



Competition and Consumer (Australian Competition and Consumer Commission— Standing Acting Arrangements) Appointment 2024

I, Jim Chalmers, Treasurer, make the following appointments.

Dated 26 November 2024

Dr Jim Chalmers
Treasurer

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Part 1—Preliminary

1 Name

This instrument is the *Competition and Consumer (Australian Competition and Consumer Commission—Standing Acting Arrangements) Appointment 2024*.

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Note: This table relates only to the provisions of this instrument as originally made.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

senior available appointee has the meaning given by subsection 5(2).

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

Section 5

Part 2—Standing acting arrangements for the Chairperson of the Australian Competition and Consumer Commission

5 Standing acting arrangements for the Chairperson

- (1) Under subsection 11(2) of the Act, during all periods when the Chairperson is absent from duty or from Australia, the person determined in accordance with subsections (2) to (4) is appointed to act as Chairperson.
- (2) For the purposes of this instrument, the *senior available appointee* at a particular time is a person who, at that time, satisfies all of the following:
 - (a) is a member of the Commission;
 - (b) is *not* absent from duty or from Australia;
 - (c) has *not*, during a vacancy in the office of Chairperson or absence of the Chairperson, continued to act as Chairperson for a period of more than 12 months;
 - (c) has advised that they are available to act as Chairperson;
 - (d) is highest in the following list:
 - (i) Mick Keogh;
 - (ii) Catriona Lowe;
 - (iii) Anna Brakey;
 - (iv) Peter Crone;
 - (v) Liza Carver;
 - (vi) Philip Williams.
- (3) The senior available appointee at the start of a period when Chairperson is absent from duty or from Australia, is to act as Chairperson during that period.
- (4) However, if a person who is acting as Chairperson during a period (under subsection (3) or a previous application of this subsection) ceases at a particular time to be the senior available appointee, the senior available appointee at that time is to act as Chairperson during the remainder of that period.
- (5) Under subsection 33A(1) of the *Acts Interpretation Act 1901*, each appointment under subsection (1) is determined to be on the same terms and conditions that apply to the Chairperson under section 9 of the Act.