



Amendments to the Trade Practices Act in 2001–02

Acts

During the 2001–02 financial year, the *Trade Practices Act 1974* (No. 51 of 1974) was amended by:

Statute Law Revision Act 2002 (No. 63 of 2002) (commences at various times)

Corporations (Repeals, Consequential and Transitional) Act 2001 (Act No. 55 of 2001) (commenced 15 July 2001)

Trade Practices Amendment Act (No. 1) 2001 (No. 63 of 2001) (commenced 26 July 2001)

Treasury Legislation Amendment (Application of the Criminal Code) Act (No. 3) 2001 (Act No. 117 of 2001) (commenced 15 December 2001)

Treasury Legislation Amendment (Application of the Criminal Code) Act (No. 2) 2001 (Act No. 146 of 2001) (commenced 15 December 2001)

Financial Services Reform (Consequential Provisions) Act 2001 (Act No. 123 of 2001) (commenced 11 March 2002)

Trade Practices Amendment (Telecommunications) Act 2001 (Act No. 124 of 2001) (commenced 27 September 2001)

Regulations introduced under the Act in 2001–02

Trade Practices Amendment Regulations 2002 (No. 1)

Trade Practices Amendment Regulations 2001 (No. 5)

Amendments to the Prices Surveillance Act in 2001–02

Statute Law Revision Act 2002 (No. 63 of 2002) (commenced immediately after Schedule 3 to the *Competition Policy Reform Act 1995* commenced)



Number of inquiries and complaints received during 2001–02

		Total
Pursued ¹	Consumer protection	1,615
	Restrictive trade practices	1,374
	Unconscionable conduct/Industry codes	311
	GST	297
	Prices ²	31
	Other ³	269
	Sub total	3,897
Not pursued	Inquiries ⁴	9,602
	Complaints ⁵	43,621
	Sub total	53,223
Totals		57,120

¹ Pursued complaints include all matters where additional information was sought to establish whether a possible contravention was involved and whether Commission action was appropriate. Of these, some were concluded after initial inquiries and others were investigated in depth.

² Prices Surveillance Act matters.

³ Other includes access regime and general Trade Practices Act inquiries.

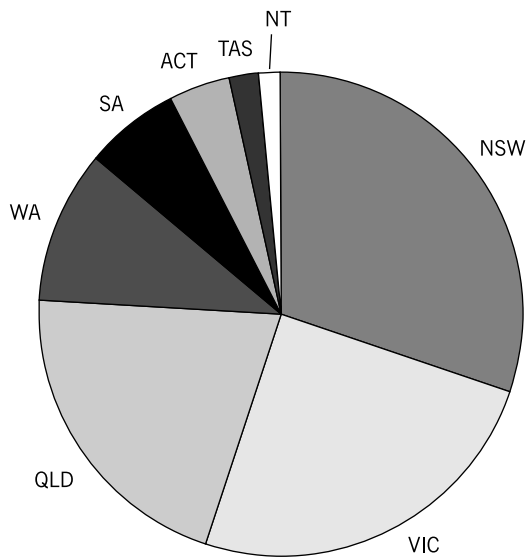
⁴ This figure includes substantial inquiries. It does not include general administrative inquiries and matters falling outside the scope of the Act.

⁵ Complaints not pursued include matters where detailed advice was given to the inquirers about rights, obligations and remedies and also include matters more appropriate for private action.



Number of inquiries and complaints across all states, territories and overseas

	NSW	VIC	QLD	WA	SA	ACT	TAS	NT	OS	Total
Part IV	1,333	954	959	467	294	137	92	81	7	4,324
Part V	11,263	9,718	7,664	3,858	2,430	1,693	789	392	261	38,068
Part VB	1,311	771	684	366	280	113	80	36	10	3,651
Part IVA/B	381	275	364	154	110	30	41	29	5	1,389
Prices	117	86	154	44	29	17	15	15	2	479
Other	2,836	2,202	1,984	877	498	338	156	239	78	9,208
Total	17,241	14,007	11,809	5,766	3,641	2,328	1,173	792	363	57,120



Information statistics for 2001–02

The following table summarises the information powers exercised during the year.

Notice	Part IV	Other	Total
s. 155(1)(a)	106	49	155
s. 155(1)(b)	135	53	188
s. 155(1)(c)	78	17	95
s. 155(2)	6	1	7

Note:

1. Other includes Part V, VA and IIB matters.
2. Each notice issued which includes alleged contraventions of several provisions of the Act is counted once.
3. Does not include variations as a separate notice.



Statement required under s. 8 of the Freedom of Information Act 1982

Organisation and functions of the Commission

The structure of the Commission is set out on p. 17 and an organisation chart is on p. 9. The functions of the Commission under the various enactments for which it is responsible are set out on p. 10–11. More detailed descriptions of the exercise of the Commission's powers are explained in Chapters 2–6, by reference to the different activities of the Commission.

Arrangements for outside participation

The Commission's functions bring it into frequent contact with private individuals, companies, industry and consumer groups and other state, territory and Commonwealth Government agencies. This contact allows interested bodies outside the Commission to express their opinions and to have them taken into account by the Commission when it establishes its policies and priorities.

