

Appendix

1

Amendments to the Trade Practices Act in 2000–01

During the 2000–01 financial year, the *Trade Practices Act 1974* (No. 51 of 1974) was amended by:

Trade Practices Amendment (International Liner Cargo Shipping) Act 2000 (No. 123 of 2000)

Jurisdiction of Courts (Miscellaneous Amendments) Act 2000 (No. 161 of 2000)

Treasury Legislation Amendment (Application of Criminal Code) Act (No. 1) 2001 (No. 31 of 2001) (commences on 15th December 2001)

Communications and the Arts Legislation Amendment Act 2001 (No. 46 of 2001)

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

Amendments before July 2000

Before July 2000 the *Trade Practices Act 1974* (No. 51 of 1974) was amended by:

A New Tax System (Trade Practices Amendment) Act 2000 (No. 69 of 2000)

Regulations introduced under the Act in 2000–01

Trade Practices Amendment Regulations 2001 (No. 1) (No. 40 of 2001)

Trade Practices Amendment Regulations 2001 (No. 2) (No. 57 of 2001)

Trade Practices Amendment Regulations 2001 (No. 3) (No. 74 of 2001)

Trade Practices Amendment Regulations 2001 (No. 4) (No. 149 of 2001)

Trade Practices (Industry Codes — Franchising) Amendment Regulations 2001 (No. 1) (No. 165 of 2001)

Amendments to the Prices Surveillance Act in 2000–01

Criminal Code Amendment (Theft, Fraud, Bribery and Related Offences) Act 2000 (No. 137 of 2000)

Treasury Legislation Amendment (Application of Criminal Code) Act (No. 1) 2001 (No. 31 of 2001)

Appendix

2

Number of inquiries and complaints received during 2000–01

		Total
Pursued ¹	Consumer protection	2040
	Restrictive trade practices	403
	Unconscionable conduct/industry codes	206
	Prices ²	60
	Other ³	173
	Sub total	2882
Not pursued	Inquiries ⁴	8830
	Complaints ⁵	20063
	Sub total	28893
GST ⁶	Inquiries	39830
	Complaints	23804
	Subtotal	63634
	Totals	95801

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 matters, complaints and 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.

⁶ The GST database structure does not provide a distinction between pursued and not pursued.

Note: The above figures do not include complaints generated as a result of major investigations. These would add several thousand to the pursued category.

Appendix

3

Exercise of information powers

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

Section 155(1)(a)		Section 155(1)(b)		Section 155(1)(c)		Section 155(2)		Section 155A
Conduct	Count	Conduct	Count	Conduct	Count	Conduct	Count	0
s. 45	4	s. 151AJ	2	s. 45	11	s. 51AC	1	
s. 45(4D)	10	s. 45	5	s. 45(4D)	20			
s. 45A	4	s. 45(4D)	1	s. 45A	9			
s. 45D/E	5	s. 45A	7	s. 47	1			
s. 46	1	s. 45D/E	5	s. 48	5			
s. 48	4	s. 46	1	s. 51AB	3			
s. 51AB	2	s. 47	2	s. 51AC	3			
s. 51AC	13	s. 48	4	s. 52	8			
s. 52	24	s. 51AB	2	s. 53(c)	4			
s. 53(e)	7	s. 51AC	14	s. 53(e)	3			
s. 53A	1	s. 52	29	s. 54	5			
s. 54	2	s. 53(c)	5	s. 58	5			
s. 58	2	s. 53(d)	1	s. 75AU	11			
s. 65C	2	s. 53(e)	9					
s. 75AU	7	s. 53A	1					
		s. 54	6					
		s. 58	6					
		s. 65C	2					
		s. 75AU	19*					
Total	69	Total	120	Total	88	Total	1	0

* **Note 1:** One section 155(1)(b) notice was subsequently revoked.

Note 2: Notices issued under more than one conduct are counted once for each conduct.

Section 155(1)(a): The Commission may serve a notice on a person requiring information to be provided in writing.

Section 155(1)(b): The Commission may serve a notice on a person requiring documents to be provided.

Section 155(1)(c): The Commission may serve a notice requiring the person to appear in person.

Section 155(2): A member of Commission staff may enter any premises and inspect, copy or take extracts from documents.

Section 155A: The Commission may obtain information and documents in New Zealand relating to trans-Tasman markets.

