

Senate Economics Legislation Committee
ANSWERS TO QUESTIONS ON NOTICE

Treasury Portfolio

Additional Estimates

2015 - 2016

Department/Agency: Australian Competition and Consumer Commission

Question: AET 174-177

Topic: Data sharing in the automotive repair industry

Reference: written - 19 February 2016

Senator: Rice, Janet

Question:

174. Is the ACCC monitoring the progress of the voluntary heads of agreement for data sharing in the automotive repair industry?

175. Does that voluntary agreement comply with the guidelines for voluntary codes?

176. Does the ACCC measure the impact of the voluntary agreement? If so, how many parties have taken up the agreement, and what has been its effects?

177. In light of the apparent failure of the voluntary Heads of Agreement to deliver the required data sharing, does the ACCC see that a mandatory solution is now required?

Answer:

174. The Australian Competition and Consumer Commission (ACCC) is monitoring the progress of the voluntary heads of agreement for vehicle repair data sharing. The ACCC is aware that the Federal Chamber of Automotive Industries (FCAI) has developed a voluntary code of practice titled *Access to Service and Repair Information for Motor Vehicles*. The ACCC understands that other industry representatives have claimed that the FCAI's code is inconsistent with the heads of agreement.

175. There is no requirement that voluntary codes comply with the ACCC's guidelines for voluntary codes. However, FCAI's code is largely consistent with the ACCC's guidelines. For example, the code contains a code administration committee and a complaint handling procedure. The code does not, however, include a mechanism for the independent review of complaints.

176. The ACCC does not have a role in measuring the impact of the voluntary codes or agreements currently in place. However, the ACCC has been advised that some of the manufacturers selling vehicles in Australia offer some level of data access to independent repairers.

177. The ACCC is an independent Commonwealth statutory authority within the Treasury Portfolio, and as such, questions regarding government policy may be best directed to the relevant portfolio.