AUSTRALIAN COMPETITION & CONSUMER COMMISSION

AUSTRALIAN ENERGY REGULATOR

ACCC and AER Corporate Plan

2025–26

(For the period 2025–26 to 2028–29)

August 2025

Australian Competition and Consumer Commission
Land of the Ngunnawal people
23 Marcus Clarke Street, Canberra, Australian Capital Territory, 2601

© Commonwealth of Australia 2024

This work is copyright. In addition to any use permitted under the *Copyright Act 1968*, all material contained within this work is provided under a Creative Commons Attribution 4.0 Australia licence, with the exception of:

- the Commonwealth Coat of Arms
- the ACCC and AER logos
- any illustration, diagram, photograph or graphic over which the Australian Competition and Consumer Commission does not hold copyright, but which may be part of or contained within this publication.

The details of the relevant licence conditions are available on the Creative Commons website, as is the full legal code for the CC BY 4.0 AU licence.

Requests and inquiries concerning reproduction and rights should be addressed to the Director, Corporate Communications, ACCC, GPO Box 3131, Canberra ACT 2601.

Important notice

The information in this publication is for general guidance only. It does not constitute legal or other professional advice, and should not be relied on as a statement of the law in any jurisdiction. Because it is intended only as a general guide, it may contain generalisations. You should obtain professional advice if you have any specific concern.

The ACCC has made every reasonable effort to provide current and accurate information, but it does not make any guarantees regarding the accuracy, currency or completeness of that information.

Parties who wish to re-publish or otherwise use the information in this publication must check this information for currency and accuracy prior to publication. This should be done prior to each publication edition, as ACCC guidance and relevant transitional legislation frequently change. Any queries parties have should be addressed to the Director, Corporate Communications, ACCC, GPO Box 3131, Canberra ACT 2601.

ACCC 08/25_25–61

www.accc.gov.au

Contents

1.	**Introduction**	**1**
	Acknowledgement	1
	Our vision for reconciliation	1
	Statement of preparation	1
2.	**Message from ACCC Chair Gina Cass-Gottlieb**	**2**
3.	**ACCC purpose, vision and values**	**5**
4.	**ACCC operating context**	**7**
	Environment	7
	Risk oversight and management	8
	Cooperation and collaboration	10
	Subsidiaries	12
5.	**ACCC performance framework**	**13**
	Regulator best practice principles	14
	Statement of Expectations and Statement of Intent	15
6.	**ACCC strategic objectives, key activities and performance**	**16**
	Strategic objective 1: Address anti-competitive conduct and promote competition	16
	Strategic objective 2: Prevent anti-competitive mergers	19
	Strategic objective 3: Improve competition and choice by ensuring safe, secure and privacy focused data sharing by consumers through the Consumer Data Right and Digital ID systems	21
	Strategic objective 4: Protect consumers from misleading and deceptive conduct and scams, and promote fair trading	23
	Strategic objective 5: Protect consumers from unsafe products	26
	Strategic objective 6: Regulate monopoly infrastructure and monitor concentrated and key markets in the long-term interests of consumers	28
7.	**Capability**	**30**
	Strategic objective 7: Improve our own systems, capabilities and ways of working	30
8.	**ACCC changes since the Corporate Plan 2024–25**	**38**

9.	**Message from AER Chair Clare Savage**	**39**
10.	**AER vision and purpose**	**41**
11.	**AER's role through our strategic objectives and key activities**	**42**
12.	**AER operating context**	**46**
	Environment	46
	Risk oversight and management	47
	Cooperation and collaboration	49
13.	**AER performance framework**	**52**
14.	**AER key actions and performance**	**53**
	Strategic objective 1: Protect vulnerable consumers while enabling all consumers to participate in electricity and gas markets	53
	Strategic objective 2: Effectively regulate competitive electricity and gas markets primarily through monitoring and reporting, and enforcement and compliance	56
	Strategic objective 3: Deliver efficient regulation of monopoly electricity and gas infrastructure while incentivising networks to become platforms for energy services	59
	Strategic objective 4: Evolve our regulatory frameworks and approaches to support the transition to net zero emissions	62
15.	**AER regulatory practice**	**64**
16.	**Capability**	**65**
	AER Culture Plan	65
	AER Data Strategy	66
	AER Organisational structure	67
	Governance	67
	Financial management	68
17.	**AER changes since 2024–25 Corporate Plan**	**69**

1. Introduction

Acknowledgement

The Australian Competition and Consumer Commission (ACCC) and Australian Energy Regulator (AER) acknowledge the Traditional Owners and Custodians of Country throughout Australia and recognise their continuing connection to the land, sea and community. We pay our respects to them and their cultures, and to their Elders past, present and emerging.

Our vision for reconciliation

The ACCC and the AER are committed to take meaningful action to advance reconciliation, within our agency and the community. We work to strengthen relationships between Aboriginal and Torres Strait Islander peoples and other Australians, building relationships based on trust and respect, that are free from racism.

With our First Nations team and community partnerships we work to ensure that our actions, roles and responsibilities build respectful and effective engagement and enhance outcomes for Aboriginal and Torres Strait Islander peoples.

Statement of preparation

The agency's Accountable Authority has prepared this plan for the 2025–26 reporting period for the purposes of paragraph 35(1)(b) of the *Public Governance, Performance and Accountability Act 2013* (PGPA Act). The plan covers the next 4 annual reporting periods from 2025–26 to 2028–29.[1]

Our corporate plan mostly covers the work of the ACCC and AER separately, as the ACCC and AER are separate programs in the Portfolio Budget Statements.

1 The ACCC and AER are a single listed entity for the purpose of the finance law under s 44AAL of the *Competition and Consumer Act 2010*.

2. Message from ACCC Chair Gina Cass-Gottlieb

The ACCC's role is to promote competition bringing benefit to consumers and businesses and fostering economic growth and dynamism. The ACCC's complementary mandate across competition, fair trading and consumer law enables us to promote effective and vigorous competition in all markets, supported by confident and engaged consumers.

Workably competitive markets are essential to promoting the welfare of the Australian community, enabling national productivity, and supporting economic dynamism and resilience. When businesses compete to meet consumer needs, they are driven to innovate and improve, to offer greater choice, lower prices and better-quality products and services that deliver value for the money consumers choose to spend. Conversely, when markets are not workably competitive, Australian consumers and businesses pay the price.

In an environment marked by rapid change, uncertainty and rising complexity – the foundations of consumer trust and effective competition remain essential. Ongoing cost-of-living and cost-of-doing business pressures continue to be felt by both households and small businesses. In parallel, digital transformation, and the transition to net zero are creating global challenges and opportunities as we transition to a more sustainable and more technologically advanced economy.

The ACCC's Corporate Plan 2025–26 responds to this contemporary context and reflects our enduring purpose: making markets work for Australians, now and in the future.

Over the coming year, we will continue to use our full suite of regulatory tools, including enforcement, to address consumer and competition concerns that have the greatest impact on Australians and on the Australian economy.

Our enforcement priorities are directed toward complex, serious conduct that undermines consumer trust, impedes competition or entrenches market power. In particular, we will continue to focus on sectors such as supermarkets and retail, telecommunications, energy and other essential services where misconduct imposes material costs and harms on households and small businesses.

We will also continue to prioritise consumer and competition concerns relating to sustainability. This includes enforcement investigations into potentially false or misleading environmental claims, and we have several greenwashing investigations that are currently ongoing. Maintaining consumer confidence in sustainability claims is important to support businesses who invest in more sustainable production processes to support the net zero transition.

Implementing the mandatory merger control regime is a key focus for the ACCC in the year ahead. These reforms strengthen both the protection and the promotion of competition in Australian markets by ensuring that the level of market concentration is effectively scrutinised, with the ACCC equipped to identify and prevent mergers that pose the greatest risk of harm. The new regime is also designed to deliver increased transparency, certainty and timeliness. Successfully transitioning to the new regime will be crucial, and we have dedicated significant resources to ensure that our people and systems are ready.

The ACCC is also committed to addressing emerging harms across the digital economy in more coordinated and proactive ways. We work to achieve this through our regulatory, enforcement, product safety, and digital regulation and service delivery remits. Through the National Anti-Scam Centre, we are supporting the implementation of a new Scam Prevention Framework, focused on prevention, disruption and rapid response.

In our roles as economic and infrastructure regulators, and through our responsibilities under the Consumer Data Right and Digital Identity frameworks, we are working to increase transparency, competition and individual control over data in both established and emerging markets, driving efficient and productive outcomes that provide the best outcomes for consumers.

In parallel, we continue to support reforms that ensure the right regulatory settings are in place to protect consumer wellbeing and competition and to foster economic dynamism and productivity in rapidly changing markets.

This includes continuing our advocacy for the introduction of a prohibition on unfair trading practices. The increasing complexity and sophistication of online and offline commerce has provided new opportunities to influence and distort consumer decision-making. Over many years, we have observed concerning business conduct that, while not necessarily breaching current consumer laws, nevertheless causes significant harm to consumers and small businesses and can erode trust and confidence across entire sectors.

Introducing a prohibition on unfair trading practices is critical to addressing this conduct. Such a reform would modernise Australia's consumer protection framework – bringing it in line with international best practice. We also consider that such a reform would support a new standard for business conduct – driving better outcomes for consumers, markets and the economy.

The ACCC also strongly supports reforms for digital markets in Australia to promote effective competition, unlock broader opportunities for innovation, lower prices and provide better services for the benefit of Australian consumers and businesses who rely on critical intermediary digital platform services. In the year ahead, we will continue to work with Treasury on progressing the consideration by Government of a proposed new digital competition regime, having regard to international approaches. By establishing clear and upfront rules, the regime will enable Australian businesses to contest digital markets more effectively while providing platforms with regulatory certainty about acceptable commercial practices.

We also continue to contribute to the Government's economic reform agenda, including supporting the renewal of Australia's National Competition Policy and the Government's productivity agenda. As the Commonwealth's competition and consumer protection regulator, the very basis of the ACCC's mandate is improving economic efficiency and productivity. When businesses must compete for customers, revenue and market share, they are compelled to lower prices, minimise their costs, innovate, improve quality and find efficiencies in their production to tip the balance in their favour.

The ACCC will continue to scan for emerging risks, investigate and enforce the law in a rigorous and risk-based manner against anti-competitive conduct that impedes dynamism, and contribute to reforms that support competitive markets. We will pursue our mandates of promotion of competition and protection of consumers to deliver better outcomes for all Australians.

3. ACCC purpose, vision and values

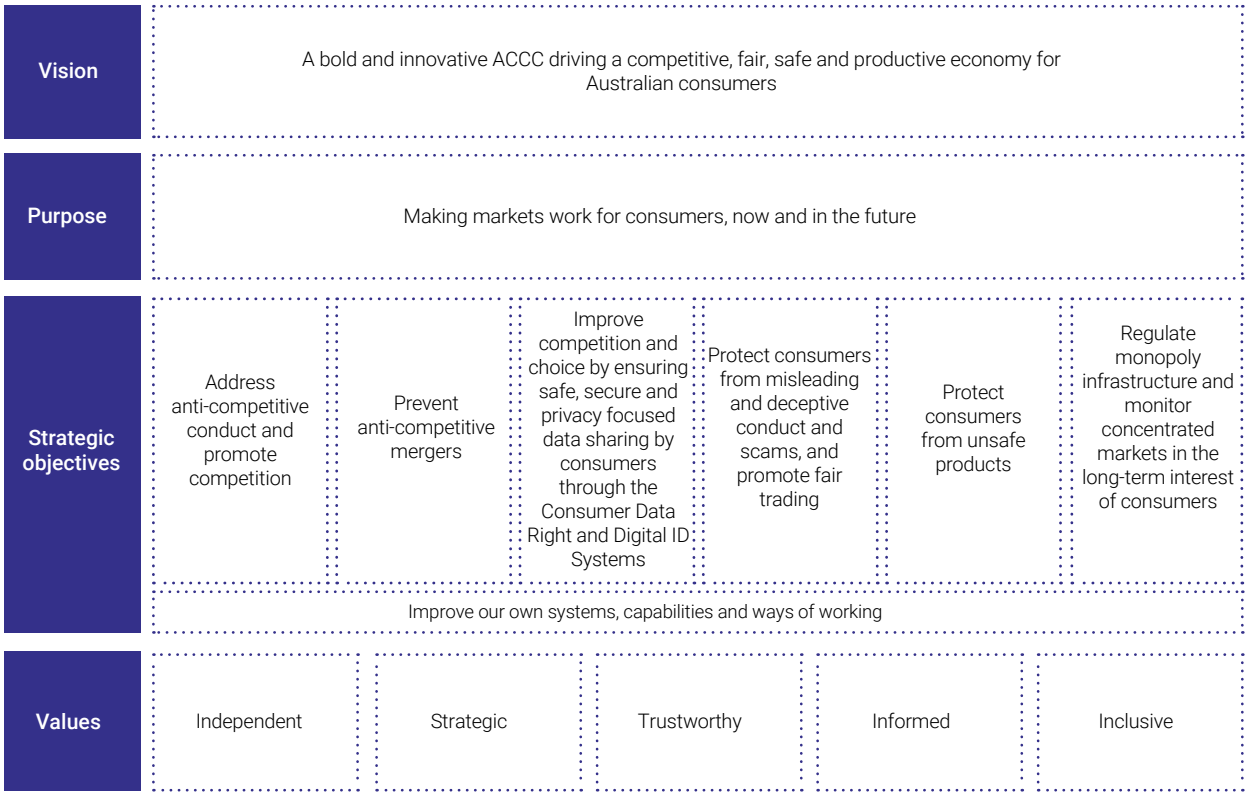
The ACCC's purpose is to make markets work for consumers, now and in the future.

Our vision is a bold and innovative ACCC driving a competitive, fair, safe and productive economy for Australian consumers.

The ACCC program is to achieve compliance with the *Competition and Consumer Act 2010* and other legislation to protect, strengthen and supplement the way competition works in Australian markets and industries, improve the efficiency and productivity of the economy and increase the welfare of Australians. Our work will be risk-based, efficient and proportionate to the regulatory burden we impose on businesses, to improve the welfare of Australians and the productivity of the Australian economy.

To deliver our program and achieve our purpose, we focus our resources on key activities to achieve the 7 strategic objectives shown in Figure 1.

Figure 1: ACCC vision, purpose, strategic objectives and values



In carrying out our work, the ACCC appreciates and upholds the Australian Public Service (APS) Values of Impartial, Committed to service, Accountable, Respectful, Ethical, and Stewardship. We also uphold the following additional complementary values in undertaking our work:

- **Independent:** We inspire confidence in our work by being impartial and objective.
- **Strategic:** Our focus is on the bigger picture, ensuring consumers are at the heart of what we do.
- **Trustworthy:** We act with integrity, honesty and ethically.
- **Informed:** Our decisions and actions are based on data, evidence and intelligence, as well as expert knowledge.
- **Inclusive:** We act in a considered way with an understanding of the impact of our actions.

4. ACCC operating context

Environment

The ACCC addresses trends and developments within our dynamic operating environment to ensure we are in the best position to deliver on our purpose.

