

EXPLANATORY STATEMENT

Issued by authority of the Treasurer

Competition and Consumer Act 2010

Competition and Consumer (Price Inquiries) Amendment Direction 2020

Section 95K of the *Competition and Consumer Act* (the Act) provides that the Minister may, by notice in writing, extend the completion period for an inquiry into a specified matter or matters.

The *Competition and Consumer (Price Inquiries) Amendment Direction 2020* (the Amending Direction) is made under subsection 95K(3) of the Act and extends the final reporting date for the price inquiry into the supply of home loans and the price inquiry into water markets in the Murray-Darling Basin.

On 8 August 2019, the Treasurer provided a direction to the Australian Competition and Consumer Commission (ACCC) under subsection 95H(1) of the Act, requiring the ACCC to hold an inquiry into markets for tradeable water rights relating to water in the Murray-Darling Basin and to provide an interim report to the Treasurer by no later than 31 May 2020 and a final report to the Treasurer by no later than 30 November 2020.

On 14 October 2019, the Treasurer provided a separate direction to the ACCC under subsection 95H(1) of the Act, requiring the ACCC to hold a price inquiry into the market for the supply of home loans and to provide an interim report to the Treasurer by no later than 30 March 2020 and a final report to the Treasurer by no later than 30 September 2020.

The amendments at Schedule 1 to the Amending Direction make changes to the time for reporting on both inquiries.

In relation to the price inquiry into the market for the supply of home loans, the ACCC must now complete the inquiry and provide a report to the Treasurer by no later than 30 November 2020.

In relation to the inquiry into water markets in the Murray-Darling Basin, the ACCC must now give the Treasurer an interim report by no later than 30 June 2020. The ACCC must not publicly release the interim report until authorised by the Treasurer in writing.

An exemption from Regulation Impact Statement requirements was granted by the Prime Minister as there were urgent and unforeseen events.

In accordance with section 17 of the *Legislation Act 2003*, the ACCC have been consulted on the terms of the Amending Direction.

The Amending Direction is a legislative instrument for the purposes of the *Legislation Act 2003*. However, the Amending Direction is not subject to disallowance or sunseting.

The Amending Direction commences the day after the instrument is registered.

A statement of Compatibility with Human Rights is at Attachment A.

Statement of Compatibility with Human Rights

Prepared in accordance with Part 3 of the Human Rights (Parliamentary Scrutiny) Act 2011

Competition and Consumer (Price Inquiries) Amendment Direction 2020

This Legislative Instrument is compatible with the human rights and freedoms recognised or declared in the international instruments listed in section 3 of the *Human Rights (Parliamentary Scrutiny) Act 2011*.

Overview of the Legislative Instrument

Section 95K of the *Competition and Consumer Act* (the Act) provides that the Minister may extend the completion period for an inquiry into a specified matter or matters.

The *Competition and Consumer (Price Inquiries) Amendment Direction 2020* (the Amending Direction) is made under subsection 95K(3) of the Act and extends the final reporting date for the price inquiry into the supply of home loans and the price inquiry into water markets in the Murray-Darling Basin.

Human rights implications

This Legislative Instrument does not engage any of the applicable rights or freedoms.

Conclusion

This Legislative Instrument is compatible with human rights as it does not raise any human rights issues.