

Corporate governance and management

Output 1.1.1: The proper administration and enforcement of the *Trade Practices Act 1974*, the *Prices Surveillance Act 1983* and related laws; and

Output 1.1.2: Performance of actions that promote competition and fair trading and enable well-functioning markets.

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 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 2001 is in the Corporate overview at the beginning of this report (p. 10).

Major matters undertaken during 2000–01 included:

- an output pricing and funding review with the Department of Finance and Administration;
- a new corporate plan, *Corporate Plan and Priorities 2001–02*;
- implementation of an integrated costing and accounting system;
- a national first-point-of-contact centre, ACCC infocentre, established;
- relocation of the Brisbane and Sydney offices to new premises; and

- a graduate intake of 30, representing about 7 per cent of total staff.

Corporate governance

Decision-making structure

The Commission held 47 formal meetings during 2000–01. 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 2000–01 the Commission considered 379 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 seven subject matter and 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, Deputy Chairperson, and Commissioners Shogren, 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.

Enforcement

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

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, Deputy Chairperson, Commissioners Cousins and Shogren, and relevant ex-officio associate commissioners.

Transport

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

GST

The GST Committee meets as necessary to oversee the Commission's GST role. It comprises the Chairperson, Deputy Chairperson, full-time commissioners and Associate Commissioner King.

Corporate governance

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

Output pricing and funding review

The Department of Finance and Administration conducted an output pricing and funding review of the Commission. It found that the Commission was under-resourced and the Government agreed to increase the Commission's funding.

While the Commission had received funding for specific roles and tasks, a comprehensive review of its funding base had not been conducted since it was established in 1995. In the meantime, the Commission had faced a major increase in its regulatory activities, increased

complexity of markets, technological changes such as electronic commerce, and rapidly increasing international challenges including the impact of globalisation. The Commission's workload continues to increase in both volume and complexity.

The review involved an evaluation of the Commission's strategic operating environment, its costing systems, interviews with various stakeholders and extensive benchmarking of some strategic functions against other Australian and international agencies.

The four elements of the funding increase are:

- \$5.6 million, for activities in telecommunications, gas and small business that would have lapsed, has been extended;
- \$15.8 million to enable the Commission to maintain its current workload, and to meet emerging priorities such as e-commerce and rural and regional issues;
- \$20 million litigation reserve fund, to assist the Commission to meet unusual litigation costs. In the first year, \$10 million will be provided for this fund, and a further \$1 million in each subsequent year until the reserve builds to \$20 million; and
- a \$3 million loan has been converted to equity.

The Commission will improve its costing systems and report against agreed key performance indicators.

Senior management conference

In April 2001 the Commission held a conference for senior management in South Australia. It was attended by commissioners, senior executive service staff, regional directors, other staff and guest speakers. Senior representatives of the Canadian Competition Bureau attended.

The conference focused on the practical, strategic and management issues facing the organisation, especially the new corporate plan, and the planning and budgeting cycle.

Financial management

Funding of \$75.627 million was provided in the 2000–01 budget. This included funding for:

- tax reform price monitoring;
- legal services;
- airport regulation; and
- additional functions and powers under the *Telecommunications Legislation Amendment Act 1999*.

Tax reform price monitoring

The Commission received \$24.979 million for activities to ensure compliance with the price exploitation provisions of the Trade Practices Act. 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.

Legal services

The Commission received an additional \$10 million to meet increased legal costs and thereby maintain compliance and enforcement activity.

Airport regulation

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

Additional functions and powers under the Telecommunications Legislation Amendment Act 1999

The Commission received an extra \$0.9 million for telecommunication activities to administer a number of powers in relation to competition notices in Part XIB of the Trade Practices Act, and the processing of arbitration and associated legal issues under Part XIC.

Revenue

During the year the Commission collected the following revenue:

- miscellaneous consolidated revenue (fines and costs, authorisations and notification fees)
— \$43.2 million
- section 31 receipts (miscellaneous income)
— \$1.3 million

People management

Staffing levels

The Commission's budgeted staffing level for 2000–01 was 465 (up from 372 in 1999–2000), including six full-time holders of public office (Commission members). In addition there are 14 associate members, nine of whom are ex-officio, as economic regulators from other Commonwealth or State and Territory bodies. The average level of staff employed during the year was 438.1 (up from 381.71 in 1999–2000) while the actual number of employees (including part-time employees) at 30 June 2001 was 482. See p. 142 for staffing overview.