The Trade Practices Act sets out formal procedures for the submission of views and information to the Commission on adjudication matters and division 1A conferences. Less formal arrangements have been established by the Commission through contact with industry

associations and consumer groups. The Commission convenes a general consultative consumer committee four times per year to act as a forum to exchange views and information on trade practices issues. It has expanded its liaison by establishing a Small Business Advisory Group that comprises representatives from a wide range of business and professional areas. It meets every six months. The Commission has also established the Utility Regulators Forum which meets three times a year to discuss specific issues in regulated industries. The Commission also establishes ad hoc consultative committees from time to time.

Under s. 31(1) of the Prices Surveillance Act the Commission is required to conduct its pricing inquiries in public unless the minister directs otherwise.

Public registers

The Trade Practices Act and the Prices Surveillance Act require the Commission to maintain a number of public registers.

Trade practices registers

The Commission maintains a public register containing the details of authorisation



applications, related submissions, the Commission's decision, reasons for its decision and any conferences held on bans or mandatory recall of defective goods.

With respect to its functions under Part IIIA the Commission is required to maintain public registers of:

- each decision by a Commonwealth minister that a regime established by a state or territory for access to a service is an effective access regime for the service and each declaration of a service, including a declaration that is no longer in force (s. 44Q)
- certain details of registered contracts for access to declared services including the date the contract was made, the parties and the nature of the service (s. 44ZW)
- all access undertakings accepted by the Commission, including those no longer in force and all variations to access undertakings (s. 44ZZC)
- the details of each determination, the names of the parties, the service to which the determination relates and the date the determination was made (s. 44ZZL).

In addition, although it is not obliged to by statute, the Commission maintains public registers on mergers and s. 87B undertakings. The purpose of the mergers register is to make available to the public brief details of mergers and acquisitions considered by the Commission. The details include the names of the target/acquirer/possible acquirer, product description, outline of the matter and the Commission's decision, including the reasons for that decision.

The undertakings register contains copies of s. 87B undertakings. Under s. 87B enforceable undertakings may be given to the Commission in connection with a matter in relation to which the Commission has a power or function other than under Part X. Such undertakings provide for the Commission to negotiate administrative settlements.

Prices surveillance register

Although it is not obliged to do so by the statute, the Commission maintains a public register on prices surveillance matters showing price

notifications, the Commission's deliberations, the outcome and the reasons for the outcome.

Guidance

The Commission consults with outside groups in the development of its guidance publications. The minister can request the Commission to examine and report on any aspect of laws relating to the protection of consumers, and it must publicly invite submissions from interested parties. It may not submit its report until interested people have had a reasonable opportunity to express their views.

Categories of documents

The Commission maintains the following categories of documents:

- particulars of agreements furnished to the Commissioner of Trade Practices under previous Acts
- court, adjudication and legal material
- library material
- organisation matters
- publications, speeches and media releases
- personnel records
- working documents including staff investigations, reports, analyses, recommendations, correspondence and complaints
- public registers and confidential material excluded from public registers; and Commission papers
- relating to parliamentary committees and questions
- relating to meetings of the Commission with government and non-government bodies
- relating to new and amending legislation
- general correspondence with members of the public.

Facilities for access

Commission publications may be inspected at any of the Commission's offices at the addresses shown at the end of this report. Most publications are available from any of the



Commission's offices. Some are available on the Commission's Internet websites < <http://www.accc.gov.au> > and < <http://gst.accc.gov.au> >.

Documents on the public register may be examined and photocopies bought at any of the Commission's offices during business hours. Prior notice is advisable as not all documents are held in each office.

Information about facilities available to help people with a disability gain access to documents may also be obtained from Commission offices. If necessary, special arrangements can be made to overcome any difficulties with physical access.

Freedom of Information procedures and contact officers

The Freedom of Information (FOI) contact officer in each state is the Regional Director, and in national office, Canberra, the FOI Officer, Legal Group.

The FOI contact officer will help applicants to identify the particular documents they seek. Access to documents may not always be available because of disclosure restrictions imposed by the *Trade Practices Act 1974* and the *Privacy Act 1988* as well as exemptions set out under the FOI Act; for example, confidentiality of some public register material kept under ss. 89(3) and 95(2) of the Trade Practices Act, disclosure in certain adjudication or compliance work (s. 157(1) of the TPA) and the secrecy of documents provided to the Commissioner of Trade Practices before the commencement of the current Act.

If a request is refused on the grounds set out in s. 15(2) or s. 24(1) of the *Freedom of Information Act 1982* (insufficient information or unreasonable diversion of resources), applicants will be notified and given the opportunity for consultation. The officer authorised to deny access to documents is the Chairperson of the Commission, who has delegated that power to certain specified officers, including the General Manager, Corporate Management, the General Manager, Legal Group, the Assistant General Counsel (Policy and Advising) and one other senior lawyer.