Appendix

4

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. 14 and an organisation chart is on p. 10. The functions of the Commission under the various enactments for which it is responsible are set out on p. 11–12. 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 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. A general consultative committee made up of 206 representatives of business, consumer, industry and union groups gives the Commission the views of a wide range of interested organisations. 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); and

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, on prices surveillance matters the Commission maintains a public register 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;
- 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; and
- 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 (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, and the General Manager, Legal Group and the Assistant General Counsel (Policy and Advisings).

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 a.m. and 4.30 p.m.

Appendix

5

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.

Professor Fels was awarded the Order of Australia in June 2001.

Professor Fels' appointment is until 30 June 2004.

Deputy Chairman (until 5 November 2000)

Mr Allan Asher



Mr Allan Asher was a Commissioner of the Trade Practices Commission from 1988 until his appointment with the ACCC in 1995.

Previously a senior manager in an international telecommunications company he is also a former Council Member and Public Affairs Manager of the Australian Consumers' Association. Mr Asher, a barrister and solicitor, is active in consumer protection and competition issues. Mr Asher was the Australian Councillor on the board of the International Organisation of Consumers Unions from 1979 to 1986.

Mr Asher chaired the Energy Division of the Commission which is responsible for competition issues in the deregulating electricity and gas markets in Australia. He also chaired the Commission's Enforcement Committee which oversees all litigation and the compliance work of the ACCC.

Mr Asher has extensive experience in the promotion of consumers' economic interests and welfare issues in developing countries and has worked as an expert on United Nations and Australian development assistance projects.

Mr Asher chaired the OECD Consumer Policy Committee from 1993 to 1996 and is the foundation chair of the International Society of Consumer and Competition Officials.

Mr Asher's appointment was until 5 November 2000 after which he took up a new position at Consumer International's headquarters in London, as the global director of campaigns.

Commissioners

Mr Sitesh Bhojani



Mr Sitesh Bhojani has been a full-time member of the ACCC 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 ACCC litigation.

Mr Bhojani's appointment is until 10 November 2003.



Mr Ross Jones

Mr Ross Jones was appointed as a Commissioner of the ACCC 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 microeconomic 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 ACCC until 14 June 2004.



Mr John Martin

Mr John Martin was Executive Director of the Australian Chamber of Commerce and Industry from 1989 until his appointment to the ACCC 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 five 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.

In his role at the Commission Mr Martin has responsibility for the ACCC 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.

Mr Rodney Shogren

Mr Rodney Shogren was appointed as a Commissioner of the ACCC 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 microeconomic 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 is until 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 is until 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, 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 practices exclusively in areas of commercial and corporate law, particularly mergers and acquisitions, capital raisings and securities industry law.

Ms Handicott's appointment is until 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 of the ACCC 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 S.A. 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 is until 25 October 2001.

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 is until 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 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 is until 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 ACCC 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 LL.B (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 world-wide 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 is until 3 June 2002.

Ex-officio members

Mr Paul Baxter



Mr Paul Baxter is the 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: LL.B, LL.M (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 is until 31 December 2001.

Mr Graham Scott

Mr Graham Scott was appointed as the South Australian Independent Pricing and Access Regulator on 2 April 1998 for three years on a part-time basis. Mr Scott is a Senior Lecturer in Economics in the Faculty of Social Sciences at Flinders University where he has recently completed a three year term as Head of the School of Economics.

He is Chairman of the SA Local Government Superannuation Scheme, Unisure Ltd (the workers compensation insurer for the three SA universities) and of Adelaide Airport Ltd. He is a board member of Superannuation Scheme for Australian Universities and Flinders Technologies Pty Ltd (the intellectual property arm of Flinders University).

He was the Deputy Director of the SA Centre for Economics Study from its establishment in 1984 until 1998 and in that position wrote extensively on the SA economy. Mr Scott's other professional interests are in the area of macro-economics, financial markets and macro-economic policy.

Mr Scott's appointment ended on 1 April 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 is until 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 is to be created from 1 January 2002. His appointment has been extended to 31 December 2003 for that purpose. The ESC will subsume the Office of the Regulator-General and will be 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 ACCC on microeconomic 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 is until 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



