

appendixes



# the law

## appendix 1



### amendments to the Trade Practices Act

*Treasury Legislation Amendment (Professional Standards) Act 2004 No. 118;*  
commenced 13 July 2004

*Trade Practices Amendment (Personal Injuries and Death) Act (No. 2) 2004 No. 113;*  
commenced 13 July 2004

*Australian Communications and Media Authority (consequential and transitional provisions) Act 2005 No. 45;*  
commenced 1 April 2005

### other laws

*Airports Act 1996;* focusing on access, prices and the quality of service at Australia's privatised airports

*Australian Postal Corporation Act 1989;* defining access to the postal network

*Broadcasting Services Act 1992;* covering the payment of TV licences

Gas Pipeline Access Law

National Electricity Law

*Telecommunications Act 1997;* implements a regulatory framework for the telecommunications industry

*Telecommunications (Consumer Protection and Service Standards) Act 1999;*  
provides a range of safeguards that are available to consumers of telecommunication services

*Trade Marks Act 1995;* governing the approval of a trade mark that certifies that goods or services are of a particular standard of quality, origin, material or mode of manufacture

## exceptions under Commonwealth, state and territory legislation

Some Commonwealth, state and territory Acts permit conduct that would normally be an offence under the Trade Practices Act. Section 51(1) of the Trade Practices Act provides that such conduct may be permitted if it is specifically authorised under those other Acts.

Below is a list of the legislation that allows such conduct or provides for regulations to be made authorising particular conduct. The list includes legislation which the ACCC has been notified of or has otherwise become aware of.

### exceptions under Commonwealth, state and territory legislation

#### Commonwealth

*Trade Practices Act 1974*; Part X,  
Division 5, section 173  
*Wheat Marketing Act 1989*  
*Australian Postal Corporation  
Act 1989*  
*Year 2000 Information Disclosure  
Act 1999*  
Payment Systems (Regulation)  
Regulations 2003

#### New South Wales

*Coal Industry Act 2001*  
*Farm Produce (Repeal) Act 1996*  
*Gaming Machines Act 2001*  
*Grain Marketing Act 1991*  
*Industrial Relations Act 1996*  
*Industrial Relations (Ethical  
Clothing Trades) Act 2001*  
*Liquor Act 1982*  
*Marketing of Primary Products  
Act 1983*  
*Poultry Meat Industry Act 1986*  
*Registered Clubs Act 1976*  
*Totalizer Act 1997*  
*Wine Grapes Marketing Board  
(Reconstitution) Act 2003*

#### Queensland

*Chicken Meat Industry  
Committee Act 1976*  
*Competition Policy Reform  
(Queensland) Act 1996*  
*Forestry Act 1959*  
*Gladstone Power Station  
Agreement Act 1993*  
*Petroleum Act 1923*  
*Sugar Industry Reform Act 2004*  
*Transport Operations (Passenger  
Transport) Act 1994*  
*Year 2000 Information Disclosure  
Act 1999*

#### Victoria

*Electricity Industry (Residual  
Provisions) Act 1993*  
*Gas Industry (Residual Provisions)  
Act 1994*  
*Gas Industry Act 2001*  
*Health Services Act 1998*  
*Outworkers (Improved Protection)  
Act 2003*  
*State Owned Enterprises Act 1992*  
*Water Industry Act 1994*

#### Tasmania

*Electricity Supply Industry Act  
1995*  
*Electricity Supply Industry  
Restructuring (Savings and  
Transitional Provisions) Act 1995*

#### Western Australia

*Grain Marketing Act 2002*  
*North West Gas Development  
(Woodside) Agreement Act 1979*  
*Electricity Industry (Wholesale  
Electricity Market) Regulations  
2004*

#### South Australia

*Authorised Betting Operations  
Act 2000*  
*Barley Marketing Act 1993*  
*Chicken Meat Industry Act 2003*

#### Northern Territory

*Consumer Affairs and Fair Trading  
Act 1990*  
*Consumer Affairs and Fair  
Trading (Tow Truck Operators  
Code of Practice) Regulations*  
*Electricity Reform Act 2000*  
*Water Supply and Sewerage Act  
2000*  
*Year 2000 Information Disclosure  
Act 1999*

#### Australian Capital Territory

*Health Act 1993*

# freedom of information

## appendix 2



### statistics 2004–05

The ACCC received 14 freedom of information requests. The requests were for access to documents generally relating to investigations and complaints. There were four requests carried over from last year.