Requests for access under the Freedom of Information Act should be submitted in writing to any of the Commission's offices. All requests will be dealt with in national office, Canberra. Access will be provided through the office that received the request and in the manner requested by the applicant (unless this is not practicable). If an applicant lives some distance from the place where access is normally provided, alternative arrangements will be considered.

Inquiries about access to documents or other matters on freedom of information should be directed to the contact officers between 9.00 am and 4.30 pm.



Commissioners' biographies

Chairperson

Professor Allan Fels, AO



Professor Allan Fels has been Chairman of the Australian Competition and Consumer Commission since November 1995. Professor Fels was Chairman of the former Trade Practices Commission from July 1991 until November 1995. He was also Chairman of the Prices Surveillance Authority from March 1989 until October 1992. Professor Fels was formerly the Director of the Graduate School of Management, Monash University, from 1985 until 1990 and is now an Honorary Professor in the Faculty of Business and Economics at Monash University.

Professor Fels is the co-Chairman of the Joint Group on Trade and Competition at the OECD. He was awarded the Order of Australia in June 2001.

Professor Fels' appointment is until 30 June 2004.



Commissioners

Mr Sitesh Bhojani



Mr Sitesh Bhojani has been a full-time member of the Commission since November 1995. Before then he was a barrister with a general commercial and civil litigation practice at the independent bar in Western Australia. In 1994 he was appointed an Associate Commissioner of the Trade Practices Commission. He was Deputy Chairman of the Law Council of Australia, Business Law Section's Trade Practices Committee.

From 1986 to 1992 he was a barrister and solicitor with the Commonwealth Attorney-General's Department Perth office, and also the Trade Practices Unit of the Australian Government Solicitor/Federal Court and Tribunals Registry.

In June 1991 and subsequently in June 1994 Mr Bhojani completed the Negotiation workshop and the Advanced Negotiation workshop respectively at the program of Instruction for Lawyers at Harvard Law School, Harvard University.

He holds a Bachelor of Science (Monash) and Bachelor of Laws (Monash). In 1986 he was admitted as a barrister and solicitor in Victoria and Western Australia. He has also tutored in trade practices law at the University of Western Australia.

Mr Bhojani's Commission responsibilities include its enforcement activities (as Chairman of the ACCC's Enforcement Committee), the professions and health sector. He regularly represents the Commission in negotiations and mediation of Commission litigation.

Mr Bhojani's appointment is until 10 November 2003.

Mr Ross Jones



Mr Ross Jones was appointed as a Commissioner in June 1999 with responsibilities for mergers and acquisitions. Mr Jones is also Commissioner responsible for matters related to specific sectors including aviation, petroleum and media and broadcasting. He is Chairman of the International Air Services Commission and an Associate Member of the Australian Broadcasting Commission.

Mr Jones is an economist and before his appointment was senior lecturer in Economics at the University of Technology, Sydney. He has lectured in industrial organisation and micro-economic policy at universities in Australia and overseas.

Mr Jones has worked as an economic consultant to the private and public sector. He has undertaken extensive consultancy work for the ACCC, the Trade Practices Commission and the Prices Surveillance Authority.

Mr Jones has been appointed to the Commission until 14 June 2004.



Mr John Martin



John Martin was Executive Director of the Australian Chamber of Commerce and Industry from 1989 until his appointment to the Commission in June 1999. In his position at ACCI he was responsible for representation of business interests nationally and development of business policies and programs, particularly as they affect small and medium enterprises. Mr Martin was a member of the Board of Standards Australia for over 5 years and was an Australian industry representative on the Business Industry Associations Committee to the OECD.

Earlier in his career, Mr Martin was a policy adviser and program manager with the Commonwealth Treasury and the Department of Industry and a regional industrial consultant with the United Nations in Bangkok.

Mr Martin has responsibility for the Commission's small business and rural and regional program and he is Chairman of the Commission's Transport Committee.

Mr Martin holds an economics degree from the Australian National University.

Mr Martin's appointment is until 6 June 2004.

Ms Jennifer McNeill



Jennifer McNeill began her five-year term as Commissioner on 22 July 2002.

Before joining the Commission, she was a partner in a major national law firm, practising predominantly in litigation and dispute management. While with that firm she gained broad experience in contentious matters covering areas of the law such as Parts V and VA of the Trade Practices Act, insurance, professional negligence and contractual disputes. She was a NSW Law Society accredited specialist in commercial litigation, a LEADR accredited mediator and tutored in her field of expertise at the Australian National University.

Ms McNeill now plays an active role in the Commission's enforcement, consumer protection and adjudication activities.



Mr Rodney Shogren



Mr Rodney Shogren was appointed as a Commissioner in May 1997. Before that he was head of the Fiscal Policy Division in the Commonwealth Treasury for four years, responsible for the budget and inter-governmental financial relations.

In the early 1990s he headed the Structural Policy Division in Treasury with responsibility for micro-economic reform, industry policy, trade and the environment.

Before that Mr Shogren served in a number of agencies of the Australian Public Service including the Department of Primary Industries and Energy, the Industry Commission and the Department of Finance. In 1985 and 1986 he was a Sydney-based management consultant.