Economic conditions

Growth in the Australian economy is expected to gradually improve over 2025–26.[2] The Consumer Price Index shows inflation normalising within the Reserve Bank of Australia's target range.[3] The ACCC will continue to focus its regulatory and enforcement work on supporting the competitiveness and efficiency of markets to generate better outcomes for Australians and the economy.

Regulatory context

The Australian Government is pursuing an economic reform agenda, with a focus on resilience, productivity and budget sustainability. The ACCC strongly supports this agenda. By promoting competition in markets, we promote the production of the most highly valued goods and services at the optimum quality and the lowest possible price for the benefit of Australian consumers. Our consumer protection role is complementary, promoting consumer confidence, ensuring the consumer dollar is not diverted by misleading conduct and is supporting compliant businesses.

The ACCC supports the government's ongoing reforms, which will ensure the appropriate policy settings are in place to address mergers, scams, infrastructure regulation, product safety and consumer protection. This work is interwoven with the government's agenda revitalising National Competition Policy in a series of tranches, which is focused on easing cost of living pressures. We will continue to support this work, and the Government's broader regulatory reform agenda.

Social and technological context

Sustainability continues to be an enduring consideration across the agency's operations, reflecting enduring concerns from consumers as businesses continue to make claims about the sustainability of their products, services and operations in order to respond to consumers' preferences. In parallel, the ACCC continues to consider public interest applications to permit collaborations by businesses to work together to achieve better environmental outcomes, where that collaboration might otherwise raise concerns under the competition law. In response to these issues, the ACCC will continues to educate consumers and businesses about their rights and responsibilities, investigate claims made by businesses in line with our compliance and enforcement priorities.

Technological advancements continue to impact markets, presenting new opportunities and challenges for consumers, businesses and policymakers. In particular, the emergence of artificial intelligence (AI) has brought about changes in markets, business models and consumer behaviour. The government's review of AI and the Australian Consumer Law and its consultation on mandatory

2 Department of the Treasury, Australian Government, *Pre-election Economic and Fiscal Outlook 2025*, The Treasury, 7 April 2025.

3 Australian Bureau of Statistics, Australian Government, Consumer Price Index, Australia, ABS, June quarter 2025, released 30 July 2025, accessed 5 August 2025.

safeguards for safe and responsible AI have examined the issues associated with the emergence of AI. The ACCC is considering these developments in its ongoing work and looking at how it can leverage data and technology to ensure the ACCC remains an efficient and effective regulator. The ACCC will implement Australian Government advice wherever possible to realise the opportunities and address the risks in the changing digital landscape.

Risk oversight and management

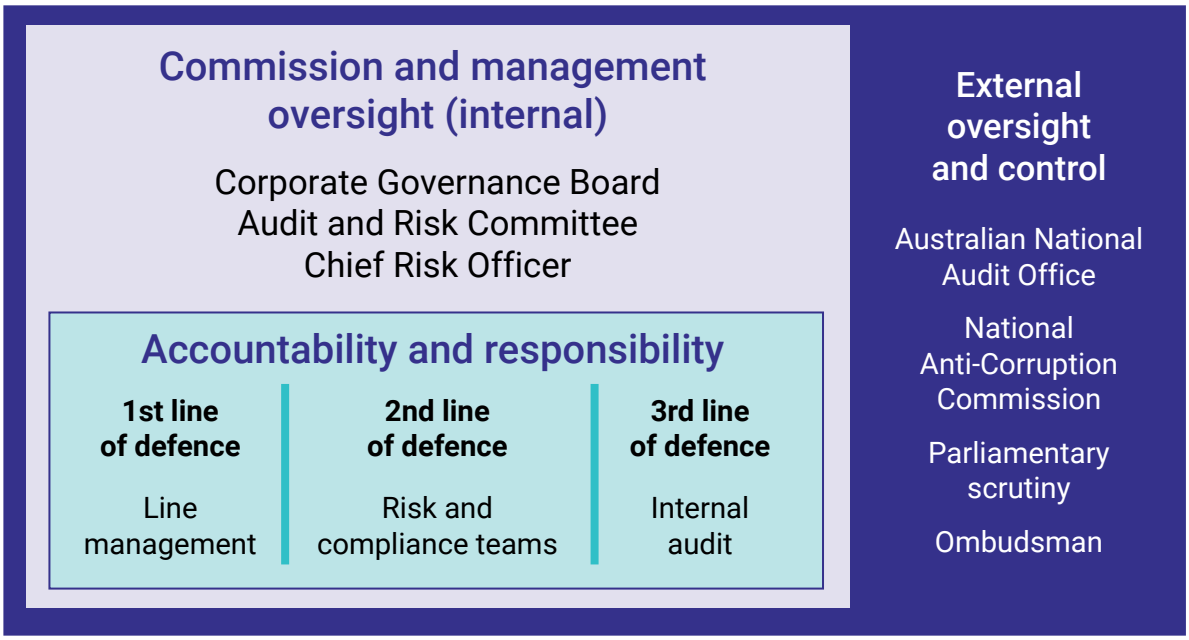
The ACCC and AER Risk Management Framework sets out the agency's approach to risk oversight and management.

The agency continues to build its risk maturity, including through enhanced risk management practices, improved overall risk capability, and further embedding a positive risk culture.

Risks are managed using practical and meaningful risk controls and treatments commensurate with business need. We reinforce the link between risk management and our strategic objectives by maintaining and regularly reviewing our enterprise and divisional risk registers. Our work in managing risk is further supported by engagement with the Audit and Risk Committee and through the agency's internal audit program, which provides advice and assurance on our controls, business processes and performance, as well as our compliance with relevant statutory requirements (including the PGPA Act).

The agency's risk management model is shown in Figure 2.

Figure 2: Risk management model



ACCC key risks

The ACCC is managing the key risks shown in Table 1. Most of these risks are the same as or similar to the key risks we identified in 2023–24, because we consider that these risks remain relevant for at least the short to medium term.

The ACCC also relies on its strong governance framework, including oversight from the Corporate Governance Board and Audit and Risk Committee.

Table 1: ACCC enterprise risks and management approach

Key risk	How the risk is managed
Successful cybersecurity attack or other significant security incident	▪ Oversight by the Executive Management Board, the Data, Information and Security Committee, and Security Project Board. ▪ Internal policies and plans, including the agency's Security Policy, cybersecurity incident response plan, and Information Management and Technology Services recovery plan. ▪ Internal guidance, education and mandatory training on security. ▪ Assessment and assurance activities, including Essential Eight assessment, onsite support from Australian Cyber Security Centre, and implementation of recommendations of the cybersecurity and personnel vulnerabilities internal audit. ▪ Delivery of a priority project to uplift cybersecurity capabilities and security culture.
Inability to maintain appropriate levels of workforce wellbeing and engagement and/or attract, develop, maintain and retain necessary capabilities	▪ Proactive measures aimed at attracting and retaining employees with the necessary capabilities. ▪ Creation of a learning and development strategy focused on building complex capabilities and reducing capability gaps. ▪ Proactive support for workplace wellbeing initiatives that focus on psychosocial hazards – for example, the Peer Support Advisers (providing information and support to employees who experience workplace issues) and the Employee Assistance Program. ▪ Continued support for mobility, development of the leadership cohort, and work on the agency's people priorities.
Evolution of arrangements between the ACCC and AER are not managed appropriately	▪ Resetting of the arrangements by which the ACCC supports the operations of the AER. ▪ Oversight of the resetting process by senior management and dedicated project manager. ▪ Strong communication and liaison between key ACCC and AER stakeholders and other relevant external stakeholders. ▪ Clear and effective communications with affected employees about the resetting process.
Unprepared for the threats and opportunities associated with the use or potential use of artificial intelligence (AI) (both internal use and use by external parties)	▪ Development of internal Artificial Intelligence Policy and Procedures, supported by robust governance and monitoring arrangements. ▪ Establishment of AI@ACCC network, which draws together personnel working on AI-related matters. ▪ Introduction of AI awareness and literacy training. ▪ Regular liaison and engagement with other Commonwealth entities and international counterparts regarding the use of AI, as well as the regulation of entities that use AI.

Key risk	How the risk is managed
Failure to effectively adapt to and manage the increasing scope and diversity of the agency's portfolio of work or a major failure in the execution of a key agency function	▪ Oversight of the agency's work program by the ACCC's governance and management processes. ▪ Regular strategic planning and prioritising process (including horizon scanning). ▪ Detailed business and corporate planning processes. ▪ Regular engagement and liaison with key external stakeholders, particularly on matters relating to, or impacting, the ACCC's role and functions.
Serious findings of a lack of integrity, major noncompliance event/s or inadequate compliance and assurance systems	▪ Robust internal policies, procedures and frameworks for integrity matters. ▪ Regular audit and assurance activities on integrity matters. ▪ Implementation of recommendations from the Australian National Audit Office probity audit of financial regulators. ▪ Operation of Chief Integrity Officer and Risk, Assurance and Integrity team.

Cooperation and collaboration

As a multi-function national regulator with an economy-wide remit, the ACCC seeks to maximise its effectiveness through collaboration with a wide range of stakeholders. (see Figure 3). Our approach to engaging with our stakeholders is underpinned by our values of being independent, strategic, trustworthy, informed and inclusive.

The ACCC also has in place Memoranda of Understanding and agreements with a range of domestic and international agencies to ensure we have formal mechanisms in place for cooperation and exchange of information.

Figure 3: Our stakeholders

Australian consumers

The interests of consumers are at the heart of our work. The public and consumer advocacy groups (including our Consumer Consultative Committee) provide us with information and valuable insights that inform our work across our key activities – enforcement actions, compliance activities, education, industry engagement, product safety actions, advocacy and research. Our market studies and inquiries, relevant authorisation and other regulatory assessments also benefit from the exchange of information with Australian consumers.

We also engage directly with Australian consumers by providing guidance, education and information through various mediums.

Australian businesses

The ACCC works with businesses, industry bodies and associations to help businesses to understand their obligation to comply with the law. The ACCC promotes a competitive and fair operating environment for small business and, importantly, ensures small businesses understand how the legislation can help them to remain a competitive force. The ACCC engages with many businesses, industry bodies and associations through our consultative committees.

Australian Government

The ACCC provides information and advice and engages extensively with the Treasury and other government agencies on various priorities and policy issues. Some examples of this are product safety regulations and market interventions to protect consumers from unsafe products; and changes to the regulatory or legislative frameworks that the ACCC believes would improve outcomes or reduce compliance costs for business and the community. The ACCC also works with other Commonwealth departments and regulators in our regulatory, compliance and enforcement work to share information and coordinate activity where appropriate.

State and territory governments

In the compliance and enforcement field, the ACCC works with state and territory government agencies to influence change, build capacity, share information and best-practice approaches and support broader market and industry behavioural change. The ACCC works with other state and territory consumer regulators on a 'one law, multiple regulator' model to enforce and ensure compliance with the Australian Consumer Law.

Consultative committees

The ACCC's consultative committees and forums continue to be a hallmark of our commitment and collaborative approach to economy-wide engagement. They enable us to better understand the consumer, competition and regulatory issues relevant to our work.

The committees and forums are also a valuable mechanism for sharing information. The ACCC uses them to communicate key messaging for business and consumers. Also, the groups that participate bring issues of concern to the ACCC's attention, and we are then able to incorporate this information into the work we undertake through our key activities. Consultative committees and forums also foster a more collaborative approach between the ACCC and these stakeholders to address many issues impacting the market and consumers.

In April 2025, the ACCC re-established its ACCC Performance Consultative Committee, which brings together a broad range of our stakeholders to help us better identify and understand current and emerging issues and opportunities for change.

Further information on our consultative committees is available on our website.

International counterparts

Cooperation with our international counterparts is a crucial component of the ACCC's effectiveness as a regulator. The ACCC engages closely with partners in our region to promote competition and consumer protection. The ACCC also participates in key international forums such as the Organisation for Economic Co-operation and Development (OECD), the International Competition Network and the International Consumer Protection Enforcers Network.

The ACCC manages 2 regional engagement programs – the Consumer Affairs Program and the Competition Law Implementation Program. Through these programs the ACCC partners and shares knowledge and experience with competition and consumer law agencies within the Association of Southeast Asian Nations (ASEAN) for our mutual benefit. The ACCC is also increasing its collaboration with competition and consumer counterparts in the Pacific through the recent formation of the Pacific Islands Network for Competition, Consumer and Economic Regulators.

Details of international forums and groups we participate in on the subjects of competition, consumer protection, product safety and regulation are available on our website.

Subsidiaries

The ACCC does not have any subsidiaries.

5. ACCC performance framework

The corporate plan is the ACCC's primary planning document.

The agency's outcome in Treasury's Portfolio Budget Statements is:

> Enhanced welfare of Australians through enforcing laws that promote competition and protect consumers, as well as taking other regulatory and related actions including monitoring and market analysis, public education, determining the terms of access to infrastructure services, and discharging regulatory responsibilities governing energy markets and networks.

Each ACCC strategic objective has corresponding key activities and a suite of performance measures, as outlined in Section 6.

The performance measures include quantitative measures of the significant outputs from our work and the timeliness of key decision-making processes, supplemented by quantitative measures of our effectiveness as measured by our biennial Effectiveness Survey. The ACCC has not yet been able to develop direct measures of efficiency that would be appropriate given the complex nature of our work. However, some performance measures on timeliness are considered proxy measures of efficiency. Additionally, performance indicators in Section 7 will contribute to improved productivity and efficiency for the years ahead.

Our actual results against our performance measures will be reported to parliament and published in the *ACCC and AER annual report 2025–26*. Our reporting includes an assessment for each performance measure result against the target (see Table 2), with additional contextual information and specific examples of actions and outcomes. Together, these provide our stakeholders with a detailed understanding of what the agency achieved during the year and what the impact of our work has been.

Table 2: Assessment of results for performance measures

Raiting	Symbol	Assessment
Met or exceeded	✓	Result is 100% of, or higher than, the target.
Partially met	○	Result is between 75% and 99% of the target.
Not met	✗	Result is less than75% of the target.
Not applicable (N/A)	●	There is no target set, or there is no target or result for the reporting period.

Regulator best practice principles

The regulator best practice principles are primarily focused on how regulators undertake regulatory activities and minimise regulatory burden on businesses. The 3 principles are:

1. **Continuous improvement and building trust:** Regulators adopt a whole-of-system perspective, continuously improving their performance, capability and culture to build trust and confidence in Australia's regulatory settings.
2. **Risk based and data driven:** Regulators manage risks proportionately and maintain essential safeguards while minimising regulatory burden, and leveraging data and digital technology to support those they regulate to comply and grow.
3. **Collaboration and engagement:** Regulators are transparent and responsive communicators, implementing regulations in a modern and collaborative way.

The ACCC applies these principles when delivering our functions. Where relevant, each performance measure in Section 6 identifies related regulator best practice principles to demonstrate how these principles are linked to our everyday work.

Our regulator best practice performance measures are shown in Table 3.

Our Effectiveness Survey is conducted biennially, so targets will be set for, and independent results reported, every second year. For the years in which we do not have new survey results, where relevant we will draw on examples of our work and other relevant performance information to measure our performance against the 3 principles.

