



AUSTRALIAN
ENERGY
REGULATOR

Annual Report 2025–26

October 2026





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Acknowledgment of Country

The ACCC acknowledges the traditional owners and custodians of Country throughout Australia and recognises their continuing connection to the land, sea and community. We pay our respects to them and their cultures; and to their Elders past, present and future.

About this report

The Australian Competition and Consumer Commission (ACCC) and the Australian Energy Regulator (AER) Annual Report 2025–26 describes the performance of the agency, including operational and financial management, for the year ending 30 June 2026. It addresses our annual reporting obligations under:

- the *Public Governance, Performance and Accountability Act 2013*
- the Public Governance, Performance and Accountability Rule 2014
- the performance measures set out in the outcome and programs framework in our Portfolio Budget Statements 2025–26 and Corporate Plan 2025–26
- other relevant legislation, including the *Competition and Consumer Act 2010*.

Contact us

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ACCC 10/26_26–29
www.accc.gov.au

Letter of transmittal



7 September 2026

The Hon Dr Jim Chalmers MP
Treasurer
Parliament House
CANBERRA ACT 2600

The Hon Chris Bowen
MP Minister for Climate Change and Energy
Parliament House
CANBERRA ACT 2600

Dear Treasurer and Minister Bowen,

We are pleased to present to you the Annual Report of the Australian Competition and Consumer Commission (ACCC) and the Australian Energy Regulator (AER) for the year ended 30 June 2026.

This report has been prepared in accordance with section 46 of the *Public Governance, Performance and Accountability Act 2013* (PGPA Act) and section 171 of the *Competition and Consumer Act 2010*.

The ACCC, as Digital ID Regulator has produced a separate annual report, in accordance with section 154 of the *Digital ID Act 2024*.

This report includes the entity's audited annual financial statements as required by subsection 43(4) of the PGPA Act. It also includes the entity's annual performance statements as required under section 39 of the PGPA Act.

As required by section 10, and as required by subsection 17AG(2), of the PGPA Rule 2014, we certify that the ACCC and AER have:

- prepared fraud and corruption risk assessments and for the year ended 30 June 2026 had a fraud and corruption control plan. Going forward with separation of the 2 agencies each has a fraud and corruption control plan.
- in place appropriate mechanisms to prevent, detect, investigate, record and confidentially report suspected fraud and corruption
- taken all reasonable measures to appropriately deal with any fraud relating to the ACCC and AER.

Yours sincerely

Gina Cass-Gottlieb
Chair, ACCC

Clare Savage
Chair, AER

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Part 1

Year in review



Our year at a glance 2025–26

Australian Competition and Consumer Commission

CONSUMER, FAIR TRADING AND COMPETITION

\$292.55m total penalties and fines awarded by the court

39 consumer and fair trading infringement notices totalling **\$748,250**

2 competition interventions commenced

13 court cases commenced

14 court cases concluded

17 court cases continuing

DIGITAL ID*

5 accredited providers with **7** digital ID services, **2** of which are participating in the Australian Government Digital ID System

39 entities approved to participate in the Australian Government Digital ID System, offering a total of **271** services

63 applications related to participation in the Australian Government Digital ID System

3 in-depth investigations commenced

SCAMS

6,567,569 Scamwatch website visits**

184,149 scam reports received by Scamwatch

18,592 scam website takedowns⁺

Over 150 data and intelligence briefings on high risk or current scam trends to law enforcement and government

INFOCENTRE

125,110 Infocentre contacts served (excluding scams)

INFRASTRUCTURE

18 regulatory decisions

57 monitoring reports across **9** infrastructure sectors

MERGERS AND EXEMPTIONS

651 mergers assessed under previous informal system[#]

365 determinations made under new merger control regime^{##}

23 non-merger authorisation applications determined

CONSUMER DATA RIGHT*

98 active data holders (entities) with

150 active brands in the banking and energy sectors

39 accredited data recipients, all at the unrestricted level (**30** of which were active)

178 active data recipient representative arrangements notified to the ACCC

1,352,747 active ongoing consumer data sharing arrangements

\$792,000 paid from CDR infringement notices issued

1 administrative resolution providing remediation to affected customers and accredited data recipients

CONSUMER PRODUCT SAFETY

2,698 mandatory reports assessed

261 voluntary recall notifications published

1 court case commenced

\$14m total penalties awarded by the court from Consumer Product Safety breaches of the ACL

7 consumer product safety infringement notices issued totalling \$138,600

4 product safety campaigns

3,819,583 ACCC Product Safety website page views**

* All figures as at 30 June 2026.

Voluntary notifications available between 1 July 2025 to 31 December 2025 for previous informal merger system.

Mandatory notifications required between 1 January 2026 to 30 June 2026 for new merger control regime.

** This figure has been adjusted to exclude unusual traffic spikes to the site.

+ Websites submitted for takedown in 2025–26, which have since been taken down as at 20 August 2026.

Australian Energy Regulator

PROTECTING CONSUMERS AND ENABLING PARTICIPATION

1,307,000 Energy Made Easy (EME) website energy plan searches, assisting energy consumers to find the best deal

210,000 people switched retailers after completing a search on EME website using their National Metering Identifier. This does not include those who switched after using the Quick Compare or Manual Bill Entry methods

We set the Default Market Offer for customers in NSW, SA and South-East Qld to protect customers by providing fair, trusted and reasonably priced electricity options

11 industry education activities conducted, including compliance bulletins and guidance notes

REGULATING COMPETITIVE MARKETS

\$1.48m total penalties from **1** litigated matter and **17** infringement notices

8 retailer authorisations and **10** individual retail exemptions ensuring improved outcomes for customers in embedded networks

3 retailer hardship policies and proposed amendments assessed and another

5 currently under review, ensuring protections for consumers experiencing vulnerability are available if they need it

INFRASTRUCTURE REGULATION

\$22.7b worth of revenue determinations for the **10** completed revenue decisions, ensuring consumers pay no more than necessary for poles, wires and pipelines

19 cost pass-through applications approved, ensuring energy businesses can repair damage to infrastructure relating to natural disasters and other issues

48% of customers with a retailer exposed to cost reflective tariffs, indicating more customers face accurate network prices

INFORMING THE ENERGY DEBATE

Through our regulatory functions, strategic advice and stakeholder engagement, the AER advocates for policy changes and improvements in the way energy markets operate

24 submissions in relation to AEMC rule-making processes

20,022 unique visits to the Energy Innovation Toolkit website, promoting and supporting innovation in the energy sector

159 submissions received through the Regulation Navigator, providing innovators with personalised guidance on regulations

* All figures as at 30 June 2026.



2025–26 review: ACCC Chair, Gina Cass-Gottlieb

The Australian Competition and Consumer Commission (ACCC) continued to deliver on our purpose to promote competition and protect consumers across Australia in 2025–26, a year shaped by heightened volatility, uncertainty and disruption. The ACCC conducted a substantial body of work during the year, informed and shaped by this context. As technology, markets and industries evolved, we remained focused on addressing emerging and longstanding issues across the economy and promoting confidence in the markets Australians rely on every day.

Throughout this work, our independence has remained central to our role. It underpins the trust the community places in us, it enables us to act impartially and make decisions based on the evidence before us, and it allows us to serve the public interest in everything we do.

Essential services and petrol price monitoring

Electricity, gas, telecommunications and fuel are central to daily life. Outcomes in these markets affect economic participation, household wellbeing and business productivity. Over the past year, the ACCC has used a range of tools and solutions under the *Competition and Consumer Act 2010* to address the complex, interconnected challenges in these key sectors and essential services.

This work has been particularly important as global events continued to influence fuel prices in Australia. Conflict in the Middle East significantly affected international crude oil prices, with average retail petrol and diesel prices varying across the country and fluctuating daily. In response, the ACCC used its regulatory powers to improve transparency and support supply chain resilience. This included requiring petrol retailers to make accurate claims about their price increases and supporting consumers to make informed choices by providing weekly fuel price updates for all capital cities and more than 190 regional locations. We also issued a class exemption under new legislative

provisions that streamlined the capacity for businesses to coordinate in response to the fuel supply chain disruption.

Our work in energy and telecommunications reflected the same focus on resilience, transparency and consumer outcomes. Through our Gas and Electricity Inquiries, we identified potential winter gas supply risks to help governments and industry prepare for tight supply. Through these inquiries, we also found that stronger consumer protections are needed as more households install home batteries and virtual power plants. In telecommunications, we continued to monitor and report on broadband performance. We also progressed new NBN access terms and service standards to support reliable internet services for consumers.

Competition and consumer protection in digital markets

Promoting competition, maintaining trust, and protecting consumers as they engage with digital markets continues to be an important area of our work as Australians increasingly use digital services to shop, work and connect.

Product safety in the online economy

As more Australians shop online, protecting consumers from unsafe products remains an important part of maintaining trust in digital markets. Consumers should not have to choose between affordability and safety. This is particularly important for households under financial pressure, where price can play a significant role in purchasing decisions.

Over the past year, we have been working to reduce unsafe products being sold in digital markets, with a focus on systemic and high-risk product safety issues. In May, the ACCC commenced Federal Court proceedings against Amazon for alleged product safety contraventions. We also announced investigations into banned small high-powered magnets available online to prompt online marketplaces to remove products of concern and take further steps such as offering refunds.

We also worked to strengthen the Australian Product Safety Pledge, which is an ACCC voluntary initiative for online marketplaces to commit to stronger product safety measures. Since its inception in 2020, the Pledge has led to approximately 130,000 unsafe products being delisted. This year we added new signatories, strengthened commitments and enhanced transparency and accountability.

Scams prevention

Protecting consumers from scams, which are becoming increasingly sophisticated with the development of AI, is crucial to cultivating a safe online market. Through collaboration across government, law enforcement and the private sector, the National Anti-Scam Centre continues to disrupt scams and strengthen community awareness and protection. Australia's world-leading Scams Prevention Framework will impose enforceable obligations on banks, telecommunications providers and certain digital platforms to better prevent, detect and disrupt scams.

Following the release of draft rules and sector codes by the Government in May 2026, the ACCC has been working in consultation with the Australian Securities and Investments Commission and the Australian Communications and Media Authority to prepare for the Framework to take effect from 31 March 2027.

At the ACCC, this has meant investing in our technology systems to facilitate data sharing in preparation for the information sharing requirements that will come into force by the end of 2027.

Competition in digital markets

Over the past 12 months, the ACCC has also continued to take action against anti-competitive conduct in digital markets. In December 2025, following proceedings brought by the ACCC, Google was ordered to pay \$55 million in penalties for engaging in anti-competitive conduct relating to the pre-installation of Google Search on Android mobile phones. We also accepted a court enforceable undertaking from Equifax to address concerns that exclusivity arrangements for payroll and superannuation data could limit entry and innovation in an emerging sector.

These matters reflect a broader focus on ensuring digital markets remain open to competition and innovation. Our work this year continued to focus on ensuring Australian consumers and businesses can benefit from the choice, innovation and better services that effective competition can deliver across the digital economy.

Trusted data sharing and digital identity

We also continue to improve competition and consumer choice by ensuring safe, secure and privacy-protected data sharing by consumers through the Consumer Data Right (CDR).

Consumer adoption of CDR has increased significantly over the past 12 months, with participants using the system to facilitate billions of data requests. While these numbers grow, the ACCC is also finalising preparations for CDR's expansion into the non-bank lenders sector, which has the potential to substantially increase usage of the system.

Alongside this work, we continued to support a trusted, voluntary and secure Digital ID system that promotes growth and confidence in Australia's digital economy. In our second year as the Digital ID Regulator, we strengthened oversight of the system and continued preparations for private sector participation into the Australian Government Digital ID System (AGDIS) from 1 December 2026.

Fairness and transparency in digital services

The ACCC is taking action to ensure consumers are treated fairly when using digital services. This past year, that included proceedings against Amazon over alleged unfair contract terms used to introduce advertising to Amazon Prime Video, and against Microsoft over allegedly misleading communications about subscription options and price increases. We also emphasised compliance and enforcement outcomes in marketing and promotion activities online, reinforcing that influencer reviews and other online promotions must meet the same consumer law standards as any other advertising.

Supermarket and retail sectors

Supermarkets and the wider retail environment are where many Australians experience competition most directly, through the prices they see, the discounts they are offered and the choices available to them. In the last year, our work in these sectors focused on conduct affecting competition in supply chains and practices that can undermine confidence that advertised prices and discounts represent genuine value.

The ACCC has continued to pursue enforcement activity in these sectors. This has been supported by an additional \$30 million in funding over 3.5 years that was provided by the Government in October 2024 for this purpose.

We initiated civil cartel proceedings against 4 fresh food suppliers, and 3 senior executives, for allegedly fixing prices for staple fruit and vegetables supplied to ALDI across multiple states. We also addressed resale price maintenance in retail supply chains, where suppliers sought to control

the prices retailers could charge. In these matters, court enforceable undertakings provided a way to address the conduct, restore competitive freedom and prevent similar practices from occurring in the future.

Alongside competition issues, consumer trust in pricing across the supermarket and broader retail sectors also remains a priority for the ACCC. Over the past 2 years, we conducted major sweeps of retailers' Black Friday sales advertising. This involved systematically reviewing a range of advertisements to target potentially misleading discount claims, countdown timers, and 'site-wide' or 'store-wide' promotions that only applied to very few products.

In May, Coles was found to have made false or misleading representations about 'Down Down' discounts, in proceedings brought by the ACCC. The outcome reinforces the importance of transparency and accountability in supermarket promotions, helping consumers assess whether discounts offer genuine value. Separate proceedings concerning Woolworths, involving allegations of misleading price discounts, remain before the Court.

We also continued to support broader changes to improve pricing transparency, efficient supply chains, and stronger supermarket competition.

The remade Food and Grocery Code of Conduct came into effect on 1 April 2025. The code regulates how large grocery businesses do business with their suppliers, and is now mandatory. The ACCC enforces the code, and we have been conducting regular compliance checks. Breaches of the code by large grocery businesses may result in civil penalties.

This year, the Government also progressed consideration of reforms in response to recommendations from the ACCC's *Supermarket Inquiry final report*. These proposed reforms include a stronger Unit Pricing Code, shrinkflation notifications, civil penalties and requirements for large supermarkets to publish pricing information. An excessive pricing prohibition that applies to Coles and Woolworths also commenced on 1 July 2026, supported by ACCC monitoring of pricing, margin and cost information.

The ACCC is also responsible for enforcing compliance with the mandatory Food and Grocery Industry Code, which carries significant financial penalties for large grocery businesses that contravene it. We undertook proactive compliance checks to assess each large grocery business's compliance with their obligations towards suppliers. Where we identified concerns we raised them with the business.

Environment and sustainability

As the economy transforms to meet net zero targets, Australian consumers are becoming increasingly conscious of the environmental impacts of their choices. Since 2022, we have prioritised greenwashing claims to maintain consumer trust. In the past year, we launched legal action against burger chain Grill'd for alleged misleading claims about the environmental impacts of its 'Tree Day Tuesday' campaign.

In addition, our authorisation powers continued to support initiatives that deliver environmental benefits while maintaining appropriate competition safeguards. We granted exemptions from specific competition laws to allow organisations to work together to collect and recycle used soft plastic packaging, increase appropriate end-of-life battery disposal, and collaborate on sustainable finance initiatives. We also updated our Guide to Sustainability Collaborations to provide greater clarity for businesses on when cooperation can occur without breaching competition law, including collaborations that address modern slavery risks in supply chains.

Regulatory reform

As markets are reshaped by complex, interconnected social and economic challenges, the ACCC continues to take a proactive and forward-looking approach to ensure the rules we enforce remain effective in promoting competition, fair trading and consumer protection.

Since its inception, the *Trade Practices Act 1974* and its successor, the *Competition and Consumer Act 2010*, have undergone a series of amendments and transformations to meet evolving markets, emerging business practices, and changing consumer expectations. Over the past 12 months, we have seen substantial progress supporting regulatory reform.

New merger regime

Reforms introduced through the *Treasury Laws Amendment (Mergers and Acquisitions Reform) Act 2024* represent the most significant changes to Australia's merger control framework in more than 50 years. The new regime strengthens the ACCC's ability to identify and prevent mergers that risk substantially lessening competition. Low-risk mergers can be cleared quickly and predictably, allowing the ACCC to focus its attention where it is most needed.

The new regime provides a stronger framework to protect competition and deliver better outcomes for consumers, businesses and the Australian economy. Mandatory notification of mergers commenced on 1 January 2026, and, prior to this, a 6-month voluntary transition period provided the ACCC and merger parties with the opportunity to test and refine the new regime. That preparation has supported a smooth commencement and we have seen a steady flow of merger notifications and applications for waivers. I am pleased to report that our systems and processes are so far handling the workload well and that we are exceeding our target to decide 80% of acquisitions within 20 business days. Our processes, IT infrastructure and teams have adapted to working in the new regime with faster timelines, greater predictability and increased transparency.

Unfair trading practices

The recent passage of the Competition and Consumer Amendment (Unfair Trading Practices) Bill 2026 through Parliament reflects another significant step in modernising Australia's consumer and competition laws. The legislation, which will come into effect in July next year, introduces a general prohibition on unfair trading practices as well as specific requirements to address subscription traps and enhance existing drip pricing protections. This will target harmful conduct not currently captured or adequately addressed by existing provisions. These reforms strengthen the Australian Consumer Law and support fairer, more transparent markets by setting clearer standards of conduct, encouraging innovation and ensuring businesses compete on merit. They also recognise that laws must evolve to remain fit for purpose as technology changes and business practices become more complex.

Cash access and acceptance

The way Australians buy and pay for goods and services is also changing. As digital payments become increasingly common, ensuring consumers and businesses can continue to access cash where they need it remains an important part of a resilient and inclusive payments system. Over the past year, the ACCC has worked closely with the Council of Financial Regulators on a proposed regulatory framework for cash distribution. We have authorised industry collaboration where it delivers a clear public benefit, including arrangements for critical cash-in-transit services. In addition, we prepared to help retailers understand and meet new cash acceptance requirements which came into effect on 1 January 2026.

People, capability and collaboration

Over the past year, the Commission has strengthened its leadership through the appointment of Luke Woodward and Dr Ian Oppermann as Commissioners, together with the reappointment of Anna Brakey as Commissioner for a further 5-year term.

Across the ACCC, our people bring deep expertise and strong shared purpose to improve outcomes for consumers. We have invested in this capability and strengthened our capacity to respond to a rapidly changing environment through our new ACCC 2026–29 Strategy. This new strategy is both ambitious and practical. It positions us to make informed choices, work more effectively across the organisation, and respond to the challenges ahead. This includes modernising our ICT infrastructure and building our skills and knowledge in AI and data. The rollout of generative AI and development of secure environments to test new applications will help us improve productivity and strengthen the resilience and security of our systems.

Our capability is also enhanced by relationships and close engagement with domestic and international regulatory colleagues, government, consumers and business stakeholders. Over the past year, the ACCC has participated in key global forums and regional partnership programs, such as the OECD, International Competition Network and International Consumer Protection Enforcement Network, and the recently formed Pacific Island regulatory network, Pacific Island Network of Competition, Consumer and Economic Regulators and supported policy development, regulatory alignment, and open trade across our region.

I thank ACCC and AER employees for their professionalism, dedication and public service during a year of significant change. Our transition to 2 separate statutory agencies marks the end of one chapter and the beginning of another that is built on the close working relationship we have developed over many years.

The structures may change, but our commitment to better outcomes for consumers, businesses and the Australian economy remains constant. With our strong foundations, I am confident that we are well positioned to meet the challenges ahead and continue to deliver on our mandate to promote competition and protect consumers across Australia.



2025–26 review: AER Chair, Clare Savage

The 2025–26 financial year marked 20 years since the AER was established. Through 2 decades of effective regulation the AER has helped deliver stronger consumer protections, better market outcomes and greater confidence in Australia’s energy system. As the sector continues to transform at pace, we are keeping consumers at the heart of everything we do.

Protecting consumers

The Default Market Offer (DMO) provides a regulated safety net for households and small businesses on standing offer electricity plans in New South Wales, south-east Queensland and South Australia and acts as a reference price to help consumers compare market offers. In March 2026, the Australian Government updated the regulatory framework for the DMO to revise the DMO’s objective and adjust the way the AER must calculate prices. Our determination for 2026–27 implemented these reforms. This included the introduction of the Solar Sharer Offer – a new opt-in electricity initiative from the Australian Government that includes 3 hours of free usage during the middle of the day to help households take advantage of abundant solar energy and lower total electricity system costs for all customers.

To progress opportunities identified by our [Review of payment difficulty protections in the National Energy Customer Framework](#), we submitted to the Australian Energy Market Commission rule change requests that will better ensure customers experiencing payment difficulty are proactively identified, engaged early and supported appropriately with assistance that is tailored to their individual circumstances.

We continued to provide the Energy Made Easy (EME) website – a free, trusted and independent tool for consumers to compare energy plans and choose the best option for them. With funding

committed in the 2026–27 Federal Budget we will deliver new functionality on EME to help consumers understand and compare virtual power plant plans in a consistent and transparent way. In 2025–26, over 1,307,000 energy plan comparison searches were completed on the EME website.

Effective surveillance, compliance and enforcement

We play a critical role in monitoring Australia’s energy networks and the wholesale and retail energy markets to ensure participants comply with the law and rules. Monitoring and analysing markets are also central to understanding price pressures and reliability over the long term. In recognition of this, the 2026–27 Federal Budget provides funding to support a temporary expansion and uplift of our market monitoring and reporting activities in response to the evolving conflict in the Middle East and potentially volatile market impacts.

This year we completed our inaugural [Wholesale gas performance report](#), which is a comprehensive review of wholesale gas markets and pipeline service operators under the National Gas Law, examining market performance, competition and efficiency together in a single assessment.

Our quarterly retail performance report for October–December 2025 was the first report we published since requiring retailers to provide new data that gives additional insights on customers in embedded networks; customers affected by family violence; customers registered as requiring life support equipment; meter and tariff types; and expanded debt and billing complaint metrics. Monitoring these metrics improves market visibility and allows us to use data to drive better consumer protection and inform our decision making.

In March 2026 we launched our Contract Market Monitoring Portal to enable stakeholders to securely and efficiently submit contracts and information required under compulsory Market Monitoring Information Notices and Market Monitoring Information Orders. This forms part of our expanded functions in monitoring and reporting on wholesale gas markets; and electricity and gas contract markets.

In 2025–26 regulated entities paid infringement notices totalling \$1.23 million for a range of alleged breaches in 2025–26.

Following court proceedings, the Federal Court ordered a \$250,000 penalty against CAM Engineering and Construction Pty Ltd for failing to become a member of the Energy and Water Ombudsman NSW scheme, which meant customers did not have access to this important service.

We also commenced proceedings against NSW Electricity Networks Operations Pty Limited (Transgrid) for alleged breaches of the National Electricity Rules following a significant weather event in Broken Hill and surrounding areas in October 2024 that resulted in loss of electricity supply to approximately 12,700 properties in the region.

Efficient regulation of monopoly infrastructure

Our regulation strikes a balance between the need for timely investment in essential energy infrastructure and the protection of the long-term interests of consumers.

In April 2026 we published our final revenue decisions for 5 Victorian electricity providers – AusNet, Jemena, CitiPower, Powercor and United Energy – for the 2026–2031 regulatory period. Our decisions recognise the increasing complexity of the energy system, including the integration of consumer energy resources, new loads such as data centres, and heightened resilience requirements. We continued to emphasise the importance of maximising the use of existing infrastructure and encouraging non-network alternatives, ensuring investment is targeted and necessary.

In May 2026, we published final access arrangement decisions for 3 gas providers – Evoenergy, Amadeus Gas Pipeline and Australian Gas Networks (SA). These decisions balance affordability for consumers with the distinct challenges each business faces, including managing network transition risk as gas demand declines in the ACT and the role of renewable gas in South Australia.

In 2025–26, the AER published our final decision on the proposed Bulloo Interlink Pipeline, determining the pipeline should operate as a non-scheme gas pipeline under lighter regulation for at least its first 10 years of operation. In reaching this decision, we carefully considered the need for critical gas infrastructure investment while ensuring consumers are protected from the potential exercise of market power over time.

We also published our final decision on the revenue that Basslink Pty Ltd can recover for the Basslink transmission cable as a regulated service, as well as final decisions for the construction costs of Marinus Link Stage 1, Part B, and the North West Transmission Development Stage 1 contingent project application.

As part of our role in reviewing the cost of projects in New South Wales renewable energy zones (REZ), we made revenue determinations on both Transgrid’s Enabling Central-West Orana REZ and Ausgrid’s Hunter-Central Coast REZ network infrastructure projects.

Supporting Australia’s energy future

The Energy Innovation Toolkit is a collaborative regulatory sandbox that helps energy innovators test new technologies and business models by providing regulatory guidance, temporary trial waivers, and trial rule changes. We received and responded to 22 enquiries through the Innovation Enquiry Service and gave a further 159 innovators targeted regulatory guidance through the Regulation Navigator tool. This year we granted 3 trial waivers which allow:

- Ausgrid to test a new way of coordinating community scale batteries and solar installations
- VIOTAS and Enel X to expand their participation in the Wholesale Demand Response Mechanism, supporting new ways to manage peak demand.

We continued our partnership with the Department of Foreign Affairs and Trade to collaborate on international engagement activities to support South-East Asia’s energy transition. Significantly, the AER and the Electricity Authority of Vietnam signed a Memorandum of Understanding (MoU) in 2026, and an earlier MoU with Energy Market Authority (EMA) of Singapore at the Singapore International Energy Week 2025 to strengthen regulatory exchanges and energy cooperation. The MoU will facilitate greater knowledge exchange on low-carbon technologies and deepen cooperation at multilateral platforms in support of the region’s energy transition.

Looking ahead

This year Matt Garbutt was appointed as Chief Executive Officer of the AER. I look forward to the vision and leadership he will bring as we embark on an exciting next chapter as a standalone agency, which came into effect on 1 July 2026. The *Competition and Consumer Amendment (Australian Energy Regulator Separation) Act 2025* (Cth) gives the AER fit-for-purpose governance arrangements that will allow us to continue protecting the long-term interests of consumers and promote efficient energy markets in the face of Australia’s rapidly changing energy environment.

Corporate snapshot

Financial performance summary

- \$442.7 million total budget in 2025–26
- \$61.7 million in new and extended government funding secured through the 2025–26 budget process to support ACCC functions in 2025–26.

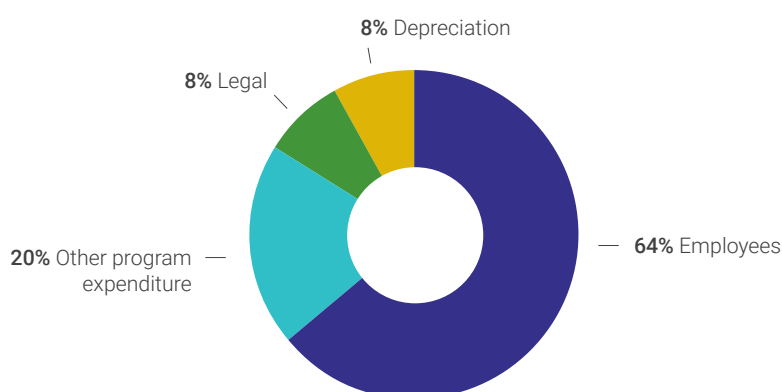
The ACCC received an unqualified audit report on the 2025–26 financial statements from the Australian National Audit Office. Key financial results for the ACCC for the current and comparative financial years are reported in Part 5 – Financial statements.

The ACCC incurred an operating deficit of \$24.8 million in 2025–26 including unfunded depreciation and amortisation expenses. After adjusting for depreciation and amortisation, and leasing arrangements, the ACCC incurred a surplus of approximately \$459,000. This result is primarily driven by lower than budgeted supplier expenses and lower depreciation and amortisation expenses due to the timing of capital project completion. Legal costs can fluctuate depending on the number, nature and status of cases being pursued by the ACCC and were higher than budgeted in 2025–26.

In 2025–26 the ACCC received approximately \$409.4 million in revenue from government, representing a \$4.9 million or 1.2% increase compared with 2024–25.

ACCC's 2025–26 administered revenue was \$332.7 million and includes court-imposed fines, penalties and costs along with revenue collected under the new mandatory merger control regime.¹

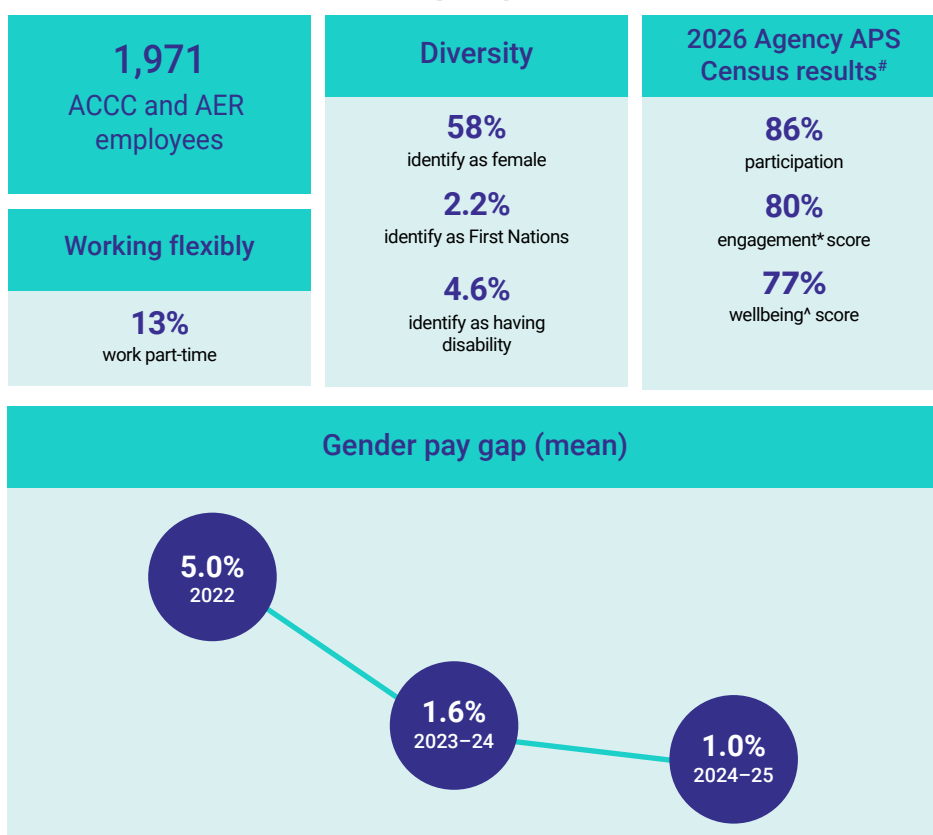
Figure 1.1: ACCC and AER expenditure 2025–26



¹ Administered revenue is collected by the ACCC and is transferred to the Official Public Account maintained by the Department of Finance for use by the Government rather than the ACCC.

Employee summary

Our people



[#] The Australian Public Service (APS) Employee Census is an annual survey that collects confidential attitude and opinion information from APS employees on workplace issues.

^{*} The engagement index addresses 3 attributes ('say', 'stay' and 'strive') associated with employee engagement. It measures the emotional connection and commitment employees have to working for their organisation.

[^] The wellbeing index included in the APS Employee Census measures both the practical and cultural elements that allow for a sustainable and healthy working environment.

Table 1.1: Average staffing level 2022–23 to 2025–26

	Budgeted	Actual
2022–23	1,341	1,346
2023–24	1,560	1,517
2024–25	1,752	1,710
2025–26	1,765	1,748

The average staffing level shown in Table 1.1 represents the number of full-time equivalent APS employees.

2

Agency overview



About the ACCC and AER

Our role

The ACCC is an independent Commonwealth statutory authority. The ACCC's role is to administer and enforce the *Competition and Consumer Act 2010* (Cth) (Competition and Consumer Act) and other legislation, promoting competition and fair trading and regulating national infrastructure for the benefit of all Australians.

The AER is an independent decision making body responsible for regulating wholesale and retail energy markets, and energy networks, under national energy legislation and rules. The AER focuses on ensuring a secure, reliable and affordable energy future for Australia.

The ACCC and the AER are a single listed entity for the purpose of the finance law.²

In November 2025 the Competition and Consumer Amendment (Australian Energy Regulator Separation) Bill 2025 became an Act of Parliament. The AER commenced as a new non-corporate Commonwealth entity on 1 July 2026, in the Climate Change, Energy, the Environment and Water portfolio. As this occurred after the reporting period but before publication, this report reflects the ACCC and AER as a single listed entity for 2025–26.

Organisational structure

The Commission is the primary decision making body of the ACCC. Members are appointed by the Governor-General for terms of up to 5 years. Appointments are made after the majority of state and territory jurisdictions support the selection. Further information on the Commission is in Part 4 – Management and accountability, within the 'Senior leadership' and 'Managing the ACCC and AER' sections.

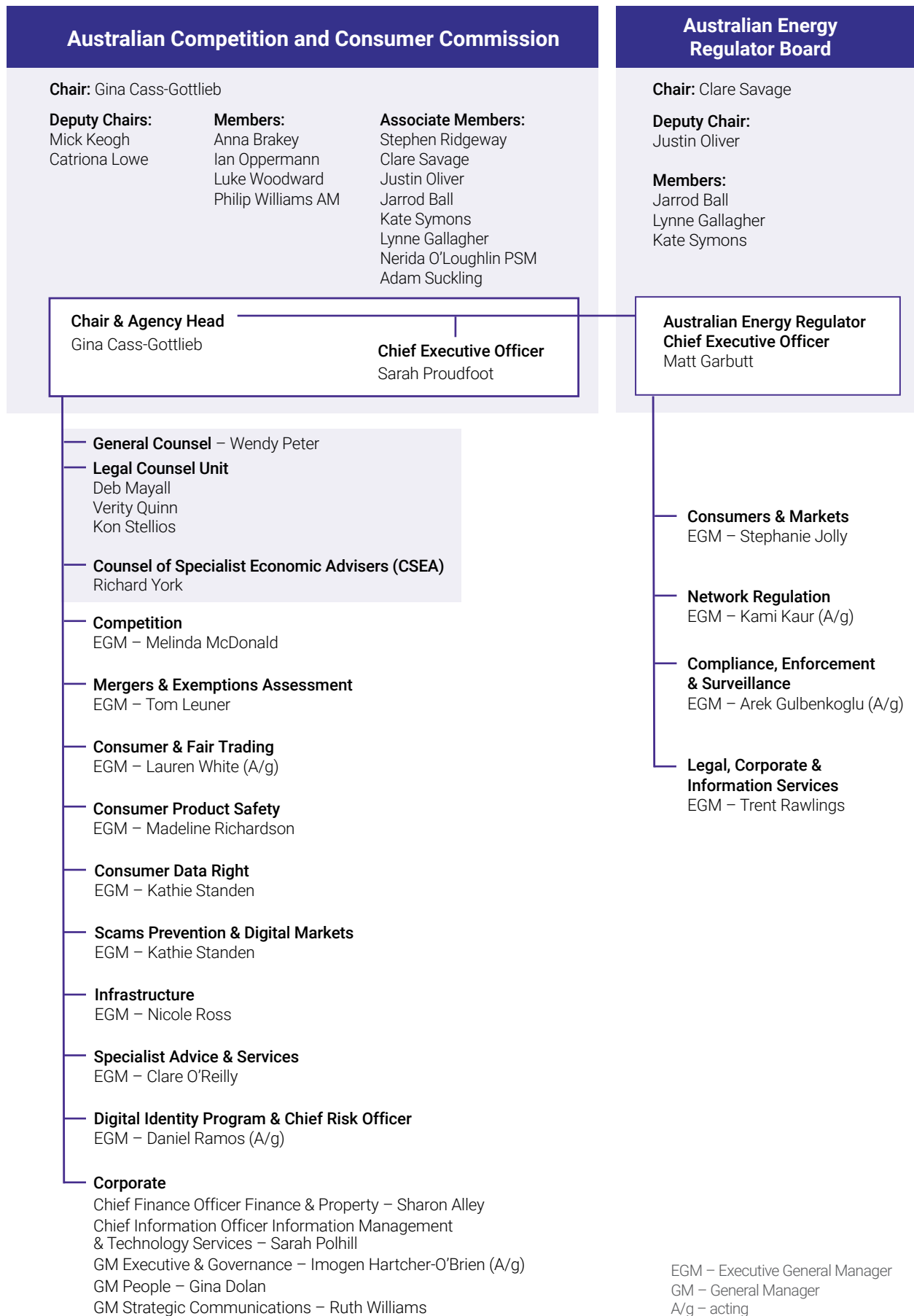
The AER comprises 2 Commonwealth members and 3 state/territory members. One member is appointed as the Chair, and another appointed as the Deputy Chair. AER members are supported by employees who work exclusively on AER matters. As at 30 June 2026, the AER has its own legal services advising on regulatory work and shares corporate services with the ACCC. Further information on the AER members and governance is in Part 4.