Mr Shogren graduated from the University of Queensland in 1971 as a Bachelor of Science with first class honours in mathematics. In 1984 he was awarded a Public Service Postgraduate Management Award and completed an MBA at Stanford University, California, as an Arjay Miller Scholar.

Mr Shogren's appointment expired on 29 April 2002.

Dr David Cousins



Dr David Cousins was appointed Commissioner with special responsibility for GST in July 1999. Before his appointment he was a director with KPMG Management Consulting where he headed a national competition policy practice and conducted major reviews of legislation restricting competition.

Dr Cousins was a member of the Prices Surveillance Authority from 1989 to 1992 and its Chairman from 1992 to 1995. He has also held a range of appointments in the Victorian public sector including senior economist with the State Electricity Commission and Director of Research with the Economic and Budget Review Committee of the Victorian Parliament. He has taught competition and regulation courses at universities in Australia and overseas.

Dr Cousins graduated with honours and masters degrees in economics from Monash University. His PhD was completed at the University of Manchester in the UK after undertaking a major study of business self-regulation for the Office of Fair Trading.

Dr Cousins' appointment expired on 13 July 2002.



Part-time Commissioners

Ms Teresa Handicott



Ms Teresa Handicott is a partner with Corrs Chambers Westgarth. She was appointed an Associate Commissioner of the Trade Practices Commission in 1994 and Associate Commissioner of the ACCC in November 1995. She is a director of CS Energy Limited, a member of the Corporations and Securities Panel, and member of Company Committee, Queensland Law Society and Law Council of Australia.

Ms Handicott was awarded a Bachelor of Laws (Hons) (QIT) in 1985 and was admitted as a solicitor in Queensland in 1987. She practises exclusively in areas of commercial and corporate law, particularly mergers and acquisitions, capital raisings and securities industry law.

Ms Handicott's appointment expired on 3 June 2002.

Ms Yasmin King



Ms Yasmin King is a director of Flexible Resource, a consultancy practice which focuses on outsourcing, bid project management and industry development advisory services particularly in information technology. She was appointed as an Associate Commissioner in 1998.

Ms King was previously an economic adviser for the State Government of South Australia during the establishment and implementation of National Competition Policy. Before that she held a number of senior positions in the finance industry. She is a director of Le Cordon Bleu Australia and is on the Information Economy Advisory Council and Major Projects Panel for the SA Government. She is also a director of Mainyak Productions, a children's television production company.

Ms King has an honours degree in Economics, a masters degree in Business Administration and is a Fellow of the Australian Society of Certified Practising Accountants.

Ms King's appointment expired on 25 October 2001 and she was reappointed on 4 December 2001 until 25 October 2004.

Mr Don Watt



Mr Don Watt is a lawyer and company director. He is currently a director of Atkins Carlyle Ltd, Burswood Ltd and various non-listed companies. He is also Chairman of the Legal Practice Board of Western Australia.

Mr Watt was awarded a Bachelor of Laws (WA) in 1962 and was admitted as a barrister and solicitor in 1964. In 1974 he established and taught the first trade practices course at the University of WA.

From 1974 to 1987 he was a commercial partner at Mallesons Stephen Jacques, solicitors in Perth and London. In recent years his major area



of legal practice has been advising the State of Western Australia in relation to various commercial matters.

Mr Watt's appointment expired on 3 June 2002.

Mr Warwick Wilkinson, AM



Mr Warwick Wilkinson is a retired pharmaceutical company director. He was Chairman (part-time) of the Ambulance Service Board of NSW from 1990 to 1995. Since 1989 he has been a lay member of the Disciplinary Committee of the Australian Society of Certified Practising Accountants. In 1996 he was appointed an honorary trustee and member NSW Advisory Committee of the Committee for Economic Development of Australia. From 1992 to 1993 he was a member of the Economic Planning and Advisory Council. He was a member of the National Small Business Forum from 1993 to 1995.

In 1952 he qualified at the Pharmacy School (University of Sydney) and was awarded a Master of Pharmacy (*Honoris Causa*) in 1991. From 1974 to 1993 he was senior executive and director, Merck Sharp & Dohme Pty Ltd. From 1991 to 1993 he was President of the Australian Council of Professions and from 1975 to 1980 Chairman of the Pharmacy Board of NSW. In 1995 he was appointed Chairperson, Professional Standards Council NSW and in 1998 was appointed Chairman, Professional Standards Council of Western Australia. From June 1999 to February 2000 he was Chairman of National Competition Policy Review of Pharmacy appointed by the Council of Australian Governments.

Mr Wilkinson served in the Royal Australian Army Medical Corp from 1955 to 1990, part-time/full-time retired with the rank of Colonel.

Mr Wilkinson's appointment expired on 3 June 2002.