Table 3: ACCC regulator best practice performance measures

Performance measures	Target	
	2025–26	Future
P1. Effectiveness survey 'index score' (out of 100) that key stakeholders agree the ACCC effectively adopts a whole-of-system perspective, continuously improving its performance, capability and culture to build trust and confidence in Australia's regulatory settings	N/A	2026–27: 70 2027–28: N/A 2028–29: Maintain
P2. Effectiveness survey 'index score' (out of 100) that key stakeholders agree the ACCC effectively manages risks proportionately and maintains essential safeguards while minimising regulatory burden; and leverages data and digital technology to support those they regulate to comply and grow	N/A	2026–27: 70 2027–28: N/A 2028–29: Maintain
P3. Effectiveness survey 'index score' (out of 100) that key stakeholders agree the ACCC is a transparent and responsive communicator, implementing regulations in a modern and collaborative way	N/A	2026–27: 70 2027–28: N/A 2028–29: Maintain

Methodology: *Each reported index is the average of individual question indices for questions that address the strategic objective. The index score is the mean (average) response for the question/s across respondents (using the numerical score from the 5-point response scale) transformed into a 0- to 100-point scale. Future targets are set based on 2025 survey results*

Data source: *ACCC Effectiveness Survey – Independent Report*

Statement of Expectations and Statement of Intent

Regulators are expected to incorporate any ministerial Statement of Expectations and regulator Statement of Intent into performance reporting as part of their corporate plan and annual report, in accordance with the PGPA Act.

A ministerial Statement of Expectations was issued in April 2024, and ACCC responded with a regulator Statement of Intent in April 2024. Both can be found on the ACCC website.

On 1 December 2024, under the *Digital ID Act 2024*, the ACCC assumed new legislative responsibilities as the Digital ID Regulator. The current Statement of Expectations does not reflect this role. The ACCC expects that, in 2025, the Department of Finance, in collaboration with Treasury and the Attorney-General's Department, will issue an updated Statement of Expectations that incorporates the ACCC's responsibilities as the Digital ID Regulator.

6. ACCC strategic objectives, key activities and performance

Strategic objective 1: Address anti-competitive conduct and promote competition

The **key activities** we undertake to achieve this strategic objective are:

1.1 Initiate enforcement and compliance actions to address harm to consumers and businesses resulting from anti-competitive conduct.

1.2 Make decisions on authorisations and notifications in the public interest.

1.3 Undertake market studies and inquiries to contribute to improved market outcomes.

Competitive markets lead to a stronger economy because competition drives innovation and productivity. In competitive markets, consumers benefit from better products and services at more competitive pricing. As the national regulator responsible for competition law, the ACCC focuses on action that best promotes the proper functioning of Australian markets and addresses conduct that is anti-competitive or harmful to consumers or small business, thereby enhancing the welfare of Australians now and into the future.

Under the competition provisions of Part IV of the Competition and Consumer Act, the ACCC uses a range of compliance and enforcement tools to investigate suspected breaches and act on noncompliance. We have the power to take civil court action, refer alleged serious cartel conduct to the Commonwealth Director of Public Prosecutions, accept court enforceable undertakings and resolve matters administratively.

To achieve strategic objective 1, we use 4 flexible and integrated strategies:

- Encourage compliance with the law, particularly by educating and informing consumers and traders about their rights and responsibilities under the Competition and Consumer Act.
- Enforce the law, including by resolving possible contraventions both administratively and by litigation, and achieve other formal enforcement outcomes.
- Undertake market studies or report on emerging competition or consumer issues to identify any market failures and identify strategies for addressing them, including supporting and informing our compliance and enforcement measures and identifying possible areas for policy consideration.
- Work with other agencies to implement these strategies, including through coordinated approaches.

The ACCC also considers applications for authorisation and notifications, which give exemptions for arrangements that may otherwise breach the competition provisions of the Competition and Consumer Act but are not harmful to competition or are likely to result in overall public benefit. The ACCC also reviews proposed rules for new certification trademark applications against principles relating to competition, consumer protection, unconscionable conduct and product safety.

Relevant ministers may direct the ACCC to undertake certain activities, including inquiries and monitoring. As noted above, the ACCC can also undertake self-initiated market studies. Market studies and inquiries enable the ACCC to:

- develop a sophisticated understanding of how well competition and markets are working in particular sectors
- bring transparency to issues in a way that facilitates and encourages changed behaviour from businesses and consumers
- make recommendations to stakeholders, including the Australian Government and state and territory governments, about ways to improve the functioning of markets.

Strategic objective 1 performance measures

Performance measures	Target	
	2025–26	Future
1a. Number of in-depth competition investigations completed	15	2026–27 to 2028–29 To be set in future years
Methodology: *Manual count and cross-check of a range of records measuring how many matters reach each stage of investigation* ***Data source:*** *Internal records* ***Related regulator best practice principles:*** *1 and 2* ***Related key activities:*** *1.1*		
1b. Number of competition enforcement interventions (court proceedings commenced, section 87B undertakings accepted, administrative resolutions)	6	2026–27 to 2028–29 Maintain
Methodology: *Manual count and cross-check of interventions* ***Data source:*** *Internal records and ACCC media releases* ***Related regulator best practice principles:*** *1 and 2* ***Related key activities:*** *1.1* *This measure is also reflected in the Portfolio Budget Statements*		
1c. Percentage of authorisation matters where a draft determination is released or an interim authorisation has been granted within 4 months	80%	2026–27 to 2028–29 80%
Methodology: *Number of authorisations in which a draft determination is released in 4 calendar months divided by number of authorisations in which a draft determination is released, expressed as a percentage* ***Data source:*** *Internal records* ***Related regulator best practice principles:*** *1, 2 and 3* ***Related key activities:*** *1.2*		

Performance measures	Target	
	2025–26	Future
1d. Effectiveness survey 'index score' (out of 100) that key stakeholders agree the ACCC effectively addresses anti-competitive conduct and promotes competition	N/A	2026–27: 70% 2027–28: N/A 2028–29: Maintain

Methodology: *Each reported index is the average of individual question indices for questions that address the strategic objective. The index score is the mean (average) response for the question/s across respondents (using the numerical score from the 5-point response scale) transformed into a 0- to 100-point scale. Future targets are set based on 2025 survey results*

Data source: *ACCC Effectiveness Survey – Independent Report*

Related regulator best practice principles: *1, 2 and 3*

Related key activities: *1.1, 1.2 and 1.3*

Strategic objective 2: Prevent anti-competitive mergers

The **key activity** we undertake to achieve this strategic objective is:

2.1 Assess mergers to prevent changes in market structures that substantially lessen competition.

The ACCC enforces laws in Part IV of the Competition and Consumer Act that prohibit mergers and acquisitions that are likely to substantially lessen competition.

The ACCC has in place an informal merger review regime. Under the regime, merger parties can voluntarily request that the ACCC consider a merger ahead of time so that they can ascertain the ACCC's views on the merger. This reduces the risk that they will later face legal action by the ACCC.

On 1 January 2026 a new merger review regime will commence. Under the new regime, businesses that are considering acquisitions which meet certain thresholds must notify the ACCC and receive approval before proceeding. The ACCC can determine that the merger must not be put into effect if it is satisfied that the merger would, in all the circumstances, have the effect, or be likely to have the effect, of substantially lessening competition in any market. Also, the parties can apply for consideration of the matter under a net public benefit test.

The ACCC will consider voluntary notifications under the new merger review regime from 1 July 2025 and will continue to consider informal merger reviews until 31 December 2025.

The change in the merger reform regime is reflected in the performance measures 2a and 2b. Performance measure 2a measures our performance from 1 January 2026 under the new merger review regime; and performance measure 2b measures our performance under the informal merger review regime until 31 December 2025.

Strategic objective 2 performance measures

Performance measures	Target	
	2025–26	Future
2a. Percentage of formal merger matters determined within 20 business days after the effective notification date or waiver request date post commencement of the new compulsory merger regime on 1 January 2026	80%	2026–27 to 2028–29 80%
Methodology: *Percentage of formal merger matters determined within 20 business date of effective notification or waiver divided by total number of formal matters determined in the period. This measure only applies from 1 January 2026, at which time the new merger regime commences*		
Data source: *Internal records*		
Related regulator best practice principles: *1, 2 and 3*		
Related key activities: *2.1*		
This measure is also reflected in the Portfolio Budget Statements		

Performance measures	Target	
	2025–26	Future
2b. Percentage of informal merger matters subject to Phase 1 only of public review that were finalised within 12 weeks (excluding time periods where information is outstanding)	80%	N/A
Methodology: *For mergers that have not involved the issuance of a statement of issues or the acceptance of a section 87B undertaking, excluding assessments where no decision was made, where the number of business days less timeline suspensions divided by 5 is less than or equal to 12, expressed as a percentage. This measure only applies until 31 December 2025, at which time the informal merger regime finishes* ***Data source:*** *Internal records (Dynamics)* ***Related regulator best practice principles:*** *1, 2 and 3* ***Related key activities:*** *2.1*		
2c. Effectiveness survey 'index score' (out of 100) that key stakeholders agree the ACCC's assessment of mergers is effective in preventing changes in market structures that substantially lessen competition	N/A	2026–27: 70% 2027–28: N/A 2028–29: Maintain
Methodology: *Each reported index is the average of individual question indices for questions that address the strategic objective. The index score is the mean (average) response for the question/s across respondents (using the numerical score from the 5-point response scale) transformed into a 0- to 100-point scale. Future targets are set based on 2025 survey results* ***Data source:*** *ACCC Effectiveness Survey – Independent Report* ***Related regulator best practice principles:*** *1, 2 and 3* ***Related key activities:*** *2.1*		

Strategic objective 3: Improve competition and choice by ensuring safe, secure and privacy focused data sharing by consumers through the Consumer Data Right and Digital ID systems

The **key activities** we undertake to achieve this strategic objective are:

3.1 Maintain the register and deliver, secure and support the enabling technology solutions for the Consumer Data Right.

3.2 Accredit Consumer Data Right data recipients and promote compliance with and enforce the Consumer Data Right rules and standards to ensure that consumers can trust the security and integrity of the program.

3.3 Regulate compliance within Australia's Digital ID System through accreditation, participation approval, oversight, enforcement and public transparency.

The Consumer Data Right (CDR) is a data portability initiative that gives consumers the right to choose to safely share the data that businesses hold about them.

CDR is a key part of Australia's digital public infrastructure. It promotes competition by:

- delivering better information and easier switching for consumers
- encouraging innovation in new products and services.

CDR applies to consumers' data in the banking and energy sectors, and is being extended to cover the non-bank lending sector from 2026.

The CDR provisions of Part IVD of the Competition and Consumer Act:

- allow consumers to request businesses to disclose the consumer's own data to an accredited person or an authorised third party who can use that data to provide services to the consumer
- require businesses to share data about their products and services in a standardised way to make it easier to compare offers.

A digital ID lets people prove who they are online without having to share lots of personal details. This protects privacy and helps stop identity theft and online crime. People can choose when and how their identity is shared.

As the Digital ID Regulator, the ACCC ensures digital ID services meet strict standards for privacy, security and reliability. This helps people feel safe when using a whole range of digital services. By regulating digital ID, we are helping to create a digital economy that is safe, fair and open to everyone.

We will begin reporting on our digital ID performance measures in future years. This will happen as our regulatory role develops and we gain better insight into how to measure impact and success.

To achieve this strategic objective, we work closely with other government agencies, including those with policy responsibility for the CDR and Digital ID (the Treasury and the Department of Finance, respectively) and with the Office of the Australian Information Commissioner on privacy safeguards.

Strategic objective 3 performance measures

Performance measures	Target	
	2025–26	Future
3a. Availability of the Register of Accredited Persons	99.9%	2026–27 to 2028–29 Maintain
Methodology: *Scheduled uptime minus downtime of the register divided by scheduled uptime, expressed as a percentage* ***Data source:*** *Reports from the Managed Services Provider* ***Related regulator best practice principles:*** *N/A* ***Related key activities:*** *3.1*		
3b. Number of Consumer Data Right investigations completed to promote compliance and enforcement of the CDR rules and standards	5	To be set in future years
Methodology: *Count and cross-check of the total number of Consumer Data Right initial investigations and in-depth investigations completed during the financial year* ***Data source:*** *Internal records (Dynamics and iManage)* ***Related regulator best practice principles:*** *1, 2 and 3* ***Related key activities:*** *3.2*		
3c. Effectiveness survey 'index score' (out of 100) that key stakeholders agree the ACCC effectively improves competition by facilitating safe and secure data sharing by consumers through the Consumer Data Right	N/A	2026–27: 70% 2027–28: N/A 2028–29: Maintain
Methodology: *Each reported index is the average of individual question indices for questions that address the strategic objective. The index score is the mean (average) response for the question/s across respondents (using the numerical score from the 5-point response scale) transformed into a 0- to 100-point scale. Future targets are set based on 2025 survey results* ***Data source:*** *ACCC Effectiveness Survey – Independent Report* ***Related regulator best practice principles:*** *1, 2 and 3* ***Related key activities:*** *3.1 and 3.2*		

Strategic objective 4: Protect consumers from misleading and deceptive conduct and scams, and promote fair trading

The **key activities** we undertake to achieve this strategic objective are:

4.1 Initiate compliance and enforcement actions to address harm to consumers and small businesses resulting from noncompliance with the Australian Consumer Law and industry codes.

4.2 Empower small businesses by increasing awareness of their rights under the Australian Consumer Law and industry codes.

4.3 Empower consumers by increasing awareness of their rights under the Australian Consumer Law.

4.4 Empower consumers and businesses to combat scams by collecting and sharing data and intelligence across the scam ecosystem and coordinating and conducting scams prevention, disruption and awareness activities.

The Australian Consumer Law gives the ACCC and state and territory consumer regulators a single set of provisions to respond to fair trading and consumer protection issues. The Australian Consumer Law also allows regulators to work collectively on broader issues and take proactive and timely compliance and enforcement action. The ACCC works closely with the Australian Securities and Investments Commission and state and territory consumer protection agencies on national compliance and enforcement projects.

The ACCC also regulates codes of conduct that are prescribed as regulations under the Competition and Consumer Act. The Act provides specific rules to govern relationships and promote fair trading between participants in specific sectors. Examples of codes of conduct are the Franchising Code of Conduct, the Food and Grocery Code of Conduct, the Dairy Code of Conduct and the Horticulture Code of Conduct.

The ACCC promotes a competitive and fair operating environment for small business and, importantly, ensures small businesses understand how the legislation can help them. The ACCC helps to ensure small businesses understand and comply with their obligations and encourages them to exercise their rights under the Competition and Consumer Act and industry codes as the customers of larger businesses. We work with businesses, industry associations and consumer groups, engage with businesses and consumers and provide education and specialised information so that businesses and consumers know their rights and obligations under the Competition and Consumer Act. The ACCC's educational campaigns also assist consumers to navigate complex or difficult consumer choices and help them to make smart decisions.

We also undertake policy and advocacy activity to improve the Australian Consumer Law, as well as other provisions of the Competition and Consumer Act, so that we can enhance consumer welfare and fair trading and assist small businesses to become a competitive force.

