



CORPORATE GOVERNANCE AND MANAGEMENT

To maintain high levels of management efficiency and cost-effective resource utilisation at both national and regional office levels.

Introduction

The Commission's management is centrally coordinated through its Corporate Management Branch. The branch comprises units for Human Resource Management and Corporate Projects; Finance and Services; IT Contract and Services Unit; Information Services; Publishing Unit; Corporate Services Melbourne; and Library.

Functional details of the Commission (a statement required under s. 8 of the *Freedom of Information Act 1982*) are set out in appendix four. The organisation chart as at 30 June 2002 is in the Overview of the ACCC at the beginning of this report (p. 9).

Major matters undertaken during 2001–02 included:

- a new agreement made with staff and certified by the Australian Industrial Relations Commission
- a graduate intake of 26, representing about 5 per cent of total staff.



Corporate governance

Decision-making structure

The Commission held 56 formal meetings during 2001–02. Most were held in the national office in Canberra but it is the Commission's policy to meet in other capitals when this is compatible with other commitments or offers opportunities for local contact.

During 2001–02 the Commission considered 434 formal papers dealing with matters under investigation, litigation, mergers, access matters, adjudication decisions, submissions to inquiries, and compliance and education strategies. It also considered many informal submissions.

Committees

The Commission has six subject matter and two function committees to streamline decision making (see appendix 6).

Telecommunications

The Telecommunications Committee oversees the Commission's functions in telecommunications, including matters arising under Parts XIB and XIC and authorisations. It coordinates with the Enforcement Committee on issuing competition notices. Committee decisions are referred to the full Commission for formal decision. The committee meets as required and comprises the Chairperson and Commissioners Jones and Martin. Relevant ex-officio associate commissioners are included. This committee sits as a division of the Commission from time to time.

Mergers

The Mergers Committee meets weekly and considers most merger matters, reporting its decisions to the Commission. Major matters are referred to the full Commission for further consideration. The committee comprises the Chairperson and Commissioner Jones, the Chief Executive Officer, Brian Cassidy, Executive General Manager (Compliance Division), David Smith and General Manager (Mergers & Asset Sales), Mark Pearson.

Enforcement

The Enforcement Committee meets weekly to oversee the enforcement program. Its recommendations are referred to the Commission for formal decision. It comprises Commissioners Bhojani, Jones, Martin and McNeill.

Energy

The Energy Committee is responsible for the Commission's functions in the electricity and gas sectors. The committee meets as required and comprises the Chairperson, Commissioner Martin, and relevant ex-officio associate commissioners.

Transport

The Transport Panel meets as necessary to oversee transport issues. It comprises Commissioners Jones and Martin.

GST

During the year the GST Committee met as necessary to oversee the Commission's GST role. It comprised the Chairperson, full-time commissioners and Associate Commissioner King. This committee ceased on 30 June 2002, when the Commission's role in the New Tax System ceased.

Corporate governance

The two function committees are Corporate Governance and Internal Audit.

The Corporate Governance Committee meets monthly and comprises the Chairperson, full-time commissioners, the Chief Executive Officer and senior staff.

Internal Audit Committee

The Internal Audit Committee consists of the Chief Executive Officer (Chairperson), General Manager (Corporate Management) and two other management representatives appointed for a two-year term. The Director (Finance Section) is Secretary to the Committee.



The committee's purpose, duties and responsibilities are set out in its terms of reference.

The Internal Audit Committee's responsibilities include the monitoring of the Commission's exposure to fraud and risks in general. The Commission has developed its Risk Management Policy and Framework, and participated in ComCover's Benchmarking Risk Management Program—Round 2.

The Commission has prepared and implemented fraud control plans, and has in place appropriate fraud prevention, detection, and investigation, reporting and data collection procedures and processes that meet the specific needs of the Commission and are in compliance with the Commonwealth Fraud Control Guidelines.