Professor Douglas Williamson, QC



Professor Douglas Williamson RFD QC FAIM was the director of the Centre for Energy and Resources Law at the Law Faculty, the University of Melbourne, until retirement in March 2001. He continues as a professorial fellow in the Law Faculty. He was appointed Associate Member of the Commission in June 1999 for three years. He is also Deputy Chairman of the National Electricity Tribunal, a member (part-time) of the National Native Title Tribunal, and a mediator accredited to the Supreme Court of Victoria.

Professor Williamson graduated LLB (Hons) in 1955 from the University of Melbourne, and practised as a barrister from 1957 to 1996. He was appointed Queen's Counsel in Victoria in 1975, and subsequently in other states and territories. From the mid-1970s he practised mainly in commercial law, with emphasis upon trade practices law, resources law and corporate governance. He was a Royal Commissioner in the Tricontinental Inquiry from 1990 to 1992.



From 1970 to 1974 Professor Williamson took leave from the Bar, and as Corporate Manager for Special Projects with Comalco Limited worked worldwide to help establish international joint venture consortia in the aluminium industry. For 13 years he was a non-executive director of Kobe Aluminium (Australia) Pty Ltd (a subsidiary of Kobe Steel Ltd), which participates in the Gladstone aluminium smelter joint venture.

Other past positions include National President of the Australian Mining and Petroleum Law Association, Chairman of the Victorian Branch of the Commercial Law Association of Australia, National Chairman of the Trade Practices Committee of the Law Council of Australia, National Chairman of the Resources Law Committee of the LCA, and honorary consultant to the Australian Law Reform Commission reference on competition policy issues.

Professor Williamson's appointment expired on 3 June 2002.

Ex-officio members

Mr Paul Baxter



Mr Paul Baxter is Senior Commissioner, ACT Independent Competition and Regulatory Commission in a part-time capacity and partner, PricewaterhouseCoopers, Economic Studies and Strategies Unit.

Mr Baxter has had a lengthy career as a corporate and strategic policy adviser, and before joining PricewaterhouseCoopers held various senior industry policy roles in the federal public service and as a UN consultant on development planning and economic statistics.

Mr Baxter is also a member of the two-person independent advisory panel to the Murray–Darling Basin Ministerial Council on the capping on the water usage in the Murray–Darling river system.

Mr Baxter's appointment is until 30 June 2004.

Professor David Edward Flint, AM



Professor David Flint is the Chairman of the Australian Broadcasting Authority. He is an Emeritus Professor, University of Technology Sydney and Visiting Professor, Faculty of Law, University of Western Sydney Macarthur; National President (Australia) of the World Jurists Association; Chairman of the Executive Council of World Association of Press Council; and Consulting Editor of the *Australian International Law Journal*.

Past positions include Chairman, Australian Press Council; Dean of Law School University of Technology, Sydney; Convenor/Chairman, Committee Australian Law Deans; Director of Studies, International Law Association (Australian and New Zealand branch); and Editor, *Australian International Law News*. He holds the following



qualifications: LLB, LLM (Sydney); BSc (Ecs) (London); DSU (Paris 2).

Professor Flint is a Member of the Order of Australia. In 1991 he won the World Jurists Association's World Outstanding Legal Scholar Prize.

Professor Flint's appointment is until 4 October 2004.

Mr Edward John Hall



Mr John Hall has substantial experience at chief executive level in both the public and private sectors, particularly in the areas of management, finance and public policy development and implementation.

From 1970 to 1990 Mr Hall held a variety of senior positions in the Queensland Treasury, including that of Under Treasurer (Chief Executive) from 1988 to 1990. Subsequent to this, and until his appointment to the QCA, he was firstly Executive Director of major Queensland law firm, Feez Ruthning, and upon its merger with national law firm, Allen Allen and Hemsley, was Queensland Practice Director of the merged firm.

Mr Hall is a member of the Board of Consolidated Rutile Ltd and has held board positions with a variety of Queensland statutory bodies, including Suncorp Insurance and Finance, the Queensland Industry Development Corporation (Deputy Chairman), the Queensland Tourist and Travel Corporation, Queensland Events Corporation (Deputy Chairman), the North Queensland Enterprise Zone and the Workers Compensation Board.

Mr Hall's appointment is until 30 September 2002.

Mr Andrew Reeves



Mr Andrew Reeves is the Commissioner, Government Prices Oversight Commission, Tasmania, and in that role has headed reviews on electricity prices, structure of the Tasmanian electricity supply industry, public transport, motor accident insurance and the water industry. He is also the Tasmanian Energy Regulator with the responsibility for the economic regulation of the electricity and natural gas industries in Tasmania. These responsibilities include determining the maximum price for each of the monopoly electricity business activities and administering the Electricity Supply Industry Act and the Tasmanian Electricity Code, the application of the Natural Gas Code in Tasmania, and the duties of the Director of Gas.

Mr Reeves holds a Bachelor of Engineering (Mining) Hons, University of Queensland, and postgraduate qualifications in business administration and resource economics.

Mr Reeves' appointment expired on 31 December 2001.



