

# choice

27 January 2010

The Committee Secretary  
House of Representatives Standing Committee on Economics  
PO Box 6021  
Parliament House  
CANBERRA ACT 2600

**BY EMAIL: [economics.reps@aph.gov.au](mailto:economics.reps@aph.gov.au)**

Dear Committee Secretary

## **Inquiry into the Competition and Consumer (Price Signalling) Amendment Bill 2010**

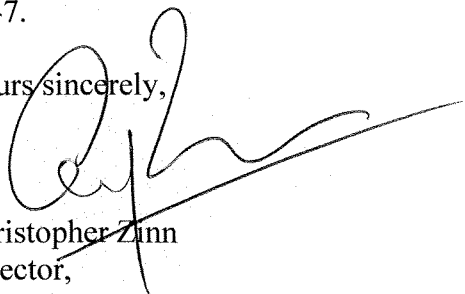
CHOICE welcomes the efforts by the Competition and Consumer (Price Signalling) Amendment Bill 2010 (**Bill**) to resolve the inability of the *Competition and Consumer Act 2010 (Act)* to adequately deal with 'price signalling' and unilateral conduct where this leads to a decline in the welfare of Australians.

However, CHOICE is concerned that the Bill adopts a piecemeal approach to consumer protection issues. The introduction of a new head of power needs to be carefully considered given the impact that it may have on the operation of the rest of the Act.

Instead, CHOICE submits that consideration should first be given to whether it would be more effective to amend the drafting of the current provisions of the Act relating to anti-competitive agreements. That is, the difficulties that are faced by the Australian Competition and Consumer Commission in proving that an 'understanding' has been reached in circumstances where the Courts consider that there is no 'commitment' on behalf of the relevant parties.

For further information on any aspect of the submission, please contact Katrina Lee on 02 9577 3347.

Yours sincerely,



Christopher Zinn  
Director,  
Campaigns and Communication

57 Carrington Road Marrickville NSW 2204

Phone 02 9577 3333 Fax 02 9577 3377 Email [ausconsumer@choice.com.au](mailto:ausconsumer@choice.com.au) [www.choice.com.au](http://www.choice.com.au)

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