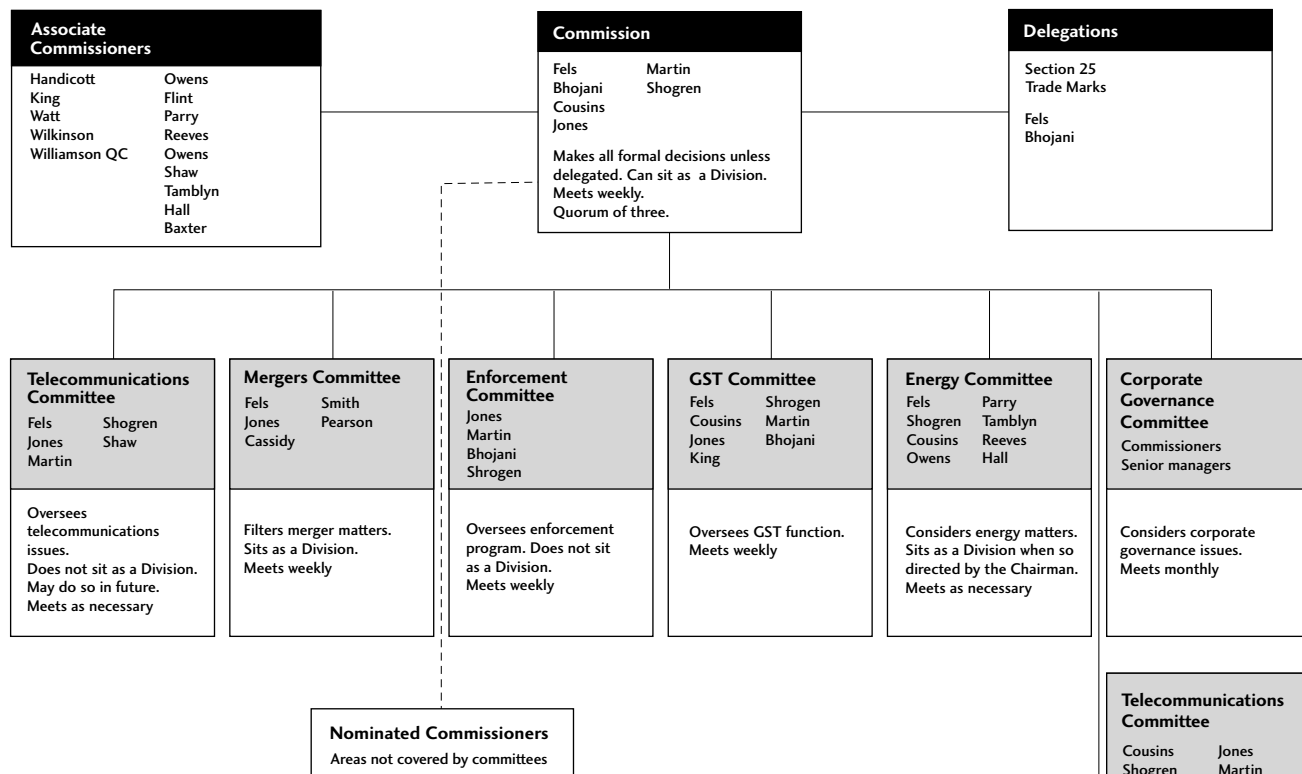
Last year, Mr Lew Owens was appointed as the South Australian Independent Industry Regulator.

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 1987–1990 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 decisionmaking structure



Appendix

7

Commission publications published in 2000–01

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

Regular publications

ACCC Journal: bi-monthly journal (\$75 annual fee, second and following subscriptions to same address \$37.50, \$25 student subscription). Six issues per year plus Index. Journal back issues \$10 each.

ACCC Update: newsletter. Issue No. 8 — February 2001

Annual reports: The 1999–2000 Annual Report is available from ACCC offices (\$15). Past years' are available from AusInfo.

Other corporate publications

The ACCC and its use of penalties. June 2001

ACCC State Annual Reports ('working in' series) 1999–2000 (available from each State office)

Access to Public Registers. August 2000 (leaflet)

Summary of the Trade Practices Act 1974. May 2000 (\$10)

Business general

Country of origin claims

Country of origin claims. August 2000 (flyer)

Country of origin claims and the Trade Practices Act. July 2000

E-commerce, global commerce, Internet and computers

Fair.com — advertising and promoting Internet access. January 2001

Internet auctions — what you should know before you bid or sell. August 2000

GST

Price exploitation — What every business must know. August 2000 (website only)

GST reports

Report on ACCC price surveys: general survey. February 2001

Report on ACCC price surveys: pre-GST price changes. October 2000 (website only)

Report on ACCC price surveys: general survey. A report on retail price movements across Australia from May to August 2000. October 2000

Report on ACCC price surveys: preliminary post-GST price changes. A report on retail price movements across Australia from July to August 2000. October 2000

6th Report to the Minister under s. 75AZ of the Trade Practices Act 1974 — for the period January to March 2001

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