The Economics Legislation Committee

Inquiry into the **Competition and Consumer Act 2010—Competition and Consumer (Industry Codes—Food and Grocery) Regulation 2015**

<u>Questions on Notice</u>

<u>1) Arbitrator – costs for professional service</u>

The Institute of Arbitrators and Mediators Australia (IAMA) Arbitration Rules contains a schedule of fees and costs, which outlines: the cap on legal costs that may be awarded to the successful party; IAMA nominee fee; and the cap on the arbitrator's fee – based on the monetary quantum in dispute.

The IAMA Arbitration Rules are available at: https://www.iama.org.au/resources/adr-rules-guidelines/iama-arbitration-rules

Schedule 1

Fees and costs

Amount in Dispute	Cap on legal costs pursuant to Article 40, paragraph 1(e)	IAMA nominee fee pursuant to Article 40, paragraph 1(g)	Cap on arbitrator's fee (per arbitrator) pursuant to Article 41, paragraph 5
$1–$250,000	$0.00	$1,000	$25,000
$250,001–$500,000	$0.00	$5,000	$50,000
$500,001–$1 million	$50,000	$7,500	$150,000
$1,000,001–$2,500,000	$100,000	$10,000	$300,000
$2,500,001–$5 million	$250,000	$12,500	$500,000
$5,000,001–$10 million	$500,000	$15,000	$500,000
$10,000,001–$25 million	$1 million	$17,500	No cap
$25,000,001–$100 million	No cap	$20,000	No cap
Over $100 million	No cap	$25,000	No cap
Other (non-monetary) Relief	$0.00	$5,000	$50,000

2) Budget allocation for the Small Business and Family Enterprise Ombudsman

Small Business and Family Enterprise Ombudsman

Expense ($m)

	2013-14	2014-15	2015-16	2016-17	2017-18
Department of the Treasury	-	2.0	2.0	2.0	2.0

The Government provided $8.0 million over four years to the Department of the Treasury to transform the existing Office of the Australian Small Business Commissioner into a Small Business and Family Enterprise Ombudsman with additional functions and powers.

Source: Budget Paper No.2, Part 2: Expense Measures, Treasury (available at: http://budget.gov.au/2014-15/content/bp2/html/bp2_expense-22.htm)