The increase in average staffing levels arose from the Commission's role in the introduction of the New Tax System and the establishment of the ACCC infocentre.

Of the 482 employees employed at 30 June 2001, 43 were engaged in work relating to the Commission's GST function (down from 135 at 30 June 2000). This is mainly because fewer employees were employed in the GST Price Line in the second half of the year.

Training and development

Spending on training and development in 2000–01 totalled \$986 513 comprising salaries of staff on development activities (\$366 643), salaries of the learning and development unit employees (\$143 606), course and conference fees and study assistance (\$427 888) and incidentals (\$48 376). This represents a commitment of 3.5 per cent of the annual payroll to staff development.

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

Four investigation techniques courses were run during the year, with 92 participants attending. Eleven participants were from overseas competition authorities and five were from State government agencies.

The following table shows the units of training courses/seminars in each category listed in the last two financial years.

Table 7.1. Training provided in 1999–2000 and 2000–01

Type	Units of training	
	1999–2000	2000–2001
Economic education	150	106
Law education	236	161
IT skills	190	114
Operational skills	511	466
Management development	50	48
Personal development	50	45
SES development	45	25

The Commission believes there is significant value in its staff increasing their professional skills and academic learning. Employees are eligible for tertiary study assistance in the form of study leave and partial reimbursement of fees, subject to certain criteria and conditions. During the year 55 staff members participated in the Commission's study assistance scheme, mainly for postgraduate studies in economics, law and business.

Graduate program

The Commission recruited 29 graduates and two international interns at the beginning of 2001, placing them throughout the organisation. Graduates complete an intensive one-week orientation program, followed by on-the-job training and assessment, and rotation to three different work areas during the 10 months training.

This year's graduate recruitment was the first to be managed entirely by the Commission, Recruitment Services Australia having ceased operations. The Commission received about 600 applications for the 30 available positions, and the quality of applicants was particularly high. A recruitment and selection strategy has been developed to ensure the quality of graduate recruits is maintained for the 2002 program.

International staff development programs

Staff exchange programs

Mr Konrad Chmielewski, a Director in the Commission's Small Business Unit in Melbourne, started on a 12-month exchange in November 2000 with Mr Larry Bryenton, a senior commerce officer from the Canadian Competition Bureau, who is working in the Commission's Victorian regional office.

Mr Cyril Loa from the Commission's Sydney office took part in the third staff exchange with the Taiwan Fair Trade Commission (TFTC). Mr Loa spent three months in Taipei in early 2001. In recognition of the value of the exchange, Ms Rita Wang of the TFTC Legal Unit, took a six-month placement in the Commission's Canberra office in March. Ms Wang spent three months respectively in the Commission's Enforcement Division and the Legal Unit.

Ms Margaret McPherson, an investigator in the Fair Trading Division of the New Zealand Commerce Commission (NZCC), started work with the Commission's Consumer Protection Unit in February 2001, on exchange from the Christchurch office of the NZCC for a period of six months.

Staff secondments

Mr Osmond Borthwick of the Commission's Sydney office will return to Australia in October 2001 after working with the New Zealand Commerce Commission. Mr Borthwick participated in the regular exchange program for a period of six months in 1999 and then stayed with the NZCC on secondment.

In January 2001 Mr Kien Choong of the Commission's Melbourne office completed a 12-month secondment to the Malaysian Communications and Multimedia Commission. Mr Choong's main area of focus during the secondment was access matters in the telecommunications industry.

Mr Jung-won Song of the Korean Fair Trade Commission completed a two-year secondment to the Commission in June 2001. Mr Song spent time studying the operations of the Commission's Consumer Protection, Mergers and Electricity Units. He also spent some time studying trade practices law at the Australian National University.

Mr Ron Cameron, a Director in the Commission's Telecommunications Unit, continues to work with the Hong Kong Consumer Council as their Chief Trade Practices Officer, after taking up the position in October 1998. Mr Cameron will return to the Commission in October 2002.

Mr Shane Adams from the Commission's Sydney office took up a 12-month secondment in August 2000 with the UK Office of Telecommunications (OFTEL) in London.