Service charter

The Commission continues to review and augment its systems to improve its service delivery. It is accessible to the public from anywhere in Australia via a 1300 telephone number and the Internet.

The Commission received 16 compliments and 8 complaints from the public on its standard of service during the year.

Conflict of interest

Public confidence in the Commission and its employees' integrity is vital. It is important that the Commission is, and is seen to be, impartial and unbiased in its work. Each staff member is asked to complete a conflict of interest self-assessment at least annually. The self-assessment module is designed to ensure accountability, while maintaining privacy for each staff member.

Senior management conference

In April 2002 the Commission held a conference for senior management in Tasmania. It was attended by commissioners, senior executive service staff, regional directors, other staff and guest speakers.

The conference focused on the practical, strategic and management issues facing the organisation, in particular the corporate plan and priorities, and the planning and budgeting cycle.

Financial management

Funding of \$83.4 million was provided in the 2001–02 budget. This included funding for:

- tax reform price monitoring
- airport regulation
- additional functions and powers under the *Telecommunications Legislation Amendment Act 1999*
- a litigation reserve fund.

Tax reform price monitoring

The Commission received \$13.421 million to undertake price collections and to ensure compliance. With it the Commission designed and delivered a communication and information strategy, monitored retail prices, responded to consumer and business inquiries through a telephone hotline, and took enforcement action. The Commission's role with respect to the New Tax System ceased on 30 June 2002.

Legal costs

The Commission received an additional \$10 million in 2001–02 towards a litigation reserve fund, set up to enable the Commission to meet unusual litigation costs. This fund will increase by \$1 million per year, with interest earned accruing, until it reaches a cap of \$20 million.



Airport regulation

The Commission received \$0.9 million to improve airport access arrangements, to assess compliance with airport price caps including pass through of necessary new investment, and to monitor prices of aeronautical-related services at airports.

Other

Funding of \$5.6 million for activities in telecommunications, gas and small business that would have lapsed at the end of the previous financial year was renewed.

Additional funding of \$15.8 million a year starting in 2001–02 was provided to enable the Commission to maintain its current workload, and to meet emerging priorities such as e-commerce and rural and regional issues.

Revenue

During the year the Commission collected the following revenue:

- miscellaneous consolidated revenue (fines and costs, authorisations and notification fees)—\$7.1 million
- section 31 receipts (miscellaneous income)—\$1.1 million.

People management

Staffing levels

The Commission's budgeted staffing level for 2001–02 was 509 (up from 437 in 2000–01), including six full-time holders of public office (Commission members). In addition there are 12 associate members; eight of these are ex-officio, being economic regulators from other Commonwealth or state and territory bodies. The total full-time equivalent employment during the year was 478.2 people (up from 438.1 in 2000–01). The total number of staff employed (including part-time employees, employees absent on leave and secondments) at 30 June 2002

was 540 (482 on 30 June 2001). See p. 143 for staffing overview.

The increase in the average staffing levels arose from increased activity in rural and regional Australia, the professions, telecommunications and growth of the ACCC Infocentre.

Of the 540 employees employed at 30 June 2002, 29 staff were engaged to work on aspects of the Commission's GST function (down from 43 as at 30 June 2001).

Training and development

The Commission's learning and development strategy focuses on a combination of on-the-job learning opportunities, access to information, and formal training programs. During 2001–02 the online environment was used more extensively as a delivery medium. In this year an online orientation program for new staff was developed, and desktop delivery of recorded information sessions was trialed for the first time.

Training and development expenditure in 2001–02 totalled \$999 460 comprising salaries of staff on development activities (\$351 538), salaries of the learning and development unit employees (\$170 299), course and conference fees and study assistance (\$455 541) and incidentals (\$22 082). This represents a commitment of 3 per cent of the annual payroll to staff development.

In addition to this recorded expenditure, on-the-job training is a major feature of the Commission's learning program. Regular video conference seminars and various regional and national office seminar sessions on contemporary issues ensured sharing of knowledge among all levels of staff.

