

**Inquiry into: Provisions of the Trade Practices Legislation Amendment  
Bill (No. 1) 2007  
Trade Practices Amendment (Predatory Pricing) Bill 2007**

On 21 June 2007, the Senate referred the provisions of the Trade Practices Legislation Amendment Bill (No. 1) 2007 to the Standing Committee on Economics.

This bill implements the Government's response to the Committee's March 2004 report on 'The effectiveness of the *Trade Practices Act 1974* in protecting small business'.

The bill makes changes to section 46 of the Trade Practices Act to improve and clarify the operation of the provisions of the Act relating to the misuse of market power by corporations – including in relation to leveraging market power, coordinated market power and predatory pricing. Additionally, it ensures that the amendments are consistent with the relevant provisions in section XIB, which relate to the telecommunications industry, as well as to applicable State and Territory legislation.

The bill also amends section 51AC of the Act to extend and clarify the operation of the unconscionable conduct provisions and ensures that the changes apply in relation to financial products and services. Further, the bill provides for the creation of a second Deputy Chairperson for the ACCC who is experienced in small business matters.

The Senate also referred the Trade Practices Amendment (Predatory Pricing) Bill 2007 to the Committee. This bill is a private Senator's bill introduced by Senator Fielding from the Family First Party. The bill proposes to amend the *Trade Practices Act 1974* to prohibit predatory pricing by a corporation in various markets such as groceries, fuel, pharmaceutical products, proprietary medicines and toiletries.

The Committee is to report on these bills on 1 August 2007.

The Committee invites written submissions which should be sent to:

Committee Secretary  
Senate Economics Committee  
Department of the Senate  
PO Box 6100  
Parliament House  
Canberra ACT 2600  
Australia

The closing date is **Monday, 9 July 2007**.

The Committee requests that where possible, submissions should also be provided by email to [economics.sen@aph.gov.au](mailto:economics.sen@aph.gov.au), preferably as MS Word or RTF format documents. Notes to assist in preparing submissions are available from the website [http://www.aph.gov.au/senate/committee/wit\\_sub/index.htm](http://www.aph.gov.au/senate/committee/wit_sub/index.htm) or telephone the Secretariat on 02 6277 3540, fax: 02 6277 5719, or e-mail at the above address.

Once the Committee accepts your submission, it becomes a confidential committee document and is protected by Parliamentary Privilege. You must **not** release your submission without the Committee's permission. If you do, it is not protected by Parliamentary Privilege. At some stage during the inquiry, the Committee normally makes submissions public. Please indicate if you want your submission to be kept confidential.

Inquiries from hearing and speech impaired people should be directed to the Parliament House TTY number (02 6277 7799). Adobe also provides tools for the blind and visually impaired to access PDF documents. These tools are available at: <http://access.adobe.com/>. If you require any special arrangements in order to enable you to participate in a committee inquiry, please contact the Committee Secretary.

If you need any further information, consult the Committee's website at [http://www.aph.gov.au/senate/committee/economics\\_ctte/inquiries.htm](http://www.aph.gov.au/senate/committee/economics_ctte/inquiries.htm) or contact the Committee Secretary on (02) 6277 3540 (phone), (02) 6277 5719 (fax); or by email to [economics.sen@aph.gov.au](mailto:economics.sen@aph.gov.au) or by writing to the above address.