Gina Cass-Gottlieb was the ACCC Chair and Agency Head, and therefore the Accountable Authority for the combined agency (both the ACCC and the AER), for the period 1 July 2025 to 30 June 2026.

Figure 2.1 provides an overview of the structure of the ACCC and AER as at 30 June 2026.

² Pursuant to s 44AAL of the Competition and Consumer Act.

Figure 2.1: Organisational structure of the ACCC and AER (at 30 June 2026)



The ACCC's purpose

The ACCC and AER Corporate Plan 2025–26 set out the ACCC's purpose: to make markets work for consumers, now and in the future.

The ACCC delivered this purpose through key activities aligned to 7 strategic objectives, which guided our priorities, performance measures and reporting for the 2025–26 year.

In February 2026, the ACCC launched the [ACCC Strategy 2026–2029](#), setting a clear direction for how we deliver outcomes for consumers, businesses and the economy. The strategy reflects our growing role in a more complex, digital and fast-changing environment.

The ACCC Strategy also sets out the ACCC's renewed purpose: to promote competition and protect consumers across Australia. Our renewed purpose, together with 3 new strategic objectives, will be reflected in the [ACCC Corporate Plan 2026–27](#) and will be reported on in the ACCC Annual Report 2026–27.

The ACCC's role and functions

The ACCC's role is to promote competition and fair trade in markets to benefit consumers, businesses and the community. We also regulate national infrastructure services.

The ACCC's functions include:

- enforcing competition laws to deter anti-competitive conduct, including cartels, anti-competitive agreements, misuse of market power and mergers that may substantially lessen competition
- assessing mergers, authorisations, notifications, class exemptions and certification trade mark applications where competition impacts and public benefits must be considered
- promoting compliance with, and enforcing, the Australian Consumer Law and industry codes to support fair trading and consumer protection
- identifying and responding to current and emerging consumer product safety risks through regulatory, education, compliance and enforcement action
- administering and enforcing the Consumer Data Right and Digital ID systems to support consumer control, innovation and competition in data-enabled markets
- operating the National Anti-Scam Centre in collaboration with industry, community, government and law enforcement, and using Scams Prevention Framework powers to help prevent, detect, disrupt, respond to and report scams
- regulating certain natural monopoly infrastructure services and enforcing industry-specific competition and market rules in sectors where market structure limits effective competition
- undertaking market studies, inquiries, monitoring and reporting to improve transparency, inform government and support better outcomes for consumers and businesses.

Government expectations

Our agency comes under the portfolio responsibility of the Department of the Treasury.

The responsible ministers for the ACCC are the Treasurer, the Hon Jim Chalmers MP; Assistant Treasurer and Minister for Financial Services, the Hon Dr Daniel Mulino MP; and Assistant Minister for Productivity, Competition, Charities and Treasury, the Hon Dr Andrew Leigh MP.

Regulators are also expected to incorporate any Ministerial Statement of Expectations and Regulator Statement of Intent into performance reporting as part of their corporate plan and annual report, in accordance with the *Public Governance, Performance and Accountability Act 2013* (Cth).

The Government released an updated Statement of Expectations for the ACCC on 10 April 2024. The ACCC released its Statement of Intent in response on the same day. These documents are available on our [website](#).

On 1 December 2024, under the *Digital ID Act 2024* (Cth), the ACCC assumed legislative responsibilities as the Digital ID Regulator and the relevant Minister for that role is Senator the Hon Katy Gallagher. The current Statement of Expectations does not reflect this role. The Government is expected to issue an updated Statement of Expectations to incorporate the ACCC's responsibilities as the Digital ID Regulator.

The AER's purpose and vision

The AER exists so that energy consumers are better off, now and in the future.

We focus on ensuring a secure, reliable and affordable energy future for Australia as it transitions to net zero emissions.

The AER is a high-performing regulator that is independent, open and accountable; builds trust in Australia's energy system; takes considered risks; ensures the regulatory regime is fit for purpose; and engages actively with stakeholders.

The AER's role and key activities

The AER regulates wholesale and retail energy markets, and energy networks, under national energy legislation and rules. Our role and key activities mostly relate to energy markets in eastern and southern Australia. We place consumers at the heart of our work and focus on ensuring a secure, reliable and affordable energy future for Australia.

Consumer protection

The AER has a key role in enabling consumers to make informed choices about their energy supplier. As part of our role, we set the Default Market Offer to provide a regulated safety net for households and small businesses on standing offer electricity plans in New South Wales, south-east Queensland and South Australia, which also provides a reference price to help consumers compare market offers. We also approve the policies that energy retailers must have in place to assist consumers who are facing financial hardship and need help to manage their energy bills.

We administer a retailer of last resort scheme, which protects consumers and the market if an energy retailer fails, and we encourage innovation in energy technologies and new business models that benefit consumers. We provide a price comparison website – [Energy Made Easy](#) – to help consumers find the best energy offers for their needs.

Following on from work undertaken as part of [our Towards energy equity: a strategy for an inclusive energy market](#), we continue to progress, support and advocate for reforms that improve accessibility, strengthen protections and balance affordability by minimising overall cost to serve.

We also monitor and enforce compliance with obligations in the National Energy Retail Law (Retail Law), National Energy Retail Rules (Retail Rules) and National Energy Retail Regulations. We report on the performance of the market and energy businesses, including energy affordability and disconnection of customers for non-payment of energy bills.

Retail energy market regulation

The AER regulates retail electricity and gas markets in jurisdictions that have commenced the Retail Law, including Australian Capital Territory, South Australia, New South Wales, Queensland and Tasmania (for electricity consumers only). As part of our retail regulation role, we assess authorisation applications from businesses that want to become energy retailers. We also provide exemptions from authorisation requirements for other businesses – for example, nursing homes and caravan parks that onsell energy to tenants.

Wholesale energy market regulation

In wholesale electricity and gas markets, we monitor, investigate and enforce compliance with national energy legislation and rules. We monitor participant bidding and rebidding, market dispatch and prices, network constraints and outages, demand forecasts, and forecasts of production and capacity.

We also report on market activity, including reports on prices outside normal thresholds; quarterly reports on the performance of the wholesale electricity and gas markets; and a biennial assessment of the effectiveness of wholesale electricity market competition.

Energy networks regulation

We regulate electricity networks and natural gas pipelines by setting the maximum amount of revenue network businesses can earn, and the price they can charge, for regulated services. Network businesses submit revenue proposals. We review these proposals and make decisions after considering factors such as quality of engagement with customers; projected demand for electricity and natural gas; age of infrastructure; operating and financial costs; and network reliability and safety standards. Decisions generally apply for 5 years, and network businesses adjust their prices annually (which we approve each year during the 5-year period).

The National Gas Rules also improve transparency and the bargaining power of users of gas pipelines and give the AER powers to conduct reviews of the form of regulation applied to a gas pipeline – that is, whether a pipeline is subject to full regulation (including reference prices) or a lighter form of regulation. Additionally, we now monitor requirements for gas reserves and resources, storage, large users and trade reporting, and we monitor information on price and volume in the shorter term gas markets.

State governments have conferred several regulatory functions on us – for example, assessing investment proposals (the transmission efficiency test for contestable and non-contestable proposals), making revenue determinations and publishing an annual contribution determination.

Policy and advocacy

The AER draws on its expertise in energy markets and its analysis to inform and influence debate about energy policy. We leverage our expertise to advocate for policy changes and improvements to energy laws and rules that protect and promote the interests of energy consumers. Effective policy advocacy on behalf of consumers is particularly important given the nature and size of the energy transition that is underway. We engage in policy development through our Chair's membership of the Energy Advisory Panel and submissions to the Australian Energy Market Commission on policy reviews and rule changes.

AER strategic objectives and priorities

The AER's outcomes are grounded in the Energy Ministers' Strategic Energy Plan, and to support their delivery we articulated 4 strategic objectives in the AER [Strategic Plan 2020–2025](#):

- Protect vulnerable consumers while enabling all consumers to participate in electricity and gas markets.
- Effectively regulate competitive electricity and gas markets primarily through monitoring and reporting, and enforcement and compliance.
- Deliver efficient regulation of monopoly electricity and gas infrastructure while incentivising networks to become platforms for energy services.
- Evolve our regulatory frameworks and approaches to support the transition to net zero emissions.

Each year we articulate the key activities that we will undertake to ensure that we achieve our strategic objectives and our strategic priorities. Each of the key activities, set out in our corporate plan, links directly to one of the priorities in our strategic plan. Our corporate plan also articulates any new priorities that have arisen since our strategic plan was published (for example, new gas market transparency measures). This enables us to respond flexibly to the rapidly evolving energy industry and associated regulatory landscape.

AER stakeholders

For our many and varied stakeholders, we are committed to:

- proactively engaging and listening to understand their diverse perspectives
- working in partnership with other energy market bodies and the Government on matters of common interest
- clearly communicating our decisions and making it easy to engage with us
- embracing creative ways of engaging that work for stakeholders, not just us.

To achieve these commitments, the AER has regular dialogue with a range of stakeholders, including other market bodies, consumer groups, industry participants/industry bodies and governments.

As an industry regulator, we rely on and appreciate the numerous interactions we have with the businesses we regulate. We take our consultation obligations very seriously and aim to be transparent, give sound reasons for our decisions and signal well in advance any changes to our approach while maintaining independence.

The AER Chair is a member of the Energy Advisory Panel, and we work particularly closely with the other market bodies, the Australian Energy Market Commission and the Australian Energy Market Operator, Energy Consumers Australia and the Australian and New Zealand Energy and Water Ombudsman Network.

We also have close relationships with relevant regulators in Australia and overseas. We continued our partnership with the Department of Foreign Affairs and Trade to collaborate on international engagement activities to support South-East Asia's energy transition. In October 2025 the AER and The Energy Market Authority of Singapore signed a memorandum of understanding (MoU), and in June 2026 we signed an MoU with Electricity Authority of Vietnam. The MoUs will facilitate greater knowledge exchange on low-carbon technologies and deepen cooperation at multilateral platforms in support of the region's energy transition.

AER consumer forums

Consumer engagement is a key part of the AER's stakeholder engagement work. We have 2 key forums:

- The **Consumer Consultative Group** has 10 members, each of whom has significant consumer expertise and knowledge and extensive experience in representing the views and perspectives of their constituents. The group's role is to advise the AER on the issues facing residential and small business energy customers, particularly those related to our functions under the Retail Law and Retail Rules.
- The **Consumer Challenge Panel** plays a critical role in ensuring the AER's network regulation decisions reflect the long-term interests of consumers. Following a recent review, we have revised the panel's scope to sharpen its focus on constructively challenging the AER by testing our thinking, questioning our assumptions and ensuring consumer perspectives are rigorously considered in our decision making. Panel members independently review network businesses' stakeholder engagement, provide independent advice on specific aspects of regulatory proposals and challenge the AER directly on how well our decisions serve consumers.

Government expectations of the AER

The responsible minister/s issue Ministerial Statements of Expectation to a regulator to ensure government policies and objectives relevant to the regulator are clear and in line with the regulator's statutory objectives and the priorities minister/s expect it to observe in conducting its operations. The AER is accountable to the Australian Government and state and territory energy ministers.

In 2022 the energy ministers agreed and provided the AER with a Statement of Expectations. Ministers' expectations relate to 2 key areas – the AER's role and function as an independent, transparent and accountable regulator (including the development of performance indicators against the Strategic Energy Plan); and the AER's engagement and communication with stakeholders.

On 5 November 2025 the AER released its annual [Statement of Intent](#), which summarised how the AER intended to meet the energy ministers' expectations in 2025–26. The Statement of Intent links to a more granular level of detail in the corporate plan, including performance indicators to measure progress.

The responsible ministers for energy and climate change in 2025–26 were:

- Australian Government: The Hon Chris Bowen MP (Energy and Climate Change Ministerial Council Chair, Minister for Climate Change and Energy); and the Hon Josh Wilson MP (Assistant Minister for Climate Change and Energy)
- New South Wales: The Hon Penny Sharpe MLC (Minister for Climate Change and Energy)
- Victoria: The Hon Lily D'Ambrosio MP (Minister for Climate Action, Energy and Resources)
- Queensland: The Hon David Janetzki MP (Minister for Energy)
- South Australia: The Hon Tom Koutsantonis MP (Minister for Energy and Mining); the Hon Emily Bourke MLC (since March 2026); the Hon Lucy Hood (until March 2026, Minister for Climate, Environment and Water); and the Hon Susan Close MP (until September 2025, Minister for Climate, Environment and Water)
- Tasmania: The Hon Nick Duigan MLC (Minister for Energy and Renewables); the Hon Guy Barnett MP (since June 2026, Minister for the Environment and Climate Change); and the Hon Madeleine Ogilvie MP (until June 2026, Minister for the Environment)
- Australian Capital Territory: Suzanne Orr MLA (Minister for Climate Change, Environment, Energy and Water)
- Northern Territory: The Hon Gerard Maley MLA (Minister for Renewables, Mining and Energy); and the Hon Joshua Burgoyne MLA (Minister for Lands, Planning and Environment).

Performance measurement and reporting framework

Portfolio Budget Statement: ACCC and AER outcome statements

In 2025–26 the ACCC and AER had one outcome statement. We jointly report on achievement of the outcome, with the ACCC reporting on Program 1.1 and the AER reporting on Program 1.2.

Outcome	Program
Outcome 1 Enhanced welfare of Australians through enforcing laws that promote competition and protect consumers, as well as taking other regulatory and related actions including monitoring and market analysis, public education, determining the terms of access to infrastructure services, and discharging regulatory responsibilities governing energy markets and networks.	Program 1.1: Australian Competition and Consumer Commission – the ACCC exists to achieve compliance with the <i>Competition and Consumer Act 2010</i> and other legislation to protect, strengthen and supplement the way competition works in Australian markets and industries to improve the efficiency of the economy and to increase the welfare of Australians. Program 1.2: Australian Energy Regulator – the AER exists so that energy consumers are better off, now and in the future. The AER focuses on ensuring a secure, reliable and affordable energy future for Australia as it transitions to net zero emissions. We regulate wholesale and retail energy markets and energy networks under national energy legislation and rules. The AER has functions in all states and territories except Western Australia.

The Competition and Consumer Amendment (Australian Energy Regulator Separation) Bill 2025, which commenced on 1 July 2026, legally separates the AER from the ACCC and establishes the AER as a standalone non-corporate Commonwealth entity.

Corporate plan: ACCC and AER performance

The [ACCC and AER Corporate Plan 2025–26](#) sets out the strategic objectives, key activities, priorities and performance measures for the ACCC and the AER that we aimed to deliver in the 2025–26 financial year.

The Corporate Plan 2025–26 sets out 6 ACCC strategic objectives that support the ACCC’s purpose: promoting competition and protecting consumers across Australia, and 4 AER strategic objectives supporting the AER’s purpose: energy consumers are better off, now and in the future. The ACCC has a seventh strategic objective focused on improving capability. As this objective assesses the ACCC’s organisational capacity to deliver its functions, rather than the achievement of intended results, it is not included in the annual performance statements. Each strategic objective is supported by key activities and performance measures.

The performance measures include quantitative measures of the significant outputs from our work and the timeliness of key decision making processes. These measures are supplemented by measures of our effectiveness as measured by our biennial Effectiveness Survey. The ACCC and AER have not yet been able to develop direct measures of efficiency that would be appropriate given the complex nature of our work. However, some performance measures on timeliness are considered proxy measures of efficiency.

As part of our work implementing the ACCC Strategy, the ACCC will review and update existing performance measures and key activities to make them more outcomes focused. We will make these updates over time, with initial refinements reflected in the [ACCC Corporate Plan 2026–27](#).

Our reporting includes an assessment for each performance measure result against the target (see Table 2.1). Part 3 of this report, the annual performance statements, analyses key activities and provides performance measure results, including contextual information and specific examples of actions and outcomes achieved during 2025–26. Together, these provide our stakeholders with a detailed understanding of what we achieved during the year and what the impact of our work has been.

Our reporting also includes comparative results from the previous 3 years, where available, to show performance over time.

Table 2.1: Assessment of results for performance measures

Rating	Symbol	Assessment
Met or exceeded		Result is 100% of, or higher than, the target
Partially met		Result is between 75% and 99% of the target
Not met		Result is less than 75% of the target
Not applicable (N/A)		There is no target set, or there is no target or result for the reporting period

Regulator performance

The ACCC and AER are committed to achieving our purposes in line with the Australian Government’s expectations for whole-of-government regulatory reform. We do this by applying the principles of the Regulatory Policy Practice and Performance Framework for effective regulation, which supports the best practice approach to regulator performance in the Resource Management Guide – Regulator Performance (RMG 128). The 3 principles of regulator best practice are:

- Continuous improvement and building trust:** Regulators adopt a whole-of-system perspective, continuously improving their performance, capability and culture to build trust and confidence in Australia’s regulatory settings.
- Risk based and data driven:** Regulators manage risks proportionately and maintain essential safeguards while minimising regulatory burden and leveraging data and digital technology to support those they regulate to comply and grow.
- Collaboration and engagement:** Regulators are transparent and responsive communicators, implementing regulations in a modern and collaborative way.

The ACCC applies the regulator best practice principles when delivering its functions for each of its key activities. Almost all of our performance measures link to one or more of these principles to demonstrate how the principles relate to our everyday work. There are also 3 performance measures, one for each principle, that are included as part of the ACCC Effectiveness Survey, with results provided biennially.

The AER also applies the regulator best practice principles when undertaking its work. Key actions that demonstrate the AER’s commitment to the 3 principles are presented in Part 3 – Annual performance statements, ‘Program 1.2 – AER’, of this report.

Program 1.1 ACCC: Strategic objectives and key activities

As set out in the Corporate Plan 2025–26, the ACCC has 7 strategic objectives that guide the key activities it undertakes to achieve its purpose and deliver the outcome set by the Australian Government.

As set out in the corporate plan and discussed further in Part 4 – Management and accountability of this report, the ACCC also has a strategic objective to ‘Improve our own systems, capabilities and ways of working’. We use a suite of internal performance indicators to measure and improve our capability.

Table 2.2: ACCC strategic objectives and key activities

Strategic objectives	Key activities
1. Address anti-competitive conduct and promote competition	1.1 Initiate enforcement and compliance actions to address harm to consumers and businesses resulting from anti-competitive conduct. 1.2 Make decisions on authorisations and notifications in the public interest. 1.3 Undertake market studies and inquiries to contribute to improved market outcomes.
2. Prevent anti-competitive mergers	2.1 Assess mergers to prevent changes in market structures that substantially lessen competition.
3. Improve competition and choice by facilitating safe and secure data sharing by consumers through the Consumer Data Right and Digital ID systems	3.1 Maintain the register and deliver, secure and support the enabling technology solutions for the Consumer Data Right. 3.2 Accredite Consumer Data Right data recipients and promote compliance with and enforce the Consumer Data Right rules and standards to ensure that consumers can trust the security and integrity of the program. 3.3 Regulate compliance within Australia’s Digital ID System through accreditation, participation approval, oversight, enforcement and public transparency.
4. Protect consumers from misleading and deceptive conduct and scams, and promote fair trading	4.1 Initiate compliance and enforcement actions to address harm to consumers and small businesses resulting from non-compliance with the Australian Consumer Law and industry codes. 4.2 Empower small businesses by increasing awareness of their rights under the Australian Consumer Law and industry codes. 4.3 Empower consumers by increasing awareness of their rights under the Australian Consumer Law. 4.4 Empower consumers and businesses to combat scams by collecting and sharing data and intelligence across the scam ecosystem and coordinating and conducting scams prevention, disruption and awareness activities.
5. Protect consumers from unsafe products	5.1 Identify safety hazards in consumer products and prioritise the risks that may result in serious injury and death. 5.2 Address the highest priority risks of serious injury and death arising from safety hazards in consumer products through regulation, education, compliance and enforcement actions.
6. Regulate monopoly infrastructure and monitor concentrated markets in the long-term interests of consumers	6.1 Formulate regulatory decisions that promote the long-term interests of end-users and consumers. 6.2 Provide industry monitoring reports to government in relation to highly concentrated or emerging markets or markets of significant concern to consumers.

Strategic objectives	Key activities
7. Improve our own systems, capabilities and ways of working	7.1 Support our people and their wellbeing, to develop and meet their full potential and facilitate a diverse, respectful and inclusive culture. 7.2 Modernise our ICT, improve the reliability, flexibility and security of our business and data systems, and enhance our data capabilities. 7.3 Adapt our ways of working to allow resources to be used flexibly and efficiently to meet changing priorities and to adopt innovative practices commensurate with the level of risk; and empower our people to work autonomously and influence the direction of the organisation. 7.4 Further develop our standing as a world-class independent regulator through external engagement and internal collaboration to support robust, evidence-based and transparent decision making that is responsive to complex challenges and demands.

Source: ACCC and AER Corporate Plan 2025–26.

Program 1.2 AER Strategic objectives and key activities

As set out in the Corporate Plan 2025–26, the AER has 4 strategic objectives that guide the key activities it undertakes to achieve its purpose and deliver the outcome set by the Australian Government. Our performance measures align with each strategic objective.

Table 2.3: AER strategic objectives and key activities

Strategic objectives	Key activities
1. Protect vulnerable consumers, while enabling all consumers to participate in electricity and gas markets	1.1 Consumer protection
2. Effectively regulate competitive electricity and gas markets primarily through monitoring and reporting, and enforcement and compliance	2.1 Retail energy market regulation 2.2 Wholesale energy market regulation
3. Deliver efficient regulation of monopoly electricity and gas infrastructure while incentivising networks to become platforms for energy services	3.1 Energy networks regulation
4. Evolve our regulatory frameworks and approaches to support the transition to net zero emissions	4.1 Policy and advocacy

Source: ACCC and AER Corporate Plan 2025–26.

3

Annual performance statements

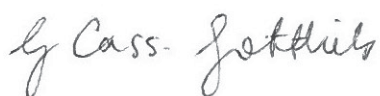


Statement of preparation

As the Accountable Authority of the ACCC and AER, I present the 2025–26 financial year annual performance statements of the ACCC and AER, as required under paragraph 39(1)(a) of the *Public Governance, Performance and Accountability Act 2013* (PGPA Act) and s 171 of the *Competition and Consumer Act 2010*.

In my opinion, the annual performance statements:

- accurately presents the entity's performance in the reporting period, and
- complies with s 39(2) of the PGPA Act.



Gina Cass-Gottlieb
Chair, ACCC

Program 1.1 – Australian Competition and Consumer Commission

Analysis of performance

The ACCC continues to demonstrate strong performance against our strategic objectives and key activities with a substantial suite of outcomes for 2025–26.

Our work program for 2025–26 reflected the issues impacting the Australian economy, consumers and businesses in Australia. In particular, our work included monitoring petrol prices, the implementation of merger reforms and protecting consumers in digital markets. Our key priorities and achievements for the year are highlighted in the Chair’s message in Part 1 – Year in review.

The [ACCC and AER Corporate Plan 2025–26](#) sets out 22 ACCC performance measures to demonstrate how we aim to achieve our 6 strategic objectives. As noted in Part 2 – Agency overview, under ‘Performance measurement and reporting framework’ and below, the biennial ACCC Effectiveness Survey will be conducted in 2026–27, so results for performance measures that rely on this source are not available (N/A) this year.

In summary, for the results available for 16 ACCC performance measures, we achieved or exceeded the target for 11 measures and partially met the target for another 4 measures. We did not meet the target for one measure.

An analysis of the performance measure results, including where targets were not achieved, is provided after each of the performance measure tables for each strategic objective and key activity. For the targets we did not meet we have identified common themes, including complexity of matters the ACCC considered and the distribution of resourcing to address priorities and achieve outcomes with the most beneficial impact.

This year we launched the ACCC Strategy 2026–2029, which represents a shift toward outcome-focused objectives and a whole-of-agency mindset. The strategy provides clear direction on how we will keep improving how we work, including how we enhance our efficiency and effectiveness to maintain our standing as a world-class independent regulator.

We have also continued our investment in a number of information and communications technology (ICT) projects to improve our systems, capabilities and ways of working – for example, the successful technology build for the new merger regime; the National Anti-Scam Centre’s continuing data and technology capability build; and a progressive enterprise-level rollout of Microsoft’s generative AI tool, M365 Copilot, for employees.

In line with the Minister’s Statements of Expectations and our regulator Statements of Intent that applied during 2025–26, we reported to ministers in a regular and timely manner – for example, we provided notice of announcements to relevant ministers’ offices and held weekly liaison meetings at staff level.

In 2025–26, the ACCC continued to be successful in achieving our purpose and outcomes, thereby enhancing the welfare of Australians by making markets work for consumers, now and in the future.

Our work during the year also aligned strongly with our renewed purpose described in the new ACCC Strategy: to promote competition and protect consumers across Australia.

ACCC Stakeholder Surveys

ACCC Community Perceptions Survey

In 2026 we commissioned market research on consumers' and small business operators' perceptions and knowledge of the ACCC. The research also explored consumers' understanding of their consumer rights and willingness to exercise them. This follows similar studies conducted in 2024, 2022, 2020 and 2018. The research involved a survey of approximately 3,000 consumers and approximately 600 small business operators. The findings are used to understand the usefulness of content that the ACCC provides and the effectiveness of current communication channels.

The results from the 2026 research showed that:

- consumers feel increasingly informed about a broad range of consumer rights topics
- most consumers (84%) feel confident they know what to do when a marketplace issue arises
- the ACCC is a key source of information for business rights, with more than 1 in 4 business operators naming it as the first organisation they would consult.

Consumers generally attempt to resolve issues directly with businesses first, but many also seek information about their rights or contact the ACCC as part of the resolution process.

ACCC Effectiveness Survey

The ACCC Effectiveness Survey provides insight into whether key stakeholders consider the ACCC is effective in achieving its purpose. It is conducted biennially. An external service provider is commissioned to carry out the survey and provide an independent report on findings. The survey gathers quantitative and qualitative data from key stakeholders and primarily focuses on the ACCC's strategic objectives and key activities as identified in the corporate plan. Additionally, questions are asked about the ACCC's effectiveness in demonstrating the 3 regulator best practice principles.

Many of our performance measures directly link to the ACCC Effectiveness Survey. The last survey was conducted in 2024–25. Results were provided in the ACCC and AER Annual Report 2024–25 and [published on our website](#).

Principles of regulator best practice

As noted above, through the ACCC Effectiveness Survey, the ACCC seeks the views of key stakeholders to test how well we perform against the 3 principles of regulator best practice (the principles are outlined in Part 2 – Agency overview, under 'Performance measurement and reporting framework').

Table 3.1: Performance measures for the principles of regulator best practice

Performance measure	2022–23	2024–25	2025–26	
	Result	Result	Target	Result
P1. Effectiveness survey 'index score' (out of 100) that key stakeholders agree the ACCC effectively adopts a whole-of-system perspective, continuously improving its performance, capability and culture to build trust and confidence in Australia's regulatory settings	71	71	N/A	N/A
P2. Effectiveness survey 'index score' (out of 100) that key stakeholders agree the ACCC effectively manages risks proportionately and maintains essential safeguards while minimising regulatory burden, and leverages data and digital technology to support those they regulate to comply and grow	66	67	N/A	N/A
P3. Effectiveness survey 'index score' (out of 100) that key stakeholders agree the ACCC is a transparent and responsive communicator, implementing regulations in a modern and collaborative way	70	73	N/A	N/A
Methodology: The index score is the mean (average) response for the question/s across respondents (using the numerical score from the 5-point response scale) transformed into a 0- to 100-point scale. Future targets are set based on 2024–25 survey results				
Data source: ACCC Effectiveness Survey				

The ACCC applies the 3 principles of best practice when delivering our functions. Where relevant, each performance measure in Part 3 identifies related regulator best practice principles to demonstrate how these principles are linked to our everyday work.

Strategic objective 1: Address anti-competitive conduct and promote competition

About this strategic objective

Competitive markets lead to lower prices, better quality products and services, greater efficiency and more choice, all of which benefit consumers. They also benefit businesses by creating fairer opportunities to compete, lowering barriers and costs associated with distorted markets, and supporting consumer trust in businesses that trade fairly. As Australia's national competition regulator, the ACCC works to enhance the welfare of Australians by addressing anti-competitive conduct and promoting competition, helping markets operate in ways that benefit consumers, businesses and the broader economy.

To achieve this strategic objective, we undertake the following key activities:

- 1.1 Initiate enforcement and compliance actions to address harm to consumers and businesses resulting from anti-competitive conduct.
- 1.2 Make decisions on authorisation, notification and certification trade mark applications in the public interest.
- 1.3 Undertake market studies and inquiries to contribute to improved market outcomes.

We deliver our key activities by enforcing laws in Part IV of the *Competition and Consumer Act 2010* (Cth) (Competition and Consumer Act) that prohibit cartel conduct; anti-competitive agreements and practices, including exclusive dealing and concerted practices; misuse of market power; and resale price maintenance.

The Competition and Consumer Act allows the ACCC to consider applications for authorisation and notification. Authorisations and notifications provide businesses with an exemption for arrangements that may otherwise breach the competition law but are not harmful to competition or are likely to result in overall public benefit.

Relevant ministers may direct the ACCC to undertake certain activities, including inquiries and monitoring. The ACCC can also undertake self-initiated market studies. Inquiries, monitoring directions and market studies enable the ACCC to:

- develop an in-depth understanding of how well competition and markets are working in particular sectors
- provide transparency over concentrated markets, with a focus on prices, costs, profits and service quality to counteract information asymmetry and bargaining power imbalances
- make recommendations to stakeholders, including the Australian Government and state and territory governments, about ways to make markets work better and improve consumer outcomes.

Our priorities

We prioritise our actions to address conduct that does the greatest harm to consumers and competitive processes. Our [Compliance and Enforcement Policy and Priorities](#), which we publish annually – this year's priorities are published as the [Compliance and Enforcement Priorities 2025–26](#) – set out:

- our priorities and the factors we consider when deciding whether to pursue matters
- the principles we adopt
- the functions, strategies and tools we use to achieve compliance with competition and consumer laws.

The ACCC's enduring competition compliance and enforcement priorities are:



cartel conduct



anti-competitive conduct

Our competition compliance and enforcement priorities in 2025–26 included addressing:



Competition issues in the supermarket and retail sector, focusing on firms with market power and conduct that impacts small business



Promoting competition in essential services with a focus on telecommunications, electricity, and gas



Competition issues in the aviation sector



Competition issues in the digital economy



Competition concerns in relation to environmental claims and sustainability

To achieve our compliance objectives, we use 4 flexible and integrated strategies:

- Encourage compliance with the law, particularly by educating and informing consumers and traders about their rights and responsibilities under the Competition and Consumer Act.
- Enforce the law, including by resolving possible contraventions both administratively and by litigation, and achieve other formal enforcement outcomes.
- Undertake market studies or report on emerging competition or consumer issues to identify any market failures and identify strategies for addressing them, including supporting and informing our compliance and enforcement measures and identifying possible areas for policy consideration.
- Work with other agencies to implement these strategies, including through coordinated approaches.

Performance measures

Table 3.2: Performance measures for strategic objective 1

Performance measure	2022–23	2023–24	2024–25	2025–26		Met?
	Result	Result	Result	Target	Result	
1a. Number of in-depth competition investigations completed	19	15	17	15	16	✓
Methodology: Manual count and cross-check of a range of records measuring how many matters reach each stage of investigation Data source: Internal records (Dynamics, iManage) Related regulator best practice principles: 1 and 2 Related key activities: 1.1						
1b. Number of competition enforcement interventions (court proceedings commenced, section 87B undertakings accepted, administrative resolutions*)	7	7	3	6	11	✓
Methodology: Manual count and cross-check of interventions Data source: Internal records (Dynamics, iManage and ACCC media releases) Related regulator best practice principles: 1 and 2 Related key activities: 1.1 This measure is also reflected in the Portfolio Budget Statements						
1c. Percentage of authorisation matters where a draft determination is released or an interim authorisation has been granted within 4 months	95%	71%	45%	80%	81%	✓
Methodology: Number of authorisations in which a draft or interim determination is released in 4 calendar months divided by number of authorisations in which a draft or interim determination is released, expressed as a percentage+ Data source: Internal records (Dynamics) Related regulator best practice principles: 1, 2 and 3 Related key activities: 1.2						

Performance measure	2022–23	2023–24	2024–25	2025–26		Met?
	Result	Result	Result	Target	Result	
1d. Effectiveness Survey 'index score' (out of 100) that key stakeholders agree the ACCC effectively addresses anti-competitive conduct and promotes competition*	75	–	68	70	N/A	

Methodology: Each reported index is the average of individual question indices for questions that address the strategic objective. The index score is the mean (average) response for the question/s across respondents (using the numerical score from the 5-point response scale) transformed into a 0- to 100-point scale. Future targets are set based on 2025 survey results

Related regulator best practice principles: 1, 2 and 3

Related key activities: 1.1, 1.2 and 1.3

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- # An administrative resolution is a public resolution that is less formal than that of an undertaking under s 87B or litigation. They are commonly accompanied by a media release or other public statement.
- + Previous years' measure did not include interim determinations which have been included in 2025–26 to better reflect legislative requirements.
- * Only conducted biennially.

Analysis of results

In 2025–26 we exceeded the target of 15 in-depth competition investigations completed (measure 1a), completing 16; and exceeded our target of 6 competition enforcement interventions, achieving 11 (measure 1b).

The ACCC strategically manages its competition enforcement program by using the full range of our regulatory tools, including litigation, to effectively address competition concerns in Australian markets and achieve proportionate and appropriate outcomes. Competition enforcement is complex and therefore takes time to investigate and litigate. Therefore, where appropriate, we use non-litigated measures to resolve serious competition concerns more quickly, allowing competition in markets to be restored earlier.

In 2025–26 we also focused resources on advocacy work across a range of topics and sectors. We continue to rely on our leniency program as an effective tool for detecting, stopping and deterring harmful cartels.