To protect consumers and businesses from scams, the ACCC runs the National Anti-Scam Centre. The National Anti-Scam Centre prevents and disrupts scam activity by educating Australians on how to identify and avoid scams, improving scams reporting, facilitating data sharing, and supporting law enforcement agencies' efforts to stop scams. As the general regulator for the Scams Prevention Framework, the ACCC will work closely with the Treasury and other stakeholders to undertake preparatory work before the framework is implemented. Once it is implemented, the ACCC will also monitor regulated entities' compliance with it, undertake investigations of potential breaches, take enforcement action where regulated entities do not take reasonable steps to fulfil

their obligations under the framework, and facilitate intelligence-informed information sharing and disruption activities.

Strategic objective 4 performance measures

Performance measures	Target	
	2025–26	Future
4a. Number of in-depth Australian Consumer Law and industry codes investigations completed	60	2026–27 to 2028–29 Maintain
Methodology: *Count of matters reaching each stage of investigation, with cross-check of stage and outcome* ***Data source:*** *Internal records (Dynamics)* ***Related regulator best practice principles:*** *1 and 2* ***Related key activities:*** *4.1*		
4b. Number of Australian Consumer Law and industry codes enforcement interventions (court proceedings commenced, section 87B undertakings accepted, infringement notices issued, administrative resolutions)	40+	2026–27 to 2028–29 Maintain
Methodology: *Count and cross-check of public outcomes within the reporting period* ***Data source:*** *Internal records (Dynamics), ACCC media releases, public registers, undertakings register* ***Related regulator best practice principles:*** *1 and 2* ***Related key activities:*** *4.1* *This measure is also reflected in the Portfolio Budget Statements*		
4c. Number of Australian Consumer Law and industry codes compliance initiatives to improve business compliance with the law and educate consumers and small business about the law's protections	20	2026–27 to 2028–29 Maintain
Methodology: *Count and cross-check of significant initiatives and material within the reporting period* ***Data source:*** *Internal records, relevant ACCC website pages, relevant publications* ***Related regulator best practice principles:*** *1, 2 and 3* ***Related key activities:*** *4.1, 4.2, and 4.3*		
4d. Number of data sharing arrangements for near realtime data sharing to National Anti-Scam Centre, industry and government partners	40	2026–27: Maintain 2027–28: Maintain 2028–29: Maintain
Methodology: *External data sources provide their total losses over the financial year, which are totalled across all sources and published in Targeting Scams report* ***Data source:*** *External data sources from Scamwatch, ReportCyber, Australian Financial Crime Exchange, IDCARE, and the Australian Securities and Investments Commission* ***Related regulator best practice principles:*** *1, 2 and 3* ***Related key activities:*** *4.4*		

Performance measures	Target	
	2025–26	Future
4e. Effectiveness survey 'index score' (out of 100) that key stakeholders agree the ACCC effectively protects consumers from misleading and deceptive conduct and scams and promotes fair trading	N/A	2025–26: 70% 2026–27: Maintain 2027–28: N/A

Methodology: *Each reported index is the average of individual question indices for questions that address the strategic objective. The index score is the mean (average) response for the question/s across respondents (using the numerical score from the 5-point response scale) transformed into a 0- to 100-point scale. Future targets are set based on 2025 survey results*

Data source: *ACCC Effectiveness Survey – Independent Report*

Related regulator best practice principles: *1 and 3*

Related key activities: *4.1, 4.2, 4.3 and 4.4*

Strategic objective 5: Protect consumers from unsafe products

The **key activities** we undertake to achieve this strategic objective are:

5.1 Identify safety hazards in consumer products and prioritise the risks that may result in serious injury and death.

5.2 Address the highest priority risks of serious injury and death arising from safety hazards in consumer products through regulation, education, compliance and enforcement actions.

The ACCC assesses current and emerging consumer product safety risks using intelligence sources such as:

- supplier mandatory and voluntary reports and consumer complaints
- media reports and other publications
- market surveillance to identify noncompliant or unsafe products
- networks of consumers, business, government and other organisations, including injury surveillance units
- international networks and sources such as EU SafetyGate, Health Canada, the United States Consumer Product Safety Commission NEISS Database, the OECD GlobalRecalls Portal, and information sharing as part of regular international product safety regulatory engagement.

We triage and assess information received and, where warranted, take action such as:

- negotiating the recall of goods
- educating industry and consumers, including publishing safety warnings
- negotiating voluntary changes to package labelling or product design
- introducing and/or working to implement changes to existing product safety mandatory standards and bans
- making recommendations for regulatory action by the Minister – for example, standards, bans and compulsory recalls or safety warning notices
- advocating for reform and clarity of roles and responsibilities within the product safety framework
- taking compliance and enforcement action.

Our Australian Consumer Law consumer product safety responsibilities form part of Australia's overall product safety framework, which is complemented by specialist safety regulators that are responsible for the safety of specific classes of goods.

Strategic objective 5 performance measures

Performance measures	Target	
	2025–26	Future
5a. Number of product safety regulatory interventions	3+	2026–27 to 2028–29 5+
Methodology: *Count of recommendations to the Minister to issue or substantially update a product safety standard, ban, compulsory recall or safety warning notice* ***Data source:*** *Internal records* ***Related regulator best practice principles:*** *1 and 2* ***Related key activities:*** *5.1 and 5.2*		
5b. Number of product safety enforcement interventions	3+	2026–27 to 2028–29 3+
Methodology: *Count of product safety enforcement interventions (court proceedings commenced, section 87B undertakings accepted, infringement, substantiation or public warning notices issued, administrative resolutions). Product safety hazards prioritised for intervention are identified through a risk assessment of reports and data on unsafe products, which is guided by our product safety priorities (including enduring factors)* ***Data source:*** *Internal records* ***Related regulator best practice principles:*** *1 and 2* ***Related key activities:*** *5.1 and 5.2*		
5c. Number of product safety education and compliance initiatives	25+	2026–27 to 2028–29 25+
Methodology: *Count and cross-check of product safety education and compliance initiatives (new or substantially updated guidance or education campaigns for businesses or consumers relating to the safety of consumer products and other non-enforcement initiatives). Product safety hazards prioritised for intervention are identified through a risk assessment of reports and data on unsafe products, which is guided by our product safety priorities (including enduring factors)* ***Data source:*** *Internal records* ***Related regulator best practice principles:*** *3* ***Related key activities:*** *5.2*		
5d. Effectiveness survey 'index score' (out of 100) that key stakeholders agree the ACCC is effective in protecting consumers from unsafe products	N/A	2026–27: 70% 2027–28: N/A 2028–29: Maintain
Methodology: *Each reported index is the average of individual question indices for questions that address the strategic objective. The index score is the mean (average) response for the question/s across respondents (using the numerical score from the 5-point response scale) transformed into a 0- to 100-point scale. Future targets are set based on 2025 survey results* ***Data source:*** *ACCC Effectiveness Survey – Independent Report* ***Related regulator best practice principles****: 1, 2, and 3* ***Related key activities:*** *5.1 and 5.2*		

Strategic objective 6: Regulate monopoly infrastructure and monitor concentrated and key markets in the long-term interests of consumers

The **key activities** we undertake to achieve this strategic objective are:

6.1 Formulate regulatory decisions that promote the long-term interests of end users and consumers.

6.2 Provide industry monitoring reports to government in relation to highly concentrated or emerging markets or markets of significant concern to consumers.

The ACCC is the national economic regulator of certain infrastructure services, including communications, postal services, services provided by Airservices Australia and rail. We also have specific regulatory roles in clearing and settlement services, energy, water in the Murray–Darling Basin and bulk wheat port facilities.

Our infrastructure regulation and market monitoring work, results in lasting changes to markets to improve the everyday lives of people across Australia. We support markets that, by their structure or nature, may not work effectively for consumers on their own. Our work promotes greater productivity in these sectors, which provide essential services to other businesses and consumers, and promotes the productivity of the economy as a whole. Our work is ultimately geared towards achieving better outcomes for consumers: lower prices, better quality products and services, and more choice.

A major aim of our economic regulatory role is to foster efficient consumption of and investment in infrastructure services through industry-specific regulation and access conditions, under the umbrella of the long-term interest of end users.[4] Access conditions that promote competition in upstream and downstream markets increase the efficiency of the overall economy and improve outcomes for consumers.

To identify market failure, improve market efficiency and promote competition through better market information, the ACCC inquires into, monitors and reports on markets for goods and services in certain concentrated, deregulated or emerging markets; and markets that are of significant concern to consumers – for example, the airlines, airports, communications, electricity, fuel, gas, insurance, post, rail, container stevedoring and rural Murray–Darling Basin water sectors. We undertake inquiries when directed by government.

We also have a role in enforcing industry-specific competition and market rules and mandatory codes of conduct in some infrastructure-based and other markets of significance.

The ACCC's regulatory role and monitoring supports our competition work and our competition advice and advocacy efforts, ensuring that Australian markets operate within a policy framework that facilitates competition and efficient investment in and use of key and essential infrastructure networks, services and markets. We are engaging with Treasury on the National Competition Policy Review to support a regulatory regime that is proportionate, fit for purpose and which supports productivity across the economy.

4 The long-term interests of end users refers to the end users' economic interests, which can include lower prices, increased quality of service and/or greater diversity and scope in product offerings.

Strategic objective 6 performance measures

Performance measures	Target	
	2025–26	Future
6a. Percentage of regulatory decisions completed within statutory timeframes	100%	2026–27 to 2028–29 100%
Methodology: *Number of regulatory decisions made within statutory timeframe (including 'stop the clock' and timeframe extension provisions in the Competition and Consumer Act) divided by the total number of regulatory decisions with a statutory timeframe required (including 'stop the clock' and timeframe extension provisions in the Competition and Consumer Act), expressed as a percentage* ***Data source:*** *ACCC media releases and material, certain public registers, internal records* ***Related regulator best practice principles:*** *1* ***Related key activities:*** *6.1*		
6b. Requested market information, analysis and insights relating to highly concentrated or emerging markets or markets of significant concern are provided to government in a timely manner	100%	2026–27 to 2028–29 100%
Methodology: *Collation of the requested number of reports to be provided within the reporting period against the actual number provided within the reporting period, expressed as a percentage (covering aviation, communications, electricity, fuel, gas, insurance, post, rail, container stevedoring and rural water sectors and other sectors subject to a monitoring or inquiry direction, legislative requirement or allocated funding)* ***Data source:*** *ACCC media releases and publications, internal records* ***Related regulator best practice principles:*** *1 and 3* ***Related key activities:*** *1.3 and 6.2* *This measure is also reflected in the Portfolio Budget Statements*		
6c. Effectiveness survey 'index score' (out of 100) that key stakeholders agree the ACCC effectively regulates monopoly infrastructure and monitor concentrated markets in the long-term interests of consumers	N/A	2026–27: 70 2027–28: N/A 2028–29: Maintain
Methodology: *Each reported index is the average of individual question indices for questions that address the strategic objective. The index score is the mean (average) response for the question/s across respondents (using the numerical score from the 5-point response scale) transformed into a 0- to 100-point scale. Future targets are set based on 2025 survey results* ***Data source:*** *ACCC Effectiveness Survey – Independent Report* ***Related regulator best practice principles:*** *1 and 2* ***Related key activities:*** *6.1 and 6.2*		

7. Capability

The ACCC comprises 10 divisions plus the AER. Our organisational structure is available on our website at https://www.accc.gov.au/about-us/accc-role-and-structure/organisation-structure#toc-accc-organisation-structure.

As a single agency, the ACCC and AER share the services of our Corporate Division and Specialised Advice and Services Division. Accordingly, much of the content in this section applies to both the ACCC and the AER.

The ACCC has an additional strategic objective focused on improving the agency's capability. The ACCC is currently conducting a strategic planning process, the outcomes of which may be reflected in the ACCC's future corporate planning processes.

Preparations for legal separation of the AER from the ACCC will continue. The timing is now expected to be 1 July 2026, dependent on legislation passing in the 2025–26 financial year.

Strategic objective 7: Improve our own systems, capabilities and ways of working

The **key activities** we undertake to achieve this strategic objective are:

7.1 Support our people and their wellbeing, to develop and meet their full potential and facilitate a diverse, respectful and inclusive culture.

7.2 Modernise our ICT, improve the reliability, flexibility and security of our business and data systems, and enhance our data capabilities.

7.3 Adapt our ways of working to allow resources to be used flexibly and efficiently to meet changing priorities and to adopt innovative practices commensurate with the level of risk; and empower our people to work autonomously and influence the direction of the organisation.

7.4 Further develop our standing as a world-class independent regulator through external engagement and internal collaboration to support robust, evidence-based and transparent decision making that is responsive to complex challenges and demands.

Our people

Our people are our key strength. They perform at their best when they are supported, encouraged, respected and trusted; when they are valued for their engagement to our work and teams; and when they have the opportunity to self-direct their skills and expertise towards achieving the agency's purpose and priorities. We prioritise the employee experience (see Figure 4) in all that we do. For example, we:

- provide support to our people to maintain their wellbeing and safety
- consult with employees in developing a risk assessment that identifies psychosocial hazards in the ACCC; and design controls to mitigate these risks
- continue to implement the Talent Acquisition strategy to help streamline recruitment and reduce the time it takes to fill positions
- support our employees to access flexible ways of working

- continue our commitment to diversity and inclusion, including as we renew our Reconciliation Action Plan, our Inclusion Strategy and supporting action plans through employee networks of people who identify and are allies
- continue our work on implementing changes aligned with the mandatory APS reform agenda items, including:
  - refining our approach following changes to the SES Performance Leadership Framework and rolling out redeveloped performance feedback processes
  - collaborating with the Australian Public Service Commission to develop and pilot a sponsorship program to support culturally and linguistically diverse employees across the APS.

Figure 4: Our Employee Experience framework

Implementing the Strategic Commissioning Framework

The ACCC and AER are committed to developing our people and strengthening the capability of the APS. Most of the ACCC and AER workforce comprises APS employees. Where appropriate, we draw upon external skills and expertise to support the delivery of our work.

In 2025–26 the ACCC and AER will continue to bring core work in-house in line with the APS Strategic Commissioning Framework. Our targets for 2025–26 will remain focused on roles in the compliance, regulation, and data and research job families.

The framework will build on work the ACCC and AER have already undertaken between 2023 and 2025 to insource both core and core-enabling work.

Our use of technology and data

The ACCC is committed to continuing to mature our use of technology and data.

The ACCC's ICT Digital Strategy 2025–2035 supports this maturation and outlines the agency's technology vision, missions, objectives, principles and outcomes over the next 10 years. The annual information and communications technology (ICT) portfolio delivery plan will outline the agency's ICT operations, aligning with the ICT Digital Strategy to account for both short-term changes prompted by new policy proposals and government priorities. We will conduct tactical reviews of the ICT Digital Strategy to ensure long-term durability and align with changes in the agency's strategic objectives.

