



October 2025 – Senate Estimates – ACCC Opening Statement

Thank you and good afternoon, Chair and Senators,

I would like to begin by acknowledging the Ngunnawal and Ngambri peoples who are the traditional custodians of the Canberra area and acknowledge their descendants and their continued connection to this country. I would also like to acknowledge and pay my respects to First Nations people who are here today.

This opening statement focuses on the compliance and enforcement work of the ACCC. Our enforcement actions – whether through litigation, compliance sweeps, infringement notices, or direct engagement – serve the same purpose: to protect consumers, to build trust, and to strengthen the proper functioning of markets. Together with our competition mandate, our fair trading and consumer protection and product safety work is directed to supporting Australians participating in commercial life with confidence, knowing the guardrails are in place to deter harm.

Competition and Consumer Protection Enforcement

The ACCC maintains a strong focus on competition and consumer protection enforcement, particularly in respect of essential products and services.

The ACCC has a range of matters in litigation and continues to deliver results against our compliance and enforcement priorities.

Over the 2024-25 financial year the ACCC's consumer, fair trading and competition enforcement programs received \$181.35 million in total penalties and fines awarded by the court.

In the 2025-26 financial year so far, the ACCC has commenced a number of cases and received significant penalties awarded by the court.

In particular, I would like to highlight:

- In August, the Full Federal Court dismissed appeals lodged by Bluescope Steel and its former general manager, in respect of findings of cartel conduct in relation to the supply of flat steel products. The penalty ordered against Bluescope Steel of \$57.5

million is the highest penalty ever imposed for cartel conduct in Australia.

- In September, Optus was ordered by the Federal Court to pay a penalty of \$100 million for engaging in unconscionable conduct when selling mobile phones and contracts to hundreds of Australians. A significant number were First Nations Australians from regional and remote areas.
- We also instituted proceedings in the Federal Court against Bupa. The company admitted to engaging in misleading conduct and to engaging in unconscionable conduct. The ACCC and Bupa will jointly ask the Federal Court to impose a total penalty of \$35 million. It will be a matter for the Court to determine whether the penalty and other orders sought are appropriate.
- In September, we commenced civil cartel proceedings against four suppliers and three senior executives for alleged price fixing while supplying fresh vegetables to ALDI. Businesses acting together instead of competing can drive up prices and harm consumers, while disadvantaging other businesses that are seeking to compete fairly.
- Google admitted to breaching Australia's competition laws in relation to understandings it reached in the past with each of Telstra and Optus for pre-installation and placement of Google Search on Android devices and agreed to jointly submit to the court that it should pay a penalty of \$55 million. Importantly, this outcome is coupled with a court-enforceable undertaking containing forward-looking commitments to modify the way it distributes Google Search in Australia. It also builds on previous undertakings provided by each of Telstra, Optus and TPG.

Google's commitments will deliver meaningful benefits at a key time in the development of AI enhanced general search services. They will provide for immediate and meaningful change for millions of Australian consumers and allow competitors of Google to be able to compete on their merits.

It will be a matter for the court to determine appropriate orders, including penalty, and we hope the matter will be heard before the end of the year.

Product safety enforcement

The ACCC prioritises product safety affecting young children, who can be at greater risk of injury or death from consumer products. We continue to see non-compliant products on the market which pose unacceptable safety risks to vulnerable young children. We take non-compliance with these important standards seriously and will not hesitate to take enforcement action where appropriate.

- In April, we commenced legal proceedings in the Federal Court against fashion retailer City Beach, for allegedly selling products containing button batteries which did not comply with mandatory product safety and information standards, in breach of the Australian Consumer Law.
- In May, fast-food franchise Hungry Jack's paid penalties totalling \$150,240 after it was issued with eight infringement notices for alleged breaches of the Australian Consumer Law by failing to comply with the mandatory button battery information standard.

Conclusion

The ACCC remains steadfast in our commitment to enhancing competition across the economy, promoting the welfare of consumers and small businesses, and ensuring that markets work for all Australians.

We approach this work with transparency and proportionality, based on the evidence and proportionate to harm.

Deputy Chair Mick Keogh, our acting CEO Clare O'Reilly, the ACCC senior managers and I look forward to assisting the Committee with your questions today.