International Internship Program

In January 2001 the Commission started the second year of its International Internship Program (IIP). The 2000 program involved one intern from the Department of Trade, Commerce and Industry in Samoa. The 2001 program involves two interns, the first from the Zambian

Competition Commission and the second from the Consumer Affairs Council of Papua New Guinea. The IIP 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 by providing interested, suitably qualified overseas parties 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 equip participants with the knowledge of the relevant legislation necessary for 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; and
- for those parties to contribute to the operation of the Commission by completing work placements in three separate operational units of the organisation.

Workplace relations

The Commission employs non-SES staff under the ACCC Certified Agreement 2000–01. It provides an 8 per cent pay increase over 23 months, undertakes to explore variable pay and remuneration strategies in the future, and expresses a commitment to redressing unsatisfactory work performance.

The Commission's formal employee consultative body is the Workplace Relations Consultative Committee with four staff representatives (elected by staff), two union representatives and one from management. It meets quarterly and will be consulted for the next workplace agreement.

During the year Australian Workplace Agreements (AWAs) were offered to SES employees, GST public inquiry office employees and four other non-SES employees. Fifty-three

AWAs were approved by the Employment Advocate during the year.

Workplace diversity

Equity and Diversity Plan 2001–03

In 2001 the Commission commenced a complete review of its existing Workplace Diversity Plan 1998–2001, in accordance with the *Public Service Act 1999*. The review began with a staff survey seeking comments on the existing plan. The ACCC Equity and Diversity Plan 2001–03 is expected to be released in August 2001, incorporating new legislative requirements, new initiatives by the Commission and findings from a staff survey.

Commitment to equity and diversity

The Commission has contact officers throughout the organisation who distribute equity and diversity information, and offer support to staff. National and State office equity and diversity officers have been appointed to:

- support and promote the workplace diversity plan;
- raise awareness of the principles of the plan; and
- help prevent and resolve workplace harassment.

Contact officers are encouraged to attend regular training courses to assist in their role.

Awareness of the principles is maintained by:

- presenting the Commission's workplace diversity program to graduates during their orientation week;
- circulating information on equity and diversity issues through the internal staff bulletin.

New policies and initiatives

Policies and initiatives that are being developed or reviewed to support the plan include:

- internal webpage dedicated to equity and diversity issues;
- information brochures on workplace harassment and equity and diversity principles;
- review of sexual harassment and harassment policies; and
- policies to support flexible working arrangements.

Table 7.2. Comparative representation of target groups within the classification level

Date	APS equiv. classification	Total	NESB	PWD	Women	A&TSI
30 June 1999	APS 1 & 2	54 15.0%	5 1.4%	0	42 11.7%	1 0.2%
30 June 2000	APS 1 & 2	52 10.0%	6 1.2%	0	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 1999	APS 3 & 4	58 16.2%	9 2.5%	0	37 10.3%	0
30 June 2000	APS 3 & 4	156 30.1%	10 1.9%	2 0.4%	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 1999	APS 5 & 6	116 32.3%	9 2.5%	0	60 16.6%	0
30 June 2000	APS 5 & 6	145 28.0%	9 1.7%	0	82 15.8%	0
30 June 2001	APS 5 & 6	148 28.6%	16 3.1%	2 0.4%	82 15.8%	2 0.4%
30 June 1999	EL 1 & 2	110 30.6%	10 2.8%	0	27 7.5%	0
30 June 2000	EL 1 & 2	142 27.4%	11 2.1%	0	41 7.9%	0
30 June 2001	EL 1 & 2	153 29.5%	17 3.3%	4 0.8%	47 9.3%	0
30 June 1999	SES & POH	21 5.8%	2 0.6%	0	4 1.1%	0
30 June 2000	SES & POH	23 4.4%	4 0.8%	0	5 1.0%	0
30 June 2001	SES & POH	22 4.2%	1 0.2%	0	5 0.8%	0
30 June 1999	Total	359	35 7.7%	0	170 47.4%	1 0.3%
30 June 2000	Total	518	40 9.7%	2 0.4%	256 49.4%	2 0.4%
30 June 2001	Total	482	59 11.4%	10 1.9%	237 45.8%	4 0.8%

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.

Occupational health and safety

The Commission has an occupational health and safety policy and agreement, and has appointed health and safety representatives for all designated work groups. Other policy and guidelines are established for all health and safety matters relevant to the work of staff.