In seven cases access was granted in part. Access was refused in one case. Four cases were not proceeded with. Six requests had not been finalised by the end of the year.

There were two requests for internal review and one application was made to the Administrative Appeals Tribunal for review.

### section 8 of the *Freedom of Information Act 1982*

This section requires the ACCC to report annually on:

- > the organisation and functions of the agency
- > the arrangements that exist for outside participation in agency decision making
- > the categories of documents that are held by the agency
- > how the public can access these documents.

The following information addresses these requirements.

### organisation, functions and decision making

The structure, functions, legal basis, organisation and detailed descriptions of the exercise of powers of the ACCC are set out in detail earlier in this report.

### arrangements for outside participation

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

The Trade Practices Act sets out formal procedures for the submission of views and information on adjudication matters and conferences. Less formal arrangements have been established through contact with industry associations and consumer groups. There is the ACCC Consultative Committee which comprises representatives from a variety of business and industry associations and which provides a wide range of views on competition policy and consumer protection. The ACCC convenes a general Consumer Consultative Committee four times a year to act as a forum to exchange views and information on trade practices issues. The ACCC has continued its liaison by holding meetings of a Small Business Advisory Group that includes representatives from a wide range of business and professional areas. The ACCC has a Regional Consultative Committee with business and community groups in South Australia. There is a Franchising Consultative Panel with Australia-wide representation. These advisory groups meet every six months. The Health Services Advisory Committee, established by the Treasurer, meets on a quarterly basis; the ACCC provides secretariat services to this committee which reports to the Treasurer. The ACCC has also established the Utility Regulators Forum which meets three times a year to discuss specific issues in regulated industries. The ACCC also meets with ad hoc consultative committees from time to time.

## public registers

The ACCC maintains 27 public registers, both statutory and voluntary. The majority of documents placed on the register in recent years can be downloaded from the ACCC website. Those documents not on the website, or copies of them, are accessible by contacting the Public Register Officer (telephone: (02) 6243 1330 or email: [public.registers@accc.gov.au](mailto:public.registers@accc.gov.au)).

## statutory registers

The Trade Practices Act requires the ACCC to maintain a number of public registers.

## the notifications and authorisations registers

These registers contain details of notifications (s. 95) and authorisation (s. 89) applications, related submissions, the ACCC's decisions and reasons for its decisions.

## consumer protection/product safety register (s. 65)

This is a register of conferences held on bans or mandatory recall of defective goods, and recommendations made to the minister under ss. 65K or 65N.

## access to services register (ss. 44Q, 44ZW, 44ZC and 44ZL)

This is a register of decisions and declarations under Part IIIA. They may be decisions of the Commonwealth minister that a regime established by a state or territory for access to a service is an effective access regime for the service; or proposed service declarations that a service is an essential one of national significance.



### register of price notifications (s. 95ZC)

This register contains copies of all locality notices given to the ACCC under s. 95Z of the Act, and copies of any notices given under Part VIIA of the Act to or by the ACCC in relation to the locality notice. When s. 95ZC commenced, the register in place under s. 23(1) of the Prices Surveillance Act effectively became the register under s. 95ZC.

### part X investigations register (international liner shipping)

This register contains: references given to the ACCC by the minister under ss. 10.47(1) and 10.57(1); particulars of decisions made by the ACCC to hold investigations under ss. 10.48(2) and 10.58(2); requests to the ACCC by the minister under ss. 10.48(3) and 10.58(3); relevant documents given to the ACCC; particulars of oral submissions; reports given to the minister by the ACCC in relation to such investigations.

