



Australian Government



Australian
**Small Business and
Family Enterprise**
Ombudsman

26 March 2021

Ms Dijana Mirkovic
Acting Manager
Payment Times Policy Team
Small and Family Business Division
Department of Industry, Science, Energy and resources
10 Binara Street
Canberra ACT 2601

via email: ptpcp@industry.gov.au

Dear Ms Mirkovic

Draft Payment Times Procurement Connected Policy guidelines

The Payment Times Procurement Connected Policy (PT PCP) should assist small businesses by improving transparency and helping to normalise good payment practices. We understand that the PT PCP is an evolving policy and we look forward to working with you as it progresses. We offer the below comments on the current proposed policy:

1. **Preventing retaliation.** Small businesses need to be able to report entities who do not pay on time. However, there is a perceived risk that small businesses who make a complaint will face retaliation, including through a loss of future work. The clause that requires the entity to not take prejudicial action against the complainant does not remove this risk. In your communication of the policy, we ask that you continue to highlight the role of our Office as an avenue for dispute resolution and confidential support.
2. **Acting on the review functions.** The measures to include review functions, questionnaires, evaluation measures and non-compliance remediation plans will be necessary to continually improve the PT PCP and the actions of the entities it affects. We support these policy inclusions and will continue to provide feedback based on our interactions with small businesses and their stakeholders.

Thank you for the opportunity to comment. If you would like to discuss this matter further, please contact Mr Luke Collins on 02 6213 7540 or at luke.collins@asbfeo.gov.au.

Yours sincerely

The Hon. Bruce Billson
Australian Small Business and Family Enterprise Ombudsman

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