During the year information sessions on safe work practices and ergonomic inspections were held in Canberra, Brisbane and Perth. As well as regular safe work practice/ergonomic inspections in the Canberra office an occupational therapist assisted with the establishment of the ACCC infocentre. A pilot wellness program was run in the Perth office and included an employee health survey and health information sessions by medical professionals. The Commission made influenza vaccinations available to all staff.

The Commission has a national self-referral assistance program for staff and their families. During the year 77 consultations were provided to 23 staff and four family members.

Eight workers' compensation claims were lodged: one for occupational overuse injuries; two as a result of motor vehicle accidents; two for injured limbs; one for a head injury; one for a wound/lacerations; and one for stress.

The legal group

The Legal Group is the Commission's in-house legal team. It is responsible for the provision of legal and legal policy advice and the coordination of Commission legal resources generally. The group consists of three substantive units. Apart from elements of the Regulatory Affairs Legal Unit, who are based in Melbourne, the majority of 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 ACCC's regulatory functions. The unit also manages tribunal and other litigation matters arising out of the exercise of those regulatory functions.

The **Advisings and Policy Unit** provides legal advice on a range of general non-regulatory matters, and coordinates the use of legal resources across the ACCC, including the use of ACCC Legal Panel firms. It provides much of the legal advice from its own resources and also has responsibility for administrative law issues including FOI, and the coordinating of legal policy.

The **Litigation Unit** manages and provides legal advice on litigation matters, primarily in the enforcement area — and particularly when new or complex issues are involved. It also settles the more complex notices and other legal instruments of an enforcement nature. The team is comprised of lawyers and paralegals on retainer from the Australian Government Solicitor.

Attached to the Legal Group is the **General Counsel**, who provides specialist legal advice on complex legal issues and takes a role in the strategic oversight of major litigation involving the ACCC.

A panel of legal firms conduct litigation on behalf of the ACCC. The following firms are currently appointed to the ACCC Legal Panel — Corrs Chambers Westgarth, Phillips Fox, Deacons, Slater & Gordon and the Australian Government Solicitor. The firms are operating under deeds of standing offer for a period of two years which expire on 20 September 2001. Tenders have been called for the establishment of the new Legal Panel and those tenders are still being considered as at the date of this report.

Information and communications technology and service

Information technology and telecommunications

On 1 July 1999 the Commission, as a member of Group 5 IT&T Market Testing and Outsourcing Group, contracted the management of its information technology and telecommunications infrastructure services to Advantra in accordance with the Commonwealth Government's IT outsourcing initiative. Group 5 includes Department of the Prime Minister and Cabinet; Department of Communications, Information

Technology and the Arts; Department of Industry Science and Resources; and Department of Transport and Regional Services.

The second year of the Commission's five-year IT outsourcing contract with Advantra was largely devoted to assessing performance levels and refining service delivery processes. User satisfaction has gradually improved over the year and is now approaching pre-outsourcing levels. With the continuing refinement of processes and maintenance of client service, improvements in service delivery are likely to continue.

As a member of Group 5 the Commission was involved in the IT audit and review by ANAO and Richard Humphry, respectively.

The more significant IT-related activities during the year included:

- relocation/refurbishment of the Brisbane, Sydney, Darwin and Perth offices, with technological changes implemented satisfactorily and minimal disruption to staff;
- replacement of over 200 aging PCs with higher performing Pentium-based systems;
- progressive replacement of printers and purchase of additional scanners for the expanded use of the TRIM application;
- doubling of the Wide Area Network carrying capacity to all State offices which improved the performance of business applications in regional offices; and
- migrating the Internet link to a high-speed fibre optic connection.

Advantra initiated infrastructure changes for a consolidated application server environment (CASE). The first applications in this new environment were our development server and Finance 1 Server. The migration of our business applications to CASE should improve support, performance, stability and expandability.

Internet communications

On 19 May 2001 the Commission renewed its contract for Internet services with SGE Pty Ltd (a subsidiary of 90East Pty Ltd) for three years after a restricted tendering process as a member of HOCOLEA. This link provides encrypted and secure email communications between HOCOLEA agencies to the highly protected level. It also offers desktop access to the

Internet while protecting the internal network from unauthorised access.

Database development

Database development during the year focused on supporting the Commission's GST role. The corporate systems were enhanced to cater for the extra workload and small databases were developed to support investigations and to promote communications with public interest groups.

All key business systems were upgraded during the year. These include Aurion, Finance1, TRIM, Pinnacle and Horizon. The MARS and PRISM application systems were upgraded to support the changing business needs. A system to monitor FBT payments was implemented, and several ad hoc systems to support the Commission's investigative work were developed.

