

Access to public registers

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Contents

List of public registers3

How to inspect them4

 Certified copies5

 Fees6

ACCC contacts.....6

Important notice

This leaflet is a summary designed to give you the basic information you need. It does not cover the entire topic of public registers.

Contact the ACCC office in your state or territory for further information—addresses are at the end of the leaflet.

March 2003

The Australian Competition and Consumer Commission is required to create and maintain a number of public registers under the legislation it administers: the *Trade Practices Act 1974* and the *Prices Surveillance Act 1983*.

The ACCC also maintains a number of ‘voluntary’ public registers because it considers the information they contain should be available to the public. One of these registers relates to a delegated section of the *Australian Securities & Investments Commission Act 1989*.

Through these registers the ACCC remains transparent and accountable in its decision making.

Currently the ACCC has over 20 statutory and voluntary public registers.

The information they contain can vary from a few sentences articulating a decision only, through to a comprehensive file of many pages.

List of public registers

This is a listing of the statutory and voluntary registers currently maintained by the ACCC.

Trade Practices Act 1974

Part IIIA (Access to services)

section 44Q:	effective access regime register
section 44Q:	declarations register
section 44ZW:	registered contracts register
section 44ZZC:	access undertaking register
section 44ZZL:	determinations register

Part IV (Restrictive trade practices)

section 50:	mergers and acquisitions register (voluntary register)
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Part V (Consumer protection)

section 65J & 65M:	conference register
section 65K & 65N:	recommendations register

Part VB (The New Tax System)

section 75:	GST compliance register (voluntary register)
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Part VI (Enforcement and remedies)

section 87B:	undertakings register (voluntary register)
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Part VII (Authorisations and notifications)

section 89: authorisations register
section 95: notifications register

Part X (International line cargo shipping)

section 10.13: investigations register

Parts XIB and XIC (Telecommunications)

section 151AR: competition notices register
section 151BH: exemption orders register
section 151BQ: tariff information register
(voluntary register)
section 151BR: tariff filing directions register
section 152AQ: declared services register
section 152BR: telecommunications access
codes register
section 152CC: access undertaking register
section 152CJ: ministerial pricing
determinations register
section 152EA: arbitration determinations
register
section 152ED: access agreement register

Prices Surveillance Act 1983

Part III (Functions of the Commission)

section 23: notices register

Australian Securities & Investments Commission Act 1989

section 93AA: enforceable undertakings
register (voluntary register)

How to inspect them

Requests to inspect the registers may be made in person at any ACCC office. There is no fee for inspecting them.

Inspection is during normal business hours: Monday to Friday, 9 am to 5 pm.

Please note that ACCC state offices don't hold public register material. The exception is the s. 23 public register under the *Prices Surveillance Act 1983*, which is held in the Melbourne office.

The Canberra office may provide its state offices with a duplicate file but this practice is becoming rarer as the ACCC relies more on electronic document imaging. However, if a personal visit is the only way for you to view the documents it can be arranged, and you will have access to a reading room to read them. You need to contact the relevant office and make an appointment.

Making an appointment

If you wish to inspect registers at any office outside Canberra you need to arrange it with the Public Registers Officer in Canberra.

Telephone: (02) 6243 1330

Email: public.registers@accc.gov.au

Website access

The majority of documents placed on the register in recent years can be downloaded from the ACCC website <<http://www.accc.gov.au>>.

And the ACCC Canberra office will usually provide links via the website to documents relating to matters it is currently examining and which have attracted attention.

Obtaining copies

As the ACCC's public registers are public records, available to all sectors of the public, you are not permitted to remove documents from the registers nor mark or alter them in any way.

If you require copies they will be made for you for a fee while you wait.

If electronic images of the documents exist, and if you have an email address, the Public Registers Officer can email them to you. Under the Commonwealth government's online policy there is no charge for documents provided this way.

If requests for electronic documents are for quantities too large to send by email they can be provided on a CD.

There is a charge for photocopies or facsimile copies of documents that you request be sent to you. Similarly, if a CD is required. Invoices for the costs involved will be sent with them.

Personal inspection

There is no need to inspect the register/s if you know which one you need the information from. In this case contact the ACCC office in your state or territory and request that the information be sent to you. Cite the relevant details, such as the name of the matter, the parties, the date etc. to ensure your request is dealt with quickly.

Or contact the Public Registers Officer in Canberra who will process your request.

Certified copies

There is a provision in the *Trade Practices Act 1974* that allows for certified copies of information contained on the public registers to be obtained.

Fees

The ACCC charges \$1 for each photocopied page, facsimile page and electronic page on a CD. There is an extra \$10 charge for a certified copy (for the whole document, not each page). These charges are set out in the legislation.

Note: You should ask about the fees before requesting copies. In some circumstances the fees can be waived, so ask about this as well.

ACCC contacts

ACCC website <http://www.accc.gov.au>

Public Registers Officer, Canberra

Tel: (02) 6243 1330

Email: public.registers@accc.gov.au

Offices

ACT (National office)
Chief Executive Officer
PO Box 1199
DICKSON ACT 2602
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New South Wales
Regional Director
GPO Box 3648
SYDNEY NSW 2001
Tel: (02) 9230 9133
Fax: (02) 9223 1092

Victoria
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GPO Box 520J MELBOURNE VIC 3001
Tel: (03) 9290 1800
Fax: (03) 9663 3699

South Australia
Regional Director
GPO Box 922
ADELAIDE SA 5001
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Regional Director

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Tasmania

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