



## **Competition and Consumer (Price Monitoring—Domestic Air Passenger Transport) Direction 2020**

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I, Josh Frydenberg, Treasurer, give the following direction to the Australian Competition and Consumer Commission.

Dated            19 June 2020

Josh Frydenberg  
Treasurer

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## Part 1—Preliminary

### 1 Name

This instrument is the *Competition and Consumer (Price Monitoring—Domestic Air Passenger Transport) Direction 2020*.

### 2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of the instrument	The day after this instrument is registered.	

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

### 3 Authority

This instrument is made under the *Competition and Consumer Act 2010*.

### 4 Definitions

Note: Expressions have the same meaning in this instrument as in the *Competition and Consumer Act 2010* as in force from time to time—see paragraph 13(1)(b) of the *Legislation Act 2003*.

In this instrument:

***air passenger transport service industry*** means the industry comprised of those parts of the air and space transport class 4900 that relate to the supply of air passenger transport services, as classified in ANZSIC.

***ANZSIC*** means the *Australian and New Zealand Standard Industrial Classification 2006* (1292.0) published by the Australian Statistician, as revised and in force on the day this instrument commences.

Note: In 2020, the text of the *Australian and New Zealand Standard Industrial Classification 2006* was accessible through the Australian Bureau of Statistics website (<http://www.abs.gov.au>).

Section 4

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***domestic air passenger transport service*** means an air passenger transport service to the extent that it is provided for the purposes of air passenger transport between places within Australia.

***exempt supply*** has the same meaning as in Part VIIA of the Act.

***goods*** has the same meaning as in Part VIIA of the Act.

***person*** has the same meaning as in Part VIIA of the Act.

***price*** has the same meaning as in Part VIIA of the Act.

***quarter*** means a period of 3 months ending on 31 March, 30 June, 30 September or 31 December.

***services*** has the same meaning as in Part VIIA of the Act.

***State or Territory authority*** has the same meaning as in Part VIIA of the Act.

***supply*** has the same meaning as in Part VIIA of the Act.

***the Act*** means the *Competition and Consumer Act 2010*.

## **Part 2—Price monitoring of domestic air passenger transport services and related goods and services**

### **5 Object**

The object of this instrument is to monitor prices, costs and profits relating to the supply of domestic air passenger transport services, and of related goods and services, for a period of 3 years.

### **6 Commission to monitor prices**

- (1) Under subsection 95ZE(1) of the Act, the Commission is directed:
  - (a) to monitor prices, costs and profits relating to the supply of goods and services by persons in the air passenger transport service industry; and
  - (b) to give the Treasurer a report on the monitoring at least once every quarter that starts during the period of 3 years beginning at the commencement of this instrument.
- (2) Subsection (1) does not apply in relation to:
  - (a) an exempt supply; or
  - (b) the supply of a good or service by a State or Territory authority.

### **7 Direction to give special consideration to specified matters**

Under subsection 95ZH(1) of the Act, the Commission is directed to give special consideration to:

- (a) the object of this instrument; and
- (b) monitoring the prices, costs and profits relating to the supply of:
  - (i) domestic air passenger transport services; and
  - (ii) goods and services that are related to the supply of domestic air passenger transport services;

in exercising its powers and performing its functions under Part VIIA of the Act in relation to the direction in section 6.