



COMMONWEALTH OF AUSTRALIA

PARLIAMENTARY DEBATES



HOUSE OF REPRESENTATIVES
TRADE PRACTICES LEGISLATION
AMENDMENT BILL 2003

Consideration of Senate Message

SPEECH

Tuesday, 2 December 2003

BY AUTHORITY OF THE HOUSE OF REPRESENTATIVES

SPEECH

Date Tuesday, 2 December 2003
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Questioner
Speaker Cox, David, MP

Source House
Proof No
Responder
Question No.

Mr COX (Kingston) (4.15 pm)—The Trade Practices Legislation Amendment Bill 2003 contains two schedules of amendments to the Trade Practices Act. The first schedule contains measures which address doubts about the constitutionality of the provisions relating to access regimes in part 3A of the act. The second schedule repeals the Prices Surveillance Act and in its place inserts a new part in the Trade Practices Act. The amendments moved by Labor and supported by the Senate relate to the second schedule. Currently under the Prices Surveillance Act, if the government wants to conduct a prices inquiry under the act, the only body that can be asked to do that job is the ACCC.

The bill, as introduced by the government, seeks to change this situation. It would allow the minister to appoint another body to conduct an inquiry, utilising the powers that are currently available only to the commission. The rationale for the change is that the commission may have a conflict of interest. The argument is that the ACCC would be influenced to recommend ongoing price monitoring because this would attract increased resources to the commission. Labor see no reason to question the ACCC's independence or its professionalism and we do not believe that the price inquiry role of the ACCC should be privatised.

In Labor's view, the ACCC has experience and expertise across all sectors of the economy and is the appropriate body to conduct any pricing inquiry. The parliament has no guarantee that any other body appointed by the government would be similarly endowed with these characteristics. Labor believes that the House should accept these amendments made by the Senate. While there are 26 separate amendments, the key amendment is amendment (2), which omits the definition of 'inquiry body' in proposed section 95A. The other changes are consequential on the removal of this definition, which envisages a body other than the commission being appointed as inquiry chair.

The DEPUTY SPEAKER (Hon. I.R. Causley)—The question is that the amendments be disagreed to.

Question agreed to.

Mr ROSS CAMERON (Parramatta—Parliament-ary Secretary to the Treasurer) (4.17 p.m.)—I present the reasons for the House disagreeing to the Senate amendments and I move:

That the reasons be adopted.

Question agreed to.