Work began on an integrated mailing list system to replace a variety of small ad hoc systems used throughout the Commission.

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

Establishment of Information Services Section

An Information Services section was created during the year to ensure the Commission's information resources are properly managed, and the opportunities provided by technology are fully exploited. This will improve access, availability and efficiency in the Commission's operations, to related agencies and to the public.

Information and documents in electronic form, available through the Internet and Intranet, will increasingly become the backbone of the Commission's information, process and workflow for all its functions. This is a primary responsibility of the Information Services Section.

Redevelopment of the Internet and Intranet

This project began in the previous financial year. All user and technical reviews were completed in preparation for the tendering process.

The Intranet is becoming the 'desktop' for staff to take advantage of the seamless workflow, information sharing, online discussion and the ability to manage their own sites. The Federal Government's new Government Online legislation has imposed additional functionality and performance requirements for Government sites. This project's final tendering will be completed by 1 November 2001.

Records management

The records management team is successfully using the TRIM software to electronically store all Commission files, correspondence and public registers. The TRIM system enables staff to find and view all logged documents from their PCs, as well as log electronic documents including emails.

A training program has educated users and regional office staff in the use of TRIM and that program is ongoing. The TRIM technology means staff can take personal responsibility for managing Commission records.

About 44 800 documents were processed and entered into TRIM (25 per cent increase over last year) and 7136 new files or parts created (19 per cent increase). About 4700 files were sentenced.

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.

This method of disseminating information to the public has proven to be especially effective. The public register site received an average of 2100 hits per month during 2000–01 (up from 1000 hits a month during 1999–2000).

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.

The library produces several current awareness services. A recent initiative was a weekly Library Services Alert containing links to online versions of major current awareness services provided by the library and other agencies, as well as developments in library services.

Current awareness services include the Library Information Bulletin, an in-house database containing over 3000 abstracts of articles dealing with trade practices, consumer protection and competition law and policy, and Current Contents, a weekly compilation of scanned contents pages of new print journals received.

The library participates in Kinetica and regularly contributes original cataloguing and holdings to the National Bibliographic Database. Bibliographic records are downloaded into the Horizon Library Management System (version 5.0.3).

Interlibrary loans are obtained for Commission staff and supplied to other government libraries and private organisations.

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.

As part of the Commission's campaign to ensure compliance with the price exploitation provisions of the Trade Practices Act, many GST publications were produced over the two years since 1999. During the past year 25 were produced (hard copy and electronic form), making a total of 61 GST publications altogether. A further series, *GST Bulletin* (issues 1–27), were produced for online consumption only.

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, the most recent edition covering consumer issues including the impact of market reform on the consumer. 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 7. The highlights of the year's publishing program include:

- brochures on Internet auctions and Internet advertising;
- a guide on health treatments and health funds;
- videos of the November 2000 and May 2001 Competing Fairly Forums;
- a video explaining unconscionable conduct; and
- product safety leaflets covering pedal bicycles, cosmetics, elastic luggage straps, bean bags, exercise cycles, paper patterns and balloon blowing kits.

The Commission also published a report commissioned from Karen Yeung, Fellow in Law at Oxford University, entitled *Public Enforcement of Australia's Competition Law*.

General

Service charter

The Commission continues to review and augment its systems to improve its service delivery. An important initiative during the year was the establishment of a national first-point-of-contact centre, the ACCC infocentre. It is accessible to the public from anywhere in Australia via a 1300 telephone number and the Internet.

The Service Charter will be revised during the next financial year to reflect the *Corporate Plan and Priorities 2001–02*.

The Commission received 12 compliments and seven 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.

Commonwealth Disability Strategy

The Commission is preparing a plan as required by this Commonwealth initiative.

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; and
- 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 115 consultants during the year with a value of \$9.7 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;
- expert economic advice on adjudication and mergers;
- regulatory matters;
- internal audit; and
- enforcement work.

A list of consultants paid more than \$10 000 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.

