

Senate Economics References Committee  
ANSWERS TO QUESTIONS ON NOTICE  
Inquiry into non-conforming building products

**Department/Agency:** Australian Competition and Consumer Commission

**Topic:** Senate Economics References Committee - Inquiry into non-conforming building products - Polaris

**Date:** 03 October 2017

**MP:** Ketter, Chris

**Hansard page number:** 4

**Question:**

CHAIR: What prompted them to do the testing this year?

Mr Matthew : I'm not aware of what prompted them to do testing at that point in time.

Mr Grimwade : I vaguely recall—and I might not be correct—that it may have even been some testing by Border Force. I'm just not sure. I might take that question on notice and we'll do our best to answer that.

**Answer:**

Australian Border Force (ABF) did not do testing. In this case, Polaris were asked by ABF to provide further information about the products they were importing, because ABF were aware that they contained parts that could contain asbestos, which is a prohibited import. Polaris commissioned testing and some parts were found to contain asbestos.

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**Department/Agency:** Australian Competition and Consumer Commission  
**Topic:** Senate Economics References Committee - Inquiry into non-conforming building products - Meetings with Alibaba  
**Date:** 03 October 2017  
**MP:** Xenophon, Nick  
**Hansard page number:** 8

**Question:**

Senator XENOPHON: When did you meet with Alibaba? Can you take that on notice and give details?

**Answer:**

Representatives from the ACCC met with representatives from the Alibaba Australia office on the following dates:

- 19 July 2016
- 20 June 2017
- 16 August 2017.

Each of the meetings was attended by staff from the Alibaba Group and senior representatives from the ACCC, including the Consumer Product Safety Branch.

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**Department/Agency:** Australian Competition and Consumer Commission

**Topic:** Senate Economics References Committee - Inquiry into non-conforming building products - Geoblocking

**Date:** 03 October 2017

**MP:** Xenophon, Nick

**Hansard page number:** 8-9

**Question:**

Senator XENOPHON: Has that [geo-blocking Australia from goods being able to be put into a basket] happened yet?

Mr Matthew : I would have to take that on notice to see if—

Senator XENOPHON: You can understand that it is of particular interest to Australian consumers. Is geo-blocking something the ACCC has the power to insist on?

Mr Matthew : I am not aware that we have a specific power to be able to do that—

Senator XENOPHON: So we can only get them to volunteer to cooperate?

Mr Matthew : I am not aware that we have any power—

Senator XENOPHON: Is there any power through Border Force for the geo-blocking to take place?

Mr Matthew : Again, I am not aware of any power that may exist.

Senator XENOPHON: If you could take that on notice that would be useful.

**Answer:**

No. There is no provision in the Competition and Consumer Act, or other legislation, which gives the ACCC express power to require geo-blocking by a supplier.

The ACCC is not in a position to comment on powers available to the Australian Border Force.

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**Department/Agency:** Australian Competition and Consumer Commission

**Topic:** Senate Economics References Committee - Inquiry into non-conforming building products - ACCC staffing and resources

**Date:** 03 October 2017

**MP:** Xenophon, Nick

**Hansard page number:** 9

**Question:**

CHAIR: How have the ACCC's staff and resources changed over the last three years?

Mr Grimwade : To give you an accurate figure of that, I might take that on notice. It has changed depending upon the functions that have been accorded to the ACCC.

CHAIR: If you could take that on notice, that would be appreciated—I am referring to levels of staffing and resources.

**Answer:**

As per the ACCC's PBS, the ACCC's staff and resources has increased from an ASL of 735 and appropriation allocation of \$167,470m on 1 July 2014 to an ASL of 792 and appropriation allocation of \$189,341 on 1 July 2017.

The increased resourcing is a result of the ACCC's new functions in the agriculture and commercial-construction industries, country of origin labelling, broadband monitoring, energy regulation (retail electricity pricing and gas inquiries) and financial services sectors (residential mortgage products price inquiry). In addition, on 20 June 2017 the Government also announced ongoing funding for the AER to support the regulation of Australia's energy markets (70 ASL and \$7.5m in 2017-18 increasing to 94 ASL and \$20.1m ongoing from 2020-21). This new funding will be included in the MYEFO estimates update.

The Consumer, Small Business Product Safety Division staffing and resources has remained relatively stable over the last three years, with the headcount at 30 June 2015 being 103, 30 June 2016 being 110, and 30 June 2017 being 117.