### telecommunications registers (ss. 151AR–152EA)

The telecommunications registers include declared services, determinations, competition notices, ministerial pricing determinations, access codes, access undertakings, exemption orders, tariff filing directions, tariff information (voluntary register), and access agreements.

### voluntary industry codes (s. 95)

Register of notices pursuant to s. 51AE.

### voluntary registers

Although it is not obliged to by statute, the ACCC also maintains public registers on mergers and acquisitions, and undertakings under s. 87B of the Trade Practices Act.

The mergers and acquisitions register makes brief details of mergers and acquisitions considered by the ACCC available to the public. The details include the names of the target, acquirer and possible acquirer, product description, outline of the matter and the ACCC's decision, including an outline of the reasons for that decision.

The undertakings register relates to s. 87B of the Trade Practices Act, under which enforceable undertakings may be given to the ACCC about a matter in which the ACCC has a power or function other than under Part X. Such undertakings provide for the ACCC to negotiate administrative settlements. The register contains copies of those undertakings.

### categories of documents

The ACCC 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; ACCC papers relating to parliamentary committees and questions relating to meetings of the ACCC with government and non-government bodies relating to new and amending legislation; and general correspondence with members of the public.

## facilities for access

ACCC publications may be inspected at any of the ACCC's offices at the contact addresses shown at the end of this report. Most publications are available from any of the ACCC's offices. Some are available on the ACCC's internet website [www.accc.gov.au](http://www.accc.gov.au). Documents on the public register may be examined and photocopies bought at the ACCC's national office by contacting the Public Register Officer during business hours. Information about facilities available to help people with a disability gain access to documents may be obtained from ACCC offices. Special arrangements can be made to overcome any difficulties with physical access.

## procedures and contact officer

Inquiries about access to documents or other matters related to freedom of information should be directed to the freedom of information officer.

Telephone inquiries should be directed to the FOI officer on (02) 6243 1244 between 9 am and 5 pm Monday to Friday (except public or public service holidays). Email inquiries may be sent to [foi@acc.gov.au](mailto:foi@acc.gov.au).

Applicants seeking access to documents under the *Freedom of Information Act 1982* should apply in writing to:

FOI officer  
Australian Competition and Consumer Commission  
PO Box 1199  
Dickson ACT 2602

The application fee is \$30 and should accompany the request. The ACCC levies the applicable fees and charges imposed under the Freedom of Information (Fees and Charges) Regulations. Such fees and charges may be remitted, reduced or not imposed for any reason, including if grounds of financial hardship or general public interest can be established.

Access may be refused to a document that is deemed to be exempt or contain exempt material. Alternatively, access may be granted in part, if practicable. A refusal to grant access will be supported by a statement of reasons. An applicant may apply for internal review of the decision. The officer authorised to make decisions is the chairman of the ACCC who has delegated that power to certain specified officers.



In **2002** the Wilkinson review of the effect of Part IV of the Trade Practices Act on recruiting and retaining medical practitioners in rural and regional Australia made comprehensive recommendations to help doctors and others in the health and medical sectors better understand the implications of the Act generally. The ACCC consulted closely with the Health Services Advisory Council to publish the *ACCC Info kit for the medical profession* (October 2004).