Mr Tony Shaw, PSM



Mr Tony Shaw is the Chairman of the Australian Communications Authority (ACA). Mr Shaw has extensive experience in public policy research, development, implementation and administration. Since 1987 he has played a leading role in the formation of Australian telecommunications and broadcasting policies and in the administration of various communications Acts. This includes the preparation of advice to government on post-1997 telecommunications policy and regulation and management of implementation of the government's decisions.

He has been Chairman of the ACA since 1 July 1997.

Mr Shaw's appointment expired on 30 June 2002.

Dr John Tamblyn



Dr John Tamblyn was appointed as Victoria's Regulator-General on 14 July 1997. In that capacity he is responsible for regulation of access and service performance of the electricity, gas, water and transport utility industries.

In June 2001 the Victorian Government announced that Dr Tamblyn has been appointed as the inaugural Chairperson of the Victorian Essential Services Commission (ESC) which was created from 1 January 2002. His appointment has been extended to 31 December 2003 for that purpose. The ESC subsumed the Office of the Regulator-General and is responsible for economic regulation of the same utility sectors but with a larger water sector regulation role from January 2003.

Before appointment as Regulator-General, Dr Tamblyn was adviser to the Commission on micro-economic reform and public utility regulation matters. He also worked as an adviser to the International Monetary Fund and as a policy adviser on industry policy and regulatory matters in the Commonwealth Treasury and Department of Finance.

Dr Tamblyn's appointment expired on 13 July 2002.

Dr Thomas Parry



Dr Thomas Parry is Executive Chairman of the Independent Pricing and Regulatory Tribunal of NSW. He has previously been Dean, Faculty of Economics, University of Wollongong and Principal Economic Adviser, Economic Studies Group, Price Waterhouse. He is also Chairman of First State Super Trustee Corporation.

Dr Parry's appointment is to 6 June 2005.



Mr Alan Tregilgas



Mr Alan Tregilgas was appointed for four years on 1 April 2000 as the Northern Territory's new independent industry regulator. The role is part time. He is supported in Darwin by a four-person secretariat, and specialist consultants are engaged as needed.

He remains a senior associate with Access Economics, the Canberra-based economic consultancy group.

As an economic consultant since 1996 Mr Tregilgas has worked with government agencies in six Australian jurisdictions, including the NT. He assisted the NT Government during the 1998 strategic review of the Power and Water Authority.

Mr Tregilgas is a former senior Commonwealth, SA and NT Treasury officer. He spent four years in the early 1990s as a utilities analyst with the Standard & Poor's Ratings Group in Australia and the Asia/Pacific region. For two years in the mid-1980s he represented Australia at the International Monetary Fund in Washington DC.

Mr Tregilgas holds a first class honours degree in economics from the University of Adelaide, and a masters degree in economics from the Flinders University of SA.

Mr Tregilgas' appointment is until 31 March 2004.

Mr Lew Owens



Last year Mr Lew Owens was appointed as the South Australian Independent Industry Regulator (SAIIR).

With qualifications in chemical engineering, urban studies and economics, Mr Owens worked in the mining and oil refining industries before joining the SA Government in the 1970s. In the mid-1980s he was involved in committees planning the state's future energy supplies and was director of the Energy Planning Secretariat from 1985-87. From 1987-90 he was responsible for supply planning and gas contracts for the SA Gas Company.

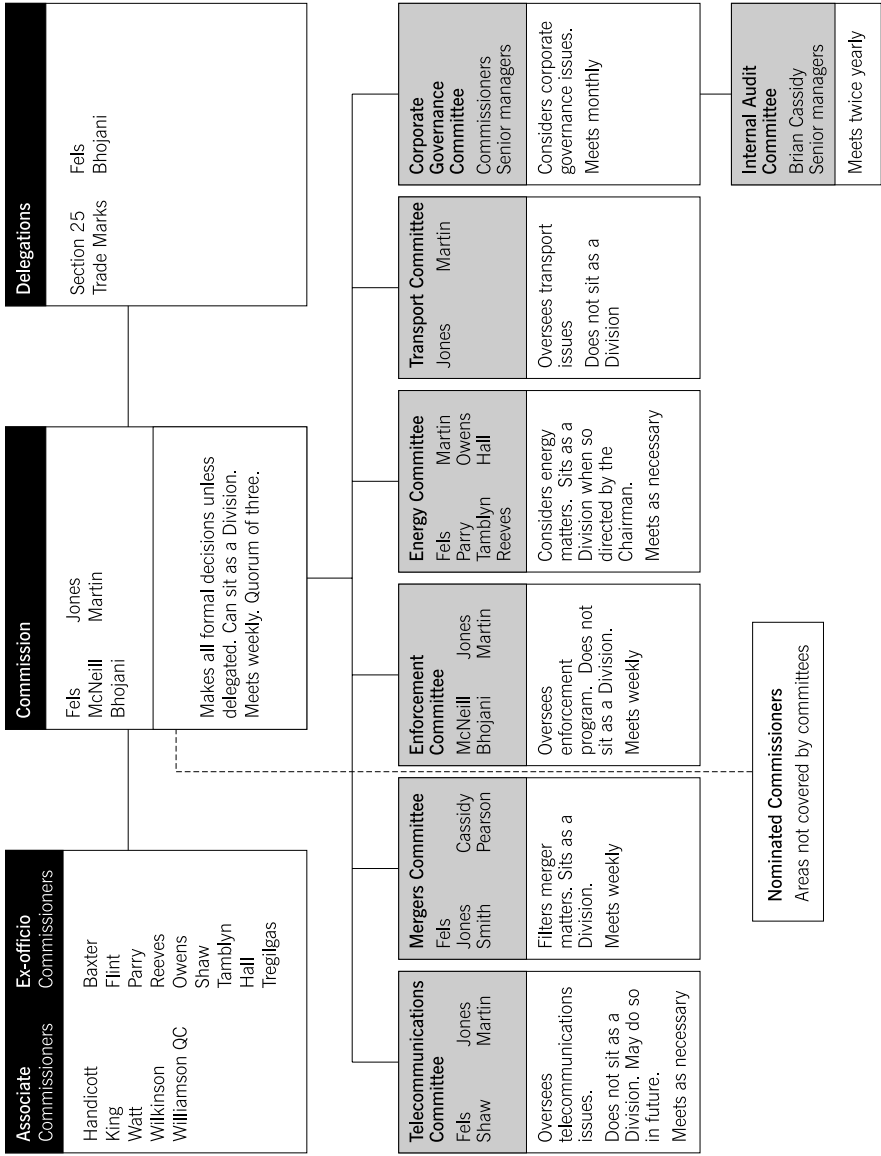
After a decade out of the sector, first as CEO of the SA WorkCover scheme and then as CEO of the superannuation investment body, Funds SA, he returned as SAIIR on 1 January 2000 for a term of six years.