Mitchell Media: GST public awareness	\$2,643,803
Whybin TBWA & Associates: GST public awareness	\$104,635
Retailers Association of Australia: GST public awareness	\$6,400
Cultural Partners Australia: GST public awareness	\$329,334
Yaffa Publishing Group: Country of origin business education	\$7,417
Furnishing Publications Pty Ltd: Country of origin business education	\$4,000
AIS Media: Employment, and general business information	\$168,306
Media Research Group: GST public awareness	\$32,142
Newsnet: Media releases	\$112,430
Starcom: Employment advertising	\$98,827
APN Newspapers: Information for Small Business	\$1,814
Albany Advertiser Pty Ltd: Information for Small Business	\$612
Agriculture Publishers Pty Ltd: Information for Small Business	\$485
Eryl Morgan Publishing Pty Ltd: Information for Small Business	\$2,750
Nicholas Media Group Pty Ltd: Country of origin business education	\$2,200
Australasian Textiles Publishers: Country of origin business education	\$2,600
Intermedia Group Pty Ltd: Country of origin business education	\$4,400
Advertiser Newspapers Ltd: Information for Small Business	\$1,358
Vertical Markets: Country of origin business education	\$3,000
PSMPC: Gazette subscription	\$8,693

Office accommodation

The Commission maintains 10 offices: in Canberra, each State capital, Tamworth and Townsville.

During the year a number of leases expired and new arrangements were put in place.

Brisbane office relocated to another floor in the same building. A new fitout was completed in December 2000 and the office relocated to Level 3 in the AAMI Building at 500 Queen Street.

Sydney office relocated to Level 7 Angel Place, 123 Pitt Street, in June 2001.

Perth office lease was renewed for another three years in March 2001, and a refurbishment was undertaken in June 2001.

Tamworth office lease was renewed for another two years from December 2000.

In Darwin and Hobart, the Commission exercised options to extend current leases.

Table 7.3. Total staff by gender, classification and location as at 30 June 2001

Classification	ACT		NSW		VIC		QLD		WA		SA		TAS		TVL		TAM		NT		Total		Total	
	M	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	4	9	2		3	5	1		2										1	12	15	27		
APS 1	2	2				1											1			2	4	6		
APS 2	2	5	1	4	1	2		2		2					1					4	16	20		
APS 3	4	14	1	1		6		3		1		1			1				1	5	28	33		
APS 4	19	23	3	3	3	6	3	5	1	2	2	1	2							33	40	73		
APS 5	8	12	5	3	7	14	1	5	2	3	2	2	1	1	1					1	27	41	68	
APS 6	11	21	5	5	14	7	3	2	1	1	2	2	3						3	39	41	80		
EL 1	19	16	4	3	16	10	1	4	2	1		1			1		1		1	45	35	80		
EL 2	30	8	8	2	17	2			1		2		1						1	60	13	73		
SES Band 3	1																			1	0	1		
SES Band 2	2				1															3	0	3		
SES Band 1	5	2		2	2	1	1													8	4	12		
Total Public Service Act staff																								476
Non-Public Service Act staff																								
Chairman	1																			1	0	1		
Deputy Chairman																				0	0	0		
Commissioner	4				1															5	0	5		
Total Non-Public Service Act staff																								6
Total M/F	112	112	29	23	65	54	10	21	9	10	8	7	7	1	2	2	1	1	2	6	245	237	482	
Total	224		52		119		31		19		15		8		4		2		8		482			

Part-time staff as at 30 June 2001

	ACT	NSW	VIC	QLD	WA	SA	TAS	TAM	TVL	NT	Total
Male	4	1	1	1	1						8
Female	12	7	4	2		3		1	1		30
Total	16	8	5	3	1	3	0	1	1	0	38

Temporary staff as at 30 June 2001

	ACT	NSW	VIC	QLD	WA	SA	TAS	TAM	TVL	NT	Total
Male	19	1	7	2							29
Female	10		6	6	1			1	1	1	26
Total	29	1	13	8	1	0	0	1	1	1	55

SES staff by gender, location and band as at 30 June 2001

Band	Gender	Total	ACT	NSW	VIC	QLD	Gains/Losses	Comments
1	Male	10	5	2	2	1		
	Female	2	1		1			
2	Male	3	2		1			
	Female	0						
3	Male	1	1					
	Female	0						
Total		16	9	2	4	1		

Non-Public Service Act staff — total by gender, classification and location as at 30 June 2001

		Chairperson	Deputy Chairperson	Commissioner	Total M/F	Total by region
ACT	Male	1		4	5	5
	Female				0	
VIC	Male			1	1	1
	Female				0	
Total		1	0	5	6	6

