



THE COMMERCIAL
ACADEMY

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The Australian Food and Grocery Code of Conduct

PART 5

Navigating Grocery

Retailer Disputes:

Strategies for Successful

Resolution

This carousel explores essential aspects of dispute resolution between suppliers and grocery retailers, including:

- **Preparation**
- **Risks**
- **Strategies**
- **Achieving positive outcomes**

UNDERSTANDING DISPUTE RESOLUTION WITH GROCERY RETAILERS

- Dispute resolution involves addressing conflicts between suppliers and grocery retailers or wholesalers.
- Engaging in the process can strain relationships and affect reputation.
- Financial costs, time commitment, and uncertain outcomes are key considerations.

STEPS TO PREPARE FOR SUCCESSFUL DISPUTE RESOLUTION

- Prioritise relationship preservation when seeking a resolution.
- Assess potential impact on your reputation.
- Allocate resources wisely to avoid detracting from core business activities.
- Build a well-founded case with strong evidence and (if necessary) legal advice.
- Consider potential remedies and limitations of the Code Arbiter's authority.

RISKS AND CONCERNS IN GROCERY RETAILER DISPUTES

- Is there risk of confidentiality breach, despite the Arbiter's obligation to maintain it?
- The Arbiter's decision may not align completely with your expectations.
- Disputes may impact retailer perception and future collaborations.
- Understand if your market share might influence the Arbiter's decision-making process.
- Consider possible strain on your internal resources and potential for delays.

NAVIGATING DISPUTES WITH GROCERY RETAILERS EFFECTIVELY

- Maintain open lines of communication with the retailer to prevent escalation.
- Always seek alternative resolution methods before invoking the Arbiter's intervention.
- Consider the benefits of a resolution against any potential risks and costs.
- Present a well-structured case backed by facts and relevant documentation.
- Where necessary, leverage legal advice to understand your rights and options in the process.

KEY STRATEGIES TO MITIGATE DISPUTE RISKS

- Foster a culture of proactive issue resolution to prevent disputes from arising.
- Focus on building strong, collaborative relationships with your retailers.
- Exercise restraint when escalating disputes to maintain goodwill.
- Consider any potential exposure on your business as a result of the dispute and its outcomes.
- Continuously assess and manage the financial impact of dispute resolution.

ACHIEVING POSITIVE OUTCOMES IN RETAILER DISPUTES

- Balance assertiveness with professionalism to influence positive outcomes.
- Always explore all negotiation and mediation options before invoking the Code Arbiter.
- Consider the long-term impact of dispute resolution on your market presence.
- Evaluate potential compromises and solutions that align with both parties' interests.
- Learn from disputes to enhance business practices and prevent future conflicts.

CONCLUSION

Compliance with the Australian Food and Grocery Code of Conduct is critical for suppliers and retailers in the food and grocery industry to ensure fair and transparent trading relationships.

For more information on the Code and its requirements, visit the Australian Government's official website:

<https://www.legislation.gov.au/Details/F2021C00201>





DISCLAIMER

Based on content from the Federal Register
of Legislation at 5th March 2021. For the
latest information on Australian Government
law please go to:

<https://www.legislation.gov.au>

WHEN THIS CODE APPLIES

Want to know more about the Australian Food & Grocery Code of Conduct?

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1. **Preliminary and Good Faith**
2. **Grocery Supply Agreements**
3. **Paying Suppliers**
4. **Requiring Payments from Suppliers**
5. **Delisting Products**
6. **Other Conduct**
7. **Price Increases**
8. **Dispute Resolution**
9. **Strategies for Successful Resolution**
10. **The Code's Independent Reviewer**
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