

**Senate Standing Committee on Economics**

**ANSWERS TO QUESTIONS ON NOTICE**

**Treasury Portfolio**

Additional Estimates 25-26 February 2009

**Question: aet 19**

**Topic: Criminal Penalties for Cartel Behaviour**

**Hansard Page: Written**

**Senator ABETZ asked:**

1. Mr Graeme Samuel, as ACCC chairman, you have been actively lobbying for criminal penalties for proven cartel behaviour. What is your understanding of the level of proof required in a criminal prosecution versus a civil prosecution?

**Answer:**

Criminal prosecutions require proof beyond reasonable doubt as opposed to the balance of probabilities in civil matters.