# publications

## appendix 3



### regular publications

- ACCC briefing  
electronic (August, October, January)
- ACCC ejournal nos 5–16
- ACCC infolink  
electronic (August, September, October, November, February)
- ACCC update: newsletter issues 15, 16
- Consumer express  
free monthly electronic newsletter (8 issues over the year)
- Network  
(produced for the Utility Regulators Forum) nos 18, 19

### fair trading and consumer protection

- A small business guide to unconscionable conduct (book)
- ACCC referral guide (brochure and form)
- Advertising and selling (book)
- Baby bath aids—safety alert (brochure and poster)
- Baby walker safety (flyer)
- Be franchise aware (brochure)
- Blind & curtain cords—safety alert (brochure and poster)
- Bunk bed safety (flyer)
- Certification trade marks: the role of the ACCC (book)
- Complaints about debt collection—the responsibilities of Commonwealth agencies (brochure)
- Cot safety (brochure)
- Fire safety at home: be prepared (booklet)
- GST pricing—for business and consumers (electronic)
- Keeping baby safe. A guide to nursery furniture (booklet)
- More toys for under 3s covered by safety standard (flyer)
- Product safety and you (brochure)
- Product safety—safe toys for kids (booklet)
- Retail flash (newsletter)
- Shopping online (electronic)
- Toy safety (brochure)
- Trolley jacks: product safety—a mandatory standards guide
- Warranties and refunds (booklet)
- Working under a vehicle—vehicle jack safety (brochure)



## effective competition and informed markets

ACCC info kit for the medical profession (booklets and cards)  
ACCC guide to price comparison advertising (flyer)  
Assessing shopper docket petrol discounts and acquisitions in the petrol and grocery sectors (book)  
Be franchise aware (brochure)  
Cartels—what you need to know (booklet)  
Fair and square—a guide to the Trade Practices Act for the real estate industry (book)  
Guide to unconscionable conduct (book)  
Guidelines for developing effective voluntary industry codes of conduct (book)  
Guidelines for pricing in the motor vehicle industry (book)  
Report to the Australian Senate on anti-competitive and other practices by health funds and providers in relation to private health insurance  
Small business and the Trade Practices Act (book)  
The Trade Practices Act and the ACCC: a small business overview (flyer)  
Toys: country of origin and the Trade Practices Act (book)

## infrastructure service markets

Medical indemnity insurance—second monitoring report  
Public liability and professional indemnity insurance: third monitoring report  
Public liability and professional indemnity insurance: fourth monitoring report  
ACCC telecommunications report 2003–04  
Airport price monitoring and financial reporting 2003–04  
Competition in the corporation customer segment of telecommunications markets (book)  
Container stevedoring monitoring report no. 6  
Quality of service monitoring report for price-monitored airports 2003–04

## corporate

ACCC budget papers  
ACCC videos  
Annual report 2003–04  
Corporate plan and priorities 2004–05  
Who we are—what we do—how we work

# commissioners

## appendix 4



**Graeme Samuel AO** was appointed acting chairperson on 1 July 2003 and then chairperson for a five-year term commencing 1 August 2003.

Before joining the ACCC, Mr Samuel was president of the National Competition Council for six years. He was executive director of Macquarie Bank from 1981–86. His career as a banker was preceded by 12 years as a partner of leading Melbourne law firm Phillips Fox and Masel. He has held several other offices, including chair of the Melbourne and Olympic Parks Trust, commissioner of the Australian Football League and member of the Docklands Authority.

He was a trustee of the Melbourne Cricket Ground Trust, president of the Australian Chamber of Commerce and Industry and chair of the Inner and Eastern Health Care Network.

Mr Samuel was appointed an Officer of the Order of Australia in 1998.



**Louise Sylvan** was appointed deputy chair in November 2003. She was formerly the chief executive of the Australian Consumers' Association (ACA) and president of Consumers International.

An active member and worker in consumer protection, nationally and internationally, for over 15 years, Ms Sylvan is well known for her work in enhancing consumer rights in a range of areas such as health, food safety issues, financial services, as well as in competition and consumer policy.

Currently, Ms Sylvan serves internationally on the OECD Consumer Policy Committee and nationally on the federal government's Expert Group in Electronic Commerce and the Australian Statistics Advisory Council to the ABS. Prior memberships included six years on the Australian Prime Minister's Economic Planning Advisory Council and the Self-Regulation Task Force in 1999–2000.