The ICT Digital Strategy vision is to deliver secure, reliable, flexible and innovative ICT solutions to enable the ACCC to be a world-class competition and consumer regulator. This will be accomplished through 7 key Technology Missions:

1. Modernise our ICT infrastructure, systems and solutions to improve performance, responsiveness, resilience and security.
2. Deliver data and digital solutions that are adaptable, scalable and reusable, improving current and future needs of users, external stakeholders and the agency.
3. Enhance and mature our data capabilities to effectively and efficiently collect, store, analyse, share and use data with agency staff and external stakeholders.
4. Leverage new and emerging technologies, such as digital identity systems and AI, to automate, augment and support the agency's purpose and strategic objectives.
5. Empower our staff to work collaboratively, productively, efficiently and flexibly with the right tools, skills and support.
6. Provide exceptional user service and experiences.
7. Govern and manage our ICT portfolio, resources and risks strategically, transparently and accountably.

The ICT Digital Strategy will support productivity and efficiency by improving our systems, capabilities and ways of working to align with the agency's corporate plan and strategic objectives, the ACCC's Data Strategy, the Commonwealth's Data and Digital Government Strategy, and other relevant government policies and frameworks.

To support the delivery of this strategic objective, we will develop a new Data Strategy in 2025–26. We will also implement initiatives to enhance our data culture and allow for the effective deployment of expertise, ensuring that data is at the heart of our decision making. For example, we will implement accountabilities for our Senior Executive Service leaders and look for opportunities to automate business processes to enhance data quality and improve data accessibility and visibility.

Our ways of working

Faced with a rapidly evolving operating environment and ever-changing competition and consumer protection challenges, it is increasingly important that we examine our ways of working to ensure that we can efficiently and effectively deliver on our regulatory remit, including by appropriately prioritising our activities and flexibly deploying our resources.

We will do this by ensuring that:

- we allocate resources to priority areas by:
  - conducting biannual reviews of operational priorities to ensure we are working sustainably and focused on the most important matters

  - using data-driven intelligence to ensure that decisions are linked to impact and resource deployment is linked to decisions
  - increasing our agility by sharing resources and developing and embedding expertise
  - allocating our budget in a flexible way
- our organisational structure is adaptive and supports new ways of working and faster decision making by:
  - using agile purpose-based teams where appropriate
  - ensuring decision making structures and frameworks remain fit for purpose
  - considering opportunities for devolved decision making
- innovation and acceptable risk taking is part of our culture by:
  - dedicating resources to innovation and continuous improvement
  - trialling new ways of working through experimentation and iteration
  - developing and maintaining informal processes where appropriate.

We continue to consider opportunities to embed effective knowledge management systems, processes and practices. This year we will launch enhanced IT systems to support effective knowledge management, including to support implementation of the new merger reforms, and redesign our intranet offering.

The stewardship of the agency

The ACCC has been a successful regulator, though this is no guarantee of future effectiveness. However, it does offer a strong indication of the agency's potential to continue to deliver positive results.

As an independent regulator it is important that our robust and transparent decision making, guided by our values, is efficient and effective. It must also be responsive to complex challenges and demands. We do this by ensuring that:

- our role is clear in the face of expanding responsibilities
- we take a right-sized approach to our activities and interventions
- we have a service and accessibility culture; and our connections with external stakeholders, including through its range of consultative committees, provide opportunities to understand competition and consumer protection challenges
- our internal cross-functional collaboration is effective in supporting us to achieve better outcomes for consumers
- we remain objective by making decisions based on data and evidence
- we manage change successfully in our organisation.

The agency's corporate governance framework (see Figure 5) is fundamental to achieving our strategic objectives while ensuring compliance with relevant legislation and policies, maintaining performance standards and making the most cost-effective use of resources.

Figure 5: ACCC governance framework

*Committees of Commission and Inquiry Project Boards are subject to change throughout the year as operationally required.

The ACCC makes statutory decisions through formal meetings of its Commission, assisted by subject-matter committees (such as the Enforcement Committee and the Mergers Review Committee) and various specific project boards. ACCC Commissioners are full-time statutory officer holders. ACCC Commissioners have a clear view of the connection between their statutory decision making on particular matters and the overall staffing resources and legal expenditure implications of those decisions. Their breadth of regulatory and subject-matter expertise is enhanced through the appointment of associate members, including a range of cross-appointees from other regulators, who are part-time officer holders.

The Corporate Governance Board sits at the apex of the agency's governance structure. ACCC Commissioners and the AER Chair and Deputy Chair form the Corporate Governance Board, which is advised by our Audit and Risk Committee.

Financial management and capital investment

The ACCC and AER have a budget management framework and a forward estimate budget model to support strategic resourcing decisions aligned to our priorities. This model provides an outlook as to the future capacity of the agency. It is only an indicator at a point in time, as additional functions can be assigned to the ACCC and AER with varying levels of funding attached.

We continuously focus on our financial management capacity and skills to strengthen the financial maturity of the agency, our executive managers and their teams. This ensures a robust understanding of the importance of financial management and governance under the PGPA Act for current and future senior managers.

Four-year budget estimates for the ACCC and AER are published in the Treasury's Portfolio Budget Statements following a formal government budget process. Tables 4 and 5 show funding confirmed at the most recent Budget – the Portfolio Budget Statements 2025–26, published in March 2025. The tables set out the ACCC's and AER's departmental operating funding (in nominal $s) for 2025–26 and forward years of the budget estimates.

Table 4: Program 1.1 ACCC 2025–26 to 2028–29 ($ millions)

	2025–26	2026–27	2027–28	2028–29
Departmental appropriation	275.784	232.171	227.346	219.349

Table 5: Program 1.2 AER 2025–26 to 2028–29 ($ millions)

	2025–26	2026–27	2027–28	2028–29
Departmental appropriation	95.725	93.295	94.164	93.283

The agency's capital investment management plan is a forward-looking strategy that integrates capital asset replacement within a constrained capital budget and planning framework.

Capital investment falls into 4 discrete categories: property, ICT investment, ICT refresh, and office equipment. Across these categories, strategic decisions will be made regarding the:

- nature and composition of asset replacement (for example, relocation of offices as leases approach expiry or the replacement of major ICT systems)
- prioritisation and scheduling of asset replacements within available capital budget
- method of acquisition – consideration of capital resourcing of the current operating environment and emerging trends may predispose a lease option as opposed to a capital purchase
- funding source and budget context, particularly for projects identified as potential candidates for new policy proposal funding.

Strategic objective 7 performance measures

Performance indicators	Target	
	2025–26	Future
7a. Agency APS census 'wellbeing' score	> 77%	2026–27 to 2028–29 Maintain or improve
Methodology: *Positive percentages are calculated by adding together positive responses (e.g. strongly agree + agree, or always + often) and dividing by the number of respondents who answered the questions* ***Data source:*** *APS Census results* ***Related regulator best practice principles:*** *1* ***Related key activities:*** *7.1*		
7b. Agency APS census 'employee engagement' score	> 79%	2025–26 to 2027–28 Maintain or improve
Methodology: *Positive percentages are calculated by adding together positive responses (e.g. strongly agree + agree, or always + often) and dividing by the number of respondents who answered the questions* ***Data source:*** *APS Census results* ***Related regulator best practice principles:*** *1* ***Related key activities:*** *7.1*		
7c. The percentage of positive responses to APS Census survey questions about whether employees have the appropriate skills, capabilities and knowledge to perform well	> 86%	2026–27 to 2028–29 Maintain or improve
Methodology: *Positive percentages are calculated by adding together positive responses (e.g. strongly agree + agree, or always + often) and dividing by the number of respondents who answered the questions* ***Data source:*** *APS Census results* ***Related regulator best practice principles:*** *1* ***Related key activities:*** *7.1*		
7d. Continue to reduce the agency's gender pay gap	< 5%	2026–27: 1.5% 2027–28: <1.5% 2028–29: <1.2%
Methodology: *The percentage difference between the average annual, full-time equivalent earnings of male and female employee cohorts (male average minus female average, divided by male average), consistent with methodology used by the Workplace Gender Equality Agency* ***Data source:*** *Aurion (internal human resources records management system), Workplace Gender Equality Agency* ***Related regulator best practice principles:*** *1* ***Related key activities:*** *7.1*		

Performance indicators	Target	
	2025–26	Future
7e. Percentage of employees who identify as First Nations	3%	2026–27: 3.25% 2027–28: 3.5% 2028–29: 3.75%
Methodology: *As at 30 June of the reporting period, the total number of employees who identify as Indigenous in Aurion divided by the total number of employees, expressed as a percentage. APS Census – the total number of survey respondents who identify as Indigenous, divided by the total number of survey respondents who answered the question, expressed as a percentage* ***Data source:*** *Aurion (internal human resources records management system) and APS Census results* ***Related regulator best practice principles:*** *1* ***Related key activities:*** *7.1*		
7f. Percentage of employees who identify as a person with disability	7%	2026–27: 7% 2027–29: To be set in future years based on Disability Action Plan
Methodology: *As at 30 June of the reporting period, the total number of employees who identify as a person with a disability in Aurion divided by the total number of employees, expressed as a percentage. APS Census – the total number of survey respondents who identify as a person with a disability, divided by the total number of survey respondents who answered the question, expressed as a percentage* ***Data source:*** *Aurion (internal human resources records management system) and APS Census results* ***Related regulator best practice principles:*** *1* ***Related key activities:*** *7.1*		
7g. Number of security awareness activities delivered to drive a security aware culture	12	2026–27 to 2028–29 12
Methodology: *Count of security awareness activities recorded* ***Data source:*** *Internal records* ***Related regulator best practice principles:*** *1 and 2* ***Related key activities:*** *7.1 and 7.2*		
7h. Overall ICT system availability	99.9%	2026–27 to 2028–29 99.9%
Methodology: *Total number of minutes during the time period minus the number of minutes of outages divided by the total number of minutes during the time period, expressed as a percentage* ***Data source:*** *Audit logs from internal IT systems such as onsite servers and external IT systems such as those associated with telephony and cloud services* ***Related regulator best practice principles:*** *1* ***Related key activities:*** *7.2*		
7i. Insourcing of core work	$658,514	To be determined in 2025–26
Methodology: *Reduction in outsourced expenditure* ***Data source:*** *Internal records* ***Related regulator best practice principles:*** *1* ***Related key activities:*** *7.1*		

8. ACCC changes since the Corporate Plan 2024–25

The ACCC undertook a 'health check' of its performance information in 2025–26. As a result, it has made some changes to the strategic objectives, key activities and performance measures since the Corporate Plan 2024–25.

Relevant changes were also reflected in the Portfolio Budget Statements 2025–26.

Summary of changes to ACCC strategic objectives, key activities and performance measures

Previous information in the 2024–25 Corporate Plan	New information in the 2025–26 Corporate Plan	Change made and rationale for changes
Strategic Objective 3: Improve competition and choice by ensuring safe, secure and privacy focused data sharing by consumers through the Consumer Data Right	Strategic objective 3: Improve competition and choice by ensuring safe, secure and privacy focused data sharing by consumers through the Consumer Data Right and Digital ID Systems	**Amended** – to include Digital ID regulatory responsibilities in this strategic objective
Performance Measure 1c. Percentage of authorisation matters where a draft determination is released within 4 months	Performance Measure 1c. Percentage of authorisation matters where a draft determination or an interim authorisation is released within 4 months	**Amended** – to include interim authorisations to more accurately reflect performance
Performance measure 2a. Percentage of merger matters considered (under the informal merger review process) that were finalised by pre-assessment	Performance measure 2a. Percentage of formal merger matters determined within 20 business days after the effective notification date or waiver request date post commencement of the new compulsory merger regime on 1 January 2026.	**Amended** – this measure was amended to reflect the legislative change to the ACCC's role following the commencement of the new merger regime from 1 January 2026
Performance measure 2b Percentage of merger matters subject to Phase 1 only of public review that were finalised within 12 weeks (excluding time periods where information is outstanding)	Performance measure 2b. Percentage of informal merger matters subject to Phase 1 only of public review that were finalised within 12 weeks (excluding time periods where information is outstanding)	**Amended** – this measure was amended to reflect the ACCC's role and performance up until the commencement of the new merger regime from 1 January 2026.
Performance measure 5a. Number of product safety regulatory interventions	Future years performance target set	**Amended** – Future years performance target of 5+ set
Performance measure 7e. Percentage of employees who identify as Indigenous	Performance measure 7e. Percentage of employees who identify as First Nations	**Amended** – the terminology of this measure has been amended from Indigenous to First Nations

9. Message from AER Chair Clare Savage

The AER approaches the 2025–26 financial year recognising the critical role we play in helping to shape a resilient, secure and forward-looking energy future.

The energy sector is undergoing rapid change – shaped by technological advancement, shifting consumer expectations, and the transition to net zero emissions. Against this backdrop, our focus remains clear: to support a secure, reliable and affordable energy future for Australia, so that energy consumers are better off, now and in the future.

Energy Made Easy is a crucial tool to help Australians better understand their energy plans and shop around for the best deal for them. Work continues on the Energy Made Easy website to improve data models and undertake security and technical improvements. We are also enhancing the AER website to improve the way energy businesses and consumers engage with us.

With $130 billion of regulated energy networks, we seek to balance affordability with the efficient and prudent investment required to support the energy transition, while addressing important emerging issues such as network cybersecurity, climate resilience and the integration of consumer energy resources.

This financial year we will publish draft and final revenue decisions for the 2026–31 regulatory period for electricity distribution businesses Citipower, Jemena, Powercor Australia, AusNet Services and United Energy and our focus will be on the large increase in capital and operating expenditure arising from forecast demand growth and the energy transition.

We will be making revenue decisions for three gas businesses, Evoenergy, Australian Gas Networks (SA), and the Amadeus gas pipeline for 2026–31. We also expect a proposal from the Roma to Brisbane gas pipeline mid-2026.

A final decision on Marinus Link's revenue proposal is expected to be made in 2025, following an assessment of the efficiency and prudency of the forecast construction costs, and a final revenue

determination for Basslink will be made in 2026. We also expect proposals from Powerlink and Ausnet Services for their transmission networks.

We build trust in the energy sector through insightful market surveillance and reporting, alongside data-driven compliance and enforcement that uses the full spectrum of tools available to us.

We will continue to mature our contract market monitoring and reporting role, legislated in 2024, under our enhanced wholesale market monitoring and reporting powers. These powers enable us to conduct enhanced monitoring of wholesale electricity and gas markets, promoting effective competition and efficient market functioning. We will collect additional contract data in both electricity and gas markets in 2025–26. This will contribute to our inaugural wholesale gas market competition report and our fifth report into competition and efficiency in wholesale electricity markets. This is an important step forward as the new data will provide greater insights into the behaviour of market participants and the drivers of market outcomes.

We continue to sharpen our focus in compliance and enforcement activities to deliver on our priorities to:

- improve outcomes for consumers experiencing vulnerability, including by ensuring access to hardship protections and affordable payment plans that reflect capacity to pay, and improve retailer hardship policies
- protect consumers during the universal transition to smart meters by focusing on compliance with smart meter rollout requirements, resultant tariff changes and ongoing metering practices
- support power system security and an efficient wholesale electricity market by focusing on compliance with network outage obligations, generator performance standards and availability obligations
- promote competition and ensuring safe and reliable network infrastructure by improving compliance with network connection and ring-fencing obligations
- monitor and enforce compliance with reporting requirements under Part 10 of the National Gas Rules.