For measure 1c, the ACCC exceeded the revised performance target, issuing 81% of interim and draft determinations within 4 months of receiving applications, against a target of 80%. The measure was expanded in 2025–26 to include interim determinations, providing a more complete indicator of the ACCC's timeliness in giving applicants an indication of the Commission's initial assessment, or preparedness for some limited progression of the conduct proposed in applications. Our performance against this measure can vary from year to year, depending on the complexity of applications received and the level of consultation required.

Key activity 1.1: Initiate enforcement and compliance actions to address harm to consumers and businesses resulting from anti-competitive conduct

About this key activity

As the national regulator responsible for competition law, the ACCC is focused on preventing anti-competitive conduct in Australian markets. The competition provisions of Part IV of the Competition and Consumer Act provide a range of compliance and enforcement tools that the ACCC uses to investigate suspected breaches and act on noncompliance. We have the power to take civil court action, refer alleged serious cartel conduct to the Commonwealth Director of Public Prosecutions (CDPP), accept court enforceable undertakings and resolve matters administratively.

Our overall goal is to benefit Australian consumers by promoting competitive markets and addressing risks to effective competition.

Outcomes achieved

In addition to the performance measure results and analysis under Table 3.2, the outcomes achieved, as detailed below, show the impact of our work and demonstrate how it contributes to achieving our purpose.

Litigation

Highlight: Google ordered to pay \$55 million in penalties for anti-competitive conduct

On 18 August 2025, the ACCC commenced Federal Court proceedings against Google Asia Pacific for anti-competitive conduct.

Google admitted that, in the past, it had reached anti-competitive understandings with Telstra and Optus on the pre-installation of Google Search on Android mobile phones. As a result of these understandings, Telstra and Optus would pre-install only Google Search, and not other search engines, on Android phones they sold to consumers. In return, Telstra and Optus received a share of the revenue Google generated from ads displayed to consumers when they used Google Search on their Android phones. The understandings were in place between December 2019 and March 2021.

Google cooperated with the ACCC, admitted liability and agreed to jointly submit to the Court that Google should pay a total penalty of \$55 million. Google and the US-based Google LLC also signed a court enforceable undertaking, which the ACCC accepted, to address the ACCC's broader competition concerns relating to contractual arrangements between Google, Android phone manufacturers and Australian telcos since 2017. Google did not agree with all of the ACCC's concerns but acknowledged them and offered the undertaking to address these concerns.

Google's undertaking was in addition to court enforceable undertakings that [Telstra](#), [Optus](#) and [TPG](#) provided in 2024. The ACCC accepted the undertakings from the 3 telcos to resolve concerns about their involvement in these agreements with Google. In the court enforceable undertakings they provided, the telcos undertook not to renew or make new arrangements with Google that its search services would be pre-installed and set as the default search function on an exclusive basis on Android devices they supply.

On 2 December 2025 the Federal Court ordered Google to pay \$55 million in penalties for engaging in anti-competitive conduct when it reached understandings with Telstra and Optus about pre-installing Google Search on Android mobile phones.

In 2025–26 our continued focus on anti-competitive conduct and cartel conduct as enduring priorities led to the following outcomes.

ACCC takes court action against fresh produce suppliers for alleged price fixing cartel

On 1 September 2025 the ACCC commenced civil proceedings in the Federal Court against 4 suppliers and 3 senior executives for alleged price fixing in the supply of fresh vegetables to ALDI.

The ACCC alleged that the cartel conduct involved price fixing in the supply of fresh produce such as broccoli, cauliflower, iceberg lettuce, cucumber, brussels sprouts and zucchini to ALDI stores in New South Wales, Victoria and Queensland between 2018 and 2024.

The ACCC is seeking declarations, civil penalties, compliance orders and costs against the businesses; and declarations, civil penalties, disqualification orders, non-indemnification orders and costs against the individuals.

Four mobile crane companies in court over alleged cartel activity

On 3 September 2025 the ACCC commenced civil proceedings in the Federal Court against 4 Sydney-based mobile crane hire companies and 4 senior executives for allegedly arranging not to supply services to certain customers or sites. Two of the companies also allegedly attempted to fix prices.

The companies involved were Borger Crane Hire & Rigging Services Pty Ltd, MCR Melrose Pty Ltd, Two Way Cranes Pty Ltd and Ultra-Lift Cranes Pty Ltd.

The ACCC alleges that the 4 companies breached Australia's cartel laws and likely impacted customers and sites, including major construction sites, on a number of occasions between 2020 and 2024. The ACCC also alleges that the 4 companies used WhatsApp to identify certain building sites or customers and arrange among themselves for some or all of these companies not to supply cranes to these sites or customers.

The ACCC is seeking declarations, pecuniary penalties and costs against the businesses and the 4 senior executives, disqualification orders against 3 of the senior executives and compliance orders against Borger Cranes, Two Way Cranes and Ultra-Lift Cranes.

ACCC granted leave to intervene in Epic v Apple proceedings

On 20 April 2026, in the *Epic Games, Inc v Apple Inc* proceedings, the Federal Court granted leave to the ACCC to intervene in relation to the relief to be ordered by the Court.

The relief hearing concerned the Federal Court's finding in 2025 that Apple misused its market power by restricting the use of alternative app distribution and in-app payment methods on Apple devices.

The ACCC sought the Federal Court's leave to intervene in the proceedings to make submissions limited to specific relief issues of public interest. Judgment has been reserved.

Oil and gas services company Qteq and its chairman collectively fined \$6 million for attempted cartel conduct

On 26 March 2026, the Federal Court ordered oil and gas services company Qteq Pty Ltd and its executive chairman, Simon Ashton, to pay penalties of \$5 million and \$1 million respectively for attempted cartel conduct.

In April 2025 the Federal Court found that, on 5 occasions between 2017 and 2019, Mr Ashton and Qteq attempted to induce suppliers in the oil and gas services industry to enter into contracts, arrangements or understandings containing one or more cartel provisions.

The penalty awarded against Mr Ashton by the Federal Court is the highest penalty awarded for a competition law breach by an individual in Australia under the Competition and Consumer Act.

In addition to ordering Mr Ashton to pay a penalty of \$1 million, the Court also imposed a non-indemnification order, which will prevent Mr Ashton from making any insurance claim relating to the pecuniary penalty.

The Court's decision makes it clear that senior executives will be held personally accountable for the conduct of a business, including where there is a poor compliance culture.

Full Federal Court upholds record penalty in cartel case against BlueScope

On 29 August 2025 the Full Federal Court dismissed appeals brought by BlueScope Steel Ltd and its former General Manager, Jason Ellis, against earlier Federal Court decisions in a civil cartel proceeding brought by the ACCC. The Full Court upheld earlier findings that, between September 2013 and June 2014, BlueScope and Jason Ellis attempted to induce 8 steel distributors

in Australia, and overseas manufacturer, Yieh Phui, to enter into agreements to fix and raise the level of pricing for flat steel products supplied in Australia.

This decision means the highest penalty ordered for a competition law breach of \$57.5 million penalty against BlueScope and a penalty of \$500,000 against Mr Ellis remain in place.

Full Federal Court upholds decision in attempted bid rig at the National Gallery

On 29 August 2025 the Full Federal Court unanimously dismissed appeals brought by ACT-based company Delta Building Automation Pty Ltd (Delta) and its sole director, Mr Timothy Davis, against earlier findings that they attempted to rig a tender at the National Gallery of Australia.

The Full Federal Court's decision upheld the Federal Court's finding in August 2023 that Delta and Mr Davis attempted to induce a competitor to make an arrangement or arrive at an understanding to submit an anti-competitive bid for the National Gallery of Australia's building management system tender. In June 2024 the Federal Court had ordered Delta and Mr Davis to pay penalties of \$1.5 million and \$120,000 respectively.

Continued proceedings against Mastercard

In 2025–26 the ACCC continued its proceedings, instituted on 30 May 2022, against Mastercard Asia/Pacific Pte Ltd and Mastercard Asia/Pacific (Australia) Pty Ltd.

These proceedings result from Mastercard's entry into agreements with large merchants in Australia that provided strategic merchant interchange rates for the processing of credit card transactions on the condition that those merchants agreed to process Mastercard dual-network debit card transactions through the Mastercard network rather than EFTPOS. The ACCC alleges that Mastercard engaged in this conduct and did so to substantially lessen competition in the supply of debit card acceptance services. The Federal Court heard the matter between April and June 2026. Judgment has been reserved.

Court enforceable undertakings

Sea Swift amends contracts with remote customers following ACCC investigations

On 11 June 2026 the ACCC accepted a [court enforceable undertaking from Sea Swift Pty Ltd](#), a northern Australian shipping and logistics company, in which Sea Swift agreed to amend its existing and future transport contracts to remove restrictions stopping other suppliers of scheduled sea freight services in the Northern Territory and Far North Queensland from competing for customers and entering the market.

The ACCC was concerned that elements of Sea Swift's contracts with customers were anti-competitive and could significantly increase the cost of living in communities, including for First Nations Australians. In particular, the ACCC was concerned that, by entering into long-term exclusive agreements with staggered end dates, and with some requiring customers to let Sea Swift match any competitor's proposal, Sea Swift misused its market power and engaged in prohibited anti-competitive exclusive dealing conduct.

Equifax removes exclusivity in key contract with payroll and super data holder following ACCC investigation

On 16 December 2025 the ACCC accepted a court enforceable undertaking from [Equifax Australasia Workforce Solutions Pty Ltd](#) in which Equifax agreed not to enter into any new agreements preventing Equifax's competitors from being able to access electronic payroll and superannuation data.

Equifax is part of a corporate group that operates a large and well-established credit bureau in Australia. It has operated a verification exchange service in Australia since 2020. Payroll and

superannuation data is used to provide automated income verification services across Australia, as many lenders are transitioning their income verification practices towards automated solutions.

The ACCC was particularly concerned about terms in the agreement Equifax entered into in 2021 with SuperChoice Services. SuperChoice is one of the largest holders of payroll and superannuation data that is willing to supply data to third parties for income verification purposes. Equifax's contract prevented SuperChoice from supplying data to other Australian suppliers of income verification services and included a clause requiring SuperChoice to phase out sharing data with one of Equifax's competitors. The agreement also incentivised SuperChoice's exclusive supply of data to Equifax through a revenue sharing arrangement.

Taking action to address resale price maintenance

Resale price maintenance occurs when a supplier prevents, or attempts to prevent, resellers from advertising or selling goods or services below a specified minimum price. The practice is illegal because it stops resellers from competing with each other on price, leading to higher prices for consumers. This year the ACCC has accepted a number of court enforceable undertakings addressing resale price maintenance conduct.

Drone suppliers admit to resale price maintenance

The ACCC has accepted court enforceable undertakings after 2 suppliers of DJI drone products admitted to engaging in resale price maintenance between April 2024 and at least June 2025:

- On 23 December 2025 industrial drone supplier EE Group admitted to engaging in resale price maintenance by directing certain resellers to not advertise or sell DJI drone products to consumers below a specified price. EE Group is a distributor of drones, and related accessories, for industrial, commercial and agricultural uses.
- On 22 February 2026 Drone TK Australia Pty Ltd (trading as Tekron) admitted it included terms in its agreements with resellers that required them to sell DJI drone products at the prices set by Tekron or as agreed by Tekron and the reseller. Tekron also, on occasion, communicated prices to resellers as being the minimum recommended retail price below which they could not advertise or sell DJI Products. Tekron is a distributor of drones, and related accessories, for agricultural uses.

EE Group and Tekron have updated their contracts and marketing materials to ensure they do not include any information that would lead a person to engage in resale price maintenance, issued corrective notices advising resellers that they are free to set their own prices and implemented a competition and consumer law compliance program.

Dash cam and car audio supplier admits to resale price maintenance

On 29 October 2025 the ACCC accepted a court enforceable undertaking from a dash cam and car audio supplier after it admitted to engaging in resale price maintenance by including clauses in its agreements with resellers that required them to sell certain products online at the recommended retail price. Resellers who did not respond to the emails from Connected Audio Visual proposing these changes to their distribution agreements had their accounts put on hold. In one instance, when the reseller did not agree, their account was closed.

Connected Audio Visual has updated its distribution agreements and price lists and has informed its resellers of their freedom to set prices. It has also implemented a competition and consumer law compliance program.

Wholesaler Golf Imports admits to engaging in resale price maintenance

On 17 December 2025 the ACCC accepted a court enforceable undertaking from [Golf Imports Pty Ltd](#) after it admitted to engaging in resale price maintenance by prohibiting retailers from advertising its products below a set price. Golf Imports is an Australian importer and wholesaler of well-known brands, including Callaway, to prominent golf retailers, including Drummond Golf, GolfBox and Golf World.

Golf Imports has removed the relevant clauses from its online policy and supply agreement, communicated these changes to its retailers and implemented a competition and consumer law compliance program.

Administrative resolution

Construction company John Holland ends agreements with CFMEU following ACCC investigation

On 12 November 2025, following an ACCC investigation, the ACCC announced construction company John Holland and the Construction, Forestry and Maritime Employees Union (CFMEU) had voluntarily terminated their agreements requiring John Holland to use only 3 specific labour hire businesses on 2 major infrastructure projects. These agreements concerned the use of labour hire on the M1 Pacific Motorway Extension to Raymond Terrace (the M1 Project) and the M7–M12 integration project in New South Wales.

The ACCC was concerned that the agreements between John Holland and the New South Wales Branch of the CFMEU prevented other labour hire businesses from competing for work on the projects. In responding to the ACCC's concerns, John Holland has agreed not to make any agreements with unions in future that would limit its choice of labour hire companies or create certain preferential arrangements.

John Holland also committed to implementing a competition law compliance assessment when reviewing agreements with unions and undertaking staff training on the application of competition law in industrial relations.

Cartel screening

The ACCC has developed a Cartel Screening Toolkit for detecting possible bid rigging conduct. Using the tool, the ACCC can access various data analysis techniques to identify potential collusion.

Bid rigging results in governments and ultimately taxpayers paying significantly higher prices. The Organisation for Economic Co-operation and Development (OECD) estimates that its member countries spend approximately 12% of their GDP via public procurement and that the elimination of bid rigging could help reduce procurement prices by 20% or more.

Increased access to procurement data will enable greater use of the ACCC's screening tool. Therefore, the ACCC is seeking increased access to this type of data. In September 2025 the New South Wales Government announced that it would work with the ACCC to develop a framework for sharing New South Wales procurement data.

Gas Market Code

The Gas Market Code seeks to ensure adequate supply of wholesale gas to the domestic market at reasonable prices and on reasonable terms. It has been in full effect since September 2023. Enforcing the code is a priority for the ACCC, as we set out in our Compliance and Enforcement Guidelines on the Gas Market Code.

In 2025–26 our compliance and enforcement work centred on monitoring relevant suppliers' compliance with reporting obligations and conditions of any exemptions.

Cartel immunity applications

Table 3.3: Cartel immunity applications 2025–26

	Number
Approaches	6
Immunity application proffers	3
Decisions made not to grant conditional immunity following proffer	1
Civil conditional immunity granted	2
Criminal conditional immunity granted by CDPP upon ACCC recommendation	0

International engagement

Engagement and cooperation with our international counterparts contribute to the ACCC's enforcement outcomes to address harm to consumers and businesses from anti-competitive conduct. Collaboration with our international partner agencies assists us to identify emerging competition issues or trends, share information about best practices and pursue cross-border issues to promote competition.

Participation in international forums, including the OECD Competition Committee and the International Competition Network (ICN), provides us with opportunities for contact with competition authorities from around the world to share best practices and discuss emerging trends.

ACCC Chair Gina Cass-Gottlieb was re-elected as a member of the Competition Committee Bureau for 2026. The Chair participated in Competition Committee meetings in 2025–26 and the OECD's Global Forum on Competition; and made contributions about competition priorities in Australia, including the link between competition law and productivity.

The ACCC also attended the 10th meeting of High-Level Representatives of the Asia-Pacific Authorities to share insights on how competition law and policy can support productivity and sustainable economic growth.

The ACCC is a member of the multi-agency secretariat for the ICN Steering Group. In this role, it supports ICN projects and working groups and coordinates the ICN's calendar of activities. The ACCC contributes to the projects and activities of the working groups. In 2025–26 the ACCC attended the workshop on cartel enforcement and digital forensics hosted by the Korea Fair Trade Commission.

The Pacific Island Network of Competition, Consumer and Economic Regulators (PINCCER), formed in 2023, continues to be an important forum for cooperation and knowledge sharing between regulatory authorities across the Pacific region. As Secretariat of PINCCER, the ACCC supports the network's governance, including monthly, member-led training sessions and a dedicated online learning platform. More information on our cooperation in the Pacific can be found under key activity 4.1.

In addition to participating in these international forums, we continue to support and build on existing relationships with counterparts in the region. We hosted international delegations, including from the Indonesia Competition Commission, and facilitated visits by representatives from the New Zealand Commerce Commission (NZCC).

For over a decade, the Competition Law Implementation Program (CLIP), with support from the Australian and New Zealand governments, has been partnering with competition regulators in South-East Asia on both a regional and a bilateral basis, sharing knowledge and experience and supporting the Association of Southeast Asian Nations (ASEAN) competition authorities to enforce their competition laws.

This year, CLIP has:

- supported an online mentoring program for ASEAN competition officials to develop confidence and skills and build capabilities in their work. The ACCC and NZCC are working collaboratively as mentors with mentees from Singapore, Malaysia and Thailand
- facilitated a workshop focused on common issues arising in digital markets investigations hosted in the Philippines
- facilitated an expert placement for 4 weeks at the Philippine Competition Commission
- delivered targeted bilateral activities with competition agencies in Thailand, Indonesia, Cambodia and Vietnam, including:
 - a merger analysis focused workshop in Indonesia, including reflections on Australia’s new merger regime
 - Commissioner-to-Commissioner mentoring
 - hosting a delegation of Indonesian Competition Commissioners and senior leaders for a Study Visit to Melbourne for strategic dialogue and knowledge sharing
 - an investigations-focused workshop in Cambodia
 - delivering keynote speeches at international events hosted by the Trade Competition Commission of Thailand, supporting advocacy work in line with OECD accession.

Highlight: Collaboration in South-East Asia

In 2025–26 the ACCC delivered several bilateral development programs with Indonesia, Thailand, Cambodia and Vietnam, together with regionally focused work, under agreements with the Department of Foreign Affairs and Trade (DFAT). These programs underpin part of the Australian Government's commitment to deepening institutional partnerships in South-East Asia as outlined in [Invested: Australia's Southeast Asia Economic Strategy to 2040](#).

Spotlight on Indonesia

Indonesia is an important strategic partner for Australia. The ACCC's Indonesian program is funded under the Australia-Indonesia Partnership for Economic Development (Prospera), which launched in September 2024. The program partners the ACCC with the Indonesian competition regulator (the Indonesia Competition Commission (KPPU)) and the consumer protection regulator (the Directorate of Consumer Empowerment within the Ministry of Trade).

The program is demand driven, designed to support the priorities of the Government of Indonesia and leverage knowledge sharing between regulators.

In October 2025 the ACCC welcomed 7 Commissioners, 2 senior leaders and an official from the KPPU to Melbourne to engage in high-level strategic dialogue on competition law and policy, best practice and emerging issues. The visit provided a unique opportunity for ACCC and KPPU Commissioners and senior leaders to meet in person and continue to build on strong relationships between both agencies. It also provided an opportunity to identify areas for collaboration on matters of mutual interest, including in the context of Indonesia's OECD accession journey.

The visit culminated with KPPU's participation in the inaugural Australian Competition Summit hosted by the ACCC and Monash University, where KPPU contributed perspectives on emerging competition law issues in the Asia-Pacific. The success of the visit solidifies Australia's commitment to supporting Indonesia's economic transformation and stronger and more inclusive growth.

In November 2025 the ACCC led a workshop with KPPU staff on merger analysis. The workshop shared approaches to technical aspects of assessing mergers, and the ACCC shared reflections on introducing a mandatory merger regime. The workshop was attended by KPPU officials responsible for conducting merger analysis in Indonesia and, importantly, realised mutual challenges faced by our 2 jurisdictions. Future activities with Indonesia will build on these learnings.

Key activity 1.2: Make decisions on authorisation, notification and certification trade mark applications in the public interest

About this key activity

Australia's competition laws can prevent collaborations between competitors. However, the ACCC has broad powers to exempt businesses from Competition and Consumer Act requirements, allowing them to collaborate in situations where the likely benefits to the public outweigh the likely detriments.

Under the Competition and Consumer Act, businesses can apply to the ACCC for exemptions from competition laws so they can engage in arrangements that are not harmful to competition or are likely to result in overall public benefit. The ACCC makes decisions on authorisations and notifications that help the law to work more effectively in the interests of the community and provide a degree of flexibility.

All notifications and applications for authorisation are published on the ACCC's [authorisations and notifications registers](#).

We also assess certification trade mark applications to determine whether they may be to the detriment of consumers or competition.

Outcomes achieved

In addition to the performance measure results and analysis under Table 3.2, the outcomes achieved, as detailed below, show the impact of our work and demonstrate how it contributes to achieving our purpose.

In 2025–26 the ACCC made authorisation decisions including:

- Australian Banking Association (CIT Initiatives and Business Continuity Planning) – cash in transit measures
- Australian Sustainable Finance Institute Limited – sustainable finance and investment
- Energy Networks Association Limited and Ors – Public Key Infrastructure for the management of Consumer Energy Resources
- Battery Stewardship Council – battery stewardship scheme
- Soft Plastic Stewardship Australia Limited – soft plastics stewardship scheme
- Australasian Performing Right Association Limited – music performing rights collecting society.

Highlight: ACCC granted authorisation for collaboration on sustainable finance initiatives

In July 2025 the ACCC granted authorisation to the Australian Sustainable Finance Institute Limited (ASFI), its members, other participants and government bodies to collaborate on sustainable finance initiatives for 5 years.

ASFI is a collaboration between representatives of the Australian financial sector, civil society, academia and financial regulators. The authorisation allows the exchange of information to improve the integration of natural capital data into financial decision making; co-design investment structures; give effect to limited agreements for co-designed financial products; and develop related regulatory reform proposals.

The ACCC considered this authorised collaborative conduct was likely to result in public benefits in the form of transaction cost savings, process efficiencies and an increased likelihood of investment, supporting positive environmental and social outcomes.

The ACCC imposed 5 conditions of authorisation to address potential public detriments, such as reduced competition in the supply of sustainable finance products and coordinated behaviour in broader financial markets from information sharing.

ACCC granted authorisation to Soft Plastics Stewardship Australia

On 18 March 2025 Soft Plastics Stewardship Australia Limited (SPSA) lodged an application seeking authorisation to engage in conduct related to establishing and operating a voluntary, industry-led product stewardship scheme that would focus on recycling used soft plastic packaging materials, such as shopping bags, food wrappers, bags and pouches.

On 11 August 2025 the ACCC issued a draft determination proposing to grant authorisation for 8 years, subject to conditions. The ACCC received 59 submissions from interested parties before issuing the draft determination and a further 89 submissions from interested parties after it released the draft determination. The ACCC also convened a pre-decision conference to allow interested parties to express their views.

Some interested parties raised concerns that the proposed conduct could delay the introduction of government reforms to make soft plastic stewardship mandatory and other issues concerning the nature, scope and operation of the scheme.

On 12 November 2025 the ACCC released a final determination granting authorisation, with conditions, for 8 years. The ACCC considered that the conditions are important to ensure transparency and public awareness of SPSA's operations, governance and performance, and a level of independence on its board.

The ACCC considered that the conduct is likely to result in public benefits from environmental benefits due to diversion of soft plastics from landfill; and efficiencies through coordination and aggregation in the collection, transport, storage, sorting and processing of used soft plastics. However, the ACCC also considered that the conduct was likely to give rise to public detriment by foreclosing a rival soft plastic stewardship scheme's access to processing services. To reduce the likelihood of this public detriment arising, the ACCC decided to include a condition requiring SPSA not to enter exclusive contracts with processors.

The ACCC noted in its final determination that it is government's role to determine Australia's response to soft plastics packaging policy issues, including any regulatory reform. The ACCC did not consider that its role in assessing the application and granting authorisation replaces, diminishes or delays government's capacity to act on soft plastic stewardship should government seek to do so.

ACCC issued a class exemption for global supply chain disruptions

On 30 June 2026 the ACCC issued our first 'exceptional circumstances' class exemption under new legislative powers. The ACCC made the class exemption because we were satisfied that, in some cases, industry collaboration will help the response to or recovery from supply chain disruptions arising from conflicts in the Middle East.

The supply chain disruptions began in February 2026 and affect international shipping transport through the Strait of Hormuz. The short-term class exemption provides legal protection from competition laws until 22 December 2026 to allow competing businesses to respond to harm to Australian consumers or the Australian economy caused by the disruptions.

The class exemption followed a declaration from the Treasurer, which came into force on 23 June 2026, that these supply chain disruptions constitute 'exceptional circumstances' which the Treasurer was satisfied are causing significant harm to the Australian economy or Australian consumers.

The Treasurer's declaration triggered the ACCC's powers to make the class exemption using a streamlined process recently introduced into the Competition and Consumer Act.

The class exemption seeks to enable businesses to prepare for and, if needed, respond rapidly to manage potential impacts of the disruptions so they can mitigate potential harms to Australian consumers and the economy. The exemption covers coordination across any impacted sector of the Australian economy.

The ACCC included guardrails in the class exemption to ensure that any business collaboration to address supply chain disruptions does not reduce competition between those businesses more broadly. Businesses seeking to rely on the class exemption must notify the ACCC of meetings in advance, provide reports about meetings to the ACCC and advise the ACCC about implementing any plans agreed with other businesses – including obtaining ACCC approval where required.

Key activity 1.3: Undertake market studies and inquiries to contribute to improved market outcomes

About this key activity

Relevant ministers may direct the ACCC to undertake certain activities, including market studies, inquiries and monitoring of the prices, costs and profits of an industry or business. The ACCC can also undertake self-initiated market studies and research reports. These all enable the ACCC to:

- develop an in-depth understanding of how well competition and markets are working in particular sectors
- provide transparency and information that support efficient market functioning (including efficient investment and consumption decisions) and support informed decisions by businesses and consumers
- make recommendations to government about ways to improve the functioning of markets.

ACCC market studies and inquiries have wide-ranging impacts over time. In 2025–26 insights and findings from market studies and inquiries contributed to policy debates, law reform proposals and compliance and enforcement work. They also contributed to our knowledge and understanding of the competition dynamics in key markets or industry sectors.

For example, in 2025–26 we concluded our 5-year role to monitor prices, costs and profits of certain insurance products following the introduction of the Government's cyclone reinsurance pool. This role ended on 30 June 2026. Our final report found that the cyclone reinsurance pool is helping to reduce insurance premiums or moderate premium increases for people living in areas at higher risk of cyclones. However, our monitoring also found that the impact of other extreme weather events and claims costs inflation is pushing premiums higher across Australia and consumers remain concerned about affordability. We also continued our work on digital markets.

We progressed the Gas Inquiry, which contributed significant evidence on the impact of recent policies and informed government decisions on further reforms and intervention on supply. We also continued the Inquiry into the National Electricity Market, which was extended until 30 June 2027. We also monitored a range of other sectors.

We monitor and report on fuel prices in Australia's capital cities and in more than 190 regional locations. This allows us to provide motorists with information on the factors that influence fuel prices as well as the typical movements in [petrol price cycles in the 5 largest cities](#). In March 2026 we increased the frequency of reporting, of the fuel industry, from quarterly to weekly reports, to provide increased transparency to consumers and enhance our scrutiny of market behaviour during the conflict in the Middle East. We also analysed prices to assess the pass-through of changes in fuel excise to retail prices at the pump. Updates include the latest movements in crude oil prices, international refined fuel benchmarks, and domestic wholesale and retail fuel prices.

The ACCC periodically conducts market studies on product safety issues. This is discussed under strategic objective 5.

All reports are available in full on our [website](#).

Outcomes achieved

In addition to the performance measure results and analysis under Table 3.2, the outcomes achieved, as detailed below, show the impact of our work and demonstrate how this contributes to achieving our purpose.

Digital markets

Industry snapshot: recent developments in artificial intelligence

In December 2025 the ACCC released a digital markets industry snapshot on recent developments in artificial intelligence (AI). The snapshot provided an update on recent trends and significant developments in generative AI that the ACCC had observed since the [March 2025 Digital Platform Services Inquiry \(DPSI\) Final report](#).

The snapshot highlighted the fast pace of technological change in AI products and services. The DPSI Final report observed that generative AI firms continue to release new, more advanced models, as well as AI agents capable of autonomously performing tasks with minimal prompts; and multi-agent systems, where multiple AI agents work together to achieve a shared goal. Significant investments continue to be made in the AI supply chain, with the scale of investments at the infrastructure layer accelerating to support the development of more advanced AI models and to meet future demand.

Developments in AI have the potential to benefit consumers, such as through quality and user experience improvements. The snapshot also found that some developments may pose risks to competition and consumers. Increased integration and use of AI across digital ecosystems may have implications for barriers to entry and expansion and consumer switching behaviour. Increased use of AI agents and multi-agent systems may pose novel risks and regulatory challenges related to their speed, complexity, individualisation and ability to act autonomously.

The snapshot observed that continued growth of AI-enabled products may present new risks to consumers and worsen existing consumer issues such as:

- the collection and use of consumer data without knowledge or informed consent
- misleading or deceptive conduct relating to AI, such as facilitating false representations or 'AI washing' practices
- risks of AI-generated fake and manipulated reviews
- the use of AI in manipulative design practices
- the use of AI in scams.

The rapid pace of developments in AI, as described in the snapshot, underscores the need for the ACCC to have an ongoing monitoring function for emerging digital technologies under the future digital competition regime.

Continued monitoring and analysis of digital markets

The ACCC has continued monitoring and analysis of competition and consumer issues in digital markets.

The ACCC has continued to work closely with Treasury on the development of a new competition regime. This follows the Government's in-principle support for all recommendations of the September 2022 interim report of the ACCC's Digital Platform Services Inquiry (including digital competition reforms) and Treasury's consultation on a proposal paper on the implementation of the regime, which concluded in February 2025. Implementation of these reforms in Australia would

follow the introduction of digital competition regimes in the European Union and, more recently, in the United Kingdom and Japan.

The ACCC also maintains close engagement, information sharing and coordination with other Australian regulators and international counterparts that regulate digital markets. In particular, the agency collaborates on cross-cutting digital issues through the Digital Platform Regulators Forum (DP-Reg), with the Office of the Australian Information Commissioner, the Australian Communications and Media Authority and the eSafety Commissioner.

Highlight: Cyclone reinsurance pool lowering premiums for consumers but affordability concerns remain

On 30 June 2026 the ACCC concluded its role monitoring insurers' prices, costs and profits and assessing whether savings from the Australian Government's cyclone and cyclone-related flood damage reinsurance pool are being passed through to customers.

In 2025–26 we issued 2 reports as part of this role, including our fifth and final report that was issued on 25 June 2026. Our [Insurance monitoring report 2026](#) found that the pool had helped to reduce insurance premiums for policyholders facing medium to high risk of cyclone and that these benefits had been sustained up to 2 years after insurers joined the pool. However, we noted that the majority of consumers remained concerned about affordability and that this was reflected in an ACCC-commissioned survey. In our [media release](#), we advocated for insurers to do more to support consumers to understand their private mitigation options and recognise the efforts of those who have taken steps to reduce risk.

The ACCC consistently advocates for transparency within complex markets to improve competitive market outcomes for consumers, now and in the future.

Private Health Insurance report

Each year, the Senate requires the ACCC to produce a report on key competition and consumer developments and trends impacting consumers' health cover. The ACCC's December 2025 report for the 2024–25 financial year was the 27th under this direction.

The report focused on continued insurer actions taken to return profits to policyholders that were gained from fewer claims during the COVID–19 pandemic. The report found that, as at 30 June 2025, insurers had returned a total of around \$4.77 billion in funds to consumers. Including planned givebacks, the combined figure for all funds returned to consumers totalled around \$5.06 billion. This exceeded the insurers' combined permanent claims savings of around \$4.84 billion.

Most funds were returned by direct payments to policyholders (around \$2.69 billion). Other funds were returned in the form of premium relief (around \$1.71 billion), particularly deferrals of planned premium increases. A smaller amount was allocated to other measures (around \$380 million).

Gas Inquiry findings inform Gas Market Review reform recommendations

The ACCC's Gas Inquiry reports on the market for the supply of natural gas in Australia, including the pricing of gas and availability of offers to supply gas; and the volumes of gas supplied and available for future supply. This informs decision making by market participants and governments, including with respect to the Australian Domestic Gas Security Mechanism (ADGSM).

In 2025 the Australian Government conducted the Gas Market Review to examine the effectiveness of the Gas Market Code (Gas Code), ADGSM and the Heads of Agreement (HoA). Our [September 2025 Gas Inquiry report](#) provided evidence on the impact of these gas market instruments following

preliminary observations published in our June 2025 inquiry report. In December, the Government published its final [Gas Market Review report](#), which drew on findings from our inquiry reports and recommended removal of the ADGSM, HoA and the reasonable price provisions in the Gas Code upon establishment of a new gas reservation scheme.

Our June 2026 Gas Inquiry report examined areas important to subsequent policy development, including investment in long-term supply, upstream concentration on the east coast gas market, the Queensland LNG producers' current market positions, and the availability and use of gas storage facilities on the east coast. The report also provided the ACCC's finalised guidance on retailer selling practices – one of the outcomes of the ACCC's comprehensive review of retailers' pricing and selling practices in 2023–24.

Inquiry into the National Electricity Market

Competition and consumer issues in the electricity sector are a key area of focus for the ACCC. We provide a biannual analysis of prices, competition and the impacts of policies in the supply of electricity in the National Electricity Market (NEM) under an inquiry direction from the Government.

Our [Inquiry into the National Electricity Market report – July 2025](#) examined emerging markets for new electricity services, particularly those supported by solar and battery systems. Our report found that solar and battery customers have electricity bills that are on average 40% lower than bills of customers who draw only from the grid.

Our [Inquiry into the National Electricity Market report – December 2025](#) found that households that have been on the same electricity plan for more than 3 years are paying on average \$221 per year more than customers on new plans. In our [media release](#), we advocated for plan switching and a reduction in barriers to switching.

Our [Inquiry into the National Electricity Market report – June 2026](#) focuses on customers who have installed home batteries and customers participating in virtual power plants in light of the significant increase in battery installations. We found that customers participating in virtual power plants continue to have the lowest bills. In our [media release](#), we advocate for stronger consumer protections in this area to ensure products and services are designed and delivered in consumers' interests.

Strategic objective 2: Prevent anti-competitive mergers

About this strategic objective

The ACCC is the first instance decision maker for the mandatory merger control regime set out in Part IVA of the Competition and Consumer Act. The ACCC's primary role is to assess notified acquisitions and consider whether they would have the effect, or be likely to have the effect, of substantially lessening competition in any market. To achieve this strategic objective, we undertake the following key activity:

- 2.1 Assess mergers to prevent changes in market structures that substantially lessen competition.

Our priorities

We aim to prevent permanent structural changes in markets by scrutinising acquisitions and, where appropriate, preventing acquisitions that are likely to substantially lessen competition. At the same time, we approve non-contentious acquisitions expeditiously so legitimate business activity is not unduly delayed.

The move to a mandatory merger control regime on 1 January 2026 marked a significant change to merger control in Australia from the previous informal merger clearance regime.

