



AUSTRALIAN COMPETITION  
& CONSUMER COMMISSION

# 2023-24 Compliance and Enforcement Priorities

## Priorities



Consumer, product safety, fair trading and competition concerns in relation to **environmental claims and sustainability**.



**Scam detection and disruption**, supporting the implementation of the **National Anti-Scam Centre**.



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



**Unfair contract terms** in consumer and small business contracts.



Consumer and fair trading issues arising from the pricing and selling of **essential services**, with a focus on **energy and telecommunications**.



Competition and pricing issues in gas markets, including compliance with the price cap order and other legal obligations for **wholesale gas markets**.



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 in **global and domestic supply chains**, with a focus on transport and logistics.



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



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 small business industry codes of conduct, including in **agriculture and franchising**.



**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 or disadvantage can be disproportionately impacted by conduct in breach of the Act. The ACCC therefore prioritises conduct that impacts these consumers.



### Conduct impacting First Nations Australians

The ACCC acknowledges that certain conduct in breach of the Act has the potential to specifically impact on the welfare of First Nations Australians. The ACCC also recognises that First Nations 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.