

**Senate Standing Committee on Economics**

**ANSWERS TO QUESTIONS ON NOTICE**

**Treasury Portfolio**

Budget Estimates

1 June – 3 June 2010

**Question: BET 76**

**Topic: Petrol Pricing**

**Hansard Page: E99 (02/06/2010)**

**Senator XENOPHON asked:**

**Senator XENOPHON**—Thank you. I want to move to the issue of petrol pricing. I understand that the ACCC provided—if I am wrong, I am sure you will correct me—a confidential report on anticompetitive behaviour in the petrol pricing market to the Minister for Competition Policy and Consumer Affairs in December 2009. Are there any plans to release this report publicly?

**Mr Samuel**—That is a matter for government.

**Mr Cassidy**—I would have to say that, if it were to be released, it would have to be somewhat redacted because it contains information that we had obtained under our section 155 powers. There is a specific legal prohibition in that section against making that information available other than to—

**Senator XENOPHON**—Perhaps I should direct it to the minister.

**Mr Cassidy**—But it is an issue for government.

**Senator XENOPHON**—In relation to the confidential report on anticompetitive behaviour in the petrol pricing market that was provided to the Minister for Competition Policy and Consumer Affairs in December 2009, is the government proposing to release that report, even in a redacted form, given that Mr Cassidy has said some aspects of it cannot be released?

**Senator Sherry**—I will have to take that on notice. I will personally discuss it with Minister Emerson and see how we can facilitate it.

**Answer:**

The Government does not intend to release the confidential report provided by the ACCC as it contains information which was compulsorily obtained using ACCC's information gathering powers under section 155 of the *Trade Practices Act 1974* (now the *Competition and Consumer Act 2010*).

There is a range of information on petrol prices and ACCC's monitoring activities available at <http://www.accc.gov.au/fuel>.

In the 2011-12 Budget, the Government provided the ACCC with funding of \$2 million over two years to continue the formal monitoring of prices, costs and profits relating to the supply of unleaded petroleum products in the petroleum industry in Australia and the role of the Petrol Commissioner.