Under the new laws, businesses must notify proposed acquisitions that meet certain thresholds and are not otherwise exempt from notification. They must then wait for the ACCC's approval before the acquisition can proceed. The regime is subject to strict statutory timeframes. The ACCC can also assess non-notified mergers under section 50.

During the transitional period from 1 July 2025 to 31 December 2025, the ACCC assessed and reviewed acquisitions under both the informal clearance regime and the new mandatory merger control regime. Acquisitions that were informally cleared during this period were exempt from the mandatory notification requirements if the acquisition was completed within a specified timeframe.

During this period, we worked closely with stakeholders to assist them to transition to the new regime and developed and published extensive guidance material for this purpose.

Performance measures

Table 3.4: Performance measures for strategic objective 2

Performance measure	2022–23	2023–24	2024–25	2025–26		Met?
	Result	Result	Result	Target	Result	
2a. Percentage of formal merger matters determined within 20 business days after the effective notification date or waiver request date post commencement of the new compulsory merger regime on 1 January 2026	N/A	N/A	N/A	80%	92%	✓
Methodology: Percentage of formal merger matters determined within 20 business days of effective notification or waiver divided by total number of formal matters determined in the period. This measure only applied from 1 January 2026, when the new merger regime commenced Data source: Internal records (Dynamics) Related regulator best practice principles: 1, 2 and 3 Related key activities: 2.1 <i>This measure is also reflected in the Portfolio Budget Statements</i>						
2b. Percentage of informal merger matters subject to Phase 1 only of public review that were finalised within 12 weeks (excluding time periods where information is outstanding)	100%	90%	72%	80%	82%	✓
Methodology: For mergers that have not involved the issuance of a statement of issues or the acceptance of a section 87B undertaking, excluding assessments where no decision was made, where the number of business days less timeline suspensions divided by 5 is less than or equal to 12, expressed as a percentage. This measure only applied until 31 December 2025, when the informal merger regime finished Data source: Internal records (Dynamics) Related regulator best practice principles: 1, 2 and 3 Related key activities: 2.1						
2c. Effectiveness survey 'index score' (out of 100) that key stakeholders agree the ACCC's assessment of mergers is effective in preventing changes in market structures that substantially lessen competition [#]	66.7		67	70	N/A	●
Methodology: The index score is the mean (average) response for the question/s across respondents (using the numerical score from the 5-point response scale) transformed into a 0- to 100-point scale Data source: ACCC Effectiveness Survey Related regulator best practice principles: 1, 2 and 3 Related key activities: 2.1						

[#] Only conducted biennially.

Analysis of results

We exceeded our performance goal of 80% for the percentage of matters determined under the merger control regime within 20 business days (achieving 92%), demonstrating our focus on efficiency in administering the new regime.

We completed 82% of Phase 1 informal merger assessments within 12 weeks, exceeding the target of 80%. This was a significant achievement, given the volume of informal clearance requests in the final 6 months was nearly twice the average annual volume.

Key activity 2.1: Assess mergers to prevent structural changes that substantially lessen competition

About this key activity

During 2025–26 the ACCC transitioned from the informal merger regime to the new merger control regime. From 1 July 2025 to 31 December 2025, businesses were able to choose whether to seek informal clearance from the ACCC or to seek clearance under the new regime. From 1 January 2026 notifiable acquisitions could only proceed once they have ACCC approval.

During 2025–26 we undertook extensive stakeholder engagement to assist businesses, advisers and other stakeholders to understand and prepare for the introduction of the new mandatory merger control regime. The ACCC issued and updated key guidance materials, held webinars, engaged closely with industry and professional bodies, participated in more than 60 speaking engagements, and provided regular updates through an email alert system.

Outcomes achieved

In addition to the performance measure results and analysis under Table 3.4, the outcomes achieved, as detailed below, show the impact of our work and demonstrate how it contributes to achieving our purpose.

Notifications and waivers under new regime

Between 1 January 2026 and 30 June 2026, when the new regime became mandatory, the ACCC received 145 acquisition notifications and 286 notification waiver applications. This does not include the 13 notifications received during the transitional period between 1 July and 31 December 2025, when voluntary notifications became available.

Of the 145 notifications received:

- 40 were under assessment, of which 4 were progressed to more in-depth assessment
- 104 were approved
- zero were not approved
- zero were approved with conditions
- one involved a cessation of the assessment.

Between 1 January 2026 and 30 June 2026 the ACCC also made decisions on the 13 notifications received during the transitional period between 1 July and 31 December 2025, when voluntary notifications became available. Of the 13 notifications received during the transitional period:

- 11 were approved
- 2 notifications were progressed to Phase 2 for a more in-depth assessment, leading to one notification approved with conditions and one not approved.

Of the 286 notification waiver applications received:

- 34 remain under assessment
- 234 were granted

- 14 were not granted
- 4 involved a cessation of the assessment.

Under Part IVA of the Competition and Consumer Act, the ACCC is required to report on certain statistics each year. This mandatory reporting is contained in Appendix 7.

All decisions about notified acquisitions and waiver applications and the review timelines are published on the ACCC's acquisitions register.

Informal merger reviews

In the final 6 months of the informal review regime, we assessed 651 mergers. This 6-month volume was significantly higher than average annual volumes, as parties sought to have acquisitions considered before the commencement of the mandatory formal regime.

Of the 651 mergers that were assessed:

- 630 were pre-assessed
- 21 were subject to a public review. Of these:
 - 13 were not opposed
 - 3 were opposed
 - 3 were not opposed after acceptance of a remedy
 - 2 were withdrawn, one of which was withdrawn after a statement of issues was released.

All publicly reviewed informal merger decisions and merger authorisation decisions from 2002 to 2025 are published on the ACCC's [mergers public registers](#).

Strategic objective 3: Improve competition and choice by ensuring safe, secure and privacy focused data sharing by consumers through the Consumer Data Right and Digital ID systems

About this strategic objective

Consumer Data Right (CDR) is designed to empower individuals and small businesses in Australia by giving them greater control over the data that businesses hold about them. By enabling safe and secure data sharing, CDR aims to support innovation, improve consumer outcomes and promote competition across multiple sectors. This can help Australians make better informed choices, access improved services and be more confident when engaging in the digital economy.

CDR provisions of Part IVD of the Competition and Consumer Act:

- allow consumers to request businesses to disclose the consumer's own data to an accredited person or an authorised third party who can use that data to provide services to the consumer
- require businesses to share data about their products and services in a standardised way to make it easier to compare offers.

The ACCC is the CDR regulator, responsible for monitoring and enforcing compliance with the CDR regime (other than privacy aspects). We also manage the accreditation of data recipients and support onboarding of participants to the CDR Register of Accredited Persons (Register) and associated database. In performing our roles, the ACCC works closely with other government agencies, including Treasury (which has policy responsibility for CDR), the Data Standards Body (DSB) (which assists with the development of the data standards) and the Office of the Australian Information Commissioner (OAIC) on privacy aspects.

Over the past year, a growing number of consumers have used CDR to safely and securely share their data. This growth has been supported by increasing use of CDR representative arrangements and a broader range of practical use cases, including services that help consumers and small businesses compare products, manage their finances and support lending decisions. Our work to promote compliance readiness, engage actively with CDR agencies and participants, and maintain the integrity and security of CDR has supported this increased uptake by ensuring consumers can have confidence in the CDR program.

Digital ID is an online method of confirming a person's ID that does not require physical documents. Digital ID does not replace physical ID documents; it is a more secure and convenient alternative to traditional forms of ID. The *Digital ID Act 2024* (Cth) appointed the ACCC as the independent Digital ID

Regulator, with responsibility for accreditation, approvals, register management, and compliance and enforcement of the Act and associated rules and standards.

The Digital ID Division has accountabilities under the *Digital ID Act 2024*, alongside the Department of Finance, the DSB, the OAIC and the System Administrator.

The ACCC has matured and strengthened our role and workforce in our responsibilities for accreditation, approvals, register management, and compliance and enforcement of the *Digital ID Act 2024* and associated rules and standards. We have been developing our program and workforce for the rollout of the Digital ID Regulator Portal and the introduction of private sector participation into the Australian Government Digital ID System (AGDIS) on 1 December 2026. We have also strengthened and expanded guidance to support stakeholders to meet their obligations.

Section 154 of the Digital ID Act requires the Digital ID Regulator to prepare and give a report to the Minister for Finance on the Regulator's activities during that year. The report is presented to Parliament after the end of each financial year.

To achieve this strategic objective, we undertake the following key activities:

- 3.1 Maintain the register and deliver, secure, and support the enabling technology solutions for the Consumer Data Right.
- 3.2 Accredite Consumer Data Right data recipients and promote compliance with and enforce the Consumer Data Right rules and standards to ensure that consumers can trust the security and integrity of the program.
- 3.3 Regulate compliance within Australia's Digital ID System through accreditation, participation approval, oversight, enforcement and public transparency.

Our priorities

Consumer Data Right

In 2025–26 the ACCC continued its efforts to support and promote compliance with CDR legislation, Competition and Consumer (Consumer Data Right) Rules 2020 (CDR Rules) and Consumer Data Standards (CDR Standards). Our particular focus has been on ensuring data holders meet their full data sharing obligations in a timely way, including in relation to consumer and product data quality. To achieve this, we have been providing regulatory guidance, working with participants to resolve instances of noncompliance and taking proportionate enforcement action where appropriate.

We continued to support the operation of CDR in the banking and energy sectors and are preparing for the rollout of CDR in the non-bank lenders sector in the next financial year. We have engaged closely with non-bank lenders, service providers and industry associations to provide clarity and confidence as they get ready for their obligations. For example, we have conducted a range of cross-agency implementation and participant readiness stakeholder workshops and issued targeted communications to support the sector. We have also engaged closely with CDR data holders and accredited data recipients about their ongoing obligations, including by considering applications for exemptions from compliance obligations and having regard to the overall objectives of the CDR program, impact on the ecosystem and regulatory burden.

Consumers access CDR through products and services offered to them by accredited data recipients or their CDR representatives. We help maintain the integrity of CDR by ensuring that consumers can have confidence in the secure data sharing protections of CDR. We undertake robust assessment of applications from prospective accredited persons to ensure they can meet CDR requirements.

The Register and Accreditation Application Platform (RAAP) provides the technical infrastructure for data holders and accredited data recipients to ensure that data can be exchanged securely.

During 2025–26 we planned, designed, built, tested and deployed further changes to the RAAP and supporting systems to assist the implementation of updated CDR Standards, particularly for the non-bank lenders sector, and to ensure ongoing compliance with CDR Rules. We continued to manage and support these technology solutions, including by ensuring that the RAAP was maintained and remained accessible and that relevant incidents were responded to and resolved within agreed timeframes.

CDR is a whole-of-government program, and close coordination across agencies is important to ensure policy, standards, regulatory guidance and technical implementation remain aligned. We take a collaborative approach and work closely with Treasury on legislative and policy issues and with the DSB (which operates within Treasury) on CDR Standards requirements. This helps ensure participants receive consistent messages about their obligations and supports the effective operation and future expansion of the CDR ecosystem.

An important priority is protecting the integrity of CDR technology infrastructure and systems from cybersecurity threats. We continued to strengthen our cybersecurity controls and work with other CDR entities to support a whole-of-program approach to cybersecurity.

Digital ID

In 2025–26 the ACCC continued to invest in upskilling our Digital ID workforce, enhanced collaboration across teams and prepared for the launch of the Digital ID Regulator Portal. We also reviewed our processes to support the private sector's ability to apply to participate in the AGDIS from 1 December 2026. By embedding new digital processes and supporting change management initiatives, the Digital ID Division is positioned for stronger regulatory capability and improved service delivery.

We published and updated public guidance to support compliance with the Digital ID Act and associated Rules; and to assist organisations in applying for accreditation or approval to participate in the AGDIS. This included an update of guidance to support compliance with the voluntariness requirements in the AGDIS; and information on applying for an internal review of Digital ID Regulator decisions.

Performance measures

Table 3.5: Performance measures for strategic objective 3

Performance measures	2022–23	2023–24	2024–25	2025–26		Met?
	Result	Result	Result	Target	Result	
3a. Availability of the Register of Accredited Persons	99.99%	100%	100%	99.90%	99.97%	✓
Methodology: Scheduled uptime minus downtime of the Register divided by scheduled uptime, expressed as a percentage Data source: Reports from the Managed Services Provider Related regulator best practice principles: N/A Related key activities: 3.1						
3b. Number of Consumer Data Right investigations completed to promote compliance and enforcement of CDR Rules and Standards	3	5	5	5	4	○
Methodology: Count and cross-check of the total number of CDR initial investigations and in-depth investigations completed during the financial year Data source: Internal records (Dynamics and iManage) Related regulator best practice principles: 1, 2 and 3 Related key activities: 3.2						
3c. Effectiveness survey 'index score' (out of 100) that key stakeholders agree the ACCC effectively improves competition by facilitating safe and secure data sharing by consumers through the Consumer Data Right*	–	–	60	70	N/A	●
Methodology: Each reported index is the average of individual question indices for questions that address the strategic objective. The index score is the mean (average) response for the question/s across respondents (using the numerical score from the 5-point response scale) transformed into a 0- to 100-point scale. Future targets are set based on 2023 survey results Data source: ACCC Effectiveness Survey – Independent Report Related regulator best practice principles: 1, 2 and 3 Related key activities: 3.1 and 3.2						

* Not reported on prior to 2024–25 and only conducted biennially.

Analysis of results

Consumer Data Right

The Register enables participants to authenticate each other and determine entitlement to share data in real time, thus helping to facilitate the secure sharing of data for consumers. In 2025–26 we ensured the Register and associated database were available 99.97% of the time (measure 3a in Table 3.5), assisting participants to engage in timely data sharing.

Consumers should be able to trust that we are monitoring CDR participants' compliance with the relevant laws, CDR Rules and CDR Standards and taking enforcement action where appropriate. Measure 3b in Table 3.5 summarises the ACCC's activities in investigating and pursuing alleged CDR compliance breaches. The result includes investigations where our inquiries led us to decide not to pursue formal enforcement action or litigation to deal with the matter or issue, in line with the [ACCC/OAIC Compliance and Enforcement Policy for the Consumer Data Right](#). In 2025–26 we completed 4 investigations, partially meeting our target.

The ACCC takes a proportionate approach to compliance, and not all alleged noncompliance is dealt with through escalation to an investigation. In practice, investigation activity is complemented by other approaches, including educating participants about their obligations and working with participants to remedy alleged noncompliance. These activities are not currently recorded in a performance measure.

Further information about our compliance and enforcement work is under key activity 3.2.

Digital ID

The ACCC will provide a standalone annual report on Digital ID in accordance with the requirements of the *Digital ID Act 2024*. The report is scheduled to be tabled in Parliament after 30 October 2026.

Key activity 3.1: Maintain the register and deliver, secure, and support the enabling technology solutions for the Consumer Data Right

About this key activity

The ACCC is responsible for planning, designing, building, testing, operating and securing the RAAP, which is the trust anchor for the CDR ecosystem. The RAAP establishes and maintains confidence that only authorised and properly accredited participants can access and exchange CDR data. It provides the authoritative source of truth for participant identity, accreditation status and permissions, which is critical to the safe and secure operation of CDR.

CDR participants use the RAAP's participant portal to register as data holders or apply for accreditation. Once approved, participants must complete an onboarding process before being activated on the Register and associated database and sharing CDR data. During the year, these systems were enhanced to provide greater self-service capability, improving efficiency while maintaining appropriate controls.

The ACCC also provides a range of participant testing tools. These allow data holders and accredited data recipients to test their production-ready systems against regulatory requirements and to safely test CDR solutions in non-production environments. Together, these testing capabilities help protect the integrity of the Register, the associated database and the broader CDR ecosystem.

Cybersecurity is a fundamental element of maintaining trust in CDR. The ACCC adheres to the Australian Government's Information Security Manual and is focused on improving cybersecurity maturity in line with the Australian Cyber Security Centre's Essential Eight. We also work closely with other CDR agencies to support a coordinated, whole-of-program approach to cybersecurity, reflecting the shared reliance on the RAAP as the ecosystem's trust foundation.

Outcomes achieved

In addition to the performance measure results and analysis under Table 3.5, the outcomes achieved, as detailed below, show the impact of our work and demonstrate how this contributes to achieving our purpose.

By onboarding new participants, the number of ways that consumers can use CDR is expanded and CDR capability can be translated into real-world benefits. With a consumer's consent, data holders, through their brands, share that consumer's CDR data with accredited data recipients through data recipient software products.

In 2025–26 we onboarded one energy data holder, 8 additional banking and 2 additional energy data holder brands; one data recipient; and 25 additional data recipient software products to the Register and associated database. Together, these broadened the range of products available in the ecosystem, enabling CDR services to reach a larger share of Australians and supporting outcomes such as improved access to information, reduced switching and application friction and more tailored products and services.

We updated our CDR technology to reflect changes to policy and the CDR Standards and to support the rollout of CDR to the non-bank lenders sector. These changes included improvements to system design, processes and user experience.

We continued to maintain and strengthen our existing technology. For example, we improved infrastructure security, automated testing to support faster system updates and lifted development and testing practices.

When technology incidents occur, we work to resolve issues quickly and minimise impact. We also monitor incidents between CDR participants and encourage them to resolve issues promptly, noting that it is not the ACCC's role to directly manage participant-to-participant incidents. Between 1 July 2025 and 30 June 2026 we:

- monitored 2,058 CDR external incidents within the CDR ecosystem³
- resolved 17 CDR internal RAAP incidents, logged by participants, that flagged issues with the Register or associated database
- resolved 22 incidents that participants raised about issues in the conformance test environment
- completed 849 service requests from users for information, advice, standard changes or access to a service.⁴

The ACCC continues to strengthen CDR's cybersecurity position, with a focus on protecting consumers and maintaining trust in the CDR ecosystem. Large volumes of security events are monitored and analysed each month to identify issues that may require investigation or action. This information is not made public, but it informs decision making, helps target resources effectively and supports continuous improvement in the security of CDR.

3 External incidents are technical incidents that impact the exchange of data between participants. These incidents relate to systems that are managed by participants and are raised by participants where the resolving party is another data holder or data recipient. The ACCC monitors external incidents to gain insight into ecosystem activity.

4 This includes access requests and general inquiries and requests for information received through CDR Service Management Portal.

Highlight: CDR has grown significantly over the past year

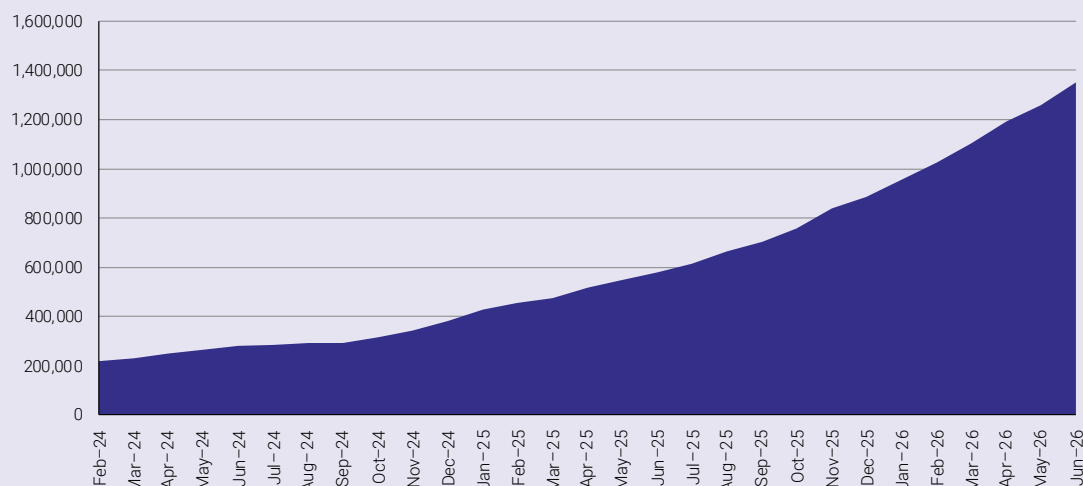
CDR is a critical part of Australia's digital public infrastructure. It enables consumers to safely share the data that businesses hold about them, supporting easier comparisons across products and services and helping people choose offers that better match their needs. By providing a practical way to share data, CDR also continues to encourage innovation in products and services.

Consumers can already share banking and energy data. From 2026–27 CDR will expand into the non-bank lenders sector. This is expected to broaden use cases and help consumers and small businesses access and share CDR data across a wider range of credit and lending products.

Consumer uptake has continued to build since CDR began in 2020. In 2025–26 growth strengthened, increasing by 132.8%. There were 580,997 active consumer data sharing arrangements on 30 June 2025 and 1,352,747 by 30 June 2026.

This growth is reflected in the graph below.

Figure 3.1: Ongoing CDR authorisations growth



There are already many ways that CDR can be used to potentially make life easier for consumers and small businesses, as discussed below.

Small business accounting

Small business accounting platforms combine multiple datasets (including from CDR) into a single application, allowing business owners to efficiently stay on top of their finances and monitor their business performance. CDR helps provide a secure and continuous connection to business bank accounts. This then allows small businesses to easily monitor transactions and invoices, complete bank reconciliations and automate other everyday accounting tasks.

Helping consumers take control of their finances

Digital personal finance management tools powered by CDR can allow consumers to provide explicit consent to securely consolidate their banking information in one place, regardless of institution. Soon consumers will also be able to include their non-bank lenders data. These tools can help consumers calculate their net worth, identify opportunities to save, reduce their debt and identify spending trends.

Improving credit and lending decisions

CDR-powered finance tools can help speed up credit and loan applications by quickly calculating cash flow, summarising spending categories and identifying income. CDR data is also being used to power alternatives to traditional credit scoring processes by analysing transaction data and assessing a consumer's overall financial wellbeing.

Energy switching

Some accredited data recipients and CDR representatives appear to be using CDR data to provide consumers with more visibility over their energy usage and offer them tailored energy plan recommendations. This can enable consumers to save money by switching to a lower cost plan. It can also help them analyse their usage trends and identify sustainability improvements to help their household run more efficiently.

Providing a more efficient and secure alternative for mortgage brokers

Without CDR, consumers may be presented with a screen scraping interface where they must enter their bank username and password into a third-party platform when engaging a mortgage broker for home loan applications. This can raise significant security concerns.

Using CDR to access banking data can ensure the consumer has given explicit consent to the sharing and that they benefit from CDR's privacy and security protections. The broker can efficiently gather the data they need through a real-time, direct connection to the consumers' accounts and transactions.

Key activity 3.2: Accredite Consumer Data Right data recipients and promote compliance with and enforce the Consumer Data Right rules and standards to ensure that consumers can trust the security and integrity of the program

About this key activity

Accreditation

The ACCC is the CDR Accreditor (formerly called the Data Recipient Accreditor⁵) under the CCA and is therefore responsible for accrediting persons to participate in CDR as data recipients.

To ensure that data sharing is safe and secure, any person in Australia or overseas that wishes to receive CDR consumer data directly from data holders must be accredited. An unrestricted accredited person may also pass certain information to a sponsored accredited data recipient or to a CDR representative as part of a CDR representative arrangement.

The ACCC ensures its accreditation regime is rigorous. Consumers and participants need to have confidence in the integrity of CDR, so the ACCC requires applicants to demonstrate that they meet the criteria for accreditation under the CDR Rules, including:

- having information security safeguards in place to protect consumer data
- being a fit and proper person to manage CDR data
- having internal and external dispute resolution processes
- maintaining adequate insurance.

Accredited persons must meet continuing obligations, including in relation to data handling and security, reporting and ensuring CDR representatives meet their obligations under CDR representative arrangements. The CDR Rules also give the ACCC the power to suspend or revoke accreditation in certain circumstances.

Compliance and enforcement

CDR enforcement is a co-regulatory effort between the ACCC and the OAIC.

The ACCC is responsible for enforcing compliance with Part IVD of the CCA, the CDR Rules and the CDR Standards. We have responsibility for taking strategic enforcement action to address conduct causing systemic detriment to the CDR system; and for enforcing accredited persons' and data holders' compliance with their continuing obligations. The OAIC has responsibility for privacy aspects of CDR.

ACCC compliance and enforcement activities include:

- monitoring and investigating compliance with the CCA, the CDR Rules and the CDR Standards
- providing guidance to help participants understand and comply with their CDR obligations
- taking enforcement action where appropriate in line with the priorities in the [ACCC/OAIC Compliance and Enforcement Policy for the Consumer Data Right](#).

5 This was changed by Part 7 of the *Treasury Laws Amendment (Consumer Data Right) Act 2024* (Cth).

Potential noncompliance with CDR obligations is detected through the monitoring of various sources of information and intelligence. Data holders are also encouraged to self-report noncompliance to the ACCC.

As the CDR system matures, we are putting a greater focus on tailored compliance and enforcement activities. Proportionality, fairness, individual circumstances and the broader objectives of the program are central to every enforcement consideration. We will guide participants to compliance outcomes where harm is minimal and to achieve quick and timely results. For example, we may put the relevant parties on notice about our concerns, deal with the matter through an active assessment, publish targeted guidance, or implement a compliance intervention. We will be likely to take enforcement action where participants have had sufficient opportunity to establish quality compliance and the harm to consumers or the integrity of CDR is significant.

The ACCC has a range of enforcement options available – for example, matters can be resolved through administrative resolutions, issuing of infringement notices, acceptance of court enforceable undertakings, and initiation of court proceedings for the most serious instances of potential noncompliance.

Section 56GD of the CCA also gives the ACCC a broad discretionary power to exempt a person from provisions of the CDR regime. The ACCC can use this power to ensure that the CDR system does not operate in unintended or perverse ways and that it works in the best way possible for consumers and designated sectors.

Outcomes achieved

In addition to the performance measure results and analysis under Table 3.5, the outcomes achieved, as detailed below, show the impact of our work and demonstrate how this contributes to achieving our purpose.

Accreditation

More businesses participating in CDR as accredited data recipients and CDR representatives results in more and diverse use cases for consumers. In 2025–26 the number of active representative arrangements notified to the ACCC increased from 165 to 178. CDR representative use cases included short-term lending, energy plan switching, enhancing accounting software, insurance benefits calculations, legal settlements, identity and fraud protection, collecting loyalty discounts, personal finance management, and home loan applications.

The number of CDR consumer data sharing arrangements increased from 580,997 to 1,352,747, crossing the one million mark in January 2026. This milestone indicates increasing use of CDR to share data through secure, governed channels, enabling consumers to access and switch services (for example, applying for products, checking eligibility or comparing offers) with less manual effort. It also reduces reliance on insecure practices such as screen scraping.

The number of active accredited data recipients increased from 29 to 30. Current use cases include intermediary services, loan affordability assessments, personal finance management, and the provision of testing services for data holders.

The ACCC ensures that the accreditation regime is applied rigorously – for example, we refuse accreditation where applicants fail to satisfy the relevant criteria. In 2025–26 we assessed 6 accreditation applications. Of these, 3 entities were granted accreditation; 2 entities withdrew their applications; and one application was still under consideration as at 30 June 2026.

In 2025–26, 2 accredited persons surrendered their accreditations. In both instances this was due to wider business restructuring.

Guidance on compliance

We published new and updated guidance to help participants understand and comply with their CDR obligations and to reflect changes to CDR Rules. This included publishing new guidance to support the expansion of CDR to the non-bank lenders sector. We also published guidance for accredited data recipients that are considering use cases that give consumers more control over how they share their CDR data, as well as guidance on when an accredited data recipient can collect CDR data and hold it as a data holder.

In 2025–26 we completed a project to improve the readability and accessibility of key CDR guidance. We also worked with other CDR agencies to streamline guidance and reduce fragmentation across CDR agency websites. Uplifted guidance will be published on the CDR website shortly.

We published 5 editions of our [Compliance update and regulatory bulletin](#) to promote CDR compliance and draw attention to new guidance, rule changes, enforcement outcomes, key dates and upcoming milestones.

We managed the CDR website in close consultation with Treasury.⁶ This website provides a range of useful information and updates to assist with participant compliance. We also implemented accessibility improvements to the CDR website to align to the Australian Government Web Content Accessibility Guidelines and the Digital Inclusion Standards.

Compliance statistics

As at 30 June 2026:

- 14 data holders (3 banking, 3 energy and 8 non-bank lenders) had exemptions deferring all of their consumer data sharing obligations
- 28 data holders (27 banking and one energy) had self-reported potential implementation gaps in their consumer data sharing systems – down from 38 active data holders with self-reported potential implementation gaps as at 30 June 2025.

Compliance with consumer data sharing and product reference data sharing obligations

In 2025–26 we concluded enforcement action against Commonwealth Bank of Australia (CBA) for allegedly breaching CDR Rules by failing to enable data sharing for certain accounts for business consumers and partnerships. CBA paid penalties totalling \$792,000, after the ACCC issued it with 4 infringement notices.

We also concluded 3 investigations into other issues, including insufficient data quality, data holders hindering processes and insufficient oversight of third parties by accredited data recipients. These are priority conduct areas in our [ACCC/OAIC Compliance and Enforcement Policy for the Consumer Data Right](#).

Other key compliance initiatives included:

- examining the products of 50 data holders to ensure their CDR product reference data was accurate. We identified and raised 149 issues for response and resolution relating to disclosure of inaccurate lending rates, inaccurate or incomplete product information and non-conformance with the requirements of CDR Standards
- reviewing 640 rule 9.4 reports – the biannual reports that data holders and accredited data recipients are required to submit on data sharing activity and usage by consumers under the CDR Rules

⁶ Treasury owns the website and has overall responsibility for education and engagement with consumers.

- reviewing 118 self-reports of noncompliance and implementing 2 compliance interventions that required a data holder to regularly report their progress toward rectification to the ACCC
- conducting 69 active assessments of potential noncompliance by data holders and accredited data recipients
- completing 2 targeted compliance reviews, including a review of product reference data in the energy sector and undertaking an in-depth review of select banking data holders' abandonment rates during the consumer authorisation process. The topics of these targeted compliance reviews all relate to priority conduct areas in our [ACCC/OAIC Compliance and Enforcement Policy for the Consumer Data Right](#).

Compliance with performance data obligations

The ACCC receives daily performance data from data holders about the availability, speed and level of activity of their CDR systems. We monitor this data to ensure that data holders comply with the non-functional requirements in the CDR Standards, which specify minimum expectations for performance and availability of their technical systems for CDR.

Issues we have observed include incorrect data and missing data, which is a priority conduct area in our [ACCC/OAIC Compliance and Enforcement Policy for the Consumer Data Right](#). We have addressed these issues by raising them with data holders and seeking commitments on both the performance of their systems and the quality of the data they report.

Exemptions

In 2025–26 the ACCC granted 14 exemptions under section 56GD of the CCA from some or all data sharing obligations under the CDR Rules. As at 30 June 2026, 13 of those were still in force and one had expired.⁷ We granted exemptions for reasons such as:

- avoiding the need for some participants to undertake redundant or duplicative IT builds
- recognising that in certain circumstances mergers can present particular IT challenges that impact on a data holders' ability to meet CDR obligations
- recognising the bespoke nature of certain products
- avoiding perverse or unintended consequences.

Details of all exemptions granted can be found on the CDR exemptions register on the ACCC website.

⁷ The total number of CDR exemptions in force (full, partial and permanent) as at 30 June 2026 was 45. This includes exemptions granted in previous financial years.

Highlight: Preparations for non-bank lenders sector

A key activity for the ACCC in 2025–26 was preparation for the onboarding of the non-bank lenders sector.

CDR is already implemented in the banking and energy sectors. Expansion to the non-bank lenders sector can enable even more new and diverse use cases. It is expected to be a key milestone in empowering consumers and small businesses to access the digital economy across a broader range of credit and lending products available in the market.

Entities that are required to share data through CDR must do so by the dates set out in the CDR Rules. These dates depend on whether the data holder is classified as an initial or large provider and whether the data request relates to product or consumer data. Data sharing obligations for product data commence on 13 July 2026. Obligations for consumer data begin on 9 November 2026 for initial providers and on 10 May 2027 for large providers.

We engaged early with entities with upcoming compliance dates to help them understand their obligations and make their onboarding process as smooth as possible. For example, we hosted workshops and held regular meetings with non-bank lenders with upcoming data sharing obligations to help them prepare for onboarding, including demonstrating new self-service functionality in the Register.

We have enhanced our systems, including the technology systems that facilitate CDR data sharing, to accommodate a larger volume of data holders and to support early onboarding for non-bank lenders.

We have also published and updated our guidance to accommodate the new sector, including developing technical guidance in consultation with the DSB. We proactively educate entities about how to apply for an exemption from the CDR Rules if they consider the compliance burden is disproportionate.

Key activity 3.3: Regulate compliance within Australia's Digital ID System through accreditation, participation approval, oversight, enforcement and public transparency

About this key activity

In our second year of operation, we focused on strengthening our operations, embedding a risk-based regulatory approach and ensuring readiness for the inclusion of private sector participants, while progressing delivery of the Digital ID Regulator Portal.

When exercising our regulatory functions, key considerations include privacy, security, accessibility and voluntariness, which are all fundamental elements of Digital ID.

Through consistent regulation, strengthened guidance and active engagement, we are supporting a Digital ID system that is secure, scalable and positioned for growth.

We progressed readiness for private sector onboarding and progressed delivery of the Digital ID Regulator Portal through transition to in-house delivery.

The ACCC, as the Digital ID Regulator, produces an annual report in accordance with section 154 of the *Digital ID Act 2024*. The first report (2024–25) was published on 23 January 2026.

We will begin reporting on our Digital ID performance measures in future years. This will happen as our regulatory role develops and we gain better insight into how to measure impact and success.

Outcomes achieved

Accreditation

In 2025–26 we continued to administer the Digital ID accreditation scheme by assessing applications and variations. We continued to undertake oversight activities, including conducting annual compliance reviews, issuing proactive guidance and engaging with entities to support compliance.

There are now 5 accredited entities – of these, there are 3 applications to vary conditions received, one application for accreditation and one application to revoke accreditation.

Australian Government Digital ID System approval

The Australian Government Digital ID System (AGDIS) is a secure, convenient and voluntary digital ID verification system that helps Australians access government services online without repeatedly sharing copies of identity documents.

This year we continued to assess applications to participate in the AGDIS and managed variations to existing approvals.

We received 3 applications from entities seeking to participate in the AGDIS; 2 of these were granted and one application is under assessment as at the end of the reporting period.

An additional 2 applications to participate in the AGDIS were granted during the 2025–26 but were received in the previous financial year, 2024–25.

We received 59 applications to vary AGDIS approval conditions. One application was received requesting an exemption from voluntariness requirements.

Compliance and enforcement

The ACCC promotes compliance with Digital ID legislation by using a range of integrated strategies and tools.

We:

- assessed reports of potential noncompliance from multiple sources, including the Office of the System Administrator, the ACCC's InfoCentre, members of the public, and self-reports from regulated entities
- identified risk through proactive monitoring.

We assessed 32 new matters and completed 18 initial and one in-depth investigations relating to the Digital ID legislation.

Guidance and supporting information

In 2025–26 we strengthened guidance to support stakeholders to meet their obligations.

We:

- updated and published new guidance to reflect legislative amendments introduced in November 2025
- expanded on and clarified aspects of the Digital ID Regulator's assessment processes
- released new guidance on the voluntariness obligations in the AGDIS as well as the internal review process
- made a submission to the Department of Finance as part of the public consultation on redress in the AGDIS.

These enhancements also support the planned expansion to private sector participation in the AGDIS from 1 December 2026.

