



AUSTRALIAN COMPETITION
& CONSUMER COMMISSION

2022-23 Compliance and Enforcement Priorities

Priorities



Consumer and fair trading issues in relation to **environmental claims and sustainability**.



Consumer and fair trading issues relating to manipulative or deceptive advertising and marketing practices in the **digital economy**.



COVID-19

Consumer and fair trading issues arising from the **COVID-19 pandemic**.



Competition and consumer issues arising from the pricing and selling of **essential services**, with a focus on **energy and telecommunications**.



Empowering consumers and improving industry compliance with consumer guarantees, with a focus on high value goods including **motor vehicles and caravans**.



Competition and consumer issues relating to **digital platforms**.



Competition issues in **global and domestic supply chains**, particularly where they are disrupted by the COVID-19 pandemic.



Promoting competition and investigating allegations of anti-competitive conduct in the **financial services sector**, with a focus on **payment services**.



Exclusive arrangements by firms with market power that impact competition.



Ensuring that **small businesses** receive the protections of the competition and consumer laws and industry codes of conduct, including in **agriculture and franchising**.



Compliance with the **button battery safety standards**.



Consumer product safety issues for **young children**, with a focus on compliance, enforcement, and education initiatives.

Enduring priorities

There are some forms of conduct so detrimental to consumer welfare and the competitive process that the ACCC will always regard them as a priority.



Cartel conduct

The ACCC will always prioritise cartel conduct causing detriment in Australia. When dealing with international cartels, the ACCC will focus on pursuing cartels that have a connection to, or cause detriment in Australia; that is, cartels that involve Australians, Australian businesses or entities carrying on business in Australia.



Anti-competitive conduct

The ACCC will always prioritise anti-competitive agreements and practices, and the misuse of market power.



Product safety

The ACCC will always prioritise product safety issues which have the potential to cause serious harm to consumers.



Consumers experiencing vulnerability or disadvantage

The ACCC recognises that consumers experiencing vulnerability and disadvantage can be disproportionately impacted by conduct in breach of the Act. The ACCC therefore prioritises conduct that impacts these consumers.



Conduct impacting Indigenous Australians

The ACCC acknowledges that certain conduct in breach of the Act has the potential to specifically impact on the welfare of Indigenous Australians. The ACCC also recognises that Indigenous consumers living in remote areas face particular challenges in relation to asserting their consumer rights. The ACCC will always prioritise its work in these areas while these challenges remain.

Priority factors

When deciding whether to pursue a matter, the ACCC will prioritise those which fall within our current priority areas. The ACCC will give particular consideration to those matters which also have the following factors:

- conduct that is of significant public interest or concern
- conduct that results in substantial consumer or small business detriment
- national conduct by large traders, recognising the potential for greater consumer detriment and the likelihood that conduct of large traders can influence other market participants
- conduct involving a significant new or emerging market issue or where our action is likely to have an educative or deterrent effect
- where our action will assist to clarify aspects of the law, especially newer provisions of the Act.

While the ACCC will always prioritise current priority areas, we will also retain capacity to pursue other matters that display the above factors, and will continue important residual work in areas previously identified as priority areas