The following table shows the number of places at training courses or seminars for each category in the last two financial years.

Three investigation courses were run during the year—two in Canberra and one in Melbourne—with a total of 55 people attending. Participants included staff from the Hong Kong Consumer Council and the South African Competition Commission.



Table 7.1 Training provided in 2000–01 and 2001–02

Type	Units of training	
	2000–01	2001–02
Economic education	106	150
Law education	161	153
IT skills	114	68
Operational skills	466	635
Management development	48	44
Personal development	45	19
SES development	25	5

The Commission believes there is significant value in staff increasing their professional skills and academic learning. Employees are eligible for study assistance in the form of study leave and partial reimbursement of tuition fees for approved courses of study. During the year 36 staff members participated in the study assistance scheme, mainly for postgraduate studies in economics, law and business.

Graduate program

The Commission recruited 26 graduates and two international interns at the beginning of 2002, placing them throughout the organisation. Graduates complete an intensive one-week orientation program, followed by on-the-job training, formal courses, counselling and guidance by supervisors, and work experience. Graduates undertake three rotations during the 10-month program.

The recruitment and selection of graduates is managed entirely by the Commission. The Commission received about 450 applications for the graduate positions. The quality of applications, as with other years, was very high. Strategies for the marketing of the graduate program, and the recruitment and selection of graduates, are in place to ensure that the high quality of graduates invited to join the program is maintained.

International staff development programs

Staff exchange programs

- Mr Konrad Chmielewski, a Director in the Commission's Small Business Unit in Melbourne, continued on an exchange with the Canadian Competition Bureau commenced in November 2000.
- Ms Ainslee Wilton from the Commission's Gas Group commenced an exchange with the UK Office of Electricity and Gas Markets (OFGEM) on 29 April 2002 for a period of three months. In return Mr Giles Stevens from OFGEM worked in the Commission's Canberra and Sydney offices.
- Mr David Snowden from the Commission's Compliance Strategies Branch in Canberra commenced a six-month exchange with the New Zealand Commerce Commission on 14 January 2002.
- Mr John Bardenhagen from the Commission's Tasmania office commenced a six-month placement with the Taiwan Fair Trade Commission (TFTC) in Taipei on 11 March 2002. In return Mr Jishyan Hwu from the TFTC began work in the Commission's Sydney office on 24 June 2002.

International Internship Program

In January 2002 the Commission commenced the third year of its International Internship Program. This year's program involves two interns, the first from the Zambian Competition



Commission and the second from the Industry and Trade Competition Commission in Zimbabwe. The program is a strategic part of the Commission's broader technical assistance and capacity building regime.

The goals of the internship program are:

- to contribute to the development of competition, consumer protection and utility regulation policies and initiatives internationally, by providing interested, suitably qualified overseas people with the opportunity to spend one year working at the Commission, a recognised world leading competition and consumer protection agency
- to enhance the Commission's links with its international counterpart agencies
- to enable participants to develop knowledge of legislation relevant to the functioning of the Commission, an understanding of competition, consumer protection, pricing and utility regulation issues, an awareness of the political, commercial and social environments and the management framework in which the Commission operates
- for those people to positively contribute to the operation of the Commission by completing work placements in three separate operational units of the organisation.

Staff secondments

Mr Osmond Borthwick of the Commission's Sydney office worked with the New Zealand Commerce Commission until October 2001.

Mr Shane Adams, of the Commission's Sydney office, returned to Australia in August 2001 following a 12-month secondment with the UK Office of Telecommunications (OFTEL) in London.

Mr Ron Cameron, a director in the Commission's Telecommunications Unit, continued to work with the Hong Kong Consumer Council as their Chief Trade Practices Officer.

Mr David Hatfield, a director in the Commission's Gas Unit, began a 12-month secondment to the Review of Energy Markets Secretariat in December 2001.