Digital delivery

Following the transition of the Digital ID Regulator Portal from external delivery to an in-house model, a participant portal is on track for delivery by the end of quarter one in 2027. The new portal will provide a secure, user-centred platform to support accreditation, participation and ongoing compliance within Australia's Digital ID System.

Strategic objective 4: Protect consumers from misleading and deceptive conduct and scams, and promote fair trading

About this strategic objective

To achieve this strategic objective, we undertake the following key activities:⁸

- 4.1 Initiate compliance and enforcement actions to address harm to consumers and small businesses resulting from non-compliance with the Australian Consumer Law and industry codes.
- 4.2 Empower small businesses by increasing awareness of their rights under the Australian Consumer Law and industry codes.
- 4.3 Empower consumers by increasing awareness of their rights under the Australian Consumer Law.
- 4.4 Empower consumers and businesses to combat scams by collecting and sharing data and intelligence across the scam prevention ecosystem and coordinating scams prevention, disruption and awareness activities.

The Australian Consumer Law (ACL) is contained in Schedule 2 of the Competition and Consumer Act. It gives the ACCC and state and territory consumer regulators a single set of provisions to respond to fair trading and consumer protection issues. The ACL also allows regulators to work collectively on broader issues and take coordinated, effective and timely compliance and enforcement action.

The ACCC also works with businesses, industry associations and consumer groups to inform businesses and consumers of their rights and obligations under the Competition and Consumer Act. It carries out this work through engagement, education and the provision of specialised information and guidance.

The ACCC's National Anti-Scam Centre coordinates work across government, industry, regulators, law enforcement and community organisations making it more difficult to scam Australians. Through increased sharing of scam intelligence and expertise, the National Anti-Scam Centre enables more timely and effective disruption of scams.

The ACCC's aim is to promote a competitive and fair operating environment for small business and, importantly, ensure small businesses understand how the legislation can help them.

⁸ The references to the ACL in the key activities and performance measures under this strategic objective exclude the product safety provisions of the ACL, which are dealt with under our strategic objective to protect consumers from unsafe products.

Our priorities

Each year we review the economic and business environment, feedback from stakeholders and our intelligence sources to determine where to focus our compliance and enforcement efforts. From this review, we develop our annual compliance and enforcement priorities.

Our compliance and enforcement priorities for 2025–26 include:

- consumer and fair trading concerns in the supermarket and retail sectors, with a focus on misleading pricing practices
- manipulative and false practices and unsafe consumer goods in digital markets
- unfair contract terms in consumer and small business contracts, with a focus on harmful cancellation terms, including those associated with automatic renewals, early termination fee clauses and non-cancellation clauses.

Some priority areas change from year to year as we complete this annual review, and each year we continue important residual work in areas previously identified as priority areas. Because of this, some of the outcomes reported below may relate to priority areas from previous years. There are also some forms of conduct that are so detrimental to consumer welfare that we will always regard them as an enduring priority and take action as appropriate.

It is an enduring priority of the ACCC to continue to support the National Anti-Scam Centre in its mission to detect and disrupt the harm caused by scams.

Performance measures

Table 3.6: Performance measures for strategic objective 4

Performance measures	2022–23	2023–24	2024–25	2025–26		Met?
	Result	Result	Result	Target	Result	
4a. Number of in-depth Australian Consumer Law and industry codes investigations completed	48	60	43	60	48	○
Methodology: Count of matters reaching each stage of investigation, with cross-check of stage and outcome						
Data source: Internal records (Dynamics)						
Related regulator best practice principles: 1 and 2						
Related key activities: 4.1						
4b. Number of Australian Consumer Law and industry codes enforcement interventions (court proceedings commenced, section 87B undertakings accepted, infringement notices issued, administrative resolutions)*	25	35	37	40+	35	○
Methodology: Count and cross-check of public outcomes within the reporting period						
Data source: Internal records (Dynamics), ACCC media releases, public registers, undertakings register						
Related regulator best practice principles: 1 and 2						
Related key activities: 4.1						
<i>This measure is also reflected in the Portfolio Budget Statements</i>						

Performance measures	2022–23	2023–24	2024–25	2025–26		Met?
	Result	Result	Result	Target	Result	
4c. Number of Australian Consumer Law and industry codes compliance initiatives to improve business compliance with the law, and educate consumers and small business about the law's protections [^]	N/A	N/A	21	20	31	✓
Methodology: Count and cross-check of significant and substantive updates to existing resources and new resources released within the reporting period						
Data source: Internal records (Dynamics, committee papers) relevant ACCC website pages, relevant publications (release date)						
Related regulator best practice principles: 1, 2 and 3						
Related key activities: 4.1, 4.2, and 4.3						
4d. Number of data sharing arrangements for near real-time data sharing to National Anti-Scam Centre, industry and government partners	N/A	N/A	N/A	40	53	✓
Methodology: Count of number of arrangements in place involving data sharing between the National Anti-Scam Centre and industry or government						
Data source: An internal tracking spreadsheet						
Related regulator best practice principles: 1, 2 and 3						
Related key activities: 4.4						
4e. Effectiveness Survey 'index score' (out of 100) that key stakeholders agree the ACCC effectively protects consumers from misleading and deceptive conduct and scams, and promote fair trading ^{##}	74.5	N/A	76	70	N/A	●
Methodology: Each reported index is the average of individual question indices for questions that address the strategic objective. The index score is the mean (average) response for the question/s across respondents (using the numerical score from the 5-point response scale) transformed into a 0- to 100-point scale. Future targets are set based on 2023 survey results						
Data source: ACCC Effectiveness Survey – Independent report						
Related regulator best practice principles: 1 and 3						
Related key activities: 4.1, 4.2, 4.3 and 4.4						

* Depending on the circumstances, administrative resolutions can range from a commitment by the trader in correspondence with the ACCC to a signed agreement between the ACCC and the trader setting out detailed terms and conditions of the resolution. For an administrative resolution to be included as an enforcement intervention for reporting purposes, it must be a formal resolution reached with a trader and noted publicly (for example, by way of an ACCC media release).

[^] Not reported on prior to 2024–25 as a single performance measure. This performance has previously been counted as 3 separate performance measures.

^{##} Only conducted biennially.

Analysis of results

During 2025–26 we completed 48 in-depth ACL and industry codes investigations of our target of 60. This reflects the growing complexity of those enforcement investigations that require in-depth investigation.

We achieved 35 of our target of 40 enforcement interventions while continuing to manage a significant workload of cases before the Federal Court commenced in previous years, such as those against Coles and Woolworths.

In 2025–26 we delivered 31 compliance initiatives and educational activities, exceeding our target of 20. This is an important segment of our consumer and fair trading compliance work, ensuring that Australian consumers and small businesses are aware of their rights and responsibilities under the ACL; and engaging with larger businesses and industry outside of enforcement investigations to improve their compliance. We have also provided guidance related to changed requirements for small businesses, to ensure they are able to keep up with changes in their operating environment.

We exceeded our target for the number of data sharing arrangements between the National Anti-Scam Centre, industry and government partners (performance measure 4d), having achieved 53 against a target of 40. We look forward to further developing our data partnerships as the program progresses.

Key activity 4.1: Initiate compliance and enforcement actions to address harm to consumers and small businesses resulting from non-compliance with the Australian Consumer Law and industry codes

About this key activity

This key activity is about enforcement and compliance action we undertake to protect consumers and small businesses from harmful conduct. We may also undertake research or advocacy projects to help improve compliance with the ACL and industry codes. The ACCC is a 'whole of economy' regulator, so we select the methods of intervention that we believe will be most likely to influence behaviour across industries and the economy.

The ACCC uses a range of tools to encourage compliance with the Competition and Consumer Act. In deciding which compliance or enforcement tool (or combination of tools) to use, we focus on achieving the best possible outcome for the community, maximising the impact of our action and managing risk proportionately. We may use engagement, education activities or compliance interventions to address broader ACL or industry codes issues. Alternatively, we can use enforcement tools to address potential contraventions of the ACL or industry codes by specific businesses.

Outcomes achieved

In addition to the performance measure results and analysis under Table 3.6, the outcomes we achieved, as detailed below, are examples of the impact of our work and demonstrate how this contributes to achieving our purpose.

Fuel work

In March 2026 the ACCC increased its monitoring of fuel prices and supply in response to the conflict in the Middle East. In particular, we monitored to ensure consumers benefited from the temporary fuel excise cut.

In early April the ACCC issued substantiation notices to several businesses operating in South Australia, Western Australia, Queensland and the Northern Territory. The notices required the businesses to justify sizable fuel surcharges on deliveries to remote areas where these increased fuel surcharges were attributed to the Middle East conflict.

As at the end of June 2026, the ACCC continues to work with businesses, Commonwealth, and state and territory governments to monitor the situation. We continue to engage with other sectors to understand flow-on impacts and fuel surcharges impacting a broader range of goods and services.

Excessive supermarket pricing

On 14 December 2025 the Australian Government implemented an excessive supermarket pricing prohibition in the Food and Grocery Code of Conduct, commencing on 1 July 2026. The prohibition aims to promote workably competitive outcomes in grocery product markets and protect the welfare of consumers by prohibiting excessive pricing of grocery products by very large retailers (Coles and Woolworths).

The ACCC has published [guidelines](#) on the prohibition which provide information to retailers, consumers and other stakeholders about how the ACCC intends to monitor compliance with, and enforce, the prohibition. In drafting the guidelines, the ACCC engaged in targeted consultation with a range of stakeholders, including supermarkets, consumer bodies and supplier and industry groups.

Consumer, fair trading and pricing concerns in the supermarket and retail sectors

In 2025–26 the ACCC’s work to address issues in the supermarket and retail sectors led to a number of enforcement and compliance outcomes. This work, by its nature, often links to other ACCC compliance and enforcement priorities, particularly issues arising from deceptive marketing practices across the digital economy, discussed below.

In September 2025 the ACCC commenced separate Federal Court proceedings against both Coles and Woolworths for allegedly breaching the ACL by misleading consumers through discount pricing claims on hundreds of common supermarket products. On 14 May 2026 the Federal Court handed down judgment in the [Coles proceeding](#), finding that Coles made false or misleading representations about ‘Down Down’ discounts. The Court has yet to determine penalties and other relief. The judgment in the Woolworths proceedings is still reserved.

On 24 April 2026 the Federal Court ordered that [Emma Sleep Pty Ltd](#) and Emma Sleep Southeast Asia Inc. pay \$15 million in penalties for making false or misleading representations in relation to the sale price of mattresses, bed frames, pillows and accessories.

In September 2025 the Federal Court ordered [The Good Guys Discount Warehouses \(Australia\) Pty Ltd](#) to pay \$13.5 million in penalties for misleading conduct in relation to several of its store credit and ‘StoreCash’ promotions; and for failing to provide store credit to more than 20,000 eligible consumers.

The ACCC also uses compliance initiatives and disruption techniques where this is a more effective approach to dealing with misconduct. A key risk to consumers that emerged in the retail sector in early 2025 was ‘ghost stores’. Ghost stores are online retailers misrepresenting themselves as local Australian businesses selling high-quality clothing and accessories. In fact, they have no actual presence in Australia, drop-ship low-quality products from overseas and, when scrutinised (including through the media and review websites), tend to shut down their website and reappear under a new name.

The ACCC’s focus was on warning and educating consumers about ghost stores and encouraging Shopify and Meta Platforms to take appropriate action against ghost stores using their platforms to reach consumers. On 3 July 2025 the [ACCC issued Public Warning Notices](#) in relation to 4 stores, which subsequently ceased trading. The ACCC’s engagement with Shopify and Meta Platforms resulted in a further 10 suspected ghost stores coming offline. An awareness campaign complemented these compliance and disruption actions – this work is discussed in key activity 4.3.

In November 2025 the ACCC coordinated a [Black Friday sweep](#) to identify misleading or deceptive sales advertising used by retailers. The sweep focused on identifying a range of sales advertising tactics used by retailers, including misleading ‘limited time’ representations that create a false sense of urgency for consumers, misleading ‘site-wide’ or ‘store-wide’ claims about sales, and claims of ‘up to X% off’, where few products are on sale at that reduced price.

Before the sweep, the ACCC issued a [media release](#) putting retailers on notice to review their sales practices. We encouraged consumers to check prices before the Black Friday sales commenced, check for any disclaimers or conditions in sales advertisements, and be wary of broad claims about discounts or savings.

Following the sweep, we:

- wrote to a number of major retailers in December 2025 ahead of the [Boxing Day sales](#) to remind them of their ACL obligations and issued a media release noting this engagement
- issued a further [media release](#) in April 2026 outlining the high-level findings of the sweep and noting we had commenced a number of investigations as a result.

Deceptive marketing practices across the digital economy

In 2025–26 we delivered key outcomes and initiated court action to address deceptive marketing practices across the digital economy.

In March 2026 [PhotobookShop](#) paid \$39,600 in penalties after the ACCC issued it with 2 infringement notices for:

- posting influencer reviews to Instagram without disclosing it had paid influencers to create the reviews
- posting an influencer’s review to Instagram that PhotobookShop had substantively edited to remove all negative statements from the review, thereby changing the overall impression of the review.

In June 2026 [Hismile](#) paid \$138,600 in penalties after the ACCC issued it with 7 infringement notices for posting social media videos where apparently random shoppers tried Hismile’s products and expressed their satisfaction with the results. The ‘random shoppers’ in the videos were Hismile employees. The ACCC was also concerned about Hismile’s videos of its Glostik Tooth Gloss product, which may have given consumers the impression that the product would remove stains on teeth. Hismile provided a court enforceable undertaking, committing to several actions to address the ACCC’s concerns.

The ACCC also instituted proceedings in the Federal Court:

- in September 2025 against [JustAnswer LLC](#), alleging JustAnswer misled consumers as to its affiliation with Australian Ombudsman or government agencies and the cost of its online question and answer service
- in October 2025 against [Microsoft Australia](#) and its parent company Microsoft Corporation for allegedly misleading approximately 2.7 million Australian customers when communicating subscription options and price increases after it integrated its AI assistant, Copilot, into Microsoft 365 plans
- in December 2025 in separate proceedings against home meal delivery providers Grocery Delivery E-Services Australia Pty Ltd (trading as [HelloFresh](#)) and [Youfoodz](#) Pty Ltd for allegedly misleading consumers over subscriptions.

Unfair contract terms

On 30 June 2026 the ACCC commenced Federal Court proceedings against [Amazon Commercial Services](#) Pty Ltd for allegedly breaching the ACL by including unfair contract terms in its Prime subscriptions contracts and later relying on those terms to introduce advertising to its streaming service, Amazon Prime Video.

The ACCC also alleges that a US-based Amazon entity, Amazon.com Services LLC, was knowingly concerned in Amazon AU’s conduct. In particular, we allege that Amazon US was involved in drafting the Australian contracts that contained the alleged unfair terms. The ACCC also alleges that Amazon US made the decision to introduce advertising to Prime Video globally and helped implement the decision in Australia.

Also in June 2026 the ACCC commenced proceedings in the Federal Court against [Miyagi Pty Ltd](#), a provider of health and wellbeing programs, and its founder and CEO, Shane Da Costa. Miyagi provided programs to thousands of consumers experiencing health conditions including diabetes, heart disease, sleep apnoea and menopause. The ACCC alleges that Miyagi used unfair contract terms that prevented many consumers from cancelling their programs and made false or misleading claims about consumers' rights to cancel and obtain refunds, as well as about the professional affiliations of its staff. The ACCC also claims that Mr Da Costa was directly involved in the conduct.

Essential services

In October 2025 the Federal Court ordered [Telstra](#) to pay a penalty of \$18 million for breaching the ACL after Telstra moved almost 9,000 Belong customers to a lower speed plan without telling them. Alongside this court action, the ACCC also accepted a court enforceable undertaking from Telstra that included \$2.3 million in consumer redress payments, with Telstra providing a credit or payment of \$15 to each affected customer for each month the customer had been on the lower upload speed plan.

Over the period, the ACCC continued work in response to CHOICE's designated complaint on potentially misleading practices around retail energy plans. Following careful consideration and assessment, in August 2025 the ACCC published a [Further Action Notice](#) in response. A key action in response was [investigating](#) whether energy retailers are misleading consumers by promoting plans that promise savings or value to consumers, when they actually offer poor value.

In other actions in response to CHOICE's designated complaint, we continued to engage with the AER and the Essential Services Commission of Victoria (ESC) on this issue in their relevant review and law reform processes. The ACCC considered the AER and ESC review and reform processes to be the most effective avenues to address issues concerning the use of the identical plan names for plans with different rates; and 'Better or Best Offer' messages with plans that consumers may not be eligible for.

Misleading conduct and other prohibited practices

We achieved a number of outcomes and commenced actions to address misleading or deceptive conduct or other misconduct prohibited under the ACL.

In July 2025 the Federal Court ordered [Webjet Marketing Pty Ltd](#) to pay pecuniary penalties of \$9 million for making false or misleading representations regarding the price of airfares; and sending booking confirmations to some consumers when their booking had not been confirmed.

In January 2026 SIA Booking Group Corporation (operating as [EconomyBookings](#)) paid \$39,600 in penalties after the ACCC issued it with 2 infringement notices for allegedly:

- failing to prominently specify a single total price for car rental services on its website [www.economybookings.com](#)
- making a false or misleading representation about whether a preselected extra option was included in the price of renting a car.

In February 2026 the Federal Court ordered [Mobil Oil Australia](#) to pay \$16 million in penalties for making false or misleading representations about the fuel sold at 9 petrol stations in north and central Queensland. Mobil admitted that it made false or misleading claims to consumers through branding and signage that the fuel being sold was 'Mobil Synergy Fuel' containing certain additives, when in fact the fuel was not Mobil Synergy Fuel but was the same or substantially the same as unadditised fuel at other non-Mobil retail sites.

In June 2026 we commenced proceedings in the Federal Court against [Grill'd](#) for alleged breaches of the ACL. We allege the burger chain engaged in greenwashing by misrepresenting the

environmental impact of its 'Tree Day Tuesday' campaign. By failing to adequately disclose restrictive terms and conditions, we allege that Grill'd overstated the circumstances in which it would fund tree-planting initiatives.

In June 2026 [Vacaciones eDreams SL](#) paid \$59,400 in penalties after the ACCC issued it with 3 infringement notices for allegedly making misleading pricing claims about its subscription-based memberships and the total cost of a subscription. eDreams also provided a court enforceable undertaking in which it admitted its conduct contravened or likely contravened the ACL and committed to providing redress to eligible consumers.

In June 2026 [Lactalis](#) paid \$59,400 in penalties after the ACCC issued 3 infringement notices for allegedly making false or misleading representations in the labelling of 2 of its milk products. The ACCC alleges that Lactalis' Golden North 'Country Fresh' 2L milk and Ferguson Valley 'WA DAIRY FRESH' 2L milk were labelled as fresh milk, when each contained substantial amounts of powdered and reconstituted ingredients. Lactalis removed the word 'fresh' from these product labels after the ACCC raised concerns about the labelling.

First Nations Australians

The ACCC continues to prioritise compliance and enforcement work that impacts on the welfare of First Nations Australians under our enduring priority. This includes recognition that First Nations consumers living in remote areas face particular challenges in asserting their consumer rights.

In September 2025, in court proceedings taken by the ACCC, the Federal Court declared that [Optus](#) had engaged in unconscionable conduct, including in relation to many consumers who were vulnerable or experiencing disadvantage – for example, First Nations Australians from regional, remote and very remote parts of Australia. In the proceedings, Optus admitted it engaged in unconscionable conduct when selling mobile phones and contracts and in subsequent debt collection against consumers. In many instances the affected consumers did not want or need, could not use or could not afford the phones and contracts they were sold and, in some cases, consumers were pursued for debts resulting from these sales.

The Federal Court ordered Optus to pay a \$100 million pecuniary penalty. The penalty imposed by the Court is a strong message to companies that the ACCC will take enforcement action to ensure consumers, particularly those experiencing vulnerability or disadvantage, are afforded the protections under the ACL. The [5-year court enforceable undertaking](#) that Optus provided to the ACCC also commenced when the Federal Court made its orders. Under the undertaking, Optus will compensate impacted consumers; ensure that certain Optus licensee stores in the Northern Territory, regional Queensland and South Australia are directly operated by Optus; improve its internal systems, such as its complaints-handling processes; and make changes to remuneration and incentives for Optus sales staff designed to prevent further conduct from occurring.

Improving ACL compliance by NDIS providers

Since 2024 the ACCC has prioritised improved compliance with the ACL by businesses that supply NDIS-funded products and services. Breaches of consumer laws can often lead to significant harm, ranging from financial loss and life-limiting impacts to compromising the safety and physical wellbeing of NDIS participants. Our compliance activities in this area include enforcement action, publishing of information and participating in a Taskforce consisting of the ACCC, the NDIA and the NDIS Commission.

Key actions in 2025–26 were as follows:

- [WeFlex Pty Ltd](#), an NDIS registered fitness provider, paid a \$19,800 infringement notice penalty for an allegedly misleading advertisement that claimed its personal training services were automatically covered by NDIS funding. In fact, the NDIS does not automatically endorse services for all participants, and funding eligibility is strictly tied to a participant's individual plan.
- [Aidacare](#), a provider of healthcare equipment, admitted in a court enforceable undertaking given to the ACCC in March 2026 that it likely contravened the ACL by likely making false or misleading representations to some customers about their consumer guarantee rights and using terms in standard form contracts that were likely to have been unfair. As part of the undertaking, Aidacare agreed to remediate affected consumers and provide interim solutions to customers who experience extended delays when assessing faulty or defective goods.
- On [10 February 2026](#) we published a report titled [ACCC observations of consumer issues in the NDIS](#). The report highlighted trends we had observed of problematic conduct that may breach the ACL. By publishing the report, we aim to help NDIS participants and providers to understand their respective rights and obligations under the ACL and increase provider compliance with the law.

Conduct impacting consumers experiencing vulnerability and disadvantage, including unconscionable conduct

In 2025–26 the ACCC's work in response to Consumer Action Law Centre's (CALC) designated complaint continued. CALC's designated complaint on unsolicited selling and lead generation alleges that harmful unsolicited sales practices are commonplace across Australia, and businesses often breach multiple provisions of the ACL using unsolicited sales to market their goods or services. The ACCC recognises that there is potential for significant consumer harm arising from mis-selling issues involving unsolicited consumer agreements, particularly harms impacting on consumers experiencing vulnerability or disadvantage. The key action in response, as announced in our [Further Action Notice](#), is an [in-depth review](#) to critically examine the issues raised in the designated complaint.

On 11 December 2025 the Federal Court declared that [Bupa HI Pty Ltd \(Bupa\)](#) had engaged in unconscionable conduct and made false or misleading representations to Bupa members, hospitals and medical providers about the members' entitlements to private health insurance benefits for certain claims. The Federal Court ordered Bupa to pay \$35 million in pecuniary penalties. Most of the claims impacted by Bupa's conduct were for hospital treatment in which 2 or more procedures were performed at the same time. Where part of the treatment was covered by a member's policy and part was not covered, Bupa incorrectly rejected the entire claim. The conduct impacted thousands of consumers and caused significant harm, including financial harm, pain, suffering and emotional distress.

The ACCC also accepted a [court enforceable undertaking](#) from Bupa around its remediation program to compensate impacted members, hospitals and medical providers. This includes compensation for the amount members were entitled to but did not receive, plus interest.

On 25 June 2026 the ACCC commenced [Federal Court proceedings](#) against debt collection agency ARMA Group Holdings Pty Ltd (ARMA) and legal practice Force Legal Pty Ltd (Force Legal). We allege that ARMA and Force Legal made misleading representations when sending at least 320,000 notices to consumers by email, letter or text message over more than 3 and a half years about debts they allegedly owed. We allege the notices represented that these consumers had a debt that was due and required payment, when in fact the debt was either no longer outstanding or was past the statutory limitation period.

Card payment surcharging

In 2025–26 we continued our work (announced in [April 2025](#)) to encourage business compliance with the excessive card payment surcharging provision and pricing display requirements. This has included engagement with the hotel sector.

In March 2026 the ACCC concluded an investigation into [Hyatt Regency Sydney](#) about allegations arising from consumer contacts that its card surcharges were excessive; and also engaged with the broader regional group, Hyatt Hotels Corporation about the issues (Hyatt). The ACCC was concerned that Hyatt Regency Sydney had imposed card payment surcharges for certain debit cards at a rate higher than the cost of accepting those debit cards, particularly when customers used contactless means to pay by debit card.

Following this investigation, all Hyatt hotels in Australia have implemented practices to ensure that debit cards are not charged at a rate higher than the cost of acceptance, whether or not payment is made via contactless means. The ACCC also disseminated messaging about this outcome, and our [card payment surcharges guidance for businesses](#), to stakeholders in the accommodation sector.

Motor Vehicle Information Scheme

The ACCC advocated for changes to improve the Motor Vehicle Information Scheme (MVIS). The MVIS requires car manufacturers and importers to make available information required to diagnose faults with, service and repair motor vehicles to all Australian repairers and registered training organisations. The same information must be made available to all repairers in a form that is reasonably accessible, provided within certain timeframes at a price which does not exceed fair market value.

The ACCC's submission to the Government's review of the MVIS identified some areas for improvement so the scheme can better achieve its objectives. For example, we found that ambiguous language was leading to misinterpretation of the intent of some scheme provisions, and there is a need for infringement notices to be available as a potential enforcement tool for more provisions of the scheme.

The ACCC also participated in Government's [consultation](#) to expand the MVIS to also apply to agricultural machinery, and to improve the operation of the existing MVIS. The ACCC's submission is yet to be published.

Industry codes of conduct

The Franchising Code of Conduct (Franchising Code) is a mandatory industry code that regulates the conduct of franchising participants toward each other. It is intended to address the imbalance of power between franchisors and potential and existing franchisees.

In 2025 the Australian Government provided additional funding to the ACCC over 2 years to strengthen our enforcement of, and education around, the Franchising Code and to allow us to undertake its new role of administering the Franchise Disclosure Register (the Register). The ACCC assumed responsibility from the Treasury for administering the Register from 21 October 2025. This role is in addition to the ACCC's ongoing role enforcing compliance with the Franchising Code's Register requirements. Maintaining accurate, up-to-date profiles on the Register is a crucial obligation for franchisors. It ensures prospective franchisees can make informed decisions based on reliable information. Failure to keep these profiles current compromises transparency and misleads prospective franchisees.

Following the transfer of the administration of the Register, the ACCC implemented changes to the franchise disclosure register website, including the franchisor portal where franchisors create and update franchise profiles. These changes were made to address feedback received from franchisors,

improve the process of creating and updating profiles and improve the user experience of franchisors and prospective franchisees visiting the franchise disclosure register.

A condition of our additional funding is to provide 6-monthly reports to government on the progress of ACCC's regulatory actions and their effectiveness in the franchising sector. The following is a summary of the aspects of that report that relate to our enforcement actions. Key activity 4.2 discusses our other regulatory actions in the franchising sector from these reports.

In August 2025 [HN Macgregor Franchisor Pty Ltd](#), the franchisor for Harvey Norman, paid an infringement notice penalty of \$15,650 for allegedly failing to include mandatory information on the Register before entering into an agreement with a franchisee in July 2024.

In March 2026 [Luxottica Franchising Australia Pty Ltd](#) paid an infringement notice penalty of \$19,800 for allegedly failing to annually update or confirm its information on the Register.

The ACCC is closely monitoring levels of franchisor compliance with the Register, to inform targeted engagement with noncompliant franchisors and, where appropriate, enforcement action.

Other industry codes of conduct work over the period included the following:

- [Coles Supermarkets Australia](#) paid \$39,600 in penalties for an alleged breach of the Dairy Code, as its agreements required suppliers to provide milk exclusively to Coles, while also imposing a cap on the maximum volume of milk that could be produced.
- [Fruitico Pty Ltd](#) and Fresh Express Produces each paid penalties of \$99,000 for alleged breaches of the Horticulture Code by trading with table grape growers without having a compliant horticulture produce agreement in place.
- [Brownes Foods Operation](#) paid \$39,600 in penalties for alleged breaches of the Dairy Code, as its agreements failed to clearly state and justify minimum milk prices.

Other compliance, engagement, policy and advocacy work

In 2025–26 we continued our advocacy efforts in key areas to improve protections and outcomes for consumers:

- **Unfair trading practices:** We provided input to the Government on an unfair trading practices prohibition applying to business-to-consumer dealings; and specific reforms relating to subscriptions and more prominent disclosure of whole-of-transaction fees. On 1 April 2026 the Government introduced the Competition and Consumer Amendment (Unfair Trading Practices) Bill 2026 into Parliament. The Bill passed on 2 July 2026. The ACCC continues to advocate for an unfair trading practices prohibition to also cover business-to-business dealings.
- **Aviation:** We continued to call for improved consumer protections in the aviation sector, including making a [submission](#) to the Government's consultation on a proposed aviation consumer protection framework; and a submission to the Senate Rural and Regional Affairs and Transport Legislation Committee's inquiry into the Aviation Consumer Protection Bill 2026. Our key advocacy is for an independent airline ombuds scheme, modelled on comparable and effective ombuds schemes, with the ability to make binding dispute resolution determinations.
- **Supermarkets:** We made a [submission](#) to the Government's consultation on options for strengthening the Unit Pricing Code. We advocated for changes to improve readability of unit prices, address inconsistent units of measure within stores and between competing retailers, introduce a product size change notification regime (to provide greater transparency around what is commonly known as 'shrinkflation'⁹), and introduce civil penalties to the Unit Pricing Code.

9 Shrinkflation occurs where the size of a product is reduced while the price remains the same (or is increased).

We also made a submission to the Government's consultation on improving price transparency in the supermarket sector. The consultation explores options to implement recommendations in the [ACCC's Supermarket Inquiry Final Report](#) relating to displaying prices, publishing prices online, setting minimum information requirements for discount price promotions, providing members with periodic loyalty program summaries, and enabling large supermarkets' online pricing information to be collected by third parties.

In April 2026 we promoted compliance with the consumer guarantees by [publishing data](#) on the increase in reports to the ACCC about consumer guarantees, which rose by 20% to over 38,000 in 2025, compared to the previous year. We provided tips for consumers and key compliance messages for businesses, particularly those in the electronic and whitegoods sector, including through media and social media messaging.

Over the period, the ACCC also continued to engage with the Treasury as it considered progression of the Commonwealth and state and territory governments' November 2025 decision to amend the ACL to introduce prohibitions and penalties to enhance the effectiveness of the consumer guarantees and supplier indemnification regime. The ACCC has long advocated for this reform, and welcomes the governments' [announcement](#).

In March 2026, the ACCC made a [submission](#) to Treasury's review of the unfair contract terms provisions in the ACL. While we noted that as the amendments have only been in effect for a relatively short period, there has been limited time for court consideration of the amended provisions, but we had observed a considerable positive impact from the introduction of the amendments alone, with many businesses proactively reviewing and amending their standard form contracts to ensure compliance. We also advocated for infringement notices to be available for breaches of the unfair contract terms provisions, to broaden the ACCC's unfair contract terms compliance and enforcement toolkit, and allow more proportionate approaches. We welcome the Government's decision in its May 2026 [Final Report of the Review of the Amended Unfair Contract Terms Provisions](#) to amend the ACL to provide for infringement notices as a remedy for unfair contract terms breaches.

On 1 January 2026, the Competition and Consumer (Industry Codes – Cash Acceptance) Regulations 2025 commenced. The regulations require certain retail businesses supplying motor fuel and groceries to provide customers with a reasonable opportunity to pay in cash between the hours of 7 am and 9 pm for in-person payments of \$500 or less. We [published guidance](#) on the codes, including in relation to the process for applying for an exemption and the ACCC's role in enforcing compliance with the codes. In 2025–26 we also engaged with impacted sectors to help them understand their obligations and comply.

International collaboration

The ACCC collaborated with our international counterparts to pursue effective consumer protection enforcement, compliance and regulatory outcomes. Our collaboration with our international partners is important to identify emerging consumer protection issues, leverage international good practice and tackle cross-border issues that impact Australian consumers and businesses.

Three important forums for the ACCC's international consumer protection collaboration are the International Consumer Protection Enforcement Network (ICPEN); the OECD Committee on Consumer Policy (CCP) and its Working Party on Consumer Product Safety (WPCPS); and the Pacific Island Network of Competition Consumer and Economic Regulators (PINCCER).

The ACCC continued to be an active contributor to ICPEN. ICPEN is a global network of consumer protection agencies that encourages practical cooperation and enforcement good practice. This year the ACCC participated in the ICPEN Agency Effectiveness Working Group and the Digital Tools and Techniques to Support Consumer Protection Enforcement Working Group. A key project under the Agency Effectiveness Working Group is the ICPEN Mentorship Program, which the ACCC has supported since its inception. The ACCC has valued the opportunity to partner with colleagues at

Indonesia's Ministry of Trade under the Mentorship Program and to strengthen these important relationships that underpin regional cooperation. This year the ACCC also took on the new role of ICPEN Regional Contact for Member Activation for the Asia-Pacific region.

The OECD CCP and WPCPS forums provide the opportunity for the ACCC to collaborate with other consumer protection authorities and policymakers to explore emerging consumer protection issues; innovative enforcement practices; and the intersection between consumer protection, product safety and other OECD policy areas like competition and digital regulation. These activities help inform the ACCC's understanding of complex, cross-border consumer protection issues, effective enforcement and compliance practices, and shifting international regulatory landscapes that impact global markets. The ACCC was appointed to a Vice Chair leadership position in both forums for 2026.

Since 2020 the ACCC's Consumer Affairs Program (CAP) has been working with New Zealand and ASEAN Member States to strengthen the implementation of national consumer protection laws and promote regional cooperation in South-East Asia. In addition to this regional cooperation, in 2025–26 the ACCC facilitated a number of bilateral partnerships aimed at promoting information sharing on enforcement and compliance strategies, advocacy and consumer empowerment, and greenwashing and sustainability issues.

Throughout 2025–26 the ACCC has focused on deepening its bilateral engagement and building institutional relationships with South-East Asian consumer protection regulators, including Cambodia's Consumer Protection and Competition Directorate-General, the Vietnam Competition Commission, Thailand's Office of the Consumer Protection Board, and Indonesia's Directorate of Consumer Empowerment within its Ministry of Trade. Staff exchanges facilitated close agency engagement on issues such as consumer product safety, investigation skills and consumer law reform. Virtual technical meetings and webinars allowed opportunities for peer-to-peer learning. Our programs aimed to support the work of our partners and to promote more confident and empowered consumers, which will ultimately contribute to efficient, responsive and resilient markets in the region.

Highlight: Strengthening collaboration and regulatory capacity across the Pacific and South-East Asia

New partnership with the Pacific

In 2025–26 the ACCC deepened its partnerships with counterpart authorities across the Pacific region through the establishment of the ACCC-Pacific Islands Cooperation Program (APIC). With support from the Department of Foreign Affairs and Trade, the ACCC will deliver a 3-year program of activities aimed at strengthening the capacity of competition, consumer and economic regulators across the Pacific region. The program recognises that robust competition and consumer protection frameworks facilitate well-functioning markets and improved domestic business environments, which will support increased investment in the region and sustainable economic growth in the long term.

APIC was launched in response to growing interest from our Pacific counterparts in enhanced regional cooperation and greater regulator-to-regulator support. The program will facilitate experience and knowledge sharing between regulators in the Pacific region and support emerging and younger authorities in advocating for robust competition and consumer law and policy, and in implementing and enforcing new or existing regulatory frameworks.

