

Senate Standing Committee on Economics

ANSWERS TO QUESTIONS ON NOTICE

Treasury Portfolio

Budget Estimates

4 – 6 June 2013

Question: BET 308

Topic: Shopper Dockets

Written: 17 June 2013

Senator BOSWELL asked:

308. I refer to the ACCC Chairman, Mr Rod Sims' comments at Senate Estimates on Tuesday, 4 June that the ACCC investigations into the possible misuse of shopper dockets would not be completed before the end of 2013.
- a. Hasn't the ACCC raised the expectations of many small business operators in the grocery sector who are struggling to compete with the major supermarket chains that are effectively subsidising petrol to get customers?
 - b. What parts of the Competition and Consumer Act will you rely on if you are to take action?
 - c. Would your action rely on section 46 and therefore proving that the purpose of the major supermarket chains was to substantially lessen competition?

Answer:

308. The ACCC is prioritising the investigation of the use of shopper dockets by supermarkets. As noted in past statements to the Committee, the matter involves complex assessments, generally involving extensive evidence gathering followed by legal and economic analysis. The ACCC has previously noted that accordingly, the investigation will take some time. As the investigation is still being finalised, the ACCC is not in a position to indicate what allegations, if any, the ACCC will pursue.