Mr Paul Hutchison, a director in the Commission's Mergers and Asset Sales Branch, commenced a 12-month secondment to the Department of Prime Minister and Cabinet in August 2001.

Workplace relations

The Commission made a new certified agreement offer to staff in December 2001 which was not accepted at vote. After further consultation, the Commission made another offer to staff in May 2002. Of the 84 per cent of staff who participated in the ballot, 95 per cent of staff voted in favour of the agreement. The ACCC Certified Agreement 2002-03 was certified by the Australian Industrial Relations Commission on 4 June 2002.

The new agreement provides a 10 per cent pay increase over 18 months, and undertakes to review classification structures, the special salary level scheme, the management of unsatisfactory performance processes, and excess staff retention periods, and to meet corporate reporting requirements. The agreement provides for flexible remuneration for exceptional performance, specialist employees or where recruitment and retention are affected by market factors.

The Commission's formal employee consultative body is the Workplace Relations Consultative Committee (WRCC) with four staff representatives (elected by staff), two union representatives and management representatives. The new agreement increases the number of staff representatives to six. The WRCC meets quarterly and is an important forum for the development of the next workplace agreement.

During the year Australian Workplace Agreements (AWAs) were offered to SES employees and to nine non-SES employees. Twenty-seven AWAs were approved by the Employment Advocate during the year.

Occupational health and safety

The Commission has a new occupational health and safety agreement and policy in place. Health and safety representatives were elected for all designated workgroups in accordance with the



OHS Agreement and first aid officers were selected and trained in all regions in accordance with the Commission's 2001 first aid policy.

During the year professionally qualified assessors presented information sessions on safe work practices and conducted ergonomic assessments for most employees. The Commission also made influenza vaccinations available to employees in all regions. Exercise classes and massages are being provided in some offices on a fee-for-service basis.

Following on from a pilot Wellness Program in Perth, a Wellness Survey was conducted throughout the Commission and a program developed on the basis of the results. The program will include health and fitness assessments, stress management, back care and other health information sessions by medical professionals.

Fifteen incidents were reported in 2001–02. None of these were required to be reported to Comcare under section 68 of the OHS Act 1991. Injury notification is actively encouraged through regular notices in the Commission newsletter.

The success of the Commission's occupational health and safety program is reflected in significant improvements in the compensation statistics for the Commission. The Comcare premium for 2002–03 is set at 0.49 per cent of total salaries; this compares favourably with the 1.13 per cent for all agencies combined.

Employee Assistance Program

The Commission has a national self-referral assistance program for staff and their families as well as providing mediation and assistance to managers. During 2001 there were 73 consultations provided to 20 staff and four family members.

Commonwealth Disability Strategy

The Commonwealth Disability Strategy recognises that the Commonwealth has an impact on the lives of people with disabilities through its many programs, services and facilities. The strategy is about making sure that Commonwealth departments remove barriers

that stop people with disabilities having access to these policies, programs and services. Through its Disability Action Plan the Commission has identified that it has three core business roles of regulator, purchaser and employer and has formulated actions to address its responsibilities in relation to people with disabilities in these roles.

The Commission Internet site complies with most priority one requirements of the WWW Consortium Web Accessibility Initiative. The site is being redeveloped with the objective of meeting all priority one requirements. All new initiatives and activities affecting the public are widely publicised through both electronic and print media.

As an employer the Commission ensures that employees with disabilities have the necessary adaptive technology to carry out their work and that all managers and supervisors are aware of the principles and practices of reasonable adjustment.

All policies and contracts are being reviewed to ensure that they are in keeping with the principles of the *Disability Discrimination Act 1992*.

Workplace diversity

In 2002 the Commission drafted a revised Workplace Diversity Plan which is currently being consulted with employees.

The Commission has equity and diversity officers throughout the organisation who distribute information and offer support to staff. The equity and diversity coordinator publishes articles in ACCCess on a regular basis.