Mr Owens has been appointed from 29 June 2001 as an ex-officio Commissioner until 31 December 2005.





ACCC decision-making structure





Commission publications published in 2001–02

These publications were published in the past year and are available free from Commission offices unless otherwise indicated. Most of the free publications are available in both printed form and on the Commission's website.

A full list of Commission publications is available on the website <http://www.accc.gov.au> or in the *ACCC Journal*.

Publications can be purchased by sending a cheque or money order made out to the Australian Competition and Consumer Commission with your order; or by telephone order using Mastercard, Visa or Bankcard; or over the counter at Commission offices.

For sales of 10 or more copies there is a 25 per cent discount.

The prices of the Commission's publications have not increased but are GST-inclusive.

Regular publications

ACCC Journal: bi-monthly journal (\$75 annual fee, second and following subscriptions to same address \$37.50, \$25 student subscription—ID required). Six issues per year plus index. Journal back issues \$10 each. The Journal is now also available on CD-ROM.

ACCC update: quarterly newsletter.

No. 11 General

No. 10 Small business

No. 9 Consumers and market reform

Other corporate publications

The ACCC and its use of penalties. June 2001

ACCC annual report 2000–01.
(available from ACCC offices). (\$15)

ACCC state annual reports ('working in' series)
2000–01. (available from each state office)

Summary of the Trade Practices Act 1974.
September 2002 (\$10)

Keeping good company—an insight into the ACCC.
(video) (\$10)



Legal

ACCC cooperation policy for enforcement matters. Leaflet. July 2002

ACCC submission to the Trade Practices Act review. June 2002

ACCC intervention in private proceedings. July 2002

Business

Storecharter—a service charter for stores serving remote and Indigenous communities. February 2002

Small business and the Trade Practices Act: a practical guide for small business. February 2002

Advertising and promotion

Advertising and selling. November 2001 (\$10)

Advertising, selling and the Trade Practices Act—a small business overview. (leaflet)

Straight talking—advertising, selling and the Trade Practices Act. July 2002 (video) (\$10)

Country of origin claims

Textile, clothing and footwear industries—country of origin guidelines to the Trade Practices Act. December 2001 (guide)

Compliance

How to comply with the Trade Practices Act: a guide for small businesses. May 2002 (leaflet)

Primary producers and the Trade Practices Act. June 2002 (leaflet)

Retailers and the Trade Practices Act. June 2002 (leaflet)

Service industries and the Trade Practices Act. June 2002 (leaflet)

GST

9th Report to the Minister under s. 75AZ of the Trade Practices Act 1974—for the period October to December 2001.

7th and 8th Reports to the Minister under s. 75AZ of the Trade Practices Act 1974—for the period April to June 2001 and July to September 2001.

Franchising

The franchisee's guide to the Franchising Code of Conduct. (leaflet)

The franchisee's guide: A guide to the Franchising Code of Conduct. November 2001

Unconscionable conduct

Brochures

Guaranteed a loan for someone? Lost your house? September 2001

Are you happy with your retail tenancy lease? September 2001

Bought a franchise without enough information? September 2001

Do you supply goods or services to major retail chains? September 2001

Business manuals

Franchising code of conduct compliance manual. Updated January 2002 (\$50)

Best and fairest: compliance training package. Updated May 2002 (\$100)

Consumers

ACCC consumer express—a free monthly newsletter about recent ACCC activities.

