

Manager

Small Business Ombudsman and Programmes Unit
Small Business, Competition and Consumer Policy Division
The Treasury
Langton Crescent, PARKES ACT 2600

7 April 2015

Re: Draft Legislation -*The Small Business and Family Enterprise Ombudsman*

Deloitte Private welcomes the opportunity to submit comment regarding the draft legislation released for The Small Business and Family Enterprise Ombudsman (The Ombudsman).

We specifically commend the focus of Section 64 of the draft legislation on the advocacy and promotion of small business best practice notably as it relates to advising Government on best practice small business engagement practices, and the promotion of best practice opportunities to all businesses.

We do, however, believe that the operations of The Ombudsman would benefit from greater distinction and definition on what constitutes 'family enterprise' recognising the important and unique contribution that family owned businesses deliver for Australia. In October 2012, Deloitte Private delivered a submission to the Parliamentary Joint Committee on Corporations and Financial Services, "*Family Business in Australia*" noting the unique contribution family business makes to the Australian economy and the scarcity of specific family business information and comprehensive data.

That submission defines a family business as a business owned and managed by family members, and it applies to many privately owned, controlled and operated enterprises in Australia. These businesses are operated through a variety of structures, eg. sole trader, partnerships, trusts and private companies.

While all small businesses can be complicated, the dynamics of a family business can be especially so. Organisations that are family owned face personal and family issues as well as day-to-day business concerns. This often impacts business operations and performance, and interpersonal issues.

We believe that the establishment of The Ombudsman is an opportunity to build greater definitional distinction into the difference of family businesses from other small businesses, and that through this distinction more specific data, information and insight will be collected to help better understand then promote best practice to, and for, this sector.

Yours sincerely,



Mark Allsop
Director
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