A key function of the AER under the NSW Roadmap is to make revenue determinations on network infrastructure projects authorised by the NSW Consumer Trustee or directed by the NSW Energy Minister. This year we will be making non-contestable revenue determinations for Ausgrid's applications for Hunter Central Coast Renewable Energy Zone and Transgrid's application for enabling works for Central-West Orana transmission network. We will also be monitoring competitive tendering processes for a number of network projects, and, if they are found to be competitive, we will adopt the outcomes of those processes in revenue determinations for those projects.

We will start the year identifying material actions that we can implement to support regulatory reform and reduction of unnecessary red tape, with the aim of helping to improve Australia's productivity performance.

We have a committed and engaged workforce with a strong sense of purpose, as evidenced by a score of 90% in the AER's results for the 2025 Australian Public Service Census. The expertise and dedication of our people is our most important asset for our agency, and we will continue to invest in them through development and learning opportunities.

Our preparations for legal separation from the ACCC will continue. The timing is now expected to be 1 July 2026, dependent on legislation passing in the 2025–26 financial year.

We have a big year ahead of us to deliver a program of work that will have meaningful impacts for all Australian energy consumers.

I very much look forward to what we will achieve.

10. AER vision and purpose

The AER is a high-performing regulator that:

- is independent, open and accountable
- builds trust in Australia's energy system
- takes considered risks
- ensures the regulatory regime is fit for purpose
- engages actively with stakeholders.

The AER exists so that energy consumers are better off, now and in the future.

We focus on ensuring a secure, reliable and affordable energy future for Australia as it transitions to net zero emissions. We regulate wholesale and retail energy markets, and energy networks, under national energy legislation and rules. Our functions relate mostly to energy markets in eastern and southern Australia.

11. AER's role through our strategic objectives and key activities

The AER Strategic Plan 2020–2025 articulates 4 strategic objectives, which align with the outcomes of the Energy Ministers' Strategic Energy Plan – November 2019.

Energy Ministers' have accepted the AER's strategic objectives by articulating them as expectations in their Statement of Expectations, September 2022. Our Statement of Intent summarises how we intend to meet the Energy Ministers' expectations of us. This corporate plan provides a more granular level of detail including the key actions that we will take in 2025–26 as well as performance measures.

Strategic objective 1: Protect vulnerable consumers, while enabling all consumers to participate in electricity and gas markets

Key activity: Consumer protection

The AER has a key role in enabling consumers to make informed choices about their energy supplier. Our role includes: setting the Default Market Offer to protect consumers from unjustifiably high prices and encourage participation in the market; approving policies that energy retailers must implement to assist consumers facing financial hardship and looking for help to manage their energy bills; administering a retailer of last resort scheme, which protects consumers and the market if an energy retailer fails; and a regulatory sandbox function to encourage innovation in energy technologies and new business models that benefit consumers.

We monitor and enforce compliance with obligations in the National Energy Retail Law (Retail Law), Rules and Regulations. Our compliance and enforcement work is data-driven, seeks to address harms and utilises the full spectrum of tools available to us. We report on the performance of the market and energy businesses, including energy affordability and disconnection of customers for non-payment of energy bills.

We also provide a price comparison website (Energy Made Easy) to help consumers find the best energy offers and services for their needs.

Strategic objective 2: Effectively regulate competitive electricity and gas markets primarily through monitoring and reporting, and enforcement and compliance

Key activity: Retail energy market regulation

The AER regulates retail electricity and gas markets in jurisdictions that have commenced the Retail Law. The Retail Law commenced in Tasmania (for electricity consumers only) and the Australian Capital Territory on 1 July 2012, South Australia on 1 February 2013, New South Wales on 1 July 2013 and Queensland on 1 July 2015.

As part of our retail regulation role, we assess authorisation applications from businesses that want to become energy retailers and provide exemptions for other businesses from authorisation requirements (for example, apartment buildings, nursing homes and caravan parks that on-sell energy to tenants).

We are currently reviewing our approach to implementing the framework for embedded networks, with a view to better understand the harms and benefits customers experience in embedded networks. On 17 March 2025, we published proposed changes to our embedded network guidelines to make incremental improvements to the customer protection framework. We expect to finalise this review in early 2025–26 and will work with jurisdictions on opportunities to address systemic issues with the embedded networks framework that are beyond the scope of the AER's guidelines.

Key activity: Wholesale energy market regulation

In wholesale electricity and gas markets, we monitor, investigate and enforce compliance with national energy legislation and rules. We monitor participant bidding and rebidding, market dispatch and prices, network constraints and outages, demand forecasts and forecasts of production and capacity.

The South Australian Parliament passed an Amendment Bill to the National Energy Laws which expands our market monitoring powers to include wholesale gas markets as well as electricity and gas contract markets. These new powers significantly improve our ability to evaluate performance, competition, and efficiency in wholesale markets. Having published the guideline on wholesale market monitoring, we are now working on the development of information gathering instruments prior to commencing collection of information from industry participants.

We also report on market activity, including: reports on prices outside normal thresholds; quarterly reports on the performance of the wholesale electricity and gas markets; and a biennial assessment of the effectiveness of wholesale electricity market competition.

Strategic objective 3: Deliver efficient regulation of monopoly electricity and gas infrastructure while incentivising networks to become platforms for energy services

Key activity: Energy networks regulation

We regulate electricity networks and natural gas pipelines by setting the maximum amount of revenue they can earn, and the price they can charge, for regulated services. Network businesses submit revenue proposals. We review these proposals and make decisions after considering factors including: quality of engagement with customers; projected demand for electricity and natural gas; age of infrastructure; operating and financial costs; and network reliability and safety standards. Decisions generally apply for 5 years, and network businesses adjust their prices annually (which we approve each year during the 5-year period).

The AER assesses the prudency and efficiency of investments by network service providers to ensure that network users are not paying for unnecessary or inefficient costs, using a framework that includes ex-ante and ex-post reviews and incentives.

Our decisions continue to seek the balance of affordability, with necessary expenditure by networks required to support the energy transformation, including increased transmission investments and addressing important emerging issues such as network cybersecurity, climate resilience, integration of Consumer Energy Resources (CER), and digitalisation. Consumer engagement informs our decision making.

We maintain that flexibility in response to a rapidly changing energy industry is important. We consider the national regulatory framework can adapt to changes in technology, emerging business models and evolving customer preferences.

Amended gas rules commenced in March 2023. The amended rules are intended to improve transparency and the bargaining power of users of gas pipelines. We also obtained powers to conduct reviews of the form of regulation applied to a gas pipeline; that is, whether a pipeline is subject to full regulation (including reference prices) or a lighter form of regulation. Having completed one review in 2024, we are monitoring the market and will continue to conduct further reviews as conditions warrant them.

Additionally, we now monitor requirements for gas reserves and resources, storage, large user, and trade reporting, and we monitor information related to price and volume in the shorter-term gas markets.

We have been conferred several regulatory functions by state governments including assessing investment proposals (transmission efficiency test for contestable and non-contestable proposals), making revenue determinations and publishing an annual contribution determination.

Renewable Energy Zones (REZs) are designated areas where clusters of large-scale renewable energy projects – like wind and solar farms – can be developed efficiently, supported by coordinated transmission infrastructure. Within the National Electricity Market (NEM), the AER plays a key role in supporting the development of REZ's through regulatory oversight in New South Wales and an advisory role in Queensland. The AER works in coordination with the Australian Energy Market Operator (AEMO) and its Integrated System Plan (ISP) to ensure REZs align with national energy transition goals.

Strategic objective 4: Evolve our regulatory frameworks and approaches to support the transition to net zero emissions

Key activity: Policy and advocacy

The AER draws on its expertise in energy markets and its analysis to inform and influence debate about energy policy. By leveraging our expertise, we advocate for policy changes and improvements to energy laws and rules that protect and promote the interests of energy consumers.

Effective policy advocacy on behalf of consumers is particularly important given the nature and size of the energy transition that is underway. We engage in policy development via our Chair's membership of the Energy Advisory Panel, and through submissions on policy reviews and rule changes to the Australian Energy Market Commission.

12. AER operating context

Environment

Affordability to consumers continue to be a substantial and urgent concern. The AER has been actively engaged in the management of this risk through a variety of activities, such as the Default Market Offer and its involvement in recent market interventions.

Low-cost renewable energy in Australia still faces a complex set of operating environment challenges. These challenges are shaped by geography, policy fragmentation, market design, and infrastructure limitations.

The community's expectations regarding energy regulators are increasing. It is more crucial than ever to acknowledge the diverse and varied requirements of consumers, as their choices and behaviours continue to evolve. In recent years, there has been a significant increase in the investment of householders in renewable energy sources, such as electric vehicles, batteries, and rooftop solar panels. This has resulted in the development of new consumer protection issues and the consideration of new factors in the effort to ensure that electricity is affordable for all.

Integration of large-scale renewable energy continues to increase. The substantial investment in consumer energy resources is altering the role of networks. In addition to renewable energy and consumer energy resources, there is a move towards digitisation and the introduction of new services, accompanied by the emergence of new market participants.

Australia is facing several significant infrastructure challenges, including aging infrastructure, grid congestion and instability, insufficient high-voltage transmission lines, supply chain bottlenecks, regulatory complexity, and community support for large-scale projects and social licence.

These challenges also highlight the relevance of consumer energy resource as the energy industry shifts towards decarbonisation. Through the National Energy Objectives, Energy Ministers have included an emissions reduction objective. Consequently, the AER considers the necessity of reducing emissions in its decisions.

This will remain a significant focus for the AER for the foreseeable future, as the emissions target is 43% below 2005 levels by 2030 and net zero by 2050.

The electricity sector has been the primary focus of emissions reduction activities to date. Nevertheless, the gas sector may experience even more significant effects as a result of a net zero energy sector. The future demand for gas and gas pipelines is uncertain due to the transition to low-carbon fuels, which is being driven by carbon emissions, government policies, increased competitiveness of electricity, and potential opportunities for hydrogen. The potential for future stranding of gas networks, price impacts on gas customers, and queries about the adequacy of existing policies, rules and regulations are all being created by the uncertainty of future demand.

In response to the changing nature of the operating environment, the AER is adjusting its priorities and the delivery of its work program. At the same time, it is doing everything in its power to ensure that energy consumers are better off, now and in the future.

Risk oversight and management

Risk management is an integral part of ensuring the AER's success in achieving our strategic objectives, priorities and key activities.

We are committed to managing risk and are working to integrate risk management priorities into our strategic planning, decision making and business operations. This commitment is underpinned by the ACCC and AER Risk Management Framework, modelled on best practice requirements of the Commonwealth Risk Management Policy.

Our governance committees play an important role in ensuring we have effective risk management practices:

- the AER Board determines our risk appetite and tolerance
- the AER CEO provides reports to Board members on our enterprise risks and on realised operational risks that are of a serious nature
- the ACCC and AER Audit and Risk Committee provides independent advice and assurance on AER's risk oversight and management approach and outcomes.

AER enterprise risks

The AER is managing 8 enterprise risks, as detailed in the table below.

Enterprise risk	Management strategies (controls)
Inability to fund and deliver existing and new statutory functions	▪ We participate in Government's annual and mid-year budget processes to secure additional resources where appropriate and demonstrate value for money (through measurable impact) whenever Government makes those investments. ▪ Rigorous business planning and budgeting processes ensure the alignment of people and resources with the areas of greatest priority. ▪ In our business planning we ensure express consideration of what we will cease to do (or do less of). We review and reprioritise our work program, as necessary. ▪ Engagement with the Department of Climate Change, Energy, the Environment and Water, the Australian Energy Market Commission, other relevant Government agencies, and States and Territories, including at Board and senior leadership levels, builds mutual understanding of the impacts of industry, law and rule changes on AER (including their timing relative to Government budget processes).
Information provided to decision makers is not fit-for-purpose or not balanced, resulting in compromised decision-making	▪ Regulatory decisions are made by our 5-member independent Board, informed by the detailed evidence and analyses compiled by staff and consultation with a cross section of stakeholders to ensure a balance of views is considered and avoids perceived or actual regulatory capture. ▪ Our four Board Committees (Enforcement and Compliance; Markets, Networks and REZ) provide the opportunity for early input by Members, senior officials, and subject matter experts to strategy, brainstorming and debate. ▪ Our Board and Committee processes support decision making. ▪ We seek feedback via a Stakeholder Survey regarding perceptions about our impartiality and transparency.

Enterprise risk	Management strategies (controls)
Failure to attract, develop and retain the capability required to deliver existing and new functions	▪ The AER's People Framework documents the broad array of initiatives, policies, systems, and processes in place to support our people and the AER to grow and adapt, including: – employee value proposition – recruitment and selection – rewards and recognition – retention management – workforce planning – induction – capabilities development – performance development and feedback – succession planning. ▪ The AER Culture Plan demonstrates the AER's commitment to building a positive culture and has articulated its own culture plan, developed by staff for staff. ▪ APS Census: in consultation with staff we develop and implement action plans in response to employee sentiments in the annual APS Census survey.
AER's strategic objectives are compromised due to inconsistent policy frameworks and a fragmented national energy market	▪ Relationships with key stakeholders responsible for regulation setting (principally the Australian Energy Market Commission and government/s) ensures the AER's awareness of and participation in legislative and rule-making processes. ▪ Being a regulator of choice and working flexibly with jurisdictions enables us to input into state-based regulatory design and champion the benefits of a national approach where appropriate.
Failure to deliver accurate, high-stakes regulatory decisions or processes	▪ Prioritise Quality Assurance with clear identification of which SES officer owns the Quality Assurance process and the content in each Branch. ▪ Enhance processes through documentation and systematisation of repeatable and key processes. This includes independent expert review of key analyses where necessary. ▪ Promote a culture of process review: Embed culture of challenging processes and empowering staff to proactively identify process enhancements. ▪ Apply lessons learnt practices and conduct active reviews to identify shortfalls and successes, with specific consideration of accountability, quality of papers and change management processes.
Inadequate technology solutions resulting in compromised data security and IT failures	▪ Oversight of the delivery process of the AER Data Strategy by delivering ICT digital and data projects that improve the AER's ICT digital and data systems and reduce the opportunity for human error. ▪ Develop proposal for ongoing funding for AER's digital transformation to improve AER's ICT digital and data capability. ▪ Conduct ICT security testing activities – including security penetration testing for AER's external facing digital platforms.

Enterprise risk	Management strategies (controls)
Lack of adequate governance frameworks impacting on the AER's probity and integrity	▪ Engagement with ACCC/AER Audit and Risk Committee and AER Governance Forum and implementation of the Australian National Audit Office and internal audit recommendations. ▪ Development, maintenance, and adherence to governance frameworks including financial delegations and accountable authority instructions. ▪ Regulatory decisions are made by our 5-member independent Board, informed by the detailed evidence and analyses compiled by staff. ▪ We seek feedback via a regular survey of Board satisfaction as well as a Stakeholder Survey including perceptions about our impartiality and transparency.
Successful legal separation of the AER from the ACCC is delayed or compromised due to inadequate preparation, planning, or execution	▪ Governance oversight: – AER Governance Forum – ACCC/AER Audit and Risk Committee – AER Legal Separation Implementation Committee – AER/ACCC CEO's legal separation meetings. ▪ Department of Finance partners with the AER to deliver Enterprise Resource Planning solutions and advice on set up of new Commonwealth entities. ▪ Early and accurate fit for purpose governance arrangements, including a governance framework that ensures effective committees, risk management, probity and integrity, and lawful and appropriate decision making. ▪ Active engagement with other government agencies and governments to ensure the necessary consents and legislative arrangements are in place and fit for purpose.