We will leverage our extensive experience designing and delivering regional cooperation programs, gained through the ACCC's Consumer Affairs Program (CAP) and its sister program, the Competition Law Implementation Program (CLIP), to deliver targeted activities, such as peer-to-peer mentoring and workshops, that are adapted to our Pacific partners' priorities and regulatory environments. APIC will also support the ongoing governance and initiatives of the Pacific Island Network of Competition, Consumer and Economic Regulators (PINCCER), which has provided a platform for regional cooperation since it was established in 2023.

Under APIC, the ACCC supported regulatory officials from 8 other Pacific jurisdictions to attend the second PINCCER conference in March 2026, hosted in Auckland by the New Zealand Commerce Commission. The conference brought regulators together to discuss their priorities, strengthen the relationships that underpin effective regional cooperation, and identify practical solutions to current and emerging challenges.

Through PINCCER and bilaterally, we will continue to work closely with our Pacific partners to support stronger competition and consumer protection outcomes across the region.

Strengthening collaboration in South-East Asia

Building on the strong relationship established under the CAP, the ACCC has extended its engagement with Indonesia with support from the Australia-Indonesia Partnership for Economic Development (Prospera) Program. Through Prospera, the ACCC has been collaborating closely with Indonesia's Directorate of Consumer Empowerment within its Ministry of Trade to deliver targeted technical cooperation designed to support different aspects of consumer protection. During 2025–26 participation by other Directorates with consumer protection responsibilities within the Ministry increased, extending the reach of the program and strengthening interagency connections.

The ACCC and Indonesia's Ministry of Trade also partnered in the 2025–26 International Consumer Protection Enforcement Network (ICPEN) Mentoring Program. This partnership further deepened the institutional relationship between the ACCC and Ministry of Trade and provided new opportunities to promote regional cooperation in consumer protection.

Amplifying regional voices in international forums

This year in ICPEN, the ACCC took on the new role of Regional Contact for Member Activation for the Asia-Pacific region. In this role the ACCC has acted as a point of reference for ICPEN members and partners in Asia-Pacific, helping authorities navigate the Network and benefit from its activities; and promoting regional representation and participation in ICPEN.

The ACCC's participation in the ICPEN Mentorship Program, its role as ICPEN Regional Contact for the Asia-Pacific and its support through PINCCER and the Prospera Program have provided opportunities to strengthen bilateral relationships between the ACCC and Pacific and South-East Asia partners; and to encourage greater international representation and cooperation in the region.

Key activity 4.2: Empower small businesses by increasing awareness of their rights under the Australian Consumer Law and industry codes

About this key activity

This key activity relates to the work we do to assist the small business sector to:

- understand and exercise their rights under the Competition and Consumer Act as the customers of or suppliers to larger businesses
- understand and comply with their obligations to consumers and other businesses under the Competition and Consumer Act.

Our aim is to promote a competitive and fair operating environment for small business and ensure they understand how the legislation can help them.

The ACCC supports small businesses by educating them about their obligations under the ACL; raising awareness about their rights under the ACL and industry codes; disseminating related resources, including the updated [ACCC Small Business Tool Kit](#); and engaging with industry groups and business associations. We may also undertake relevant research or guidance projects to help improve compliance with the ACL and industry codes. As a strategic regulator, we focus on interventions that can influence behaviour across industries and the economy.

Outcomes achieved

In addition to the performance measure results and analysis under Table 3.6, the outcomes achieved, as detailed below, provide a snapshot of the impact of our work and demonstrate how this contributes to achieving our purpose.

Improvements to the Small Business Toolkit

The Small Business Toolkit is a one-stop shop that brings together all of the ACCC's guidance and resources for small businesses in one place. In 2025–26 we made a wholesale review and update of the toolkit to ensure it remains relevant reflects the current business environment and is user-friendly.

The toolkit is designed to help small businesses understand their obligations, and the laws that protect them, so they can engage with confidence and make informed decisions. It also reinforces the ACCC's role in promoting a fair and competitive marketplace, where small businesses have the opportunity to operate on a level playing field.

Industry codes of conduct

Franchising Code of Conduct

The ACCC received 462 franchising-related contacts in 2025–26, slightly more than we received in 2024–25. Almost all franchising-related contacts described behaviour, at some point during the franchise relationship, that the complainant believed failed to meet the Franchising Code's obligation to act in good faith. More than 50% of contacts alleged that their franchisor failed to act in good faith, or deliberately misled them, during pre-contract negotiations (for example, by misrepresenting future earning capacity or costs for setting up and running the franchise).

The contacts and intelligence the ACCC received in 2025–26 show that franchisees continue to seek quick resolutions to their individual disputes but do not appear empowered to resolve their issues directly with franchisors, attempt alternative dispute resolution or pursue private legal action: 70% of contacts appear not to have attempted mediation or sought independent legal advice prior to contacting the ACCC. However, most contacts do appear aware of the Franchising Code, either from ACCC guidance or engagement or other sources.

The ACCC undertook substantial education and engagement activities in relation to the franchising sector and the April and November 2025 changes to the Franchising Code. These activities were targeted at 3 main audiences: franchisors, franchisees, and industry bodies and professionals. We made updates to our web guidance on changes to the Franchising Code after targeted consultation with industry stakeholders. We translated certain franchising and small business webpages into other languages and updated our free franchising online course to reflect changes to the Franchising Code.

We also ran a new targeted franchising social media campaign to raise awareness and drive franchisees and prospective franchisees to our updated and translated guidance. The information helps prospective franchisees better understand the commitments and obligations involved before entering a franchise system. The advertising delivered over 23 million impressions through digital display, over 1.9 million impressions on social media and 168,000 impressions through digital search. Advertising to reach Chinese, Hindi and Punjabi audiences achieved over 1.9 million impressions on Meta and 1.8 million impressions on Weibo. The campaign resulted in around 80,000 additional views of our web content.

We engaged with our stakeholders on important small business and franchising issues. We communicated with subscribers to our small business information network and franchising information network bulletins. We sent 38 bulletins to over 10,000 subscribers. We increased our physical attendance at franchising and small business-related events, attending 12 events over the period.

Food and Grocery Code

The Food and Grocery Code of Conduct remained a key focus for the ACCC during 2025–26 following the commencement of the mandatory code on 1 April 2025. The code applies to large grocery businesses that earn more than \$5 billion from grocery retailing or wholesaling activities and provides important protections for suppliers in their dealings with those businesses.

During 2025–26 we updated guidance materials and published a media update following the end of transitional arrangements on 1 April 2026. These arrangements had delayed the application of some new code requirements to grocery supply agreements entered into before 1 April 2025. We also continued to engage with industry stakeholders through meetings and other outreach activities to support compliance with the code.

The ACCC continued to receive information about potential noncompliance through the dedicated anonymous reporting portal established following recommendations from the 2024 review of the code, as well as through existing reporting channels. This information informed our compliance, education and enforcement activities.

We also continued to work with suppliers, industry representatives and other stakeholders to improve understanding of the protections available under the code and encourage reporting of conduct that may raise concerns.

First Nations small businesses

The ACCC's First Nations team works with government and businesses to understand the challenges for First Nations small businesses.

In 2025–26 we conducted several outreach activities that gave us opportunities to engage directly with small business owners and raise awareness of fair trading practices and protections available under the ACL. The First Nations team's outreach activities involving small businesses included liaison with Circular Head Aboriginal Corporation in Tasmania; and Tribal Warrior Aboriginal Corporation and NSW Indigenous Chamber of Commerce in Redfern, New South Wales. The ACCC also expanded participation in Black Coffee networking events across Perth, Darwin, Adelaide, Hawkesbury and Western Sydney; and participated in the Northern Territory October Business Month in Alice Springs in October 2025. We continued to promote our First Nations Small Business resources, which we supply through our networks of contacts, to support accessible, practical education for First Nations small businesses and other stakeholders on ACL and Competition and Consumer Act obligations and rights.

National Disability Insurance Scheme

We provided education for small businesses on the ACL-related concerns summarised in the ACCC's [NDIS report: ACCC observations on consumer issues in the NDIS](#). In particular, we:

- circulated the NDIS report and key messages from the report to NDIS sector stakeholders, through direct emails, sector newsletters and social media posts
- developed a [webpage](#) on provider obligations under the NDIS as a companion resource to highlight for businesses the key findings of the report and key messages on compliance with the ACL
- developed a [printable fact sheet](#) for providers with simple ACL compliance information
- developed a [webpage](#) on ACL compliance for specialist disability accommodation providers
- presented the report findings and information about how the ACL applies to NDIS providers to stakeholders such as the Assistance Technology Suppliers Australia.

Card payment surcharging and pricing display requirements

We engaged with payment service providers and chartered accountants' representative bodies about excessive card payment surcharging provision and pricing display requirements. These entities disseminated our [card payment surcharges guidance for businesses](#) to their small business customers.

Cash Acceptance Mandate

The Cash Acceptance Mandate commenced on 1 January 2026. The mandate prescribes 2 industry codes requiring certain grocery and fuel retailers to accept cash payments for in-person purchases of \$500 or less made between 7 am and 9 pm. The ACCC is responsible for administering and enforcing the mandate.

The ACCC published guidance that explains how the mandate operates, outlines the obligations of regulated entities and provides information about the exemption framework. Development of these materials, together with stakeholder engagement activities, supported understanding of the new requirements across the regulated sectors.

A significant focus of the ACCC's work during the year was assessing applications for exemption from the mandate. These assessments involved consideration of the particular circumstances

of businesses and locations seeking exemption and provided valuable insights into the practical operation of the mandate.

Small Business and Franchising Consultative Committee

The ACCC's Small Business and Franchising Consultative Committee (SBFCC), chaired by Deputy Chair Mick Keogh, continues to meet, allowing industry and government to discuss competition and consumer law concerns affecting small business and franchising sectors. The SBFCC aims to ensure that the interests of the broader small business sector are represented. Its members include industry associations, legal and business advisers and academics.

In 2025–26 meetings addressed a range of topics reflecting key developments and emerging issues, such as:

- changes to the franchising, food and grocery, and unit pricing codes
- merger reform and exemptions implications for small businesses
- AI adoption and digital platforms
- the ACCC's work in the supermarket and retail sector, including the new excessive pricing prohibitions
- the ACCC's role in response to fuel supply and disruptions.

Agriculture Consultative Committee

The ACCC's Agriculture Consultative Committee (AgCC), chaired by Deputy Chair Mick Keogh, continues to meet twice a year, allowing agriculture industry stakeholders to get updates on the work of the ACCC and discuss competition and consumer law issues affecting agriculture industries. In 2025–26 the AgCC meetings addressed a range of topics including merger laws, fuel and fertiliser supply chain issues and Codes of Conduct.

Key activity 4.3: Empower consumers by increasing awareness of their rights under the Australian Consumer Law

About this key activity

This key activity relates to the work we do to assist consumers to understand and assert their rights. Education is an important aspect of our consumer protection work. When consumers can make informed purchasing decisions and are empowered to assert their rights when things go wrong, they can participate in the economy with greater confidence.

The ACCC continues to prioritise work to educate and inform consumers about their rights under the ACL, particularly in the priority areas identified in our Compliance and Enforcement Policy and Priorities (see the introduction to strategic objective 4 for more information) or where changes to the law occur. We achieve this by engaging with the media and connecting directly with consumers through social media and promotional campaigns, events and publications.

Outcomes achieved

In addition to the performance measure results and analysis under Table 3.6, the outcomes achieved, as detailed below, provide a snapshot of the impact of our work and demonstrate how this contributes to achieving our purpose. An overview of ACCC education and awareness-raising activity related to scams can be found in key activity 4.4.

Fuel-related work

As part of the response to the fuel crisis resulting from conflict in the Middle East, the ACCC has significantly increased monitoring, analysis and reporting on fuel markets to provide increased transparency for consumers on pricing movements and their causes. We have also been advocating for consumers to use fuel price apps and websites to compare prices at different retailers before filling up.

National Disability Insurance Scheme

We developed a webpage on ACL consumer rights and the NDIS as a companion resource to highlight for consumers the key findings of our [NDIS report: ACCC observations on consumer issues in the NDIS](#), including tips and key messages to help consumers in the Scheme to better understand their ACL rights.

After the report was published, the ACCC presented to a range of relevant consumer organisations, such as Inclusion Australia and Queensland Advocacy for Inclusion, to explain NDIS participants' ACL rights.

Ghost stores

The ACCC conducted an awareness campaign to complement our compliance and disruption actions in relation to ghost stores. We issued a [media release](#) to raise awareness about the risks of engaging with ghost stores and educate consumers about what warning signs to look for to determine if an online retailer may be a ghost store. The campaign also helped consumers understand what to do if they purchased something from a ghost store and noted the ACCC's engagement with Shopify and Meta Platforms on this issue.

In December 2025, in the lead-up to end-of-year sales, the ACCC utilised social media to remind consumers how to distinguish ghost stores from genuine online retailers and further warned consumers of the risks of engaging with ghost stores.

Black Friday and Boxing Day sales advertising

The ACCC's Black Friday and Boxing Day sales compliance initiative included using media releases and social media posts to provide consumers with tips on things to look out for and claims to be wary of.

Supporting First Nations Australians

Through our First Nations team, the ACCC has expanded its engagement with several First Nations communities and representative organisations to share important consumer and fair trading information relevant to First Nations Australians. We conducted our outreach in person, virtually and by proxy – this enabled the team to establish external networks nationally with First Nations communities, advocates and key stakeholder groups that we continue to develop.

In June 2025 the First Nations team travelled to Cherbourg to partner with Queensland Justice and the Yarn Up community to deliver consumer education on general ACL rights, scams, dispute resolution, and project safety information.

In August 2025 we partnered with the NDIS Quality and Safeguards Commission to undertake outreach across the APY Lands, visiting Iwantja, Mimili, Kaltjiti and Pukatja, sharing consumer rights information and hearing directly from community members about their experiences accessing disability support services.

In October 2025 the First Nations team attended the Financial Counsellors Association of Western Australia Conference, participating in a panel alongside the Australian Securities and Investments Commission (ASIC) and Consumer Protection WA on consumer issues affecting people experiencing financial hardship. The team also hosted a marketplace stall, promoting ACCC resources and distributed scam awareness publications while strengthening relationships with key stakeholders.

In February 2026 we undertook community outreach in Tasmania, visiting organisations in Hobart, Burnie, Smithton and Launceston. Engagements included Tasmanian Aboriginal Legal Service in Burnie and Launceston, Melaythenner Teeackana Warrana Aboriginal Corporation and the Tasmanian Aboriginal Elders Council.

In May 2026 the First Nations team visited community organisations in Redfern, New South Wales, including Wyanga Aboriginal Aged Care, National Centre of Indigenous Excellence, Coota Girls, Mudgin-Gal Women's Place, and Aboriginal Medical Service Redfern.

We continue to promote our ACL booklet (distributed largely in hard copy) to communities and other First Nations consumer stakeholders. The booklet provides accessible basic information on consumers' rights under the ACL.

In collaboration with the National Anti-Scam Centre (NASC), the team has delivered sessions in community to raise awareness of the types of scams, how to report them and reminders to Stop. Check. Protect.

We continue to regularly post on the ACCC's Your Rights Mob Facebook page, providing education on common or topical First Nations consumer issues.

Motor vehicles

In December 2025 the ACCC released a [report](#) on work undertaken by the Consumer Senior Officials' Network Second-hand Motor Vehicles Working Group. The report reflects the ACCC's, ASIC's and the state and territory consumer protection agencies' collective experience of second-hand car reports from consumers, the applicable regulatory frameworks at a state and territory and Commonwealth level, initiatives being undertaken by consumer protection agencies to improve consumer outcomes, and law reform that will assist to address harms when enacted.

To accompany this report, the ACCC updated our [consumer guidance](#) on buying cars and promoted the guidance on social media. This included developing tips for consumers when buying new or second-hand cars.

Other general consumer guidance and awareness raising

In March 2026 we commenced a campaign to raise general awareness of consumer rights, with the tag line 'Consumer rights are with you every day'. Advertising appeared across digital video (YouTube and Subscription Video on Demand channels such as Netflix, Binge, Kayo and ESPN), social media (Facebook and Instagram), and audio streaming services (such as Spotify).

In 2025–26 we also continued to provide guidance on our social media for consumers by publishing posts and reels covering general information on consumers' rights, tips and what to look out for on topics such as shopping online; auto-renewing subscriptions; consumer guarantees; refunds and returns; consumer rights in online gaming; booking travel; rights for cancelled travel; pyramid schemes; unit pricing; buying solar power and home batteries; and how consumers can assert their rights. We also published a video on general consumer rights for Consumer Rights Day on 15 March 2026.

Consultative committees

The ACCC regularly engages with a range of consumer representatives and organisations with expert knowledge of issues affecting Australian consumers, including through our Consumer Consultative Committee. In 2025–26 we hosted 4 meetings of the committee and also facilitated the annual joint meeting with ASIC and each agency's consultative body. This year's joint meeting was focused on unsolicited selling and lead generation. Further information sessions for members were held during the year for those who were interested, focusing on key topics for the ACCC such as understanding industry use of AI.

Other engagement activities

2026 National Consumer Congress

This year's National Consumer Congress was held in Sydney on 19 June 2026, with the theme of 'Making it count. What does it take to achieve real change?' Keynote speeches and panel sessions focused on the importance of delivering impactful consumer and market outcomes. The congress explored what real life impact looks like via case studies and the critical importance and value of persistent advocacy, along with co-designing meaningful outcomes. Panellists also considered how system design can influence consumer decision making, including governments using the same techniques to enhance consumer outcomes. Experts also discussed the use of data to measure the impact of solutions.

2026 Ruby Hutchison Memorial Lecture

Each year the ACCC jointly hosts with CHOICE the Ruby Hutchison Memorial Lecture, coinciding with World Consumer Rights Day and honouring Ruby Hutchison, the founder of the Australian Consumers' Association (now CHOICE). This year's lecture was delivered by Karen Cox, the former Chief Executive Officer of the Financial Rights Legal Centre. Karen spoke about responsible lending, the impact on consumers, and the changes she had seen (and still wishes to see) throughout her career as a consumer advocate and representative.

Contacts to the ACCC – the ACCC Infocentre

The ACCC Infocentre is the initial contact point for enquiries and reports about competition, consumer, product safety and fair trading issues. We receive contacts by online forms, telephone and letter, and we triage them in line with the priorities and factors outlined in our Compliance and Enforcement Policy and Priorities. The contact data we collect helps us to identify new issues. It is also a valuable source of intelligence that helps us to identify trends and patterns, informs our priorities and assists with current enforcement and compliance activities.

The reports we receive are escalated through a series of increasingly detailed assessment stages for enforcement purposes. We analyse the data to establish trends, identify issues for further inquiry and develop compliance responses.

Table 3.7: Contacts recorded in 2025–26

Category	2020–21	2021–22	2022–23	2023–24	2024–25	2025–26
Contacts served by telephone and received in writing [#]	396,190	379,902	408,563	397,225	334,218	309,259
Contacts recorded in the database	377,862	376,194	401,457	389,244	326,016	299,059
Scams contacts recorded in the database	259,655	267,440	290,371	288,604	223,360	184,149
Non-scam contacts recorded in the database	118,207	108,754	111,086	100,640	102,656	114,910

[#] This figure includes contacts served by the Infocentre and scam reports received by Scamwatch.

Key activity 4.4: Empower consumers and businesses to combat scams by collecting and sharing data and intelligence across the scam ecosystem and coordinating and conducting scams prevention, disruption and awareness activities

About this key activity

This key activity relates to the work conducted by the [National Anti-Scam Centre](#) (NASC). The NASC, launched on 1 July 2023, enables government, industry, law enforcement and community to work together to increase consumer trust and confidence in the digital economy. The NASC harnesses shared resources and smarter analytics to cover blind spots and strengthen weak links. It uses data to react faster, turning evidence into opportunities to educate the public and support businesses to disrupt scams.

The NASC is built on 3 pillars: collaboration, disruption, and awareness and protection. It is achieving this by bringing together experts from government, law enforcement and the private sector to disrupt scams. Members of the NASC analyse and act on trends to disrupt scams from shared data as well as raising consumer awareness about how to spot and avoid scams.

The ACCC will continue to support the NASC in its mission to detect and disrupt the harm caused by scams.

Outcomes achieved

In addition to the performance measure results and analysis under Table 3.6, the outcomes achieved, as detailed below, show the impact of our work and demonstrate how this contributes to achieving our purpose.

National Anti-Scam Centre

The NASC leads a coordinated, intelligence-led approach to scam prevention by facilitating the timely sharing of intelligence, identifying emerging trends and supporting collaborative scam disruption.

The NASC works with government, regulators, law enforcement, industry and consumer organisations and is guided by:

- the Advisory Board, which has a diverse membership from peak industry and consumer groups, victim support services and others with relevant expertise
- the Regulator Steering Group, consisting of representatives from the ACCC, ASIC and the Australian Communications and Media Authority (ACMA).

In addition, the NASC participates in a range of cross-sector and working groups in Australia and internationally to design and operationalise intelligence-sharing mechanisms, support nationally consistent scam disruption efforts and ensure consistent messaging across the anti-scam ecosystem.

The NASC-led Emerging Trends and Responses Working Group brings together more than 70 organisations from across government, regulators, industry, digital platforms, law enforcement and consumer bodies to share intelligence, coordinate disruption activity and inform public warnings. The group meets regularly and is supported by ongoing engagement between meetings, including

bilateral follow-ups and coordinated responses to emerging scam threats. Members receive fortnightly reports from the NASC about particular scams and regularly hear from guest speakers about the latest scam disruption and victim support techniques.

Targeting Scams report

The NASC published its annual [Targeting scams: report of the National Anti-Scam Centre on scams data and activity 2025](#) (Targeting Scams report) in March 2026.

The Targeting Scams report showed Australians reported losses totalling \$2.18 billion in 2025 – an increase of 7.8% from 2024. The report uses data from Scamwatch, ReportCyber, the Australian Financial Crimes Exchange (AFCX), IDCARE and ASIC. Over the same period, report volumes remained relatively steady, with 481,523 scam reports compared with 494,732 in 2024.

The Targeting Scams report highlights that, despite the increase in combined financial losses in 2025, work in this area slowed the growth in losses from a peak in 2022 of \$3.15 billion. While Scamwatch data shows a reduction in the median reported loss to scams, from \$500 in 2024 to \$400 in 2025, our most vulnerable Australians remain disproportionately impacted by scams. First Nations Australians and culturally and linguistically diverse communities reported higher median losses compared with other groups. Older Australians, who according to the Australian Bureau of Statistics make up approximately 17.1% of the population, accounted for 26.5% of overall losses reported to Scamwatch. This highlights the importance of ongoing collaboration and the obligations in the Scams Prevention Framework.

The Targeting Scams report found that combined losses were highest for investment scams (\$837.7 million), payment redirection scams (\$166.8 million), romance scams (\$139.9 million), phishing scams (\$97.6 million) and remote access (\$69.9 million).¹⁰ The top contact methods by number of reports with loss were online (19,169), email (4,329), phone call (2,012), text message (1,603) and in person (870). The top payment methods by overall loss were cryptocurrency (\$121.3 million), bank transfer (\$118.1 million), cash (\$10 million), credit card (\$9.1 million) and other gift cards (\$5.8 million).

Fusion cell work

Fusion cells are time-limited taskforces that bring together expertise from government and the private sector to address specific, urgent scam issues. The NASC's third fusion cell, addressing romance scams, ran from July 2025 to December 2025. This was the first fusion cell that involved scam survivors, who bravely shared their experiences. The [Romance Scam Fusion Cell final report](#) was published in March 2026. Key outcomes included:

- establishing new frameworks between banks and digital currency exchanges for sharing suspected scam transactions, stopping the theft before it occurs
- sharing URLs used in romance baiting investment scams with digital currency exchanges and identifying related scam-linked blockchain transactions
- referring 377 scam websites, WhatsApp accounts, emails and social media profiles for takedown and blocking
- referring 1,004 suspected scam transactions and 168 suspect scam cryptocurrency wallet addresses for investigation, blocking and blacklisting
- improving on-platform screening and safety by sharing romance scam trends and scammer tactics intelligence with digital platforms
- introducing new operational capabilities, including frontline response guides and strategies for connecting victims with support services

¹⁰ This includes data from Scamwatch, ReportCyber, the Australian Financial Crimes Exchange (AFCX), IDCARE and ASIC.

- developing support and development resources, such as online self-assessment tools and awareness materials for First Nations communities
- establishing an [online relationship health check](#) to assess potential indications of scam behaviour when meeting people online.

Connecting scams data sources: technology strategy

As part of the Australian Government's investment in the NASC, funding was provided to build and enhance the NASC's technology over 3 years. Over the last 12 months the NASC's technology has focused on:

- enhancing existing data sharing capabilities through a new, centralised system that is auditable and streamlined
- restructuring data holding systems to improve data quality for data analysis, dashboards and reporting
- automating existing manual scam disruption and intelligence-gathering processes to support appropriate, necessary and timely disruption activity.

These outcomes have strengthened the NASC's technology capability and support its readiness to implement its upcoming mandate under the Scams Prevention Framework and associated industry codes as they are finalised.

Scams guidance and education work

While scams guidance and education is designed for all Australians, specific initiatives are in place to support vulnerable groups to protect themselves from scams. These initiatives focus on First Nations communities, older Australians, youth and children, people from culturally and linguistically diverse backgrounds, those living with a disability, and small businesses.

In 2025–26 key activities included:

- delivering over 50 in-person and virtual consumer awareness presentations
- distributing over 154,988 physical copies of [The little book of scams](#) (cumulative total across all languages, including the First Nations version)
- publishing new scams awareness material, including a scam quiz, digital and printable resources available in 22 languages, and dedicated resources for First Nations people
- automatically referring scam victims to IDCARE for practical advice and support. In 2025–26 the NASC referred 7,492 reports to IDCARE.

Scams Awareness Week 2025

Scams Awareness Week 2025 aimed to raise community awareness of the 'Stop. Check. Protect.' messaging framework introduced in the national campaign in early 2025. It ran from 25 to 29 August 2025.

Four short videos were produced to share the real stories of Australian victims and were used in advertising and distributed to over 600 stakeholders to share with their audiences and spread the messaging. Other outcomes included:

- over 900 media mentions, with an estimated cumulative audience reach of over 25 million
- over 140 social media posts by industry, government and community tagged Scamwatch during the week. Many of these were highly creative and used the 'Stop. Check. Protect.' messaging framework
- Meta advertisements reaching almost 1 million people and TikTok advertisements reaching 347,882 people.

Scams campaigns

The NASC published new Scamwatch guidance for family and friends to support and assist their loved ones affected by scams and promoted these through a Meta and Google Search campaign (November to December 2025). From March to May 2026 the NASC ran a romance scam campaign using Meta, video on demand and YouTube advertising to raise awareness of how scammers build trust online to extract money.

Scams Prevention Framework

The [Scams Prevention Framework Bill 2025](#) introduced a new Part IVF to the Competition and Consumer Act. The framework responds to the growing prevalence and impact of sophisticated scams that exploit gaps across sectors. It establishes a coordinated, economy-wide approach, requiring designated sectors to implement governance processes; take proactive steps to prevent, detect, disrupt, respond to and report scams; and share actionable scams intelligence with the ACCC.

The framework includes new compliance monitoring and enforcement functions for the ACCC in relation to scams, as the ACCC is the 'SPF general regulator'. The Government has announced its intention for the ACCC to also be designated as the sector regulator for the digital platforms scams code, and ASIC and ACMA will be the sector regulators for the banking and telecommunications sectors respectively.

Banks, telecommunications providers and certain digital platforms (offering designated social media services, paid internet search services, professional networking services and/or instant messaging services) will be the first sectors required to comply with the framework. The ACCC has been working closely with ASIC and ACMA to develop arrangements for the multi-regulator model, as well as a regulator roles and responsibilities statement and industry guidance for the framework principles. The ACCC is preparing for its compliance and enforcement role, including by making information-sharing arrangements to support the ACCC's, ASIC's and ACMA's compliance and enforcement work.

In early 2026 the NASC held workshops with industry, regulators and consumer organisations to develop proposals to inform advice to the Assistant Treasurer about the systems and settings to be used for intelligence sharing under the SPF. Bilateral and multi-lateral meetings were held, as well as sector-wide and cross-sectoral workshops, in person and digitally, totalling more than 50 engagements. The process also included the opportunity for written feedback on the proposed draft recommendations after workshops.

We have recommended a scalable, minimum viable product (MVP) approach as a first step to actionable scams intelligence data sharing. In addition, we have begun coordinating an actionable scams intelligence pilot involving the NASC, 2 data sharing gateways, and 6 participant businesses from across the 3 SPF-designated sectors.

Strategic objective 5: Protect consumers from unsafe products

About this strategic objective

To achieve this strategic objective, we undertake the following key activities:

- 5.1 Identify safety hazards in consumer products and prioritise the risks that may result in serious injury and death.
- 5.2 Address the highest priority risks of serious injury and death arising from safety hazards in consumer products through regulation, education, compliance and enforcement actions.

The ACCC uses an intelligence-led approach to assess current and emerging consumer product safety risks. We work to improve the product safety data available to us, as there are material gaps and inconsistencies in available data and this work is a priority. We review a range of data sources to identify safety concerns – for example, our data comes from:

- supplier mandatory and voluntary reports
- consumer complaints
- media reports and other publications
- market surveillance to identify noncompliant or unsafe products
- networks of consumers, business, government and other organisations, including injury surveillance units
- international networks and sources such as EU SafetyGate, Health Canada, the United States Consumer Product Safety Commission NEISS Database, the OECD Global Recalls Portal, and information sharing as part of regular international product safety regulatory engagement.

We triage and assess information we receive and, where warranted, take action such as:

- negotiating the voluntary recall of goods
- industry and consumer education and awareness raising, including publishing safety warnings and targeted communication initiatives
- negotiating voluntary changes to package labelling or product design
- making recommendations for regulatory action by the Minister – for example, standards, bans, compulsory recalls or safety warning notices
- reviewing existing product safety mandatory standards and bans, and implementing resulting changes made by the Minister
- advocating for reforms to the product safety framework, including consideration of stakeholder feedback and consumer experiences
- taking compliance or enforcement action.

Our consumer product safety responsibilities form part of Australia's overall product safety framework. Our responsibilities are complemented by the role of state and territory fair trading regulators that share ACL responsibility with the ACCC and specialist safety regulators that are responsible for the safety of specific classes of goods, such as electrical safety, food standards, therapeutic goods and road transport.

Our priorities

Each year we identify product safety priorities to target risks posed by unsafe consumer goods and to raise public awareness. Our priorities are informed by analysis of our internal data, media reports and public and targeted consultation.

Our Product Safety Priorities for 2025–26 were:



Digital economy: Competition, product safety, consumer and fair-trading issues in the digital economy, with a focus on misleading or deceptive advertising within influencer marketing, online reviews, in-app purchases and unsafe consumer products



Young children: Consumer product safety issues for young children, with a focus on compliance with button battery standards and raising awareness about new infant sleep and toppling furniture standards



Mandatory standards: Updating mandatory standards to help improve safety, broaden choice and lower costs



Lithium-ion battery safety: The ACCC will continue to prioritise raising consumer awareness about the safe use of lithium-ion batteries and our work with state and territory electrical safety regulators in managing product recalls. Regulatory reforms are also underway, designed to reduce the product safety risks from lithium-ion batteries



Improving product safety data to identify risks and protect consumers: Product safety data and engagement with consumers and businesses improves our understanding of product safety risks and informs our responses

Performance measures

Table 3.8: Performance measures for strategic objective 5

Performance measures	2022–23	2023–24	2024–25	2025–26		Met?
	Result	Result	Result	Target	Result	
5a. Number of product safety regulatory interventions	3	7	2	3+	2	✗
Methodology: Count of recommendations to the Minister to issue or substantially update a product safety standard, ban, compulsory recall or safety warning notice Data source: Internal records Related regulator best practice principles: 1 and 2 Related key activities: 5.1 and 5.2						
5b. Number of product safety enforcement interventions	4	11	4	3+	3	✓
Methodology: Count of product safety enforcement interventions (court proceedings commenced, section 87B undertakings accepted, infringement, substantiation or public warning notices issued, administrative resolutions) Data source: Internal records Related regulator best practice principles: 1 and 2 Related key activities: 5.1 and 5.2						
5c. Number of product safety education and compliance initiatives	27	20	25	25+	32	✓
Methodology: Count and cross-check of product safety education and compliance initiatives (new or substantially updated guidance or education campaigns for businesses or consumers relating to the safety of consumer products, negotiation of voluntary recalls and other non-enforcement initiatives) Data source: Internal records Related regulator best practice principles: 3 Related key activities: 5.2						
5d. Effectiveness Survey ‘index score’ (out of 100) that key stakeholders agree the ACCC is effective in protecting consumers from unsafe products*	76.7	N/A*	73	70	N/A*	●
Methodology: The index score is the mean (average) response for the question/s across respondents (using the numerical score from the 5-point response scale) transformed into a 0- to 100-point scale. Future targets are set based on 2023 survey results Data source: ACCC Effectiveness Survey Related regulator best practice principles: 1, 2 and 3 Related key activities: 5.1 and 5.2						

* Only conducted biennially.

Analysis of results

We did not meet our target of 3+ regulatory interventions (measure 5a), delivering 2 regulatory interventions during the reporting period. These included a permanent ban on baby bottle self-feeding devices and a new standard for aquatic toys. As this measure is based on a small number of regulatory interventions, the result can be significantly influenced by a single intervention. The outcome also reflects the establishment phase of the limited standards review program. Several reviews are expected to be finalised in the first half of 2026–27, with further regulatory outcomes anticipated later in the year.

We met our target of 3+ enforcement interventions (measure 5b), with all actions aimed at addressing safety hazards in products aimed at young children. Our actions – which included commencement of proceedings, acceptance of a court enforceable section 87B undertaking and issuing infringement notices – related to products containing button batteries and banned magnet products. Our proceedings against Amazon AU is our first enforcement action taken against an online marketplace for product safety noncompliance.

We exceeded our target of 25+ product safety education and compliance initiatives by nearly 30%, achieving 32 initiatives (measure 5c). This included providing suppliers with new or updated guidance to support compliance in relation to infant sleep standards and negotiation of voluntary recalls of decorative and play sand products that may contain asbestos. It also included compliance initiatives aimed at improving product safety online, such as strengthening commitments by online marketplaces that are signatories to the Australian Product Safety Pledge and issuing take-down requests to online marketplaces for toys and games containing potentially deadly small high-powered magnets. We also ran community awareness initiatives to highlight risks and safe use tips on products that included quad bikes, recalled power banks, decorative and play sand products that may contain asbestos, and button batteries.

Key activity 5.1: Identify safety hazards in consumer products and prioritise the risks that may result in serious injury and death

About this key activity

This key activity relates to the methods we use to identify product safety issues and the types of action we take to address risks posed by unsafe consumer goods.

Outcomes achieved

In addition to the performance measure results and analysis under Table 3.8, the outcomes achieved, as detailed below, show the impact of our work and demonstrate how this contributes to achieving our purpose.

Triaging activity and intelligence capability

We take an intelligence-led and strategic approach to assessing current and emerging consumer product safety risks and, where warranted, we take action.

In 2025–26 we received 9,879 reports about product safety. These reports come from a wide range of sources, including consumer and business complaints and enquiries to the ACCC Infocentre; suppliers, through recalls; staff-initiated reports in response to harm identified; surveillance activity; stakeholder engagement; and media monitoring. This is around 24% more than 2024–25 and reflects additional volume across a variety of categories, rather than relating to a specific issue or product.

