

HOUSE OF REPRESENTATIVES STANDING COMMITTEE ON ECONOMICS

REVIEW OF THE AUSTRALIAN COMPETITION AND CONSUMER COMMISSION ANNUAL REPORT  
2017

**4QON:** Unfair contract law: Seeking changes to penalties

Hansard p. 11

**Mr KEOGH:** Mr Thistlethwaite and the Chair referred to penalties issues, and you made reference to the legislation that's going through the parliament at the moment. When did you ask for those penalties to change?

**Mr Sims:** That's a difficult question, in the sense that we advocate in various ways. We raised it with various speeches that we've given. I would have to **take that on notice** to be clear—unless Mr Gregson has a clear view—but we've been talking about this for some years now.

**Answer:**

The ACCC has advocated for increased civil pecuniary penalties for breaches of the Australian Consumer Law (ACL) for several years. This advocacy gained momentum in March 2017 when the Australian Consumer Law Review Final Report recommended an increase to the maximum penalties available under the ACL by aligning them with the penalty regime under the competition provisions of the CCA.

The Treasury Laws Amendment (2018 Measures No. 3) Bill 2018, which will increase penalties for breaches of the ACL, is currently before the Senate.