

ACCC 2023/2024 Compliance and Enforcement Priorities

On 7 March 2023, the Chair of the Australian Competition and Consumer Commission (ACCC), Gina Cass-Gottlieb, **announced** the ACCC's 2023/2024 enforcement and compliance priorities and confirmed its enduring priorities. The priorities span across both competition and consumer law, with many arising from the cost-of-living crisis.

ENFORCEMENT PRIORITIES 2023

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Essential services
Anti-competitive conduct and misleading sales representations in pricing and sale of energy, telecomms and other essential services
- 

Gas markets
Competition and pricing issues, including compliance with the emergency price cap and development of mandatory code of conduct
- 

Financial services
Competition market study on deposit products, and focus on consumers' ability to search and switch
- 

Exclusive arrangements by firms with market power that impact competition
- 

Greenwashing
Consumer, product safety, fair trading and competition issues relating to environmental claims and sustainability
- 

Digital economy
Manipulative or deceptive advertising and marketing practices
- 

Digital platforms
Data collection, scams, fraudulent apps and reviews, and other unfair practices
- 

Scams
Stopping scammers from reaching consumers, education and prevention, and establishment of National Anti-Scam Centre
- 

Consumer guarantees
Focus on enforcing compliance with the consumer guarantees, focussing on high value goods
- 

Global and domestic supply chains
with a focus on transport and logistics
- 

Unfair contract terms
Enforcing compliance with new laws, proactively reviewing business contracts across a range of industry sectors
- 

Small business
Ensuring small businesses are protected by laws and industry codes of conduct
- 

Product safety and children
High-risk safety issues for young children, focussing on compliance, enforcement and education initiatives

ENDURING PRIORITIES 2023

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First Nations consumers
Addressing disproportionate impacts of conduct such as scams and misleading advertising and sales practices
- 

Cartel conduct
Proactive screening of data and analysing markets to identify likely cartels and high-risk factors
- 

Consumers experiencing vulnerability or disadvantage
A focus on those who are disproportionately impacted
- 

Anti-competitive conduct
Anti-competitive agreements and practices, and misuse of market power
- 

Product safety
Issues which can cause serious harm to consumers

TOP 5 TAKEAWAYS

- 1. Cost-of-living driving ACCC priorities**
Social and economic conditions and trends have prompted a focus on pricing of essential services and practices that cause consumer harm
- 2. Greenwashing focus expanded**
Internal sustainability taskforce established as ACCC broadens its focus beyond consumer law to reflect the economy-wide transition towards sustainability
- 3. Focus on gas markets heats up**
High energy prices have prompted scrutiny of gas market participants and development of mandatory code of conduct
- 4. Reforms on the horizon**
ACCC seeks new regulation of digital platforms, an economy-wide ban on unfair trading, outlawing non-compliance with consumer guarantees, and merger reforms
- 5. New unfair contract terms laws**
ACCC keen to enforce the new prohibitions on unfair contract terms

Practice tip!

The ACCC directs its resources to providing the greatest overall benefit to consumers and competition, so it is essential that businesses are across the issues affecting their industry, while being mindful of the ACCC's enduring priorities such as cartels, anti-competitive practices, and product safety.

For more information, see the ACCC's [2023-24 Compliance and Enforcement Policy and Priorities](#) and [Speech at the Committee for Economic Development of Australia \(CEDA\) Conference 2023](#).

For more detailed analysis of the ACCC's yearly compliance and enforcement and enduring priorities, visit [Practical Guidance - Competition](#) and [Practical Guidance - Consumer](#). For regular updates on Competition and Consumer law issues, [subscribe to our practice area round-up emails](#).