A program was developed on workplace harassment and the law. This will be delivered through the video conferencing system to regional offices. A CD-ROM version of the program is also planned.



Table 7.2 Comparative representation of target groups within the classification level

Date	APS equiv. classification	Total	NESB	PWD	Women	A&TSI
30 June 2000	APS 1 & 2	52 10.0%	5 1.0%	1 0.2%	34 6.6%	1 0.2%
30 June 2001	APS 1 & 2	53 10.2%	11 2.1%	1 0.2%	35 6.8%	1 0.2%
30 June 2002	APS 1 & 2	55 10.6%	5 1.0%	2 0.4%	41 7.9%	1 0.2%
30 June 2000	APS 3 & 4	156 30.1%	34 6.6%	4 0.8%	94 18.1%	1 0.2%
30 June 2001	APS 3 & 4	106 20.5%	14 2.7%	3 0.6%	68 13.1%	1 0.2%
30 June 2002	APS 3 & 4	107 20.7%	14 2.7%	1 0.2%	80 15.4%	0
30 June 2000	APS 5 & 6	145 28.0%	15 2.9%		82 15.8%	0
30 June 2001	APS 5 & 6	148 28.6%	16 3.1%	2 0.4%	82 15.8%	0
30 June 2002	APS 5 & 6	185 35.7%	25 4.8%	5 1.0%	94 18.1%	1 0.2%
30 June 2000	SAPS 1 & 2	142 27.4%	13 2.5%	2 0.4%	41 7.9%	0
30 June 2001	SAPS 1 & 2	153 29.5%	17 3.3%	4 0.8%	47 9.1%	2 0.4%
30 June 2002	SAPS 1 & 2	171 33.0%	22 4.2%	5 1.0%	61 11.8%	0
30 June 2000	SES & POH	23 4.4%	2 0.4%		5 1.0%	0
30 June 2001	SES & POH	22 4.2%	1 0.2%	0	5 1.0%	0
30 June 2002	SES & POH	22 4.2%	4 0.8%	0	5 1.0%	0
30 June 2000	Total	518	69 13.3%	7 1.4%	256 49.4%	2 0.4%
30 June 2001	Total	482	59 11.4%	10 1.9%	237 45.8%	4 0.8%
30 June 2002	Total	540	70 13.5%	13 2.5%	281 54.2%	2 0.4%

NESB: Non-English-speaking background. PWD: People with a disability. A&TSI: Aboriginal and Torres Strait Islanders.

APS: Australian Public Servant. EL: Executive Level. SES: Senior Executive Service. POH: Public Office holder

Note: As the target groups are not mutually exclusive there may be some double counting. The statistics cover only those employees who nominate themselves to be counted in each group.





Table 7.3 Total staff by gender, classification and location as at 30 June 2002

Classification		ACT		NSW		VIC		QLD		WA		SA		TAS		TVL		TAM		NT		Total	Total		
M	F	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	All		
Public Service Act staff																									
GAPS	5	5	2	2	3	3	1	1					1				2					11	14	25	
APS 1		2		1		1													1			0	5	5	
APS 2	2	10		5	1	3		2		1							1				3	22	25		
APS 3	1	13		4		5		1		1			1								3	1	28	29	
APS 4	14	31	3	3	3	6	2	7	2	3	2	1						1				26	52	78	
APS 5	17	19	7	1	7	11	1	4	1	2	1	2	3	1		2					1	37	43	80	
APS 6	17	20	3	8	19	12	2	3	4	3	4	2	3		1						3	54	51	105	
SAPS 1	17	15	5	4	20	12	3	4	2	2	1	1			1					1		50	38	88	
SAPS 2	30	18	6	2	20	3				1		1		1						1		60	23	83	
SES Band 1	6	3		1	2	1	1															9	5	14	
SES Band 2	2					1																3	0	3	
SES Band 3	1																				1	0	1		
Total Public Service Act staff																								536	
Non-Public Service Act staff																									
Chairman	1																					1	0	1	
Deputy Chairman																						0	0	0	
Commissioner	3																					3	0	3	
Total Non-Public Service Act staff																								4	
Total M/F	116	136	26	31	76	57	10	22	10	12	9	8	7	1	2	5	1	2	2	7	259	281	540		
Total	252		57	133		32		22		17		8		7		3		9		540					



