

Senate Standing Committee on Economics
Treasury Laws Amendment (Making Sure Multinationals
Pay Their Fair Share of Tax in Australia and Other
Measures) Bill 2018 [Provisions]

Questions on Notice

Questions from Hansard – ACCC responses

Question No.	Asked by	Question
1.	<p>Chair (Senator Hume), <i>Hansard, 31 January 2019, p. 22</i></p>	<p>CHAIR: The vast majority of the conversation we're having today about this bill is in regard to the hotel and accommodation industry, but this is an omnibus bill and it covers a number of different areas—probably most controversial is the R&D tax incentive. Does the ACCC have a position on any parts of this omnibus bill other than the hotel and accommodation industry?</p> <p>Mr Bezzi: I don't think we do, but I must admit that we haven't gone through the entire bill in great detail. When the committee asked us to appear, they asked us to focus on the parity issues, and so we've done that. I'm very happy to take that on notice and if there is something additional that we have a view on we'd be happy to come back to you through the secretary, if that's okay.</p> <p>CHAIR: Yes.</p>
		Answer
		The ACCC does not have comments on other aspects of the bill.
2.	<p>Senator Ketter, <i>Hansard, 31 January 2019, p. 23</i></p>	<p style="text-align: center;">Question</p> <p>Senator KETTER: You've made the distinction between the wide parity clauses and the narrow parity clauses. One of the witnesses earlier thought that in Europe there had been legislation to address the issue of price parity. Is that your understanding—in terms of narrow parity?</p> <p>Mr Bezzi: In some jurisdictions they've addressed both wide and narrow. There isn't European-wide legislation; it's a jurisdiction by jurisdiction approach. Italy and France have addressed both clauses. Mr McKean's got the detail here.</p> <p>Mr McKean: Austria has also passed legislation banning the parity clauses.</p>

		<p>Senator KETTER: Of both types?</p> <p>Mr McKean: I don't have that detail to hand.</p> <p>Mr Bezzi: That's my understanding, but we can take that on notice and check. We also understand that some jurisdictions accepted what we would call undertakings—a bit like the arrangement that we entered with Booking and Expedia earlier—that deal with wide parity only, not narrow. That's France, Italy and Sweden, and they did that before the legislation was passed in France and Italy.</p>
		<p>Answer</p>
		<p>The ACCC understands that the Austrian Parliament banned all types of parity clauses in agreements between online travel agents and hotels in Austria.</p>