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29 July 2021

Department of Industry, Science, Energy and Resources

ASBFEO Review

10 Binara Street,

Canberra City, ACT 2601

**RE: Review of the Australian Small Business and Family Enterprise Ombudsman (ASBFEO)**

Dear Associate,

The ACCI welcomes the opportunity to contribute its views on the review of the ASBFEO. ACCI is Australia's largest and most representative business association in Australia. Our members are state and territory chambers of commerce, national industry associations and a council of business leaders from leading national firms. Together, we represent Australian businesses of all shapes and sizes, across all sectors of the economy, and from every corner of our country. We are also Australia's largest representative body of small businesses and represent Australia's small business community abroad at the International Labour Organisation to the UN, the International Chambers of Commerce and the Business and Industry Advisory Committee to the OECD.

Overall, we have found the ASBFEO has continued to effectively undertake its advocacy and assistance function to the benefit of the small business community. The ASBFEO has remained independent and impartial in undertaking its current functions and has done well in prioritising and, acting to resolve, matters of priority concern raised by Australian small businesses.

Over the past year alone, the small business community has undergone unprecedented challenges including a once-in-a-lifetime global pandemic and several weather disasters. The small business community required the support of trusted intermediaries, such as the ASBFEO and industry bodies such as ACCI, to provide timely access to information, advice and advocacy on their behalf. Overall the ASBFEO worked well with industry and government to seek workable policy solutions on most policy problems raised by the small business community.

The ASBFEO has made progress to address the recommendations for improving its core functions as outlined in the 2017 Treasury [Review](#). ACCI supports the full list of recommendations made in the 2017 review and believes the ASBFEO can do more to further develop the organisation's role as an advisory and advocacy body that works more cohesively and proactively alongside industry associations and peak representative bodies to support small businesses. This can be done by better leveraging the talent and resources of national industry associations including ACCI

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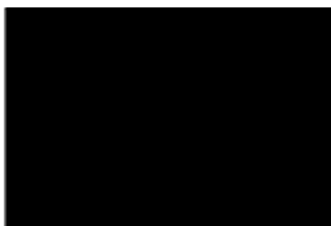


in the policy formation process. We anticipate an ongoing refinement of policy and advocacy engagement with industry bodies and small business representatives including ACCI and welcome further informal and formal engagement to debate and discuss issues and solutions that aim to resolve the tangible challenges of the small business community.

Overall high-quality advice is provided by ASBEFO to small businesses. Areas of improvement could include, greater resources and powers to dispute resolution, particularly for complaints raised in relation to access to finance and contractual disputes. The vast majority of our members have found that formal legal and financial dispute resolution process are expensive and out of reach for many small businesses. The mandate of AFCA also sits outside the majority of our small business grievances as these arise during the preliminary and informal proceedings of financial advice and access to capital. Supporting this function through a more holistic mediation process will enable better outcomes from small businesses seeking more affordable and timely dispute resolutions.

In relation to recommendations made to government, we are of the view that policy recommendations could be improved with additional resources and/or more collaborative partnerships between the ASBEFO and stakeholder organisations including government.

Yours sincerely



**Ross Lambie**  
Chief Economist