

Senate Economics Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Treasury Portfolio

Additional Estimates

2016 - 2017

Division/Agency: Australian Competition and Consumer Commission

Question No: 127

Topic: Multi-regulator model

Reference: Written

Senator: Ketter, Chris

Question:

1. Thinking about the national consumer protection framework, and in relation to the multi-regulator model:

- a. Where are there tensions between regulators?
- b. Are regulators effectively sharing information with each other when this is in the best interests of consumers?
- c. Where are the risks of consumers falling through the cracks in the system?
- d. What oversight and advice role does the ACCC play to state-based regulators?

Answer:

- a. The Productivity Commission (PC) is examining the multi-regulator model as part of the review of the Australian Consumer Law (ACL). The ACCC has in its submission and [response to the PC](#) set out its views about the multi-regulator model.
- b. As per the ACCC submission to the Productivity Commission Inquiry there are effective mechanisms for the sharing of information between regulators. The ACCC submission comments on options for increased sharing of information.
- c. The ACCC's role is to enforce the ACL through targeted enforcement action and compliance initiatives. These actions and initiatives are guided by its annually reviewed and published Compliance and Enforcement policy which takes into account a number of sources of information and views of stakeholders.

The ACCC does not provide a consumer complaint conciliation function but this role is undertaken by the state and territory consumer protection agencies in different ways and by other alternate dispute resolution services. It is important that governments continue to ensure or address barriers to meaningful access to justice for consumers such as low cost dispute resolution mechanisms in circumstances where relevant government agencies are not in a position to resolve all matters drawn to their attention.

- d. The ACCC does not have an oversight role with respect to state based regulators. The ACCC is an active participant in the various working groups established by ACL regulators for the enforcement and administration of the consumer protection framework. ACL regulators, including the ACCC, regularly seek the advice of other ACL regulators on consumer law matters.