Ms Sylvan has a BA and MPA from universities in her original homeland of Canada and immigrated to Australia in 1983.



**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.

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

Mr Martin holds an economics degree from the Australian National University. He started his second five-year term on 7 June 2004.



**Jennifer McNeill** was appointed in July 2002 for a five-year term. Before joining the ACCC, Ms McNeill was a partner in the law firm of Blake Dawson Waldron where her practice focused on litigation, regulatory and risk management advice for both Commonwealth departments and the private sector. Ms McNeill also tutored in litigation and dispute management at the Australian National University.



**Edward Willett** was appointed in January 2003 for a five-year term. Before his appointment to the ACCC, he was the inaugural executive director of the National Competition Council for seven years. Before that he worked as an assistant commissioner with the Industry Commission, and helped develop the Commonwealth Department of Industry, Science and Technology's role in business law and regulation, spent three years as deputy head of the Commonwealth Office of Regulation Review, and was involved in other Industry Commission inquiry work and research. He also spent three years with the New Zealand Ministry of External Relations and Trade as an advisor on international economics and trade, and eight years as an economist with the Department of Defence. Mr Willett has degrees in law and economics and a post-graduate diploma in international law.



**David Smith** was a long-serving staff member of the ACCC and the previous Trade Practices Commission with nearly 30 years experience in all areas of regulatory activity covered by those bodies before his appointment in June 2004.

From 1990 he managed various branches within the TPC and ACCC, such as Mergers and Asset Sales, Deregulating Industries and Enforcement Coordination.

From 2000–04 he held the position of Executive General Manager, Enforcement and Compliance Division, responsible for the management of the ACCC's broad range of compliance functions both in Canberra and across the ACCC's network of regional offices.

He managed and contributed to the ACCC's input to many reviews and parliamentary inquiries on issues relevant to the operation of the framework competition law, and has been active in much of the ACCC's international work as it relates to operational issues.



**Dr Stephen King** was appointed on 7 June 2004 for a five-year term. He is the ACCC commissioner specialising in mergers.

Dr King is an accomplished academic and one of Australia's most respected expert witnesses and lecturers in the field of economics.

Before joining the ACCC he was Professor of Economics at the University of Melbourne from 1998 and a Professor of Management (Economics) at the Melbourne Business School from 2002. He has a PhD from Harvard University and was awarded the University Medal by the Australian National University.

Dr King has been published widely in leading economic journals, and from 1999–2001 edited the *Australian Economic Review*.

# AER members

## appendix 5



**Steve Edwell** has been appointed by the Ministerial Council on Energy as inaugural chair of the Australian Energy Regulator, a position he has held since 23 May 2005.

Steve has over 15 years experience in reform of utilities, in particular electricity and water, where he has driven a number of comprehensive reform projects, and has worked in both the public and private sectors.

From 1988 to 1998 Steve worked in Queensland Treasury, holding the position of Assistant Under-Treasurer Structural Reform. Subsequently Steve has taken various contracted positions in the utilities sector and has acted as a consultant on a range of electricity and water matters, specialising in large-scale reform implementation.

Immediately before this appointment, Steve worked for the Western Australian Government leading the implementation of comprehensive electricity reform in that state. Steve was also the CEO of the Queensland Electricity Reform Unit, which implemented a range of electricity reforms culminating in Queensland joining the National Electricity Market. His other assignments have included being commissioned by the Queensland Government to implement the COAG water reforms and as head of the Queensland Office of Energy.

Steve has a commerce/economics degree from University of New South Wales and an MBA from University of Queensland.

**Ed Willet:** Part IIIA of the Trade Practices Act provides that one of the members of the AER must be a commissioner of the ACCC. (See under commissioners' biographies)



**Geoff Swier** selected by states and territories as member of the AER.

Geoff holds a Masters of Commerce (Economics) from the University of Auckland and has 20 years experience in microeconomic reform in Australia and New Zealand, focusing on the establishment of competitive energy markets and privatisation.

