



**Australian
Competition &
Consumer
Commission**

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Dear,

Re: Cartel conduct – what you need to do

I wrote to you recently to alert you to the risks of being involved in or being the victim of cartel conduct. The ACCC is responsible for enforcing the *Competition and Consumer Act 2010* which provides both criminal and civil sanctions for businesses and individuals who are involved in cartels with their competitors. These sanctions include up to 10 years imprisonment per criminal offence for individuals found to have been involved.

Given the importance of these issues I wanted to remind you that the ACCC has made a number of educational materials available to all businesses which can be found at www.accc.gov.au/cartels, to assist you to mitigate the risks to your business. I would also invite you to subscribe to the Cartel Information Network which provides a free email newsletter to keep you informed about domestic and international cartel activity and other important developments.

You should also be aware of the ACCC's immunity policy which is available on the ACCC website. Subject to certain conditions, the first – and only the first – member of a cartel to report the matter can be granted immunity from ACCC legal action, including criminal prosecution by the Commonwealth Director of Public Prosecutions. A 'marker' can also be granted which in effect preserves the applicant's place in the queue for a limited time while they collate information and seek legal advice. Even if you are not the first to apply for immunity, you may still benefit from the ACCC's cooperation policy which provides for reduced penalties. If you or your business are involved in or suspect cartel conduct you should contact the ACCC immediately and seek legal advice.

Should you require further information or wish to report suspicious conduct, please visit our website for details and call our Infocentre on 1300 302 502. If you need to confidentially apply for immunity you may contact me on (02) 9230 3894. Please note this telephone number is only for immunity applications and not for general inquiries which are best directed to our Infocentre.

Yours sincerely

Marcus Bezzi
Executive General Manager
Enforcement and Compliance