Of the reports received, many are served by our Infocentre. Reports that indicate a high risk to consumer safety or align with priorities are escalated for further consideration. In 2025–26 this led to 186 assessments and 8 investigations. We published 261 voluntary recalls in 2025–26. From these recalls we received 2,259 progress reports, reviewed the performance of 238 recalls, and negotiated with suppliers to improve the effectiveness and performance of 41 recalls.

As a product safety priority, we continued to explore opportunities to improve how we use our data, as well as obtain further data and intelligence. This is a multi-year endeavour, with key progress in 2025–26 including:

- refinements to our internal reporting to better visualise current and emerging product safety incidents and trends
- enhancements to the supplier 'submit a mandatory report' and 'recall notice' webforms to help consumers and suppliers easily submit a report and improve triaging
- commencement of work to enhance our 'report an unsafe product' webform to make reporting easier and improve the data we receive
- continued involvement in the SafeAge Project – a 3-year Australian Research Council funded research project to strengthen injury prevention strategies by improving knowledge about consumer products in injuries and deaths among older Australians
- establishment of an Expression of Intention to share product safety data between the ACCC and UK Office of Product Safety and Standards.

Key activity 5.2: Address the highest priority risks of serious injury and death arising from safety hazards in consumer products through regulation, education, compliance and enforcement actions

About this key activity

This key activity relates to the types of action we take to address risks posed by unsafe consumer goods.

Outcomes achieved

In addition to the performance measures results and analysis under Table 3.8, the outcomes achieved, as detailed below, show the impact of our work and demonstrate how it contributes to achieving our purpose.

Button battery safety

Improving button battery safety has been a longstanding ACCC product safety priority. If swallowed or inserted, a button battery can result in catastrophic injuries, and even death, in as little as 2 hours. In Australia, 3 children have died from inserting or ingesting button batteries. In June 2022, 4 mandatory button battery safety and information standards came into effect with the aim of protecting children from serious injury and death associated with these batteries.

In 2025–26 we focused on compliance with the button battery standards, taking enforcement action against a number of traders to help achieve both specific and general deterrence.

In November 2025 the ACCC accepted a court enforceable undertaking from [The Wiggles Holdings Pty Ltd, which admitted its Emma Bow headbands likely breached the Australian Consumer Law](#) by failing to contain mandatory button battery safety warnings. As part of the undertaking, the children's entertainment group committed to raising awareness of the dangers that button batteries can pose. In March 2026 the Wiggles' podcast episode for parents focused on raising awareness about button battery safety and product safety for young children more broadly as well as its voluntary recall of the affected product.

In December 2025, following ACCC action, the Federal Court ordered [City Beach to pay \\$14 million in penalties for supplying noncompliant button battery products](#). This was the first court proceeding brought by the ACCC for breaches of the button battery safety standards. The Federal Court found that, between 22 June 2022 and 24 October 2024, City Beach supplied and offered for sale over 57,000 products, across 70 product lines, that were not tested and/or failed to include the required safety warnings. Products included novelty items, desktop toys, coloured lights and accessories which are likely to be attractive to young children. City Beach has appealed the penalty decision.

Between the time the standards commenced on 22 June 2022 and 30 June 2026, we have published 237 voluntary recalls on the ACCC Product Safety website for products considered likely to be noncompliant. In the last 3 years, from April 2023 to 30 June 2026, ACCC investigations concerning compliance with the standards have resulted in 8 enforcement outcomes involving 12 traders. Our actions have resulted in \$14 million in Federal Court ordered penalties, over \$700,000 in penalties paid in relation to 41 infringement notices, 3 section 87B undertakings and 5 administrative resolutions. We continue to work closely with state and territory regulators to investigate concerning

conduct and encourage business compliance; and to promote consumer awareness of button battery safety risks.

Toppling furniture

In 2025–26 toppling furniture was a continuing focus of the ACCC’s ‘young children’ priority area. In Australia, on average, one death and over 900 injuries requiring medical attention are caused every year by toppling furniture. Young children and older Australians are at greatest risk of injury given young children may climb furniture and older Australians may use furniture for support. Of the 28 fatalities attributed to toppling furniture between 2000 and 2022, 17 involved children aged 4 years and under, with another 4 fatalities involving older Australians (over 60 years of age).

Following a 12-month transition period, in May 2025 the [Consumer Goods \(Toppling Furniture\) Information Standard 2024](#) came into effect. It requires furniture suppliers to provide consumers with safety warnings and advice about how to reduce toppling furniture incidents before, during and after purchasing.

Between 16 June to 31 July 2025 the ACCC worked in partnership with state and territory ACL regulators conducted national surveillance of in-store and online retailers to help raise awareness and promote compliance with the Information Standard. This surveillance activity involved more than 160 businesses and over 3,000 furniture products. The ACCC media release published on 6 November 2025 highlighted that [most furniture suppliers failed the mandatory toppling furniture safety rules](#). Of the 160 businesses considered under this surveillance, 90% had at least one instance of furniture that could topple not having the correct labelling or having no labelling as required by the standard. Where furniture suppliers were assessed as noncompliant, the ACCC and state and territory ACL regulators informed those suppliers and requested rectification. The ACCC will consider compliance and enforcement action where appropriate if further noncompliance is identified.

Infant sleep products

In 2025–26 unsafe sleeping products continued to be a focus under the ACCC’s ‘young children’ priority area. Unsafe infant sleep products pose a significant risk of sudden unexpected death. Research suggests that in Australia, on average, 10 infants die by suffocation or asphyxiation in unsafe infant sleep products each year. Our research also indicates the risk is greater when an infant is placed to sleep on an inclined surface.

Following an 18-month transition period, in January 2026 the [Consumer Goods \(Infant Sleep Products\) Safety Standard 2024](#) and the [Consumer Goods \(Infant Products\) Information Standard 2024](#) came into full effect. These standards apply to all infant sleep products. The safety standard introduces testing and design requirements to address the risks associated with incline, curvature, rigidity and materials used, in addition to established requirements such as stability and entrapment. The information standards contain information and warning requirements for infant sleep products and inclined non-sleep infant products so that consumers are better informed of infant safe sleep practices, product suitability and related risks.

In July 2025 the ACCC published the [Infant sleep products – supplier guide](#) to increase awareness and support compliance with the new standards. In 2026 we are working in partnership with state and territory ACL regulators to conduct national surveillance to assess compliance with the new standards. The results will inform further steps to support awareness raising and compliance.

Baby bottle self-feeding devices

In 2025–26, as part of our ‘young children’ priority, we conducted a safety investigation into baby bottle self-feeding devices. These devices are designed to position a baby bottle, or bottle teat, so an infant can self-feed without another person holding the bottle or without adult supervision. The devices pose a risk of injury or death to infants as a result of choking, suffocation and aspiration,

as babies do not have the ability to regulate the flow of milk or remove the bottle from their mouths themselves.

In May 2026, following a recommendation by the ACCC, the Assistant Minister imposed a [permanent ban for baby bottle self-feeding devices](#). As a result of the ban, it is illegal to supply or offer to supply these devices in Australia. It is also illegal to manufacture, possess, or have control of a banned product.

ACCC action to address emerging risk – decorative and play sand products that may contain asbestos

Asbestos is a prohibited substance in Australia, with customs, environment, work, health and safety regulations in place to protect the community.

In November 2025 the ACCC became aware of concerns that certain decorative sand products may contain asbestos. We worked closely with Commonwealth and state and territory agencies, noting a number of regulatory frameworks are in place for asbestos. We worked with agencies including the Asbestos and Silica Safety and Eradication Agency, workplace health and safety regulators, the Australian Border Force and health authorities on how to best address the risk posed by these products. We continue to monitor for recalls occurring overseas, engage with international regulators on developments to help protect consumers and consider risk assessment requirements.

Alerting the public

We acted quickly to raise community awareness of the risk posed by the affected decorative and play sand products. This included practical advice regarding action and disposal through traditional and social media activity.

For example, we issued an [ACCC media release warning consumers that decorative and play sand products containing asbestos had been identified](#); and urging consumers to stop using recalled products immediately. We also published a dedicated page on the ACCC Product Safety website and posted about the issue on social media.

We engaged with suppliers to ensure recall information contained clear information about the hazard, how to obtain a remedy and how to safely dispose of the products. In June 2026 we published [supplier guidance on managing and assessing this product safety risk](#).

Voluntary recalls

When a product is potentially unsafe, suppliers have a responsibility to remove the risk to public safety as quickly as possible. Voluntary recalls are a key way to achieve this, with suppliers acting immediately to remove unsafe products from the marketplace and alerting consumers to the risks they have identified.

Once the recall notification is received, the ACCC works with suppliers to ensure the recall notice clearly sets out the hazard and advice for consumers, before we publish the recall on the ACCC product safety website.

In response to this emerging issue, we worked to expedite publishing voluntary recalls of the affected sand products. As at 30 June 2026 we had published 22 [voluntary recalls for sand products](#). We continue to monitor recall performance to check that suppliers are communicating with affected consumers and offering remedies.

Engagement with businesses and online marketplaces

We engaged with businesses to encourage them to conduct a risk assessment, take steps to address risks to consumers regarding these products, conduct a voluntary recall if unsafe products are identified and notify affected consumers. We also engaged with online marketplaces to ensure recalled products were not listed for sale and affected consumers are notified; and encouraged them to assess similar sand products available on their sites and take appropriate action to address the risk to consumers.

Quad bikes

Quad bikes pose a serious risk of injury and death due to their propensity to roll over, which can cause asphyxiation and crush and/or head injuries. Between 2011 and 30 June 2025, Safe Work Australia reported 245 fatalities associated with quad bikes. Product safety issues that have the potential to cause serious harm to consumers are an enduring priority for the ACCC.

Following an ACCC recommendation to the Minister, the [Consumer Goods \(Quad Bikes\) Safety Standard 2019](#) was made to enhance quad bike stability, provide protection from crush injuries and improve community awareness of the risk of rollovers. After the standard came into effect, we prioritised awareness raising and compliance and enforcement to support the new standard.

In November 2025 we launched a quad bike safety awareness campaign aimed at parents and carers of children in regional and rural areas; and senior farmers and their partners. The [‘One ride can change everything’ campaign](#) encouraged quad bike riders and their families to protect their loved ones through safe riding practices. The campaign involved a mix of owned, earned and paid media channels. The campaign was successful in reaching the target audiences, resulting in 7.7 million ad views and listens and more than 15,000 unique visits to the ACCC Product Safety website.

In March 2026 we held a roundtable with state, territory and federal regulators and stakeholders working in consumer protection, agriculture and work safety. The roundtable facilitated sharing of information, insights and resources amongst agencies promoting safe use of quad bikes. In May 2026 we also made a submission to Safe Work Australia’s consultation on [Improving the safety of quad bikes used in the workplace](#). We supported proposals about their use in the workplace including in relation to helmets, operator protective devices, passengers and age.

Electrical safety, including lithium-ion batteries

Lithium-ion batteries can overheat, catch fire or explode if poorly manufactured, damaged or charged or disposed of incorrectly. Lithium-ion battery fires can be dangerous and difficult to extinguish.

Throughout 2025 we participated in the cross-jurisdictional lithium-ion battery powered e-micromobility vehicles working group, led by NSW Fair Trading. The aim of the working group was to pursue a national approach under the ACL to help promote the safety, and safe use, of batteries in lithium-ion battery powered e-micromobility vehicles (such as e-scooters and e-bikes), including through consumer education.

In November 2025 the working group’s final recommendations were endorsed by the Consumer Senior Officials Network and were delivered to the Consumer Minister’s Network. In March 2026 Electrical Safety Ministers reaffirmed their commitment to nationally consistent regulation of household electrical consumer products, with a particular focus on emerging safety risks associated with e-micromobility devices. They also endorsed a longer term work program and prioritising more consistent, risk-based regulation of household electrical consumer products across jurisdictions.

We also worked with a number of suppliers that voluntarily recalled their home battery systems for defective solar home energy storage system batteries. For example, we continued our work to address the fire hazard associated with around 18,000 defective home energy storage systems supplied by [LG Energy Solution Ltd \(LGES\)](#). In November 2025 we accepted a variation to the section 87B undertaking provided by LGES in 2024 that, amongst other things, makes it easier for affected consumers to quickly access a remedy.

We are also monitoring voluntary recalls notified by Tesla Motors Australia Ltd and Sigenergy Australia Pty Ltd. In August 2025 Tesla notified the ACCC of its recall of certain Powerwall 2 home energy storage systems. In November 2025 Sigenergy notified the ACCC of its voluntary recall for certain energy controller invertors.

We also continued to prioritise awareness raising on lithium-ion batteries through social media activity alerting the public to risks and ongoing recalls of concern.

Standards reform

Updating mandatory standards to help improve safety, broaden choice and lower costs is a 2025–26 ACCC priority area. We strongly support the December 2024 amendments to the mandatory standards regime that improve the flexibility and enforceability of mandatory standards. These reforms aim to reduce regulatory complexity for business by permitting compliance with a wider range of overseas standards, thereby enabling consumers to access a wider range of products, without compromising safety.

To support this reform, from July 2025 we commenced a 3-year program to review 15 priority mandatory standards. We aim to update them by recognising additional appropriate international and overseas voluntary standards, increasing compliance options for suppliers. Where a mandatory standard references a voluntary Australian, overseas or international standard, these reviews will also consider if these should be 'dynamic' references, so that changes to the voluntary standard are picked up by the mandatory standard sooner. When a voluntary standard is updated, the ACCC will check that it is appropriate for that update to flow through to the safety standard.

In 2025–26 we started reviews of the mandatory standards for pedal bicycles, child restraints, aquatic toys, toys containing lead and other elements, and baby bath aids. As part of this we consulted with stakeholders on several of these mandatory standards. We anticipate completing these reviews in late 2026.

In June 2026 the Minister made a new version of the safety standard for aquatic toys. This standard aims to reduce the risk to children of injuries and drownings when playing with these toys by requiring them to meet safety requirements for air inlet valves and warning messaging. The new version of the standard is the result of the first of our 15 limited reviews. Our recommendation to the Minister followed extensive consultation and support from businesses, consumer advocacy groups, product safety consultants, industry and retail associations, standards-making agencies and state and territory governments. We updated supplier guidance on the Product Safety website to assist suppliers to comply with the safety standard.

We also continue to contribute to national discussions on the economy, competition, productivity and reform. In September 2025 the [ACCC made a submission](#) to the Productivity Commission's consultation on its [National Competition Policy analysis 2025](#). Our submission highlighted that, by more closely aligning Australian mandatory standards with international or overseas standards, and domestically across jurisdictions, consumers and businesses can benefit in a number of ways.

Unsafe products in the digital economy

Strengthening product safety in the digital economy was an ACCC compliance and enforcement priority in 2025–26, in recognition of our concerns about the availability and volume of unsafe consumer products for sale online, including through online marketplaces.

In June 2026 the [ACCC instituted proceedings against Amazon Commercial Services Pty Ltd \(Amazon AU\)](#) for alleged possession and/or control of children’s backpacks that failed to comply with mandatory button battery warning requirements. We allege that, between 22 June and 1 November 2022, Amazon AU had possession and/or control of these backpacks at one or more of its Australian fulfilment centres. This is the first time we have taken enforcement action concerning an online marketplace for product safety noncompliance. The proceedings demonstrate our commitment to using regulatory tools available to take action to address unsafe consumer goods in digital markets and to test the application of existing laws.

Also in June 2026 the [ACCC sent takedown requests to Amazon, eBay, Kogan and Fruugo for toys and games containing potentially deadly small magnets](#). Certain separable or loose, small, high-powered magnets are covered by a [permanent ban](#) under the ACL because of the danger of injury or death if swallowed. Since the start of our investigation, several [products containing small, high-powered magnets were recalled](#) from sale. Amazon, eBay, Kogan and Fruugo also committed to take additional measures to prevent sellers relisting the same or similar products and to contact affected customers to warn them about the safety risks.

We also continued to support the Australian Product Safety Pledge – a voluntary initiative between the ACCC and online marketplaces that seeks to protect Australian consumers from product safety risks when shopping online. In December 2025 we published the [Product Safety Pledge annual report 2024–25](#). During this period, signatories removed over 31,000 unsafe product listings as a result of consulting the ACCC Product Safety website and other information sources. This is a 60% increase in the number of unsafe product listings removed compared with 2023–24. Over 2,700 unsafe product listings were also removed in response to ACCC take-down requests.

We continue to be concerned about the overall volume of unsafe products available for sale on online marketplaces. In June 2026, after working with current and prospective signatories, we published updates to the Pledge, including improved commitments, performance indicators and supporting guidance. The signatories to the strengthened Pledge, which comes into effect on 1 July 2026, are AliExpress, Amazon Australia, eBay Australia, Gumtree and Temu.

We are also carefully considering consumer advocacy organisation [CHOICE’s designated complaint, received in June 2026](#), about the sale of unsafe products online. Designated complaints are submitted to the ACCC by consumer or small business groups approved by the Minister and are an important way for these groups to raise their concerns about significant or systematic market issues and potential breaches of the Competition and Consumer Act. Our response will be published in September 2026.

International engagement

The ACCC actively collaborates with international product safety regulators, which helps us identify and address emerging product safety risks, including to improve compliance and enforcement outcomes, aligned with ACCC strategic priorities.

We continued to participate in the OECD Committee for Consumer Policy and its Working Party on Consumer Product Safety (WPCPS), which is a key international forum for regulators to collaborate on product safety issues and progress coordinated initiatives to protect consumers from unsafe products. An ACCC representative continued to hold a Vice Chair role on the WPCPS.

In October 2025 an ACCC representative presented on a panel at the International Consumer Product Health and Safety Organisation International Symposium with global regulators on key regulatory

initiatives, areas of focus, regulatory collaboration and stakeholder engagement. The ACCC also participated in a Global Product Safety Regulators Seminar to support regulatory collaboration on global product safety issues impacting consumers.

In July 2025 an ACCC representative participated in the United Nations Conference on Trade and Development Working Group on Consumer Product Safety. The group developed a resolution outlining a framework designed to strengthen consumer protections against unsafe products and foster global cooperation. The United Nations General Assembly adopted the resolution in December 2025.

We continued to invest in bilateral and regional engagement. In October 2025, as part of the ACCC's Consumer Affairs Program, an agency representative was hosted by our counterparts at the Vietnam Competition Commission to support the country's implementation of product safety laws and regulation. This expert placement was delivered as part of the Southeast Asia and Australia Government to Government Program. In December 2025 we hosted a delegation from the Korea Institute of Product Safety for a study visit to discuss product safety risk assessment, compliance and enforcement. We also participated in the Online Product Safety Summit, resulting in engagement with several UK product safety and research specialists.

We also continued to meet with international counterparts throughout the year, including the UK Office for Product Safety and Standards, Health Canada, New Zealand Ministry of Business, Employment and Innovation and New Zealand Commerce Commission. These meetings provide an important forum to exchange information about product safety risks and regulatory approaches.

Strategic objective 6: Regulate monopoly infrastructure and monitor concentrated and key markets in the long-term interests of consumers

About this strategic objective

To achieve this strategic objective, we undertake the following key activities:

- 6.1 Formulate regulatory decisions that promote the long-term interests of end users and consumers.
- 6.2 Provide industry monitoring reports to government in relation to highly concentrated or emerging markets or markets of significant concern to consumers.

The ACCC is the national economic regulator of certain infrastructure services, including communications, postal services, services provided by Airservices Australia and rail. We also have specific regulatory roles in clearing and settlement services, energy, bulk wheat port facilities, and water charges and barriers to trade in the Murray–Darling Basin.

Our infrastructure regulation and market monitoring work results in lasting change to markets to improve the everyday lives of people across Australia. We support markets that, by their structure or nature, may not deliver effectively for consumers on their own. Our work promotes greater efficiency in these sectors, which provide essential services and inputs to other businesses and consumers; and promotes the overall efficiency of the economy. Our work is ultimately geared towards achieving better outcomes for consumers: lower prices, better quality products and services, greater supply and more choice.

A major aim of our economic regulatory role is to foster efficient consumption of and investment in infrastructure services through industry-specific regulation and access conditions. Access conditions that promote competition in upstream and downstream markets increases efficiency in these markets and improve outcomes for consumers. The ACCC assesses these access conditions by reference to statutory criteria in the Competition and Consumer Act, including the long-term interest of end-users;¹¹ and, for nationally significant infrastructure declared under Part IIIA, the public interest in having competition in markets, among other matters.

To identify market failure, improve market efficiency and promote competition through better market information, the ACCC inquires into, monitors and reports on markets for goods and services in certain concentrated, deregulated or emerging markets; and markets that are of significant concern to consumers – for example, domestic airlines, airports, communications, electricity, fuel, gas, insurance, container stevedoring and the rural Murray–Darling Basin water sector. We undertake inquiries and monitoring when directed by government. We also have a role in

¹¹ The long-term interests of end users refers to the end users' economic interests, which can include lower prices, increased quality of service and/or greater diversity and scope in product offerings.

enforcing industry-specific competition and market rules and mandatory codes of conduct in some infrastructure-based and other markets of significance.

The ACCC's regulatory role and monitoring supports our competition and consumer work and our advice and advocacy efforts, ensuring that Australian markets operate within a policy framework that facilitates competition and efficient investment in and use of key and essential infrastructure networks, services and markets. We regularly work with Treasury to support regulation that is proportionate, is fit for purpose and promotes efficiency across the economy.

Our priorities

The ACCC's infrastructure regulation and industry monitoring priorities for 2025–26 were:



Implement and oversee a range of long-term regulatory arrangements to apply to the national broadband network and other superfast broadband networks



Promote efficient pricing and competitive outcomes for consumers through our work in respect of the Airservices Australia and Australia Post Price Notifications and continued focus on competition and consumer issues in the aviation sector



Water market reform implementation, with commencement of elements of the Water Markets Intermediaries Code on 1 July 2025 with the remainder from 1 October 2025, focusing on monitoring compliance and enforcement



Promoting competition in essential services with a focus on telecommunications, electricity and gas



Develop regulatory arrangements that promote the long-term interests of end-users by conducting access determination inquiries for mobile and fixed voice interconnection, transmission and fixed-line services operating on Telstra's customer access network



Financial services and Insurance policy input, regulation and advocacy

Performance measures

Table 3.9: Performance measures for strategic objective 6

Performance measures	2022–23	2023–24	2024–25	2025–26		Met?
	Result	Result	Result	Target	Result	
6a. Percentage of regulatory decisions completed within statutory timeframes	100%	100%	100%	100%	100%	✓
Methodology: Number of regulatory decisions made within statutory timeframe (including 'stop the clock' and timeframe extension provisions in the Competition and Consumer Act) divided by the total number of regulatory decisions with a statutory timeframe made (including 'stop the clock' and timeframe extension provisions in the Competition and Consumer Act), expressed as a percentage Data source: ACCC media releases and material, certain public registers, internal records Related regulator best practice principles: 1 Related key activities: 6.1						
6b. Requested market information, analysis and insights relating to highly concentrated or emerging markets or markets of significant concern are provided to government in a timely manner [#]	–	–	97.9%	100%	95%	○
Methodology: Collation of the requested number of reports to be provided within the reporting period, against the actual number provided within the reporting period, expressed as a percentage (covering aviation, communications, electricity, fuel, gas, insurance, post, rail, container stevedoring and rural water sectors and other sectors subject to a monitoring or inquiry direction, legislative requirement or allocated funding) Data source: ACCC media releases and publications, internal records Related regulator best practice principles: 1 and 3 Related key activities: 1.3 and 6.2 This measure is also reflected in the Portfolio Budget Statements						
6c. Effectiveness survey 'index score' (out of 100) that key stakeholders agree the ACCC effectively regulates monopoly infrastructure and monitors concentrated markets in the long-term interests of consumers [*]	67.7	N/A [*]	64	70	N/A [*]	●
Methodology: Each reported index is the average of individual question indices for questions that address the strategic objective. The index score is the mean (average) response for the question/s across respondents (using the numerical score from the 5-point response scale) transformed into a 0- to 100-point scale. Future targets are set based on 2023 survey results Data source: ACCC Effectiveness Survey – Independent report Related regulator best practice principles: 1 and 2 Related key activities: 6.1 and 6.2						

[#] In 2024–25 the measure was changed to add an assessment of timeliness and delivery according to specifications of the performance measure.

^{*} Report conducted biennially.

Analysis of results

In 2025–26 the ACCC made 18 regulatory decisions, including decisions on telecommunications, wheat and gas. Of these decisions, 4 had statutory timeframes, all of which were met, providing a result of 100% for performance measure 6a.

The timeframe for making the final voice interconnection services access determination was subject to 3 approved extensions to allow for further analysis and consultation. The timeframe for making the superfast broadband access service access determination variation was subject to one approved extension. Further information about our decisions is provided under key activity 6.1.

We provided 95% of requested market information, analysis and insights relating to highly concentrated or emerging markets or markets of significant concern in 2025–26. An NBN service quality and network performance record keeping rule quarterly report, an NBN wholesale market indicators report and a snapshot of Telstra's customer access network were each finalised in 2025–26 and were published early in 2026–27. These reports will be counted in the ACCC's Annual Report 2026–27.

In 2025–26 the ACCC also produced 15 additional fuel price monitoring reports on price and supply arising from the conflict in the Middle East. Further information about our reports is provided under key activity 6.2.

Key activity 6.1: Formulate regulatory decisions that promote the long-term interests of end users and consumers

About this key activity

We use our regulatory decision making powers to facilitate access to certain infrastructure that is a source of market power and establish efficient pricing and access terms for that access. Efficient access creates conditions for competition to emerge in upstream and downstream markets and promotes efficient use of (and investment in) the infrastructure, with flow-on impacts for consumers in the form of lower prices, higher quality products, more supply and/or innovation.

Outcomes achieved

In addition to the performance measure results and analysis under Table 3.9, the outcomes achieved, as detailed below, show the impact of our work and demonstrate how this contributes to achieving our purpose.

Highlight: Efficient service for NBN consumers the focus of Replacement Module Determination

The ACCC regulates wholesale terms and conditions of access to the NBN, primarily through a Special Access Undertaking (SAU). The objective of this regulation is to promote the long-term interests of end-users of the NBN by promoting competition in retail NBN markets and encouraging efficiency in investment and operations. The SAU provides for key regulatory settings to be updated for each regulatory cycle via a replacement module process. To achieve these updates, NBN Co submits a Replacement Module Application (RMA) and the ACCC makes a [Replacement Module Determination](#) (RMD), following our assessment and consultation.

Our draft RMD, published on 31 March, has a strong focus on the prudence and efficiency of NBN Co's expenditures; and incentives to deliver service quality that is efficient and valued by customers. The draft RMD also specifies the ACCC's draft view on the wholesale product to which NBN Co's entry-level price control should apply. The ACCC will consider submissions from NBN Co and other stakeholders and intends to publish its replacement module determination in the second half of August 2026.

The ACCC's review of methods for estimating the weighted average cost of capital supports efficient investment

The weighted average cost of capital (WACC) is an input in the calculation of the return on capital, which investors require in order to make efficient investment decisions. Setting an appropriate WACC for a regulated entity incentivises efficient investment in regulated assets, which can result in efficient outcomes for consumers, such as efficient prices. In 2025, we undertook a review of approaches to estimating the WACC. As part of our review, we consulted extensively across stakeholders of sectors subject to our regulatory oversight, including telecommunications, transport and aviation. The review informed several of our telecommunications processes: the voice interconnection services final access determinations inquiry under Part XIC of the Competition and Consumer Act;

and ACCC's advice to the Minister regarding the Regional Broadband Scheme levy. Further, the review produced a [WACC statement](#), which sets out methods for estimating the WACC that we generally consider appropriate for use when performing our economic regulatory functions (where the WACC is a relevant input). However, the ACCC will still consider and consult on the application and use of these WACC methods, including considering whether to amend or depart from them when making a specific regulatory decision, having regard to the particular circumstances and applying the relevant statutory framework.

Determining regulatory settings for access to infrastructure

In 2025–26 our regulatory decisions facilitated access to infrastructure in a range of sectors. For example:

- In September 2025 we published the [superfast broadband access service \(SBAS\) final access determination as varied](#). The varied SBAS final access determination promotes competition in the supply of broadband services in areas where NBN Co is not the network operator, by lowering barriers to entry and market expansion for retail service providers. As broadband is increasingly essential as an enabler of productivity and economic activity, the ACCC's final access determination aims to foster competition and efficiency in the supply of broadband access.
- In November 2025 the ACCC commenced an [inquiry into the continued regulation of the superfast broadband access service \(SBAS\)](#). The ACCC is examining retail level competition on non-NBN fixed-line networks and assessing whether consumers on these networks have continued access to competitive prices and service offerings; and a level of choice in their retail service provider that is comparable to the NBN – and whether declaration would be in the long-term interests of end-users.
- In December the ACCC released a [final report in relation to the voice interconnection services access determination inquiry](#). The final report sets out the ACCC's final position on price and non-price terms and conditions for access to the voice interconnection services: the mobile terminating access service (MTAS), the fixed terminating access service (FTAS) and the fixed originating access service (FOAS). In February 2026 the ACCC made the access determinations for these services. The ACCC's determinations support competition in the provision of voice services and help achieve any-to-any connectivity.

Assessing proposed price increases in airlines and postal sectors

The price notification process enables the ACCC to publicly assess proposed price increases for certain services in markets where there is not enough competition. These are markets that may not achieve efficient prices for consumers. The ACCC does not have the power to approve a proposed price increase. Instead, we can decide to object or to not object to a proposed price increase.

In December Australia Post submitted a draft price notification to the ACCC seeking a 15-cent increase to the basic postage rate (the price of an ordinary stamp) from \$1.70 to \$1.85 in mid-2026. The ACCC consulted from May to June 2026 on its preliminary position not to object to the proposal, having considered Australia Post's ability to recover revenue sufficient to cover the efficient cost of providing the service; and the need to maintain investment and employment in the context of Australia Post's market power. We expect Australia Post will lodge a formal price notification with the ACCC in July 2026.

Airservices Australia lodged its draft long-term price notification for its en-route, terminal navigation, and aviation rescue and firefighting services (ARFF) in April 2026. The ACCC's assessment of this proposal will consider Airservices' proposed capital expenditure program, which includes investments related to the OneSKY air traffic management system,¹² renewal of aviation rescue and firefighting vehicles and facilities, new communications infrastructure, and Western Sydney International Airport.

¹² Airservices Australia, [OneSKY Australia](#), Airservices Australia, accessed 27 May 2026.

It will also consider the proposed Maximum Allowable Revenue, price path, weighted average cost of capital (WACC), operating expenditure and traffic forecasts. We expect to commence public consultation early in 2026–27.

Industry engagement to make better decisions

Industry engagement supports our decision making to ensure we promote the long-term interests of end-users across the range of sectors we regulate.

Together with the Council of Financial Regulators (CFR) agencies, the ACCC sought feedback on a consultation paper, [Regulating cash distribution in Australia](#), which outlined a potential regulatory framework for cash distribution. In addition to seeking written submissions, the CFR and ACCC met with several key stakeholders to discuss the potential regulatory framework. Engagement on an appropriate framework should promote outcomes that best promote the long-term sustainability of the cash distribution system in Australia and help it to operate in the public interest. The CFR and ACCC provided a [conclusions paper](#) to government in October 2025, which was followed in April 2026 by the Government releasing exposure draft legislation for a cash distribution regulatory framework.

We also continue to support compliance with the Water Markets Intermediaries mandatory code of conduct and statutory trust accounting obligations, alongside the water market integrity functions that commence on 1 July 2026. The ACCC has published guidance materials on its website, hosted public online information sessions, presented at industry events, engaged with industry peak bodies and responded to specific queries.

Key activity 6.2: Provide industry monitoring reports to government in relation to highly concentrated or emerging markets

About this key activity

We closely inquire into, monitor and report on the markets for goods and services available in markets at risk of being inefficient and not delivering for consumers because they are emerging, highly concentrated or otherwise an area of significant consumer concern. This transparency can help make markets function more effectively and be more competitive. It provides appropriate market signals to enable market participants to make the most efficient consumption and investment decisions by addressing information asymmetries and unequal bargaining power. It also puts suppliers in those markets on notice that we are scrutinising their conduct to inform any regulatory or policy responses if issues persist.

Outcomes achieved

In addition to the performance measures results and analysis under Table 3.9, the outcomes achieved, as detailed below, show the impact of our work and demonstrate how it contributes to achieving our purpose whilst ensuring proportionate, right-sized regulation.

Highlight: Streamlining record keeping requirements for carriers and carriage service providers¹³

The ACCC has powers to make record keeping rules (RKR) for carriers and carriage service providers to collect information from industry to fulfil our regulatory responsibilities under section 151BU(4) of the Competition and Consumer Act, including those under Part XIB and Part XIC. A rule can specify the records a provider must keep, how reports need to be prepared, and when reports need to be provided to us.

On 5 December 2025 the ACCC published a final report outlining the findings of the [Record Keeping Rule \(RKR\) Review 2025](#), which assessed whether our current RKRs were fit for purpose.

In undertaking this review, the ACCC considered how best to inform our statutory roles and functions and to increase market transparency. We also considered how the RKRs could ensure we have the evidence required to support our right-sized regulation approach, which aims to ensure the ACCC intervenes in markets that require intervention and minimises regulation in well-functioning markets. We also considered deregulation where we can do so without compromising the long-term interests of end-users or creating other harmful consumer outcomes.

The statutory review will streamline the ACCC's RKRs, with 4 RKRs to be revoked or amended, 2 new RKRs to be established and one RKR to be extended while the review was being undertaken to allow for continuity and implementation of its findings.

¹³ The [Record Keeping Rule \(RKR\) Review 2025](#) is a standalone statutory review and therefore does not form part of our result for 6b. Discussion of the [RKR Review 2025](#) is included here because we count reports produced under Record Keeping Rules in results for 6b.

Monitoring markets across key industries

Given the essential nature of many of the industries we look into, our monitoring role, which promotes competition and well-functioning markets, is more important than ever in ensuring affordability and consumer outcomes.

This year the ACCC:

- examined domestic [petroleum](#) price movements and market behaviour in context of international crisis enhancing transparency and accessibility of information for consumers in a market of concern
- commenced weekly [fuel price monitoring](#)
- examined market composition in an evolving [petroleum](#) industry, finding petrol prices are generally cheaper in cities that have more small to medium-sized independent petrol retailers competing with larger chains
- tracked and reported on prices, costs and profits of key domestic [airports](#) and major [airlines](#). Our March [Domestic airline competition in Australia report](#) found consumers paid high airfares and experienced disruptions caused by conflict in the Middle East
- provided consumers with accurate and independent information about [broadband speeds](#), reporting in December that high-speed NBN plans with a fibre to the premises (FTTP) or hybrid fibre coaxial (HFC) connection are now receiving faster internet speeds following NBN Co's recent upgrade
- [monitored NBN Co's revenue and costs](#) for its monopoly and competitive services
- provided transparency for consumers by [publishing data](#) prepared in line with the NBN service quality and network performance record keeping rule on NBN Co's connections, faults, outages and speed performance
- reported on [Telstra's compliance with an undertaking](#) that ensures competition in the retail telecommunications market
- provided transparency over changes in mobile infrastructure by publishing data relating to mobile sites and coverage maps and the [Mobile Infrastructure Report](#)
- disclosed data tables on [internet activity](#) which informed our examination of [prices paid by consumers](#) for internet and voice
- published an interactive [overview of the NBN wholesale market](#) with a focus on residential broadband access services, providing insights into market shares
- published [snapshots of Telstra's customer access network](#)
- monitored the prices, costs and profits of [container](#) terminal operator companies at the ports of Adelaide, Brisbane, Burnie, Fremantle, Melbourne and Sydney, promoting greater efficiency in access to ports
- analysed the state of competition in the retail [electricity](#) market and examined calculated annual prices for residential electricity customers in the NEM
- monitored [gas](#) supply and prices following a period of heightened market volatility and regulatory change, supporting market transparency and consumer awareness
- concluded our insurance monitoring role on the effect of the Australian Government's cyclone [reinsurance](#) pool, finding that it has lowered insurance premiums for customers facing medium to high risk of cyclone but that premiums remain high for many consumers
- issued our annual [Water monitoring report](#) on the rural water sector in the Murray–Darling Basin.

