

## The Economics Legislation Committee

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

#### Questions on Notice

##### 1) Mediator and Arbitrator – costs for professional service

Professional fees vary depending upon the complexity of the case and the amount in dispute. They also vary between service providers.

Treasury understands, based on consultation with a private mediation provider, that typical mediation costs are in the order of \$275 per hour for each party and that typical disputes are resolved following around 7 hours of mediation. That is, typical mediation costs may be in the order of \$1925 for each party.

Regarding arbitration, the Institute of Arbitrators and Mediators Australia (IAMA) Arbitration Rules also sets firm caps on arbitrator's fees that depend upon the amount in dispute. For example, for a dispute involving an amount up to \$250,000, arbitrators' fees are capped at \$25,000. The IAMA Arbitration Rules are available at: <https://www.iama.org.au/resources/adr-rules-guidelines/iama-arbitration-rules>

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

The Government provided \$8.0 million over four years to transform the existing Office of the Australian Small Business Commissioner (ASBC) into a Small Business and Family Enterprise Ombudsman with additional functions and powers. This is in addition to existing ASBC funding of \$8.3 million over four years.

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

Budget 2012-13, Budget Paper No.2, Part 2: Expense Measures, Australian Small Business Commissioner — establishment (available at: [http://budget.gov.au/2012-13/content/bp2/download/bp2\\_consolidated.pdf](http://budget.gov.au/2012-13/content/bp2/download/bp2_consolidated.pdf))