Part-time staff as at 30 June 2002

	ACT	NSW	VIC	QLD	WA	SA	TAS	TAM	TVL	NT	Total
Male	4	1	1		1						7
Female	22	11	5	2	2	2		1		1	46
Total	26	12	6	2	3	2	0	1	0	1	53

Temporary staff as at 30 June 2002

	ACT	NSW	VIC	QLD	WA	SA	TAS	TAM	TVL	NT	Total
Male	17		5		1						23
Female	22	4	3	2	2			1	2	1	37
Total	39	4	8	2	3	0	0	1	2	1	60

SES staff by gender, location and band as at 30 June 2002

Band	Gender	Total	ACT	NSW	VIC	QLD	Gains/Losses	Comments
1	Male	9	6		2	1		
	Female	5	3	1	1			
2	Male	3	2		1			
	Female	0						
3	Male	1	1					
	Female	0						
Total		18	12	1	4	1		

Non-Public Service Act Staff - total by gender, classification and location as at 30 June 2002

		Chairperson	Deputy Chairperson	Commissioner	Total M/F	Total by region
ACT	Male	1		3	4	4
	Female					
VIC	Male					0
	Female					
Total		1	0	3	4	4

Legal services

The Legal Group

The Legal Group is the Commission's in-house legal team. It provides legal and legal policy advice and coordinates Commission legal resources generally. The group consists of three substantive units plus the General Manager and the General Counsel. Apart from elements of the Regulatory Affairs Legal Unit, who are based in Melbourne, most Legal Group staff are based in Canberra.

- The Regulatory Affairs Legal Unit provides advice on legal issues arising under Parts IIIA, X, XIB and XIC of the Trade Practices Act, the Prices Surveillance Act and a number of other enactments and codes (state and federal) which, in aggregate, represent the Commission's regulatory functions.
- The Advising and Policy Unit provides legal advice on all non-regulatory matters under the TPA (principally of an enforcement nature) as well as general legal advice. It also has overall responsibility for administrative law issues including FOI and the provision of assistance in relation to legal policy issues.
- The Litigation Unit manages and provides legal advice on litigation matters, primarily in the enforcement area—and particularly where new or complex issues are involved. The unit is comprised of lawyers and paralegals on retainer from the Australian Government Solicitor.

The **General Counsel** provides specialist legal advice on complex legal issues and takes a critical role in the strategic oversight of major litigation involving the Commission.

The **General Manager, Legal Group**, is responsible for managing the Legal Group and the Commission's arrangements with its legal panel firms.

Although the Legal Group is organised into three primary units with defined roles, any particular matter may require the involvement of legal staff from the other units.

A panel of legal firms conduct litigation on behalf of the Commission. The following firms are currently appointed to the **ACCC Legal Panel**—Corrs Chambers Westgarth, Phillips Fox,

Deacons, Slater & Gordon, Norman Waterhouse and the Australian Government Solicitor. The firms are operating under deeds of standing offer for a period of three years which expires on 20 September 2004.

Information and communications technology and service

Infrastructure services

The Commission is a member of Group 5, which contracted its information technology and telecommunications services to Advantra Pty Ltd for a five-year period commencing 1 July 1999. Advantra has changed its name to Telstra Enterprise Services, and the Commission has been notified that it will be integrated into Telstra.

During the year, 197 PCs were replaced; agreement was reached on a new Standard Operating Environment (SOE) which will include Windows XP and Office XP. The implementation is expected to occur in Year four of the contract.

