>Allens ACCC MARKET STUDIES AND INQUIRIES

The ACCC is increasingly conducting market studies and inquiries to review competition and consumer protection issues on an industry-wide basis. These studies and inquiries can:

- > involve significant information and document requests;
- > lead to important regulatory reform and changes in commercial practices; and
- > result in the ACCC taking enforcement action where it uncovers suspected competition or consumer law breaches.

> ACCC area of focus

Over the last three years, the ACCC has conducted 13 market studies and inquiries into a variety of industries ranging from financial services to electricity, gas and digital platforms.

ACCC Chairman Rod Sims has confirmed that market studies and inquiries remain a key part of the ACCC's work programme.

Areas of focus for the ACCC in 2019 include:

- > Customer loyalty schemes
- > Financial services
- > Energy
- > Agriculture

> Potential outcomes

We have seen a range of outcomes of ACCC market studies and inquiries which have had significant impact on the way companies conduct their business, including:

- Enforcement action
- Structural market reforms
- ☐ Price regulation
- ☐ Initiatives to enhance price transparency and facilitate customer switching
- New industry codes

> Lifecycle of an ACCC market study/inquiry

STUDY / INQUIRY ANNOUNCED

- > ACCC engages with market stakeholders
- > ACCC may publish Issues Paper
- > Establish internal and external response team
- Develop and implement ACCC engagement strategy
- Develop business response to issues raised by ACCC

ACCC INFORMATION REQUESTS

- ACCC may consult on scope of information and document requests
- ACCC issues information and document requests
- ACCC may hold stakeholder forums and request oral evidence from business
- > Engage with ACCC on scope of requests
- > Gather information and documents
- > Make confidentiality submissions

ACCC REPORT

- ACCC may release preliminary or draft report
- ACCC releases final report with recommendations
- Engage with ACCC on any preliminary report
- Develop and implement response to ACCC findings
- Consider compliance implications of ACCC findings

YOUR ROLE

ACCC KEY STEPS

> Allens' expertise

Our Competition, Consumer & Regulatory Team are leading advisors on ACCC market studies and inquiries.

We have acted for major industry participants on ACCC market studies and inquiries including:

- > Digital platforms
- > Foreign exchange
- > Home loan price inquiry
- > Residential mortgages
- > Northern Australia insurance
- > Retail electricity
- > East Coast gas
- > Dairy
- > New car retailing

Allens Arrow is an integrated, flexible and bespoke service to help clients respond to ACCC document requests more efficiently and cost effectively. We do this by drawing on the expertise of legal technology and review specialists as well as cutting-edge technology such as:

- > Document analytics
- > Artificial intelligence
- > Predictive coding

Allens is ranked:

> TOP TIER

Competition/Antitrust – Australia Chambers Asia-Pacific 2019

> TOP TIER

'Elite' ranking – Australia Global Competition Review 2019

> TOP TIER

Competition and Trade – Australia *The Legal 500 Asia Pacific 2019*

Allens contacts



Fiona Crosbie
Chairman
T+61 2 9230 4383
M+61 404 042 879
Fiona.Crosbie@allens.com.au



Jacqueline Downes
Practice Leader
T +61 2 9230 4850
M +61 411 498 505
Jacqueline.Downes@allens.com.au



John Hedge
Partner
T +61 7 3334 3171
M +61 421 545 794
John.Hedge@allens.com.au



Ted Hill
Partner
T +61 3 9613 8588
M +61 411 646 761
Ted.Hill@allens.com.au



Carolyn Oddie
Partner
T +61 2 9230 4203
M +61 404 074 203
Carolyn.Oddie@allens.com.au



Rosannah Healy
Partner
T +61 3 9613 8421
M +61 411 776 662
Rosannah.Healy@allens.com.au



Robert Walker
Partner
T +61 3 9613 8879
M +61 478 527 188
Robert.Walker@allens.com.au



Felicity McMahon
Partner
T +61 2 9230 5242
M +61 450 123 681
Felicity.McMahon@allens.com.au