

EXECUTIVE OFFICE



18 June 2025

Land of the Wurundjeri people of the Kulin Nation
Level 17, 2 Lonsdale Street
Melbourne Vic 3000

Ms Lisa Gandolfo
Deputy Secretary
Consumer Affairs and Local Government
Department of Government Services

GPO Box 3131
Canberra ACT 2601
Tel 03 9290 1800
www.accc.gov.au

Lodged via the Engage Victoria website

Dear Ms Gandolfo

Victorian Government consultation on its proposed Fair Fuel Plan

The Australian Competition and Consumer Commission (ACCC) welcomes the opportunity to provide a submission on the draft *Australian Consumer Law and Fair Trading (Code of Practice for Fuel Price Reporting) Regulations* and the accompanying Regulatory Impact Statement regarding phase 1 of the government's Fair Fuel Plan.

The ACCC has long been an advocate of fuel price transparency schemes in Australia. The ACCC's regional petrol market studies that were undertaken between 2015 and 2017 identified the importance of fuel price transparency in promoting competition and assisting motorists. Our recent report on fuel price apps and websites in 2024 also found that as the cost of living continues to impact many households, motorists are increasingly using apps and websites that provide near real-time fuel price information to find the lowest prices.

At the outset, I note that the ACCC supports the benefits for Victorian motorists identified in the Regulatory Impact Statement. Prior to 2016, outside Western Australia, comprehensive near real-time fuel price information was only available to major fuel retailers subscribing to a service operated by Informed Sources. The expansion of fuel price transparency schemes in other jurisdictions around the country since then has given many Australian motorists better access to fuel price data.

For the benefits of fuel price transparency for Victorian motorists to be achieved, it is essential that the scheme provides comprehensive, accurate and timely price data that is readily accessible to motorists. While the ACCC has not endorsed a particular form of transparency scheme, it has closely observed the introduction and operation of schemes in other jurisdictions. In this context, we provide the following comments that we hope the Victorian Government will carefully consider.

Accessibility and availability of fuel price information

For a fuel price transparency scheme to be most effective, fuel price information should be timely, as easily accessible to consumers as possible, clear and consistent. We note that similar to fuel retailer reporting requirements in Queensland, Tasmania and South Australia, the draft Regulations specify that Victorian fuel retailers must notify a price change within 30 minutes of a price change on the fuel pump display. Under the scheme, we recommend encouraging fuel retailers to report price changes as soon as practicable within the prescribed timing, so that consumers can readily use and rely on the information to make informed decisions when purchasing fuel.

In our experience, both apps and websites play an important role in informing consumers and enabling them to access and search the lowest fuel prices. For example, the New South Wales FuelCheck app and website include functionality which displays near real-time fuel prices for all retail sites both on a map and in a list view. In both views the lowest priced retail site in an area is clearly highlighted, allowing consumers to easily identify that site. Similar functionality is available in other jurisdictions, such as the Northern Territory and Tasmania.

The ACCC also encourages the Victorian Government to make the collected fuel price data as widely available as possible, including to other app and website providers already being accessed by Victorians, to reach the maximum number of motorists.

As the Regulatory Impact Statement foreshadows, a communication strategy to promote awareness of the scheme will be important to facilitate further take up of these tools by consumers.

Costs to industry and government

As identified in the Regulatory Impact Statement, the introduction of a fuel price transparency scheme will inevitably incur costs, both to industry and government. Costs should be minimised where possible, particularly to industry and small businesses as increased business costs can often be passed onto the end consumer.

We note the Regulatory Impact Statement considers potential costs associated with phase 1 of the proposed Fair Fuel Plan and estimates that the overall costs are unlikely to be overly burdensome, and expected to be outweighed by consumer benefits.

Monitoring, compliance and enforcement processes

Lastly, the effective operation of a fuel price transparency scheme requires appropriate monitoring, compliance and enforcement processes to support consumer and industry trust in the scheme.

Occurrences of inconsistent fuel prices (between the prices displayed on apps or websites and the actual price at the service station) could erode consumer trust in the scheme, as well as distort competitive processes among fuel retailers. To ensure a level playing field, compliance and enforcement processes should be robust and of appropriate scale to support the scheme.

Next steps and further engagement

The ACCC understands that the Regulations are scheduled to commence from July, followed by the launch of live fuel pricing in August this year, with consultation for phase 2 of the government's Plan to follow. The ACCC will be observing the progress of the scheme with interest and welcomes further engagement.

Should you wish to discuss any aspects of this submission, please contact Warwick Donohoe, Director - Fuel Prices and Market Analysis at Warwick.Donohoe@acc.gov.au.

Yours sincerely



Anna Brakey
Commissioner