With almost no changes to the IT infrastructure since the commencement of IT outsourcing, the Commission decided to upgrade the Canberra and Melbourne LAN services and sought the replacement of all of the Novell file servers and Microsoft email exchange servers in all of its offices because this equipment is beyond its effective life. Implementation is expected to occur early in Year four of the contract. The cost of these replacements and upgrade programs is to be \$450 000.

With two years remaining in the Group 5 contract, the Commission has begun to consider the means by which IT services might be delivered to the Commission in the future.

Business applications

The Commission is increasingly reliant on key business applications to support its core activities and corporate support functions. Substantial



work was undertaken to enhance MARS to reflect changes in the operation of the Information Centre. PRISM was also modified to reflect the changes to the operations of the business units.

The following work was also undertaken:

- upgrading of FMIS Finance1 and migrating the client from Windows 98 to Windows NT to enhance stability and performance
- upgrading of HRMS Aurion including web-based access to all staff to maintain their own details and process leave applications online
- upgrading RM TRIM and migrating this application to the consolidated server environment at TES to enhance performance
- installing PINNACLE to facilitate effective asset management
- modifying the Intranet Web Search Engine—Verity—to interrogate the corporate databases as well as the Intranet data store
- developing and implementing a consolidated automated mailing and email system referred to as GEMS which is available to all staff.

Videoconference equipment

All the Commission's offices except Tamworth have videoconference systems. Canberra, Melbourne and Sydney have multiple systems. Videoconferencing has become an important communication tool in the Commission.

Information management and services

Redevelopment of the Internet and Intranet

The functional specification and contract were completed in January 2002. The Request for Tender was advertised in March 2002. The tenders were evaluated and negotiations with a preferred supplier were commenced. As of 30 June 2002 the final agreed contract was ready for signing.

The new website will be launched in January 2003. While the Internet will be completed by this time, additional functionality will be added

to the Intranet as the various work groups define new databases and work flow procedures.

Considerable focus has been given to the Internet to improve its useability and accessibility to the public. The site will comply with all legislative requirements defined by the various Commonwealth agencies and is designed to ensure that the public, professionals and remote users will be able to quickly access the required information.

Records management

The Records Management Unit underwent a review of structure and staffing levels during the year to better reflect the growing role of the team. Records Management increasingly involves the use of the electronic medium and software tools to manage them. The devolution of responsibility of managing records to all staff has resulted in the Records Management staff taking on a quality assurance, monitoring and training role as part of their responsibilities.

A training program aims to extend the use of this system to all staff. The TRIM technology means staff can take personal responsibility for, and contribute towards, managing Commission records.

In line with a National Archives directive, a team was formed to undertake DIRKS. This project has resulted in a review of all the functions and responsibilities carried out by the Commission for records management purposes, and will result in a new functional thesaurus and disposal authority. This project is due for completion in December 2002.

Public registers

The Commission is required to create and maintain several public registers under the *Trade Practices Act 1974* and the *Prices Surveillance Act 1983*.

The Commission also maintains voluntary public registers because it believes the information they contain should be available to the public. The most recent voluntary register was created as a result of a delegation under the *ASIC Act 1989*—the s. 93AA enforceable undertakings register.



Currently the Commission maintains over 20 statutory and voluntary public registers, and through them the Commission's decision making is transparent and accountable.

Public register information is published on the Commission's Internet site at < <http://www.accc.gov.au> > . This site now contains indexes of all the public registers, and in some cases electronic images of the relevant documents. This information is placed on the website and on hard-copy file at the same time.

Library

The library provides a research and information service to all Commission staff. The service is managed from the national office library in Canberra. There is also a library in the Melbourne office, and a small collection of print materials in the Sydney office.

The library intranet site includes links to relevant websites and information about library services. In accordance with the Commission providing user-friendly online data access, the library home page has become the principal gateway to external information, particularly free and paid access websites, of use to Commission staff. Library staff update the site daily.