Cooperation and collaboration

The AER's work is informed by regular dialogue with a range of stakeholders, including other market bodies, industry bodies, industry participants, ombudsmen, consumer groups and governments.

The AER Strategic Plan guides our approach to stakeholder engagement and recognises that we must:

- proactively engage with stakeholders and seek to listen to and understand diverse perspectives
- embrace creative ways of engaging that work for stakeholders, not just us
- clearly communicate decisions and make it easy to engage with us
- work in partnership with other energy market bodies and the Energy Council on matters of common interest.

We will build our capability and institutional knowledge and support public interest now and into the future by understanding the long-term impacts of what we do, and in doing so will uphold the Australian Public Service value of stewardship.

National engagement

We support the **Energy Ministers**, and their energy senior officials, by providing clear advice on energy issues as required. In particular, we brief on issues and draw on our expertise to engage in policy reviews and rule change processes initiated or approved by the ministers. Additionally, we help implement reforms arising from these processes.

The AER Chair is a member of the **Energy Advisory Panel**. The Energy Advisory Panel:

- identifies, anticipates and provides advice on emerging and future energy market developments, focusing on providing early advice on policy or regulatory changes to sustain security, reliability and affordability through the transformation
- provides a sounding board for energy ministers (through senior officials) on policy and regulatory reforms under consideration or development through the National Energy Transformation Partnership
- facilitates continued coordination, collaboration and information sharing between member agencies [the Australian Energy Market Commission, the Australian Energy Market Operator, AER, ACCC (observer) and Energy Consumers Australia (observer)].

We work closely with other **energy market bodies**, the Australian Energy Market Commission and the Australian Energy Market Operator, as well as Energy Consumers Australia. The AER is a member of the Utility Regulators Forum. We have established memorandums of understanding with state-based energy ombudsman schemes, Energy Safe Victoria, Australian Renewable Energy Agency (ARENA) and other regulators such as the Essential Services Commission in Victoria.

We also work closely with the ACCC on matters of common interest.

Consumer engagement is a key part of the AER's stakeholder engagement work. The AER needs relevant consumers insights and perspectives to inform its work, priorities and decisions to ensure that energy consumers are better off, now and in the future. In addition to regularly receiving direct feedback via our Contact Centre, in 2025–26 the AER will continue to engage through 2 key consumer engagement groups:

- **Customer Consultative Group:** a key source of consumer insights and intelligence for the AER and helps to ensure consumers' voices are heard and considered in our work and decisions. The group's role is to provide advice to the AER on the issues facing residential and small business energy customers, particularly those related to our functions under the National Energy Retail Law (Retail Law) and National Energy Retail Rules.
- **Consumer Challenge Panel:** plays a key role in assisting the AER in ensuring the AER's regulatory determinations appropriately consider consumer perspectives. Members are individuals with significant local and international expertise spanning fields including economic regulation, energy networks, behavioural economics and consumer engagement.

International engagement

We aim to maintain an active role in international networks relevant to our strategic priorities and those of energy ministers under the *Strategic Energy Plan*.

The AER is a founding member of the International Regulatory Accelerator which brings together international regulators and aims to enhance the knowledge and capabilities of energy regulators to accelerate the decarbonisation of their energy systems. The AER also continues to participate in other international groups including the Energy Intermarket Surveillance Group, the OECD Council of Economic Regulators, the International Regulatory Futures Forum, and Singapore International Energy Week.

The AER has signed a Record of Understanding with the Department of Foreign Affairs and Trade to collaborate on engagement activities to support Southeast Asia's energy transition by strengthening government-to-government partnerships, information sharing and supporting the development of regulatory frameworks in the region.

We also have memorandums of understanding with fellow regulators in other countries, such as the Federal Energy Regulatory Commission (United States) and the Electricity Regulatory Authority of Vietnam.

13. AER performance framework

For each AER strategic objective, we have set out our key activities and annual key actions. A suite of performance measures aligning to our key activities have been developed, with routine internal reporting in place to monitor progress.

The performance measures not only measure the outputs of our work, but also seek to measure impact and outcomes. Moving to a framework that considers impacts and outcomes means that the results for some measures are not wholly within the AER's control. Rather, the AER contributes to an impact/outcome which requires the focus of numerous organisations within the energy system.

We also identify 4 performance measures to directly address the government's regulator best practice principles.

Target setting methodologies have been included for each performance measure. Performance results for 2024–25 were not available at the time of developing this Corporate Plan, and therefore target setting methodologies that take an average of previous years results use results between the years of 2020–21 and 2023–24.

14. AER key actions and performance

The AER's strategic plan identifies our strategic priorities under the umbrellas of *execute*, *tilt*, and *advocate*:

- **Execute**: We undertake our core activities efficiently and to an exceptional standard.
- **Tilt:** We use the tools at our disposal to adapt our approach in response to emerging challenges and opportunities.
- **Advocate:** We use our capabilities and experience to improve the regulatory framework.

Key actions to be achieved in 2025–26, for each of our 4 strategic objectives and linked to our strategic priorities are set out below.

Strategic objective 1: Protect vulnerable consumers while enabling all consumers to participate in electricity and gas markets

Key activity: Consumer protection

Execute

- Ensure the Default Market Offer protects consumers from unreasonably high prices and enables a competitive retail market.
- Maintain Energy Made Easy as an effective comparison service for energy consumers.

Tilt

- Access and use consumer insights in our work and decisions, including utilisation of AER consumer panels and partnerships.
- Continue to upgrade Energy Made Easy website and related products to allow users to effectively compare energy plans and make informed decisions on the best plan for their needs.

Advocate

- Advocate for reforms to consumer protections for those experiencing payment difficulty, those living in embedded networks and those experiencing vulnerability, building on the AER's Game Changer project and recent reviews and recommendations to Energy Ministers on these issues.

Strategic objective 1 performance measures

Performance measure	Target			
	2025–26	2026–27	2027–28	2028–29
1.1 AER stakeholders' agreement with the following statements:		As identified in the target setting method.		
a. The AER supports and protects energy consumers, particularly those in vulnerable circumstances	a. 73%			
b. The AER demonstrates a sound knowledge and understanding of energy consumers	b. 59%			
Method: *Proportion of AER Stakeholder Survey responses of 7 or higher in response to questions about the AER protecting vulnerable energy consumers and understanding the needs of energy consumers.*				
Target setting method: *Annual targets are based on a four-year average of past results (2020–21 to 2023–24), helping to even out fluctuations caused by external factors beyond the AER's control, such as economic conditions.*				
Related to key activity: ▪ *Consumer protection*				
This measure is included in the 2025–26 Portfolio Budget Statement.				
1.2 Proportion of customers in energy debt who are receiving assistance	80%	As identified in the target setting method		
Method: *Estimated total customers receiving assistance (number of customers in electricity hardship programs plus number customers on non-hardship payment plans) as a proportion of estimated total customers in energy debt (number customers in electricity hardship programs plus number of customers in non-hardship energy debt).*				
Target setting method: *This target is set a few percent higher than the 2023–24 result, reflecting our goal of increasing the energy sector's effectiveness is assisting customers in energy debt over time.*				
Related to key activity: ▪ *Consumer protection.*				
1.3 a. Number of plan searches conducted on the Energy Made Easy website	a. >1,202,000	As identified in the target setting method		
b. Number of people who switched providers after completing a search on Energy Made Easy	b. >92,000			
Method: *a) analysis of website data held by AER b) analysis of Australian Energy Market Operator data.*				
Target setting method: *A 3-year average of previous results (2021–22 to 2023–24) is used to set the following years target helping to even out short-term fluctuations in website activity and external factors beyond the AER's controls, such as economic conditions.*				
Related to key activity: ▪ *Consumer protection*				
This measure is included in the 2025–26 Portfolio Budget Statement.				

Performance measure	Target			
	2025–26	2026–27	2027–28	2028–29
1.4 New and amended retailer hardship policies assessed within 12 weeks of AER receiving all relevant information	100%	100%	100%	100%

Method: *Analysis of AER records.*

Target setting method: *There are set timeframes for when the AER must approve a retailer's customer hardship policy once submitted to the AER. Achieving 100% ensures compliance and reduces risk.*

Related to key activity

- *Consumer protection*

This measure is included in the 2025–26 Portfolio Budget Statement.

Note: *12 week service standard may not be met for complex policies.*

Strategic objective 2: Effectively regulate competitive electricity and gas markets primarily through monitoring and reporting, and enforcement and compliance

Key activities: Retail energy market regulation & wholesale energy market regulation

Execute

- Produce targeted and insightful market performance reports.
- Deliver market monitoring/surveillance activities including ad hoc analytics and insights.
- Undertake compliance and enforcement activities to minimise the risk of consumer harm and/or market detriment.
- Oversee the dispute resolution framework efficiently and effectively.
- Facilitate entry of high-quality and resilient market participants, and minimise consumer disruptions if a retailer exits.

Tilt

- Enhance the AER's market performance reporting frameworks by:
  - continuously improving the AER's performance reporting suite to respond to the needs of our audience, consumers and changing market dynamics
  - working with other bodies to ensure reporting is well informed and, where possible, complementary.
- Enhance market monitoring/surveillance capabilities so that they provide both retrospective and proactive insights into market dynamics, participant behaviour and market outcomes.

Advocate

- Use learnings from market monitoring and surveillance as well as compliance and enforcement to advocate for improvements to the regulatory framework.

Strategic objective 2 performance measures

Performance measures	Target			
	2025–26	2026–27	2027–28	2028–29
2.1 Proportion of all market reports published within statutory timeframes	100%	100%	100%	100%

Method: *Analysis of AER records in relation to reports on: Weekly Wholesale Markets, Quarterly Retail and Wholesale Market Performance, Annual Retail Markets, Annual Retail Compliance, Annual State of the Energy Market, Biennial Wholesale Electricity Market, High Price Events.*

Target setting method: *National Electricity Law and Rules, and National Energy Retail Law and Rules set statutory timeframes for reporting. Achieving 100% ensures compliance with those rules.*

Related to key activities:

- *Retail energy market regulation*
- *Wholesale energy market regulation.*

This measure is included in the 2025–26 Portfolio Budget Statement.

2.2 The AER's market performance reports are useful to stakeholders	75%	As identified in the target setting method.

Method: *Proportion of AER Stakeholder Survey responses of 7 or higher in response to questions about:*

- *Producing reports that are clear and easy to understand*
- *The usefulness of its information about wholesale market activity*
- *The usefulness of its reporting on the performance of retail energy markets.*

Target setting method: *Annual targets are based on a four-year average of past results (2020–21 to 2023–24), helping to even out fluctuations caused by external factors beyond the AER's control, such as economic* conditions.

Related to key activities:

- *Retail energy market regulation*
- *Wholesale energy market regulation.*

2.3 Stakeholder awareness of the AER's current compliance and enforcement priorities	88%	As identified in the target setting method.

Method: *Proportion of AER Stakeholder Survey responses of 7 or higher in response to an awareness question about the AER's compliance and enforcement priorities.*

Target setting method: *Annual targets are based on a four-year average of past results (2020–21 to 2023–24), helping to even out fluctuations caused by external factors beyond the AER's control, such as economic conditions.*

Related to key activities:

- *Retail energy market regulation*
- *Wholesale energy market regulation.*

Performance measures	Target			
	2025–26	2026–27	2027–28	2028–29
2.4 Retail authorisation and exemptions applications to sell energy assessed within 16 weeks of receiving all relevant information	100%	100%	100%	100%

Method: *Analysis of AER records.*

Target setting method: *The 16 week assessment timeframe is self-imposed, and the AER aims to achieve all assessments within that timeframe.*

Related to key activity:

- *Retail energy market regulation.*

This measure is included in the 2025–26 Portfolio Budget Statement.

Note: *16 week service standard may not be met for complex applications with greater due diligence requirements.*

Strategic objective 3: Deliver efficient regulation of monopoly electricity and gas infrastructure while incentivising networks to become platforms for energy services

Key activity: Energy networks regulation

Execute

- Deliver and improve revenue and price controls and Integrated System Plan contingent project assessments by:
  - focusing on high impact actions that matter most to consumers
  - incentivising network businesses to deliver high-quality proposals that promote consumer interests
  - streamlining our assessment approaches.
- Contribute to effective energy system planning regulation by undertaking transparency reviews of the Integrated System Plan.
- Deliver useful and relevant network performance reporting that enables:
  - stakeholders to be better informed and participate more effectively in debate on energy reforms as the energy market transitions
  - continuous improvement of the regulatory framework for networks.
- Undertake network-related compliance and enforcement activities.
- Oversee the role of gas networks in supporting the energy transition.
- Support contestable markets by monitoring, and further developing, the gas and electricity transmission and distribution ring-fencing guidelines.
- Work with NSW to refine and improve regulatory frameworks and processes to support the efficient and timely development of networks in Renewable Energy Zones.
- For Renewable Energy Zones, deliver and improve:
  - revenue determinations
  - genuine and appropriate decisions
  - contribution determinations to support the efficient and timely development of networks.

Tilt

- Further refine and improve our regulatory framework and processes for, transmission regulation, annual pricing process, economic benchmarking, incentive schemes for transmission, long-term modelling capability, rate of return instrument and network planning.

- Implement in regulatory decisions the guidance on social licence that was developed for industry and community in our guidelines.
- Undertake work to refine and improve approaches to establishing the values of customer reliability and values of network resilience.
- Assist jurisdictions in the development and implementation of regulatory frameworks that support the efficient and timely development of networks in Renewable Energy Zones.
- Refine and develop regulatory frameworks that support efficient large transmission investments and the development of renewable energy zones.

Advocate

- Advocate for more efficient network investment and deployment of consumer energy resources and ensure that benefits are passed to consumers.
- Advocate for the establishment of policy frameworks that deal with the potential winding down of gas networks.