Geoff played a leading role in the Victorian electricity industry reforms from late 1993, and led policy and planning work for the reform of the Victorian gas industry between 1996 and June 1999. Between 1999 and 2001 he was a director of VENCORP, the Victorian gas market system operator.

He began his career in New Zealand Ministry of Energy in 1982 working in energy forecasting and energy policy. Between 1984 and 1987 he was an economic adviser to the New Zealand Minister of Finance, and in 1990 was an adviser to the NZ Minister for State Owned Enterprises. In the early 1990s he was involved in policy work that led to the development of the NZ wholesale electricity market.

# external committees

## appendix 6



### ACCC Consultative Committee

The ACCC continued to work with its key stakeholders to promote competitive, efficient, fair and informed markets. During 2004–05 the consultative committee met three times.

The committee gives members the opportunity to provide feedback to the ACCC on its activities, including its enforcement priorities, education campaigns and its administration of the Trade Practices Act. It also provides committee members with the opportunity to take note of issues papers and publications that the ACCC sought comment on from stakeholders.

Current committee membership includes all commissioners, the chief executive officer and the senior officers of each of the following peak industry and consumer bodies:

Ms Vivienne Atkinson, National Director, Australian Retailers Association  
Mr Mark Bethwaite, Managing Director, Australian Business Ltd  
Ms Carolyn Bond, Chair, Consumers' Federation of Australia  
Ms Bev Clarke, Executive Director Professions Australia  
Mr Greg Combet, Secretary, Australian Council of Trade Unions  
Mr Michael Delaney, Executive Director, Motor Trades Association of Australia  
Mr Ben Fargher, Chief Executive, Officer National Farmers Federation  
Mr Peter Hendy, Chief Executive, Australian Chamber of Commerce & Industry  
Mr Peter Kell, Chief Executive Officer, Australian Consumers Association  
Ms Katie Lahey, Chief Executive, Business Council of Australia  
Mr Alan Mason, Executive Director, Insurance Council of Australia  
Mr Bill Nagle, Chief Executive Officer, Energy Networks Association  
Mr Brad Page, Chief Executive Officer, Energy Supply Association of Australia  
Mr Bill Reid, Chair of the Trade Practices Committee, Business Law Section  
Ms Heather Ridout, Chief Executive, Australian Industry Group  
Mr Bob Stanton, Chairman, Council of Small Business Organisations of Australia

This year issues discussed by the committee included:

- > the ACCC's approach to enforcement and litigation
- > the development and implementation of the Dawson review reforms
- > regulatory issues including the establishment of the Australian Energy Regulator
- > the Productivity Commission reviews and reports affecting competition policy
- > the ACCC's review of Telstra price controls
- > Competing Fairly Forums
- > the product safety functions transferred from Treasury to the ACCC

At the suggestion of, and in consultation with committee members, it was agreed that, as of February 2005, meetings would be held on a biannual basis. Committee members have agreed that they will be available for consultation and updates between regular meetings to deal with pressing matters.

## Consumer Consultative Committee

This is a committee of consumer, community and welfare organisations from around Australia that meet to advise the ACCC on issues and trends affecting consumers that fall within the scope of the Trade Practices Act. It meets quarterly.

Its members are:

Australian Consumers' Association  
 National Council on Intellectual Disability  
 National Children's and Youth Law Centre  
 Australian Financial Counselling and Credit Reform Association  
 Tangentyere Council  
 Federation of Ethnic Communities' Council of Australia  
 Communications Law Centre  
 Consumer Law Centre Victoria  
 Consumers' Federation of Australia  
 Country Women's Association of Australia  
 Tasmanian Council of Social Service  
 Public Interest Advocacy Centre

This year issues discussed by the committee included:

- > debt collection practices and the growth in debt agreement administrators that target low income people in debt
- > proliferation of software betting scams
- > ACCC campaign to protect disadvantaged and vulnerable consumers
- > the use of component pricing in the airline industry and the car rental market and support for the ACCC's work on single pricing



## Small Business Advisory Group

This group promotes consultation in the sector, especially bringing the ACCC's attention to particular trade practices issues that affect small business and allowing the ACCC to inform the small business community about its activities. It meets quarterly.