A review of library function was undertaken to assess the performance and to improve the effectiveness of the library service. The services and delivery of information is rapidly changing in the electronic age and our library is seen as a key player in the knowledge management role of the organisation. The report from the review will be considered by the Corporate Governance Committee.

Publications

The Commission's publications—produced in print, electronic and audio visual form—provide guidance to business and the community, disseminate information to them, and inform them about the Commission's functions and objectives.

The Commission's in-house publishing unit produces an extensive range of publications

related to the Commission's work and functions. They include technical reports, parliamentary reports and papers, guides to legislation, consumer leaflets and magazines, product safety brochures, small business booklets and videos.

The distribution of the Commission's regular publications, *ACCC Journal* and *ACCC update*, continues to expand. The *Journal*, available by subscription, is distributed to about 800 business, professional and consumer organisations. It is published bi-monthly and outlines all matters resolved either in the courts or between the Commission and companies or individuals concerned. It is also now available on CD-ROM. *ACCC update's* circulation is now close to 10 000 copies. It is largely an issues-based publication, with recent editions covering consumer issues including the impact of market reform on the consumer, and small business issues. It is available without charge, and is distributed to industry and business organisations, consumer groups, educational institutions, businesses and individuals.

A full list of publications published this year is at appendix 6. The highlights of the year's publishing program include:

- a series of brochures on how business can comply with the Trade Practices Act
- a report on reducing fuel price variability
- a video explaining people's rights and obligations regarding advertising and selling, called *Straight Talking*
- videos of the October 2001 and May 2002 Competing Fairly Forums
- a coordinated range of promotional material and information for events such as Internet Sweep Day and the law enforcement conference
- a published leniency policy for cooperation and a draft leniency policy for cartel behaviour
- a service charter for stores serving remote and indigenous communities.

The Commission also updated and reprinted various guides, including the Franchisees guide and the Advertising and selling guide. It also published its detailed submission to the Review into the Trade Practices Act.



Consultancy services, competitive tendering and contracting

Consultancy services

The Commission uses consultants when specialist expertise is required for a particular task and not available within the Commission. The Commission uses:

- for most consultancy contracts in excess of \$100 000—selective tendering
- for most consultancy contracts below \$100 000—direct engagement of recognised or pre-eminent experts, consultants known to have the requisite skills, or those that the Commission has successfully used before.

The Commission engaged 91 consultants during the year with a value of \$3.9 million.

The main categories for which consultants were engaged were:

- price collections (GST price monitoring role)
- GST public awareness campaign
- price exploitation hotline
- information technology
- regulatory matters
- enforcement work.

A list of consultants paid more than \$100 000 during the year is on the Commission's website.

Advertising and market research— Commonwealth Electoral Act 1918

The following are amounts of money paid (value of contracts) to creative advertising agencies, direct mail, media advertising and market research organisations.

Organisation	\$
Aboriginal Coordinating Council: Information for Rural and Regional	308
Advertiser Newspapers Limited: Information for Small Business	777
Brainwaves Information Services: Information for Small Business	2,133
Hastings Business Enterprise Centre: Information for Small Business	611
Lismore Business Enterprise Centre: Information for Small Business	718
Mida Gold Coast Monitoring: Information for Small Business	145
Niche Media: Information for Small Business	5,555
PSMPC: Gazette subscription	10,622
Seek Communications Ltd: Employment advertising	5,346
Sertec: Information for Small Business	388
Tamworth & District Business Enterprise Centre Ltd	1,075
Newsnet.Com: Media releases	101,469
Starcom: Employment advertising	245,504

Office accommodation

The Commission maintains 10 offices: in each state and territory capital, Tamworth and Townsville.

During the year the Commission extended its office space in Melbourne, and undertook refurbishments in its Canberra office to accommodate expansions and restructures.