Strategic objective 3 performance measures

Performance measures	Target			
	2025–26	2026–27	2027–28	2028–29
3.1 The AER promotes efficient investment in, operation and use of energy services for the long-term interests of consumers	64%	As identified in the target setting method.		
Method: *Proportion of AER Stakeholder Survey responses of 7 or higher in response to the question about AER promoting efficient investment in energy services.* ***Target setting method:*** *Annual targets are based on a four-year average of past results (2020–21 to 2023–24), helping to even out fluctuations caused by external factors beyond the AER's control, such as economic conditions.* ***Related to key activity:*** ▪ *Energy networks regulation.*				
3.2 Revenue reset determinations for electricity networks and gas pipelines completed within statutory timeframes	100%	100%	100%	100%
Method: *Percentage of resets completed within statutory timeframes.* ***Target setting method:*** *National Electricity Rules and National Gas Rules provide the statutory timeframes for revenue reset determinations. Achieving 100% ensures compliance and reduces risk.* ***Related to key activity:*** ▪ *Energy networks regulation.* *This measure is included in the 2025–26 Portfolio Budget Statement.*				
3.3 Customers with a retailer exposed to cost reflective network tariff	41%	As identified in the target setting method.		
Method: *Analysis of networks pricing data held by the AER to calculate the proportion of customers.* ***Target setting method:*** *The National Electricity Rules require distributors to gradually make their tariffs more accurately reflect the cost to serving their customers, which is charged to retailers, who pass the costs onto customers. Setting a target with a 5% increase per year allows for gradual compliance with the requirements.* ***Related to key activity:*** ▪ *Energy networks regulation.*				

Performance measures	Target			
	2025–26	2026–27	2027–28	2028–29
3.4 The AER undertakes efficient regulation of network businesses by focusing on high impact actions that matter to consumers	66%	As identified in the target setting method.		

Method: *Proportion of AER Stakeholder Survey responses of 7 or higher in response to the question about AER efficiently regulating networks by focusing on high impact actions.*

Target setting method: *Annual targets are based on a four-year average of past results (2020–21 to 2023–24), helping to even out fluctuations caused by external factors beyond the AER's control, such as economic conditions.*

Related to key activity:

- *Energy networks regulation*

3.5 The AER encourages the evolution of the regulatory framework to provide network customers with the services that they value at efficient prices	55%	As identified in the target setting method.		

Method: *Proportion of AER Stakeholder Survey responses of 7 or higher in response to the question about AER encouraging the evolution of the regulatory framework to provide network customers with the services they value at efficient prices.*

Target setting method: *Annual targets are based on a four-year average of past results (2020–21 to 2023–24), helping to even out fluctuations caused by external factors beyond the AER's control, such as economic conditions.*

Related to key activity:

- *Energy networks regulation.*

Strategic objective 4: Evolve our regulatory frameworks and approaches to support the transition to net zero emissions

Key activity: Policy and advocacy

Execute

- Contribute to policy processes and reviews relating to the future of network regulation and those which have significant impacts on competition, consumers and the role of the AER.
- Provide timely and insightful contributions to energy ministers, the Energy Advisory Panel and relevant market body forums.
- Maximise the impact of regulatory sandboxes by facilitating trials and sharing and applying lessons learned to promote innovation.
- Actively engage in domestic and international, energy and regulation forums and events and build bilateral relations to share knowledge and develop regulatory expertise on the energy transition.

Tilt

- Advocate for change to regulatory settings for consumer energy resources to optimise utilisation, protect and build trust with consumers, and enable distribution network service providers to provide platforms for energy services.
- Monitor the new emissions reduction objective into the AER's decision-making, operations and guidance to industry and consumer stakeholders.
- Review regulatory framework with future Distribution Services and Market Operator Model.

Advocate

- Advocate to ensure that arrangements governing consumer energy resources technical standards are fit for purpose, protect the interests of consumers and do not lead to inefficient network investment.

Strategic objective 4 performance measures

Performance measures	Target			
	2025–26	2026–27	2027–28	2028–29
4.1 The AER's reports inform debate about Australia's energy future and regulatory landscape	60%	As identified in the target setting method.		
Method: *Proportion of AER Stakeholder Survey responses of 7 or higher in response to question about the AER's contribution to the debate about Australia's energy future and regulatory landscape.*				
Target setting method: *Annual targets are based on a four-year average of past results (2020–21 to 2023–24), helping to even out fluctuations caused by external factors beyond the AER's control, such as economic conditions.*				
Related to key activity:				
▪ *Policy and advocacy.*				
4.2 AER stakeholders' agreement with the following statements:		As identified in the target setting method.		
▪ The AER engages effectively with its stakeholders	69%			
▪ The AER shows leadership in pursuing or promoting priority issues in the energy sector	66%			
Method: *Proportion of AER Stakeholder Survey responses of 7 or higher in response to questions about engagement with stakeholders and showing leadership.*				
Target setting method: *Annual targets are based on a four-year average of past results (2020–21 to 2023–24), helping to even out fluctuations caused by external factors beyond the AER's control, such as economic conditions.*				
Related to key activity:				
▪ *Policy and advocacy.*				
4.3 Reach of AER communication activities	31,500	As identified in the target setting method.		
Method: *Analysis of AER strategic communications and engagement data to calculate the growth in audience of AER-owned communication channels*				
Target setting method: *Annual targets are a 10% growth trend year-on-year based on the last reported results at the time of target setting (i.e. for 2025–26, the result from 2023–24 is used), rounded to the nearest hundred.*				
Related to key activity:				
▪ *Policy and advocacy.*				
4.4 Number of rule change proposals that the AER successfully influenced		No target		
Method: *Quantitative trend over time.*				
Target setting method: *While it is useful to monitor trends, it is not appropriate to set annual targets*				
Related to key activity:				
▪ *Policy and advocacy.*				

3. AER regulatory practice

The AER provides outcomes-focused regulatory services that emphasise a proportional approach to risk, genuine engagement with regulated entities and the broader community, and the importance of maintaining trust and confidence in regulatory settings. Resource Management Guide – Regulator Performance (RMG 128) identifies 3 principles of regulator best practice:

- **Continuous improvement and building trust:** Regulators adopt a whole-of-system perspective, continuously improving their performance, capability and culture to build trust and confidence in Australia's regulatory settings.
- **Risk based and data driven:** Regulators manage risks proportionately and maintain essential safeguards while minimising regulatory burden and leveraging data and digital technology to support those they regulate to comply and grow.
- **Collaboration and engagement:** Regulators are transparent and responsive communicators, implementing regulations in a modern and collaborative way.

The AER applies these principles in how we undertake our work and monitors progress using 4 headline performance measures.

Regulatory practice performance measures

Performance measure	Target			
	2025–26	2026–27	2027–28	2028–29
5.1 The AER is trusted by key stakeholders	71%	As identified in the target setting method.		
5.2 Key stakeholders agree that the AER has a balanced approach to risk that maintains essential safeguards for consumers	52%			
5.3 The AER engages effectively with its stakeholders	69%			
5.4 The AER demonstrates how consultation has informed decisions	67%			

Method: *Proportion of AER Stakeholder Survey responses of 7 or higher in response to the questions relevant to each measure above.*

Target setting method: *Annual targets are based on a four-year (5.1 and 5.3) or 3-year average (5.2 and 5.4) of past results (2020–21 to 2023–24), helping to even out fluctuations caused by external factors beyond the AER's control, such as economic conditions.*

4. Capability

In 2025–26 the AER will focus on:

- preparing for legal separation from the ACCC and implementing the government's decision to establish the AER as a new, listed non-corporate Commonwealth entity
- continuing to embed our Culture Plan in everything we do
- implementing the AER's Data Strategy and digital transformation.

In mid-2023 the government and energy ministers agreed that the AER and ACCC should become separate entities for the purposes of the PGPA Act, and governed by the AER Board as the Accountable Authority. Legislative amendment is required to give effect to this decision, with the establishment of the AER as a new, listed non-corporate Commonwealth entity to follow. The current target date for legal separation to take effect is 1 July 2026.

Key capability building in 2025–26 to implement legal separation from the ACCC will include:

- reforming our corporate governance structures to support a stand-alone AER
- continuing to build an in-house legal advisory service (previously competition and corporate law advisory has been provided by the ACCC and expert regulatory law transitioned to the AER in 2023–24)
- establishing arrangements for a full suite of HR and finance services, including new third-party Enterprise Resource Planning (ERP) systems
- enhancing our internal communications capability.

AER Culture Plan

In our strategic plan, we committed to developing a dedicated AER Culture Plan based on Carolyn Taylor's[5] 6 different cultural archetypes. Our AER Culture Plan consists of behaviours, systems and symbols against each archetype:

- behaviours are how we want our people to act
- systems are the processes, tools, resources and measures we will use
- symbols are ways we will express our culture.

Each of these are used together to help bring our culture to life. While all elements help to shape and develop our culture, the most critical are the behaviours. The behaviours underpin how we develop and use systems and the way we create our cultural symbols.

5 Carolyn Taylor (2015) ***Walking the Talk: Building a Culture for Success***

AER cultural archetypes

Table 1 Our desired culture

AER Data Strategy

In May 2024, we refreshed our 5-year data strategy, releasing a data and digital strategy which aligns with the whole-of-government approach. The strategy includes a prioritised 3-year implementation approach to derive value and benefits from data and digital assets.

Under the strategy, we intend to deliver key benefits including:

- increased information sharing and engagement with consumers and stakeholders
- educated and empowered consumers and stakeholders
- reduced regulatory reporting burden for stakeholders
- internal business efficiencies
- effective data and digital (including security) risk management approaches
- improved data and digital literacy/creation of a data and digital mindset and skilled workforce.

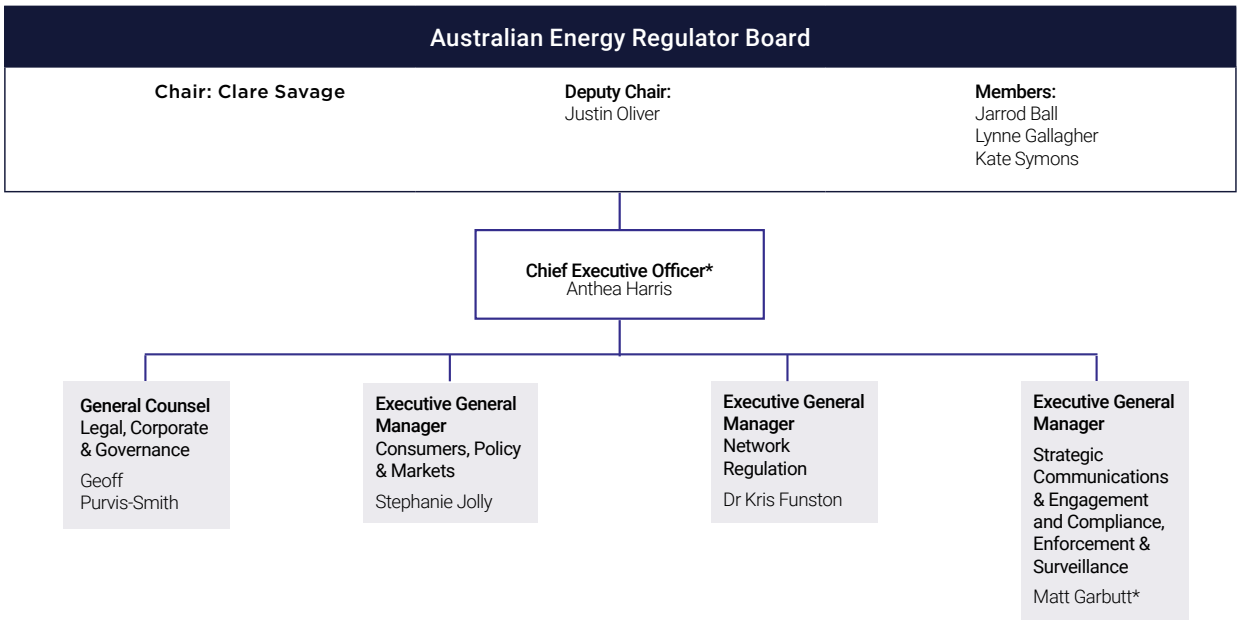
The AER Data Strategy will support us to deliver our strategic objectives and prepare the AER to tackle the demands of the changing energy landscape.

In 2025–26, the AER will:

- Facilitate secure collection of data and information from market participants for the new Contract Market Monitoring function.
- Build the data and analytical capability for Contract Market Monitoring to allow the AER to undertake monitoring and surveillance of the wholesale energy market and effectively conduct critical analysis to deliver stronger outcomes for energy consumers.

AER Organisational structure

The diagram below provides the AER structure as at 1 July 2025.



* From 1 August 2025 Matt Garbutt is Acting Chief Executive Officer and Arek Gulbenkoglu is Acting Executive General Manager of Strategic Communications and Engagement and Compliance, Enforcement and Surveillance.

Governance

The AER Board is an independent statutory entity, comprising 5 members: Clare Savage (Chair), Justin Oliver (Deputy Chair), Jarrod Ball, Lynne Gallagher and Kate Symons. They are appointed under Part IIIAA of the Competition and Consumer Act, following a process outlined in the Australian Energy Market Agreement.

The Board has 4 core functions:

- make decisions under statutory powers including making revenue determinations for network businesses, deciding to initiate proceedings or issue infringement notices, and approving market monitoring publications
- set high-level strategy, risk appetite and approach to stakeholder engagement
- oversee AER performance
- provide early guidance and direction for staff/committee work on issues of strategic importance.

Board members also contribute to the governance and work of the ACCC. The AER Chair and Deputy Chair are formally members of the ACCC Corporate Governance Board. The AER reports to it twice per year and may do so more regularly in relation to specific matters. Justin Oliver is also a member of the Energy Markets Board.

The Board is not responsible for the day-to-day management of the AER. This is the responsibility of the AER CEO and senior leadership team. The CEO of the AER reports to the Chair and Deputy Chair of the AER.

The 1 June 2022 Administrative Arrangements Order transferred policy responsibility for the AER from the Treasury portfolio to the Minister for Climate Change and Energy. The AER's funding and people remain in the Treasury portfolio until such time as the AER is formally separated from the ACCC via legislative amendment.

Financial management

Four-year budget estimates for the ACCC and AER are published annually in the Treasury's Portfolio Budget Statements. The following table sets out the AER program's funding (in nominal $s) for 2025–26 and forward years of the budget estimates.

AER Program 2025–26 to 2028–29 ($millions)

	2025–26	2026–27	2027–28	2028–29
Annual appropriation	95.725	93.295	94.164	93.283
S74 Revenue*	5.480			
Total	101.205			

* S74 revenue is primarily NSW REZ cost recovery. The amount of revenue for NSW REZ has not been estimated beyond the current financial year.

5. AER changes since 2024–25 Corporate Plan

The AER undertook a light touch review of its performance information in 2023–24, and as a result has made changes to some performance measures since the 2023–24 Corporate Plan.

Summary of AER changes to performance measures

Previous information in the 2024–25 Corporate Plan	New information in the 2025–26 Corporate Plan	Change made and rationale for changes
1.2 Customers experiencing payment difficulty are identified early and provided with appropriate supports	1.2 Proportion of customers in energy debt who are receiving assistance	**Change** – the measure has been reworded to more accurately reflect the desired outcome
2.1 Proportion of all market reports published within agreed/statutory timeframes	2.1 Proportion of all market reports published within statutory timeframes	**Change** – removal of 'agreed' from the performance measure given the discretionary nature of agreed timeframes versus the fixed nature of statutory timeframes.
2.3 Work delivered against AER compliance and enforcement priorities		**Removed** – this measure does not have a target and therefore doesn't represent a desired performance outcome. A new measure will be considered to include in the 2026–27 Corporate Plan.

AUSTRALIA

ACCC
AUSTRALIAN COMPETITION
& CONSUMER COMMISSION