

The ACCC's compliance and enforcement priorities for 2024-25, and the key takeaways for businesses, are summarised below.



Environmental Claims and Sustainability

- Continued focus on **'greenwashing'**, particularly in the **energy and consumer products** markets, and focus on related **product safety, fair trading and competition concerns**.
- The ACCC also reiterated its recognition of the **public benefit of the transition towards sustainability** in conduct authorisations.



Aviation and Supermarket Sectors

- ACCC conducting a **price inquiry into competition** in the supermarket sector (particularly the relationship between wholesale and retail prices), and looking into **misleading advertising** in sector.
- Noted concerns around rates of **flight cancellation and delay**, and that Australia has an opportunity for **increased competition** in the aviation sector.



Essential Services

- Promoting competition in **telecommunications, electricity, gas and financial services** markets.
- Enforcement of new **gas market regulations** and improving transparency in **retail deposit products** and other **financial services**.
- Monitoring sales representations that may **mislead consumers about price, features, or benefits** of services.



Consumer Guarantees

- Industry compliance** with consumer guarantees will be under the spotlight.
- There will be an expanded focus on **consumer electronics** and misconduct regarding **delivery timeframes** and **non-delivery** of consumer products.
- The ACCC's examination of the **automotive and caravan sector** will be continued.



Digital Economy

- A focus on:
 - misleading or deceptive advertising**, specifically in **influencer marketing, online reviews, in-app purchases, and video games**; and
 - price comparison tools** where the ACCC is concerned that price comparison tools can mislead consumers by **failing to convey the extent of incentives received from featured suppliers**.



Unfair Contract Terms

- Despite commencement of the new penalty regime, the ACCC noted that it continues to see businesses using standard form agreements containing unfair terms.
- Clause types noted include those that **unilaterally vary agreements or impose unreasonable terms**.
- The ACCC has undertaken a review of a range of agreements, and **investigations remain on foot**.



Product Safety

- Focus on **product safety issues for goods for young children**, especially **nursery products**, including furniture, infant feeding and sleep products.
- There will also be a focus on **electrical products**, and the ACCC will build on its recommendations regarding safe battery design and supply.



NDIS Providers

- ACCC stakeholders have raised concerns about **inadequate consumer law protections for participants under the NDIS framework**.
- The ACCC will concentrate on investigations of **systemic and/or serious consumer law breaches** by NDIS providers.

Key Takeaways for Businesses

- ✓ Ensure marketing claims are accurate, not misleading and can be substantiated. 'Green' claims or pricing specials (such as "was/now" claims), as well as advertising in the essential services and supermarket sectors, should be closely monitored.
- ✓ Assess digital marketing tools such as influencer advertising, online reviews, in-app purchases and price comparisons, to ensure they do not create misleading or deceptive impressions.
- ✓ Review consumer guarantees processes (particularly in the areas of electronics and delivery timeframes and non-delivery).
- ✓ Review standard form contracts to ensure compliance with the unfair contract terms regime.
- ✓ Closely monitor business activities which could impact competition. Risks may arise from collusion with competitors or exclusive arrangements (especially within essential services or if small business is impacted).
- ✓ Consider whether any public benefits relating to sustainability may arise when applying for conduct authorisations.
- ✓ Ensure ongoing compliance (and mitigation of the above risks) by setting up the correct internal processes, for example by providing staff training.