



Competition and Consumer (Price Monitoring—Domestic Air Passenger Transport) Direction 2023

I, Jim Chalmers, Treasurer, give the following direction to the Australian Competition and Consumer Commission.

Dated 6 November 2023

Dr Jim Chalmers
Treasurer

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Part 1—Preliminary

1 Name

This instrument is the *Competition and Consumer (Price Monitoring—Domestic Air Passenger Transport) Direction 2023*.

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. Parts 1 and 2 and anything in this instrument not elsewhere covered by this table	The day after this instrument is registered.	
2. Part 3	1 January 2027	1 January 2027

Note: This table relates only to the provisions of this instrument as originally made.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.

Section 4

Note: In 2023, 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>).

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.

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, for a period of 3 years, starting from the quarter ending on 31 March 2024.
- (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.

Part 3—Repeals

8 Repeal

This instrument is repealed on 1 January 2027.