Its members are:

Lee & Associates (for Australian Federation of Business and Professional Women)  
Australian Society of Certified Practising Accountants  
Council of Small Business Organisations of Australia  
Housing Industry Association  
Master Builders Australia Inc.  
Motor Trades Association of Australia  
Real Estate Institute of Australia  
The Australian Council of Professions  
The Pharmacy Guild of Australia  
Australian Chamber of Commerce and Industry  
Dibbs Barker Gosling (for Law Council of Australia)  
Australian Industry Group  
Australian Retailers Association  
Law Council of Australia  
Department of Industry, Tourism and Resources  
Franchise Council of Australia  
Australian Business Institute of Chartered Accountants in Australia  
National Farmers Federation  
Australian Asia/Pacific Wholesalers (NARGA)  
Australian Hotels Association

## Franchising Consultative Panel

The panel gives the ACCC an opportunity not only to identify specific issues in the franchising industry, but also to develop specific compliance tools to help both franchisors and franchisees understand their rights and obligations under the Trade Practices Act. Its membership includes franchisors, compliance professionals, franchise associations, franchisees and other members of the Australian Government responsible for franchising policy. The ACCC hosts biannual meetings of the panel.

Current members are:

Mr Richard Evans, CEO, Franchise Council of Australia  
 Mr Steven Giles, President, Franchise Council of Australia  
 Mr Michael Delaney, Motor Trades Association of Australia  
 Ms Chris Baulch, Federal Chamber of Automotive Industries  
 Ms Therese Ryan, Federal Chamber of Automotive Industries  
 Mr David Newton, Office of the Mediation Adviser  
 Mr John Longmire, Just Cuts (franchisee)  
 Mr Robert Gardini, Home Wilkinson Lowry  
 Mr Frank Zumbo, University of NSW  
 Mr Derek Sutherland, Dibbs, Barker Gosling  
 Mr John O'Brien, PoolWerx (franchisor)  
 Mr Tim Hantke, Franchising Solutions  
 Mr Matthew Penfold, Kwik Kop (franchisor)  
 Mr Peter Chesworth, Office of Small Business  
 Ms Julie Owen, McDonald's (franchisor)

## Regional Consultative Committee

The South Australian pilot committee provides a two-way flow of information about trade practices and business issues affecting small business, and regional and rural communities in South Australia. The ACCC provides committee members with information about relevant activities and seeks comment from the committee on community and business perceptions of the activities of the ACCC. It met once in the 2004–05 financial year in August 2004. The meeting scheduled for February 2005 was deferred to a later date pending legislative change to the Trade Practices Act.

Its members are:

South Australian Farmers Federation  
Department of Trade and Economic Development  
Eyre Regional Development Board  
Motor Trade Association Inc.  
South East Area Consultative Committee  
Business SA  
Newsagents Association of SA  
Riverland Winegrape Growers' Association

## Utility Regulators Forum

The forum encourages consultation between state and federal regulators. It discusses issues arising in the network industries where public utilities that traditionally operated as monopolies are being opened up to competition as a result of the competition reform process. It meets three times a year.