Storecharter brochure—a service charter for stores serving remote and Indigenous communities. April 2002

IMSN brochure—protecting consumers worldwide. July 2002



Debt collection

Are you being harassed about debts?
November 2001 (leaflet)

Product safety

Product safety guide: Children's nightwear.
September 2001 (photocopy and website only)

Industry

Health

Reports to the Australian Senate on anti-competitive and other practices by health funds and providers in relation to private health insurance:

- for period ending 30 June 2001. August 2001 (\$10)
- for period 1 July–31 December 2001. June 2002 (\$10)

Petroleum

Reducing fuel price variability. December 2001 (\$20)

Retail

Retail flash (published jointly with the Australian Retailers Association). November 2001, July 2002

Warranties and refunds. December 2001 (leaflet)

Shipping and waterfront

Container stevedoring monitoring report

No. 3 October 2001 (\$10)

Tobacco

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CONTACTS

ACCC infocentre

(for all business and consumer inquiries)

infoline: _____ 1300 302 502 _____

Websites

ACCC (information, publications, media releases, speeches) _____ <http://www.accc.gov.au> _____

Competing fairly forum _____ <http://forums.accc.gov.au> _____

National office

Chief Executive Officer

Brian Cassidy (02) 6243 1124

Compliance Division

David Smith (02) 6243 1234

Enforcement and Coordination Branch

Lee Hollis (02) 6243 1382

Compliance Strategies Branch

Robert Antich (02) 6243 1297

Small Business, Rural and Regional Unit

Nigel Ridgway (02) 6243 1223

Regulatory Affairs Division

Joe Dimasi (03) 9290 1814

Electricity Group

Sebastian Roberts (03) 9290 1867

Gas Group

Russell Phillips (02) 6243 1259

Transport and Prices Oversight Group

Margaret Arblaster (03) 9290 1862

Telecommunications Group

Michael Cosgrave (03) 9290 1914

Adjudication Branch

Tim Grimwade (02) 6243 1226

Mergers and Asset Sales Branch

Mark Pearson (02) 6243 1276

Corporate Management Branch

Helen Lu (02) 6243 1009

Legal Group

Bruce Brown (02) 6243 1273

Bob Alexander (General Counsel)

(02) 6243 1283

Media liaison

Lin Enright (02) 6243 1108

General publications queries

Publishing Unit, Canberra (02) 6243 1143

Email: publishing.unit@accc.gov.au





OFFICES

ACT (national office)

Chief Executive Officer, Brian Cassidy
470 Northbourne Avenue
DICKSON ACT 2602

PO Box 1199, DICKSON ACT 2602

Tel: (02) 6243 1111

Fax: (02) 6243 1199

New South Wales

Regional Director, Rose Webb
Level 7

123 Pitt Street
SYDNEY NSW 2000

GPO Box 3648, SYDNEY NSW 2001

Tel: (02) 9230 9133

Fax: (02) 9223 1092

Tamworth

Manager, Steve Kilfoyle
39 Kable Avenue

TAMWORTH NSW 2340

PO Box 2071, TAMWORTH NSW 2340

Tel: (02) 6761 2000

Fax: (02) 6761 2445

Victoria

Regional Director, Tom Fahy
Level 35, The Tower
Melbourne Central
360 Elizabeth Street
MELBOURNE VIC 3000

GPO Box 520J, MELBOURNE VIC 3001

Tel: (03) 9290 1800

Fax: (03) 9663 3699

South Australia

Regional Director, Bob Weymouth
14th Floor, ANZ House
13 Grenfell Street
ADELAIDE SA 5000

GPO Box 922, ADELAIDE SA 5001

Tel: (08) 8213 3444

Fax: (08) 8410 4155

Queensland

Regional Director, Alan Ducret
Level 3, AAMI Building
500 Queen Street
BRISBANE QLD 4000

PO Box 10048, Adelaide Street Post Office
BRISBANE QLD 4000

Tel: (07) 3835 4666

Fax: (07) 3832 0372



North Queensland

Director, Tony Hilton
Level 6, Commonwealth Bank Building
Flinders Mall
TOWNSVILLE QLD 4810

PO Box 2016, TOWNSVILLE QLD 4810

Tel: (07) 4729 2666

Fax: (07) 4721 1538

Western Australia

Regional Director, Sam Di Scerni
3rd floor, East Point Plaza
233 Adelaide Terrace
PERTH WA 6000

PO Box 6381, EAST PERTH WA 6892

Tel: (08) 9325 3622

Fax: (08) 9325 5976

Tasmania

Regional Director, Peter Clemes
3rd floor, AMP Building
86 Collins St
HOBART TAS 7000

GPO Box 1210, HOBART TAS 7001

Tel: (03) 6215 9333

Fax: (03) 6234 7796

Northern Territory

Regional Director, Derek Farrell
Level 8, National Mutual Centre
9-11 Cavenagh Street
DARWIN NT 0800

GPO Box 3056, DARWIN NT 0801

Tel: (08) 8946 9666

Fax: (08) 8946 9600

