol O'Donnell