Question: **SBT 990-996**

Topic: **Competition Policy Review**

Written: **28 November 2013**

Senator WONG asked:

990. Where are we up to with the 'root and branch' review of competition laws?

991. Would this review cover the Australian Consumer Law?

992. Who will conduct this review? Is Mr Frank Zumbo being considered as a candidate to be on the review panel?

993. What role will the ACCC play in the competition review?

994. When does the government expect to complete the review?

995. Will the review examine splitting the ACCC?

996. Has the government conducted any initial consultations regarding the review? If so, with whom? When did these consultations occur?

Answer:

990 & 994.   The Review is scheduled to commence in early 2014 and report within 12 months.

991.   The review is expected to only consider the Australian Consumer Law and corresponding provisions in Part 2, Division 2 of the *Australian Securities and Investments Commission Act 2001* to the extent they relate to protections (such as from unfair and unconscionable conduct) for small businesses.

992.   The Review panel is yet to be finalised and consideration of any candidates is a matter for the Government. A Chair and other panel members will be appointed by the Government shortly.

993.   The ACCC will play a significant role in the review, including through the consultation process and through the provision of staff to the secretariat.

995.   As part of its broad remit to review competition laws and policy, the Review is expected to consider whether relevant regulatory agencies are operating effectively.

996.   The Government wrote to State and Territory governments in December 2013, providing an early insight into the focus of the Review and the proposed Terms of Reference ahead of them being finalised. A copy of the proposed Terms of Reference has also been provided to some business groups for information.