



13 February 2019

Mr Mark Pitt  
Committee Secretary  
PO Box 6100  
Parliament House  
Canberra ACT 2600

By email: [economics.sen@aph.gov.au](mailto:economics.sen@aph.gov.au)

Dear Committee Secretary,

**Question on Notice: consultation on draft legislation – Treasury Laws Amendment (Prohibiting Energy Market Misconduct) Bill 2018 (Provisions)**

I am pleased to respond to the question on notice asked by Senator Chris Ketter on Tuesday 5 February 2019 as part of the Economics Legislation Committee Inquiry into the Treasury Laws Amendment (Prohibiting Energy Market Misconduct) Bill 2018 (Provisions).

Senator Ketter's question was in reference to **when the Energy Security Board received a copy of the draft legislation**. As I noted in the public hearing on 5 February 2019 the Energy Security Board did not obtain a copy of the legislation until it was released to the public. This was late in November 2018. The Energy Security Board was not consulted on the draft.

The Energy Security Board views on electricity market monitoring were sought on 8 October 2018 in response to a government announcement on 20 August 2018 by the ACCC. The ESB met with Treasury about the ACCC monitoring matter on 17 October 2018. A Treasury consultation paper on this matter was released on 23 October 2018.

If you have any questions or require further information, please contact me on [REDACTED]

Yours sincerely,

Kerry Schott AO  
Chair