



Introduction

Background

Role of the ACCC

- 1.1 The Australian Competition and Consumer Commission is an independent statutory authority, established in 1995 as part of the national competition policy reform program. It is the only national government agency dealing with competition matters.
- 1.2 The primary responsibility of the ACCC is to ensure that individuals and businesses comply with competition, fair trading and consumer protection laws, in particular the *Trade Practices Act 1974 (Cth)*.
- 1.3 The ACCC administers these laws with the objective of ensuring that competition within Australia is both efficient and fair. In achieving this outcome the Commission:
 - promotes effective competition and informed markets;
 - encourages fair trading and protects consumers; and
 - regulates infrastructure service markets and other markets where competition is restricted.

The Current Review

- 1.4 The Committee's review of the ACCC's Annual Report is provided for by the Standing Orders of the House of Representatives which

empower the Committee to inquire into and report on the annual reports of several government departments, authorities and agencies, one of these being the ACCC.

- 1.5 In a similar fashion to the highly successful reviews which the Committee conducts biannually into the Reserve Bank of Australia, it will continue to hold regular public hearings with the ACCC and other key regulators.
- 1.6 The focus of this report is primarily on matters discussed at the public hearing. The report does not reiterate in detail the commentary in the ACCC's *Annual Report 2003*. This document is publicly available on the official website of the ACCC.¹

Scope and Conduct of the Review

- 1.7 The *Annual Report 2003* of the ACCC was tabled in the House of Representatives on 16 October 2003. The Committee resolved on 4 December 2003 to conduct a review of the Report.
- 1.8 A public hearing was held at the Victorian State Parliament in Melbourne on 5 March 2004. The transcript of the hearing is available on the Committee's website.²
- 1.9 This inquiry is the fourth to be conducted into the ACCC by the Committee, the last review being held in 2001.
- 1.10 The Melbourne hearing was of particular significance as it was the first occasion that recently appointed Chairman Mr Graeme Samuel AO publicly appeared before the Committee³ following the retirement of his predecessor Professor Alan Fels AO on 30 June 2003. The Committee was pleased by the strong media interest as well as that shown by ACCC staff.
- 1.11 The Committee feels that regular reviews of the Annual Report of the ACCC are extremely important as this not only helps to ensure that the Commission remains answerable for its actions but also provides an opportunity for the public to gain a more comprehensive understanding of the role and policies of the ACCC.

¹ <http://www.accc.gov.au/content/index.phtml/itemId/387849/fromItemId/3737>

² <http://www.aph.gov.au/hansard/rep/commtee/R7282.pdf>

³ Mr Samuel had appeared previously in his role as President of the National Competition Council.