Its members are:

Independent Pricing and Regulatory Tribunal  
Essential Services Commission  
National Competition Council  
Government Prices Oversight Commission  
Office of the Tasmanian Electricity Regulator  
Queensland Competition Authority  
Economic Regulation Authority  
Essential Services Commission of South Australia  
Independent Competition and Regulatory Commission  
Utilities Commission Northern Territory  
Commerce Commission New Zealand

# addresses and contacts

## appendix 7



### Australian Competition and Consumer Commission

National office

470 Northbourne Avenue  
Dickson ACT 2602

PO Box 1199  
Dickson ACT 2602

telephone: 02 6243 1111  
facsimile: 02 6243 1199

### ACCC Infocentre

business and consumer inquiries  
1300 302 502

### ACCC website

[www.accc.gov.au](http://www.accc.gov.au)

regional office	regional director	address	telephone facsimile
<b>New South Wales</b>	Geoff Williams	Level 7 123 Pitt Street Sydney NSW 2000  GPO Box 3648 Sydney NSW 2001	02 9230 9133 02 9223 1092
<b>Victoria</b>	Tom Fahy	Level 35, The Tower Melbourne Central 360 Elizabeth Street Melbourne VIC 3000  GPO Box 520 Melbourne VIC 3001	03 9290 1800 03 9663 3699
<b>South Australia</b>	Bob Weymouth	Level 14, ANZ House 13 Grenfell Street Adelaide SA 5000  GPO Box 922 Adelaide SA 5001	08 8213 3444 08 8410 4155
<b>Queensland</b>	Alan Ducret	Level 3, AAMI Building 500 Queen Street Brisbane QLD 4000  PO Box 10048 Adelaide Street Post Office Brisbane QLD 4000	07 3835 4666 07 3832 0372
<b>North Queensland</b>	Kim McBey director	Level 6 Commonwealth Bank Building Flinders Mall Townsville QLD 4810  PO Box 2016 Townsville QLD 4810	07 4729 2666 07 4721 1538
<b>Western Australia</b>	Sam Di Scerni	Level 3, East Point Plaza 233 Adelaide Terrace Perth WA 6000  PO Box 6381 East Perth WA 6892	08 9325 0600 08 9325 5976
<b>Tasmania</b>	Peter Clemes	Level 3, AMP Building 86 Collins St Hobart TAS 7000  GPO Box 1210 Hobart TAS 7001	03 6215 9333 03 6234 7796
<b>Northern Territory</b>	Derek Farrell	Level 8 National Mutual Centre 9–11 Cavenagh Street Darwin NT 0800  GPO Box 3056 Darwin NT 0801	08 8946 9666 08 8946 9600

# glossary and abbreviations



<b>ACCC</b>	Australian Competition and Consumer Commission
<b>Act</b>	the Trade Practices Act
<b>AER</b>	Australian Energy Regulator
<b>ANAO</b>	Australian National Audit Office
<b>ASIC</b>	Australian Securities and Investment Commission
<b>AWA</b>	Australian workplace agreement
<b>Dawson inquiry</b>	review of the Trade Practices Act by Sir Daryl Dawson
<b>DDAS</b>	digital data access service
<b>ex-officio members</b>	hold office on the commission because they head up other regulatory agencies
<b>FTOAC</b>	Fair Trading Officers Advisory Committee
<b>GST</b>	goods and services tax
<b>ICN</b>	International Competition Network
<b>ICPEN</b>	International Consumer Protection and Enforcement Network
<b>LCS</b>	local carriage service
<b>MTAS</b>	mobile terminating access service
<b>MSO</b>	market and system operations
<b>NCP</b>	national competition policy
<b>NEM</b>	National Electricity Market
<b>NEMMCO</b>	National Electricity Market Management Company
<b>OECD</b>	Organisation for Economic Cooperation and Development
<b>pay TV</b>	subscription television services
<b>PSTN</b>	public switched telephone network
<b>RKR</b>	record keeping rule
<b>s. 87B undertakings</b>	court enforceable undertaking made under s. 87B of the Act
<b>SCOCA</b>	Standing Committee of Officials on Consumer Affairs
<b>TPA</b>	Trade Practices Act
<b>the tribunal</b>	Australian Competition Tribunal
<b>ULLS</b>	unconditioned local loop service
<b>WRCC</b>	Workplace Relations Consultative Committee



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