

# Chapter 1

## Introduction

1.1 The Trade Practices Amendment Bill 2008 amends sections 46, 51 and 155 of the *Trade Practices Act 1974* (TPA). The provisions include clarifying a number of terms relating to predatory pricing and unconscionable conduct. The Minister for Competition Policy and Consumer Affairs, the Hon. Chris Bowen, has described the bill as 'the biggest TPA reform in over 20 years'.<sup>1</sup>

1.2 The bill was introduced into the Parliament on 26 June 2008, and the same day the Senate referred the bill to the Senate Standing Committee on Economics for report by 27 August 2008.

### Conduct of the inquiry

1.3 The committee advertised the inquiry in the national press and invited written submissions by 21 July 2008. The committee received eight submissions to its inquiry which are listed at Appendix 1. They are available on the Committee's website; [http://www.aph.gov.au/Senate/committee/economics\\_ctte/tpa\\_08/submissions/sublist.htm](http://www.aph.gov.au/Senate/committee/economics_ctte/tpa_08/submissions/sublist.htm).

1.4 The committee held a public hearing on the bill in Melbourne on 5 August, in conjunction with its hearing on the Trade Practices (Creeping Acquisitions) Amendment Bill 2008. The witnesses are listed in Appendix 2.

1.5 The Committee thanks those who participated in the inquiry.

### Structure of the report

1.6 The changes to section 46 relating to predatory pricing are discussed in Chapter 2. Other provisions are discussed in Chapter 3.

---

1 The Hon. Chris Bowen, 'The Government introduces into Parliament the biggest reform to the Trade Practices Act in over 20 years', *Press Release*, 26 June 2008.