Program 1.2 – Australian Energy Regulator

Analysis of performance

Our key activities and priorities in the joint ACCC and AER Corporate Plan 2025–26 provided the annual work program to deliver our objectives.

In an economic environment where there are growing affordability concerns, we continued to deliver outcomes to strengthen protections for consumers. Our critical role in overseeing the wholesale and retail energy markets to ensure market participants operate in compliance with legal and regulatory frameworks remained effective. With change rapidly occurring particularly in relation to renewable energy, we are also supporting Australia's energy future by working across the regulatory landscape to test and trial new ideas.

The AER's performance against each of our strategic objectives remains strong. The AER Stakeholder Survey was not conducted for 2025–26 and does not form part of the reportable results for this reporting period (refer to 'Validation of results – AER Stakeholder Survey' below for more information). Target setting methodologies have been included for each performance measure. Performance results for 2024–25 were not available at the time of developing the corporate plan, and therefore target setting methodologies that take an average of previous years results use results between the years of 2020–21 and 2023–24. We achieved or exceeded the target for all 10 reportable results. There is an additional one reportable result where no target is set for the reporting period. All measures, their results, analysis of the results, outcomes achieved and highlights for the year are provided in this chapter.

We have also assessed our approach to providing regulatory services with reference to the Australian Government's principles of regulatory best practice.

Overall, in 2025–26, the AER was successful in achieving outcomes that will make energy consumers better off, now and in the future.

Validation of results

AER planning, performance and reporting

Consistent with the Commonwealth performance framework, the AER's Corporate Plan outlines the performance measures used to assess the achievement of its purposes, including the targets, methodologies and data sources for each measure. Reported results are collected and assessed in accordance with the approach set out in the Corporate Plan.

Verification is undertaken by officers separate from the performance measure owners to provide assurance over the accuracy and completeness of reported results before they are reviewed and approved by AER Members for inclusion in the annual performance statements.

For transparency, and consistency with the 2024–25 Corporate Plan, short methodologies for each performance measure have been included in the performance tables in this chapter. Additionally, target setting methodologies have been included. Performance results for 2024–25 were not

available at the time of developing the 2024–25 Corporate Plan and therefore target setting methodologies that take an average of previous year's results between the years of 2020–21 and 2023–24.

AER Stakeholder Survey

Many of our performance measures are assessed through AER stakeholder surveys, undertaken by independent market research agencies to assess our reputation, stakeholder needs and expectations and performance against key measures.

In 2025–26, the AER did not undertake this survey. This decision was made taking into account the timing of legal separation from the ACCC, the development of our new Strategic Plan 2026–2030 and first corporate plan as a stand-alone agency, and to minimise survey burden on stakeholders.

We are reviewing our approach to performance measurement to ensure a balanced and robust set of indicators, including consideration of alternative and/or supplementary evidence sources. We are also considering the frequency, design and use of stakeholder insights within our performance framework, including the extent to which performance measures rely on survey data.

The absence of survey results for this period impacts a number of performance measures as presented in the ACCC and AER Corporate Plan 2025–26, and 2 measures in the ACCC and AER Portfolio Budget Statements 2025–26. Where this occurs, results are reported as N/A (not applicable).

While stakeholder survey results are an important source of performance information, they form only part of the AER's broader performance framework. Performance for each key activity is assessed using a range of measures and evidence, including performance results, outcomes achieved and key initiatives delivered during the year. Together, this information provides a transparent and balanced account of the AER's performance in 2025–26.

Strategic objective 1: Protect vulnerable consumers while enabling all consumers to participate in electricity and gas markets

About this strategic objective

Energy is an essential service, and consumers have diverse interests and varying levels of capacity to engage in the energy market. We need a sound understanding of these issues to play our part in delivering a secure, reliable and affordable energy future for Australia. This cuts across a number of our core functions as a regulator: making revenue determinations, taking enforcement action, undertaking compliance activities, sharing insights to shape future policy, working with our stakeholders and engaging with consumers.

We want to remove barriers that prevent efficient and effective participation in the energy system. The energy market can be complex. We provide a comparison service, Energy Made Easy, which assists consumers to understand the options available to them and helps navigate their choices and the process of switching energy plans.

We also set regulatory requirements and oversee retail markets to protect consumers, particularly those experiencing vulnerability. We recognise that vulnerability is multifaceted. All consumers can move into and out of vulnerability at different points in life or as a result of various factors. In 2025–26 our annual Compliance and Enforcement Priorities included a focus on improving customer access to retailer hardship and payment plan protections. When we see customers not receiving the required protections, we act decisively using all our compliance and enforcement tools.

Our role and key activities

The AER has a key role in supporting a secure, reliable and affordable energy future for all Australians. This role remains critical as the energy market transitions in a period of economic uncertainty. We focus on ensuring retailers provide accurate, helpful information and engage early to support consumers experiencing vulnerability as part of our commitment to consumer protection – a key activity reported on in our performance measures (Table 3.10).

Our priorities

The AER's 2025–26 'Execute' priorities under strategic objective 1 were:

- ensure the Default Market Offer (DMO) protects consumers from unreasonably high prices and enables a competitive retail market
- maintain Energy Made Easy as an effective comparison service for energy consumers.

We also had 2 'Tilt' and one 'Advocate' priorities under this strategic objective:

- Access and use consumer insights in our work and decisions, including utilisation of AER consumer panels and partnerships.
- Continue to upgrade the Energy Made Easy website and related products to allow users to effectively compare energy plans and make informed decisions on the best plan for their needs.
- Advocate for reforms to consumer protections for those experiencing payment difficulty, those living in embedded networks and those experiencing vulnerability, building on the AER's Game Changer project and recent reviews and recommendations to Energy Ministers on these issues.

Performance measures

Table 3.10: Performance measures for strategic objective 1

Performance measure	2022–23	2023–24	2024–25	2025–26		Met?
	Result	Result	Result	Target	Result	
1.1 AER stakeholders' agreement with the following statements:	75%	63%	69%	73%	N/A*	●
(a) The AER supports and protects energy consumers, particularly those in vulnerable circumstances						
(b) The AER demonstrates a sound knowledge and understanding of energy consumers	71%	48%	60%	59%	N/A*	●
Method: Proportion of AER Stakeholder Survey responses of 7 or higher in response to questions about the AER protecting vulnerable energy consumers and understanding the needs of energy consumers Target setting method: Annual targets are based on a 4-year average of past results (2020–21 to 2023–24), helping to even out fluctuations caused by external factors beyond the AER's control, such as economic conditions This measure was included in the 2025–26 Portfolio Budget Statements						
1.2 Proportion of customers in energy debt who are receiving assistance [#]	N/A	N/A	N/A	80%	86%	✓
Method: Estimated total customers receiving assistance (number of customers in electricity hardship programs plus number of customers on non-hardship payment plans) as a proportion of estimated total customers in energy debt (number of customers in electricity hardship programs plus number of customers in non-hardship energy debt). We began collecting new, more granular data on customer debt and hardship in 2025–26. As a result we no longer aggregate gas and electricity data into an overall energy measure. Instead, we use electricity debt and assistance as the metric for this financial year Target setting method: This target is set a few percent higher than the 2023–24 result, reflecting our goal of increasing the energy sector's effectiveness in assisting customers in energy debt over time						

Performance measure	2022-23	2023-24	2024-25	2025-26		Met?
	Result	Result	Result	Target	Result	
1.3	1,192,000 ⁺	1,444,000 ⁺	1,259,000 ⁺	>1,202,000	1,307,000 ⁺	✓
(a) Number of plan searches conducted on the Energy Made Easy website [^]						
(b) Number of people who switched providers after completing a search on Energy Made Easy [^]	62,000 ⁺	154,000 ⁺	181,000 ⁺	>92,000	210,000 ⁺	✓

Method: a) analysis of website data held by AER b) analysis of Australian Energy Market Operator data

Target setting method: A 3-year average of previous results (2021-22 to 2023-24) is used to set the following year's target helping to even out short-term fluctuations in website activity and external factors beyond the AER's control, such as economic conditions

Note: From 2025-26, measure target changed to 3-year average of previous results (2021-22 to 2023-24) as 2024-25 results were not available at the time of target setting. Prior to the site's redesign in 2023, the number of consumers who entered their National Metering Identifier to conduct an energy plan search was relatively low, which limited the number of switches recorded in these years. This had the effect of lowering the 2025-26 target, but will correct quickly in future years

Measure 1.3(a) was included in the 2025-26 Portfolio Budget Statement

1.4 New and amended retailer hardship policies assessed within 12 weeks of AER receiving all relevant information ⁺	100%	100%	90%	100%	100%	✓
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Method: Analysis of AER records

Target setting method: There are set timeframes for when the AER must approve a retailer's customer hardship policy once submitted to the AER. Achieving 100% ensures compliance and reduces risk

This measure was included in the 2025-26 Portfolio Budget Statement

* No result reported for 2025-26 as the AER Stakeholder Survey was not conducted in this reporting period.

As at 31 March 2026, noting as at 30 June data is not submitted by retailers until 31 July, missing annual report content deadlines. Energy debt for this measure refers to electricity customers only.

[^] Results are rounded down to the nearest thousand.

⁺ Twelve-week service standard may not be met for complex policies.

Analysis of results

1.1 AER stakeholders agree:

a) The AER supports and protects energy consumers, particularly those in vulnerable circumstances

b) AER stakeholders agree the AER demonstrates a sound knowledge and understanding of energy consumers

No result for 1.1 (a) and 1.1 (b). In 2025-26, the AER did not undertake the Stakeholder Survey (refer to 'AER Analysis of performance – AER Stakeholder Survey' for further detail).

1.2 Proportion of customers in energy debt who are receiving assistance

The result demonstrates that retailer assistance programs are supporting most customers experiencing payment difficulty, with 271,139 of the 315,234 customers identified as facing financial hardship receiving assistance through payment plans or hardship programs (86%).

This suggests that customer support measures are helping many households manage energy debt and maintain access to essential energy services. However, the 14% of customers experiencing payment difficulty who were not receiving identified assistance highlights the continuing importance of retailer engagement and regulatory oversight to ensure vulnerable consumers receive appropriate support.

It is possible that there may be some customers who are on payment plans who do not hold 90-day debt (e.g. because the payment plans have been effective). We don't have the ability to detect this with certainty in our data. However, we note that the proportion of electricity customers with 90+ day debt grew over the last 12 months. Participation in electricity payment plans also grew over the last 12 months however completion rates are poor, with around 60% of payment plans cancelled rather than successfully completed in our last data set.

The AER continues to advocate for reforms which will assist in closing this gap. In December 2025 we lodged [5 rule change requests](#) with the AEMC with their draft rule changes released in June 2026. Our rule change requests will better ensure customers experiencing payment difficulty are proactively identified, engaged early and supported appropriately with assistance that is tailored to their individual circumstances. We have also recommended a broader suite of changes which are currently under consideration by the Energy and Climate Change Ministerial Council.

1.3 a) Number of plan searches conducted on the Energy Made Easy website

b) Number of people who switched providers after completing a search on Energy Made Easy

In 2025–26, performance targets were met for search activity on Energy Made Easy and the number of consumers switching plans after using Energy Made Easy.

While no major functional changes or campaigns were delivered during the period, development progressed on several improvements, including a retailer Application Programming Interface (API) to streamline the provision of plan information by retailers. Increases in search and switch activity likely reflect steady underlying consumer demand and continued awareness of the service, supported by broader external factors such as energy price pressures, retail market activity and ongoing cost-of-living concerns.

The number of searches conducted during 2025–26 was 4% higher than the same period in 2024–25 and the number of switches conducted during 2025–26 was 16% higher than the same period in 2024–25.

1.4 New and amended retailer hardship policies assessed within 12 weeks of AER receiving all relevant information

The AER approved 3 retailer hardship policies in 2025–26, all of which were assessed within 12 weeks of receiving all relevant information. Retailer hardship policies are important, as they set out the ways that retailers will identify and support residential customers experiencing payment difficulties due to hardship.

Outcomes achieved

In addition to the performance measure results and analysis under Table 3.10, the outcomes achieved, as detailed below, show the impact of our work and demonstrate how this contributes to achieving our purpose.

Keeping energy prices in check

The AER maintains strong price protections for small energy customers through the [Default Market Offer](#) (DMO).

The DMO is the maximum price that a retailer can charge a standing offer customer each year in New South Wales (NSW), South Australia (SA) and south-east Queensland (SE Qld) (DMO regions). It is also the reference price against which competitive market offers must be compared.

The final determination for the DMO for 2025–26 (DMO 7) was in effect while the AER developed the DMO for 2026–27 ([DMO 8](#)). Following extensive consultation, we published the DMO 8 final determination in May 2026, to apply from 1 July 2026.

The DMO 8 final determination included price reductions across all residential (between 1.1% and 10.7%) and small business customers (between 6.8% and 20.9%) in all regulated regions, except for residential customers in SA which had a modest increase of 1.4%. The reductions were driven largely by lower wholesale electricity costs and reduced environmental and retail operating costs.

The Australian Government's reforms to the DMO regulatory framework (published in November 2025) included significant changes to the DMO. The [final amendments](#) to the framework were published in March 2026. The amendments include mandatory considerations for the AER when determining the DMO and, as a result of these amendments, the AER adjusted several aspects of the DMO methodology in line with the requirement to consider efficient costs leading to further price decreases in DMO 8.

The amended regulations also require the AER to determine a new Solar Sharer Offer (SSO). Introduced in DMO 8, the SSO is a new opt-in standing offer electricity plan providing 3 hours of free electricity usage in the middle of the day to help households benefit from times of peak solar generation while reducing total system costs, which benefits all consumers.

Retailers who had more than 1,000 customers across DMO regions needed to make a SSO available by 1 July 2026.

The SSO is available to residential customers with smart meters in DMO regions. For those customers with a typical energy use pattern, it carries the same annual cost as the DMO Time of Use tariff, with free midday energy offset by slightly higher prices at other times. The SSO may suit customers who can shift their energy usage from peak periods into the free usage period.

Strengthening safeguards for consumers

Building on the program of work delivered under the Towards Energy Equity strategy, the AER continues to strengthen regulatory protections for customers experiencing vulnerability with a particular focus on those facing financial hardship.

The [Annual retail markets report 2024–25](#) published in December 2025 found that, while government rebates boosted affordability for many customers, more customers ended the year in energy debt. In August 2025 the Behavioural Economics Team of the Australian Government (BETA) published its Better Bills impact report, which confirmed that the guideline has led to increased consumer

engagement, including by supporting consumers who may not otherwise have compared plans on Energy Made Easy.

Building on this evidence, in 2025–26 the AER [commenced a review](#) of its retail guidelines, including the Better Bills Guideline, the Benefit Change Notice Guidelines, Customer Hardship Policy Guideline and the Retail Pricing Information Guidelines. These guidelines shape key stages of the customer journey and support a regulatory regime that works together to ensure energy consumers are better off, now and in the future.

During the review, the AER identified opportunities to make it easier for retailers to comply with the guidelines while improving the information provided to customers and retaining or improving important consumer protections. The AER published draft guidelines in June 2026 and expects to complete the review in September 2026. The proposed combined guidelines now contain around 40 pages and 140 clauses, reducing the total page and clause count in the existing guidelines by more than 100 pages and 200 clauses respectively.

The AER continued to advocate for reforms which will improve customer outcomes. We lodged [5 rule change requests](#) with the AEMC in December 2025 proposing changes to the National Energy Retail Rules to improve protections for customers experiencing payment difficulty. The proposed rule changes will better ensure customers experiencing payment difficulty are proactively identified, engaged early and supported appropriately with assistance that is tailored to their individual circumstances. The AEMC released their draft rule changes in June 2026.

We are also advocating for jurisdictions to progress other opportunities identified in our [Payment difficulty review](#) through the Better Energy Customer Experiences reform program. More information on the AER's work advocating for policy changes can be found in strategic objective 4, 'Demonstrating energy industry leadership'.

In August 2025 the AER released our [final decision](#) in the review of the exemptions framework for embedded networks and associated [Network Exemptions Guideline and Retail Exempt Selling Guideline \(version 7\)](#). Key amendments include:

- introducing new family violence protections for exempt customers
- requiring exempt sellers to include the contact details for the relevant ombudsman scheme on bills
- ensuring that any rebates are refunded to customers
- increasing the AER's oversight of smaller embedded networks by closing deemed exemption classes (requiring all new networks to register an exemption)
- introducing a new pricing visibility condition.

In August 2025 the AER also published its [final decision](#) on the minimum disconnection amount. This means consumers cannot be disconnected if their debt to their energy retailer is below \$500 (including GST), up from \$300. This change is effective 1 July 2026 and applicable to both electricity and gas customers. The amount had not changed since 2012 and is now reflective of today's average estimated quarterly electricity bill. We will continue to monitor disconnection trends and review the disconnection amount as necessary in future.

In June 2026, following a public consultation, the AER published our updated [Retailer of Last Resort \(RoLR\) guidelines and plan](#). The RoLR scheme is established under the National Energy Retail Law to protect customers if their energy retailer fails, ensuring they are transferred to a new retailer and continue to receive energy. The RoLR guidelines and plan set out the roles and responsibilities of retailers and other market participants under the RoLR scheme.

In 2025–26 the AER approved 3 hardship policies. Our reviews focused on ensuring policies provide that customers who no longer require energy supply from the retailer have access to an arrangement

for debt repayment that is consistent with the protections that they would receive if they continued to obtain energy from the retailer. We also ensured that policies clearly outline an appropriate process the retailer will follow to contact customers when they miss a payment plan instalment. To ensure retailers include these protections in future hardship policies these focus areas are proposed to be standardised statements in the draft Customer Hardship Policy Guideline.

The smart meter rollout was a focus of the AER's [2025–26 Compliance and Enforcement Priorities](#), reflecting their importance in enabling greater consumer participation, improved data visibility and integration of distributed energy resources. Throughout the rollout, our key focus is the safety of installers and customers and providing [guidance](#) to retailers on new consumer protections.

Supporting those impacted by family violence

The AER continues to advance our commitment to preventing energy services and energy debt from being weaponised against customers experiencing family violence.

Building on the [Strategy to support a safer energy market for customers affected by family violence](#) published in May 2025, we focused on building organisational awareness and capability within the AER; supporting a regulatory framework that enables safety by design; and encouraging regulated entities to prioritise safety in their businesses.

New family violence protections for residential and small business customers of [retail exempt sellers](#) took effect on 1 January 2026. Exempt sellers are now required, among other things, to develop, implement and maintain a family violence policy; prioritise the safety of affected exempt customers; and not disclose certain information relating to their energy accounts. This brings protections for embedded network customers into closer alignment with those available to customers who purchase energy from an authorised retailer.

In December 2025 the AER published [guidance](#) for exempt sellers on these new requirements. The guidance includes practical case studies and a quick reference checklist to assist exempt sellers to comply.

In February 2026 we hosted a retailer forum to enhance industry capability to support customers experiencing family violence. In addition to the AER sharing trends, the forum provided an opportunity for retailers to share experiences, implementation challenges and better practice approaches.

The AER continues to closely monitor retailers' compliance with the family violence rules and encourage industry collaboration to identify, share and reflect on lessons learned; and to develop better practices across the energy sector. We also commenced investigations into potential breaches of the family violence protections.

Highlight: Protecting consumers through enforcement

The AER's enforcement work during 2025–26 helped protect consumers by reinforcing retailer obligations to bill customers accurately, obtain consent before transferring accounts, maintain access to essential energy services, and ensure customers can access independent dispute resolution when needed.

These actions included matters involving Centrepay arrangements, where alleged failures by retailers meant some customers continued to have payments taken after accounts had closed or debts had been finalised. For consumers, particularly those relying on Centrepay to manage essential bills, these matters highlight the importance of accurate account management and timely refunds.

The AER's focus on overcharging obligations is intended to ensure consumers are not left out of pocket because of retailer systems, process failures or delays in correcting account errors. This supports confidence that retailers must identify affected customers, stop inappropriate payments and return money owed within required timeframes.

Consumer protections were also reinforced through action relating to explicit informed consent and disconnection safeguards. These protections are critical because they help ensure customers are not transferred without agreement or disconnected because of retailer error, reducing the risk of serious harm when access to energy is interrupted.

The AER also acted where consumers were hindered from accessing appropriate dispute resolution arrangements. Access to external dispute resolution gives consumers a practical pathway to raise concerns, seek assistance and have issues considered independently when problems with their energy services cannot be resolved directly with a provider.

See strategic objective 2, 'Ensuring compliance and enforcement' for detail on specific matters.

Strategic objective 2: Effectively regulate competitive electricity and gas markets primarily through monitoring and reporting, and enforcement and compliance

About this strategic objective

The rules underpinning Australia's energy markets rely on market participants having the discretion to decide how to meet their customer's needs, undertake day-to-day operations and make investment decisions based on the risks and opportunities they face.

This is premised on the principle that competitive market-based arrangements can be adaptive and provide an opportunity to achieve market efficiency, serving the long-term interests of consumers. Within this competitive framework, if businesses do not comply with the rules, harms can occur not only directly to consumers but also indirectly through reduced competition.

The AER continues to strengthen its compliance and enforcement program, supported by well-targeted intelligence systems, to address conduct that undermines market operations and erodes consumer confidence in energy markets.

We play a pivotal role by independently reporting on the outcomes across the supply chain, and our surveillance activities examine transactions and behaviour to provide transparency on market dynamics and behaviour, inform market design improvement opportunities and ensure all market participants meet their obligations.

Our market surveillance expertise makes us well placed to assist policymakers with ongoing reforms in both the electricity and gas sectors.

Our role and key activities

The AER regulates retail electricity and gas markets in jurisdictions that have adopted the National Energy Retail Law and monitoring, as well as investigating and enforcing compliance with national energy legislation and rules in the wholesale electricity and gas markets. As such, retail market regulation and wholesale energy market regulation are key activities for the AER and are reported on in our performance measures (Table 3.11).

Our priorities

The AER's 2025–26 'Execute' priorities under strategic objective 2 were:

- produce targeted and insightful market performance reports
- deliver market monitoring/surveillance activities including ad hoc analytics and insights
- undertake compliance and enforcement activities to minimise the risk of consumer harm and/or market detriment
- oversee the dispute resolution framework efficiently and effectively
- facilitate entry of high-quality and resilient market participants, and minimise consumer disruptions if a retailer exits.

We also had 2 'Tilt' and one 'Advocate' priorities under this strategic objective:

- Enhance the AER's market performance reporting frameworks by:
 - continuously improving the AER's performance reporting suite to respond to the needs of our audience, consumers, and changing market dynamics
 - working with other bodies to ensure reporting is well informed and, where possible, complementary.
- Enhance market monitoring/surveillance capabilities so that they provide both retrospective and proactive insights into market dynamics, participant behaviour and market outcomes.
- Use learnings from market monitoring and surveillance as well as compliance and enforcement to advocate for improvements to the regulatory framework.

Performance measures

Table 3.11: Performance measures for strategic objective 2

Performance measure	2022–23	2023–24	2024–25	2025–26		Met?
	Result	Result	Result	Target	Result	
2.1 Proportion of all market reports published within statutory timeframes*	98%	100%	77%	100%	100%	✓
Method: Analysis of AER records in relation to reports on: Weekly Wholesale Markets, Quarterly Retail and Wholesale Market Performance, Annual Retail Markets, Annual Retail Compliance, Annual State of the Energy Market, Biennial Wholesale Electricity Market, High Price Events						
Target setting method: National Electricity Law and Rules, and National Energy Retail Law and Rules set statutory timeframes for reporting. Achieving 100% ensures compliance with those rules						
This measure was included in the 2025–26 Portfolio Budget Statement						
2.2 The AER’s market performance reports are useful to stakeholders	81%	72%	70%	75%	N/A*	●
Method: Proportion of AER Stakeholder Survey responses of 7 or higher in response to questions about: Producing reports that are clear and easy to understand; the usefulness of its information about wholesale market activity; the usefulness of its reporting on the performance of retail energy markets						
Target setting method: Annual targets are based on a 4-year average of past results (2020–21 to 2023–24), helping to even out fluctuations caused by external factors beyond the AER’s control, such as economic conditions						
2.3 Stakeholder awareness of the AER’s current compliance and enforcement priorities	87%	94%	91%	88%	N/A*	●
Method: Proportion of AER Stakeholder Survey responses of 7 or higher in response to an awareness question about the AER’s compliance and enforcement priorities						
Target setting method: Annual targets are based on a 4-year average of past results (2020–21 to 2023–24), helping to even out fluctuations caused by external factors beyond the AER’s control, such as economic conditions						
2.4 Retail authorisation and exemptions applications to sell energy assessed within 16 weeks of receiving all relevant information	100% (authorisations)	75% (authorisations)	100% (authorisations)	100% (authorisations)	100% (authorisations)	✓
	100% (exemptions)	89% (exemptions)	100% (exemptions)	100% (exemptions)	100% (exemptions)	
Method: Analysis of AER records						
Target setting method: The 16 week assessment timeframe is self-imposed, and the AER aims to achieve all assessments within that timeframe						
Note: Sixteen-week service standard may not be met for complex applications with greater due diligence requirements						
This measure was included in the 2025–26 Portfolio Budget Statement						

* No result reported for 2025–26, as the AER Stakeholder Survey was not conducted in this reporting period.

Results prior to 2025–26 included additional reports that were published within 'agreed' timeframes. Annual retail markets report was published on 1 December 2025 (statutory deadline is 30 November which was a Sunday) and Wholesale gas performance report was published on 8 May 2026.

Analysis of results

2.1 Proportion of all market reports published within statutory timeframes

The AER delivered all of our market reporting within the required statutory reporting timeframes in 2025–26, providing timely information for policy makers, industry participants and the community about energy market activity and outcomes.

2.2 The AER's market performance reports are useful to stakeholders

2.3 Stakeholder awareness of the AER's current compliance and enforcement priorities

No result for 2.2 and 2.3. In 2025–26, the AER did not undertake the Stakeholder Survey (refer to 'AER analysis of performance – AER Stakeholder survey' for further detail).

2.4 a) Retail authorisation applications to sell energy assessed within 16 weeks of receiving all relevant information

b) Retail exemption applications to sell energy assessed within 16 weeks of receiving all relevant information

The AER has a responsibility to protect customers under the National Energy Retail Law and requires any entity selling energy to customers to hold a retailer authorisation or have an exemption. Meeting our targets for timely retailer authorisations and exemptions also supports competition in, and new entrants to, energy retail markets as well as minimising disruptions for consumers.

In 2025–26, the AER granted 8 retailer authorisations and 10 individual retail exemptions, all within the 16-week service standard. These related to the sale of energy to commercial customers within shopping centres in NSW.

Outcomes achieved

In addition to the performance measure results and analysis under Table 3.11, the outcomes achieved, as detailed below, show the impact of our work and demonstrate how this contributes to achieving our purpose.

Increasing market transparency

Between 1 July 2025 and 30 June 2026 the AER published 3 performance reports on our website, continuing to deliver on our legislative obligations while building knowledge and conveying trust and transparency in Australia's energy system.

To reduce duplication in reporting the AER moved to [annual wholesale market performance](#) reporting in October 2025, after publishing the final [quarterly wholesale markets report](#) in July 2026. Quarterly updates of industry data files will continue to be made publicly available.

In August 2025 the AER published the annual [State of the energy market 2025](#) and in December 2025, published its second combined [Electricity and gas networks performance report 2025](#), covering the regulatory period up to June 2024.

The AER enhanced its retail market monitoring and reporting framework to provide more comprehensive and transparent insights into market performance and consumer outcomes with the quarterly [retail energy market performance updates](#) and the [Annual retail markets report 2024–25](#), published in December 2025.

In May 2026 the AER published its inaugural [Wholesale gas performance report](#). This report is the first broad-ranging assessment of wholesale gas markets, covering competition and efficiency in aspects of the wholesale gas markets. The 2026 report focused on the markets facilitated by Australian Energy Market Operator (AEMO) and included the Gas pipelines monitoring and transparency report.

The AER also continued to oversee compliance with enhanced gas market reporting obligations on the East Coast Gas Bulletin Board. These requirements are designed to increase transparency through disclosure of volume and pricing of gas field reserves, short-term domestic supply agreements and overseas exports of liquified natural gas (spot cargoes). In April 2026, the AER published the third [wholesale gas reserves price assumptions report](#) providing trend analysis on prices used to establish gas field reserve estimates.

From March 2026, the AER used information-gathering powers to obtain insights from key fuel reliant participants in the electricity market to inform government consideration of risks associated with global oil and gas price and supply shocks resulting from the conflict in the Middle East.

Regulating energy markets

The AER oversaw the entry and exit of market participants, including granting retailer authorisations and exemptions, to support market participation and competition while maintaining appropriate consumer protections.

In 2025–26, the AER granted 8 retailer authorisations to Energy Matrix Group Pty Ltd, Flo Energy Australia Pty Ltd, ASENSO Pty Ltd, Photon New Energy Pty Ltd, Energy Trade Pty Ltd, Agora Retail Pty Ltd, Banpu Energy Pty Ltd and CEP Energy Retail Pty Ltd.

In October 2025 the AER approved [Ampol's application](#) to surrender its retailer authorisations, effective 2 April 2026, subject to conditions aimed to ensure that consumers experiencing vulnerability, such as customers on payment plans or in Ampol's hardship program, did not experience unnecessary detriment as a result of the transfer.

During 2025–26, the AER approved 10 individual exemptions relating to energy sales to commercial customers in NSW shopping centres and industrial parks.

The AER continued to strengthen its monitoring of wholesale energy markets through detailed analysis of significant price events and evolving reporting frameworks. The AER published 2 Significant Price Variation (SPV) reports related to the wholesale gas markets in [August 2025](#) and [December 2025](#).

The AER concluded a substantive review of the Significant Price Reporting Guideline, which found that the \$5,000/MWh threshold was no longer fit for purpose, and published the [revised guideline](#) in January 2026. Over the reporting period the AER [published](#) 3 significant price reports under the old criteria and one report under the revised guideline.

The AER made 2 pipeline classification decisions, classifying the [Atlas to Reedy Creek](#) Pipeline (ARCP) in August 2025 and the [Roma North \(Mimas\) Gas Pipeline](#) in February 2026 as transmission pipelines.

Ensuring compliance and enforcement

The AER published the [Compliance and enforcement update report for July to December 2025](#) in January 2026 and the [2025–26 Annual compliance and enforcement report](#) in July 2026, detailing significant compliance and enforcement actions undertaken during the reporting period. This work includes the following.

- In July 2025 the Federal Court ordered [CAM Engineering and Construction Pty Ltd](#) to pay a penalty of \$250,000 for failing to become a member of the Energy and Water Ombudsman NSW (EWON) scheme for a period of 16 months as required by the National Energy Retail Law. During this period, customers of the retirement village where CAM Engineering and Construction Pty Ltd had sold and supplied electricity did not have access to the dispute resolution service that EWON provides. Prior to instituting proceedings, the AER issued CAM Engineering with multiple warnings and an infringement notice for the alleged breach. CAM Engineering did not pay the penalty specified in the infringement notice.
- In November 2025 [Alinta Energy Retail Sales Pty Ltd](#) paid \$1,089,000 in penalties following a record 15 infringement notices issued by the AER for alleged breaches of overcharging obligations in the Retail Rules. The alleged breaches involved overcharging customers by continuing to take Centrepay payments from customers who were no longer receiving energy supply from Alinta. The AER alleges that Alinta failed to notify affected customers or refund them within required timeframes. The alleged conduct affected electricity and gas customers across NSW, Queensland and SA between April 2019 and September 2024.
- In December 2025 the AER instituted Federal Court proceedings against 4 [Origin Energy](#) subsidiaries, alleging Origin breached obligations in the Retail Rules. The proceedings relate to Origin allegedly overcharging customers more than \$2.5 million by continuing to receive Centrepay payments from customers who had closed their accounts and fully paid all amounts owed. The AER alleges that Origin failed to notify affected customers or refund them within required timeframes; and that Origin had knowledge of the issue as early as 2017. The alleged conduct is said to have resulted in more than 77,000 breaches affecting over 3,400 customers between December 2019 and March 2025.
- In December 2025, following an investigation into major power outages in the Broken Hill region in October 2024, the AER instituted civil proceedings in the Federal Court alleging that [NSW Electricity Networks Operations Pty Limited \(Transgrid\)](#) breached the National Electricity Rules.
- In March 2026 [EnergyAustralia Pty Ltd](#) paid 2 infringement notices totalling \$142,800 for alleged breaches of explicit informed consent obligations in the National Energy Retail Law and National Energy Retail Rules. The AER alleged that an elderly customer was left without power for 114 days between July and October 2023, after EnergyAustralia mistakenly transferred the customer to its services without consent and subsequently disconnected the customer.
- In November 2025 the Full Federal Court heard the appeal raised by AGL Retail Energy Limited and its 3 subsidiaries (together AGL) in relation to the Federal Court judgment in *AER v AGL Retail Energy Limited & Ors* handed down in 2024, which found that AGL has overcharged 483 Centrepay customers on 16,156 occasions and failed to notify or refund as required. On 19 August 2026 the Full Federal Court upheld AGL's appeal and found that AGL did not engage in overcharging. At the time of writing, the AER is considering the judgment and potential next steps.

See strategic objective 1, 'Protecting consumers through enforcement', for more information.

Highlight: Significant milestones for Contract Market Monitoring

The overarching purpose of the AER's wholesale monitoring and reporting functions under the national energy laws is to promote effective market competition and efficient market functioning of wholesale electricity and gas spot and contract markets.

In August 2025 the AER issued its first Market Monitoring Information Notices for gas information, followed in December 2025 by the publication of the first [Market Monitoring Information Order](#) for electricity information.

To support the ongoing collection of information under notices and order, in March 2026, the AER launched its [Contract Market Monitoring Portal](#), which facilitates the secure and efficient submission of information.

This work marked a milestone in the AER's ability to collect, analyse and securely manage contract market data providing an expanded view of key financial incentives underpinning market outcomes for the first time.

The information gathered supports enhanced wholesale market monitoring and over time will improve market transparency; support well-informed advice and analysis that will benefit industry and government; and enable deeper insights into retail markets and drivers underpinning prices ultimately paid by consumers.

The inaugural wholesale gas market performance report was the first publication issued referencing insights from this information. See strategic objective 2, 'Increasing market transparency', for more information.

Strategic objective 3: Deliver efficient regulation of monopoly electricity and gas infrastructure while incentivising networks to become platforms for energy services

About this strategic objective

Australia's energy system is rapidly changing and, with the transition to net zero emissions, these changes are affecting the way energy networks are used.

At an electricity distribution level, technological developments and consumer preferences are leading us away from a supply-side oriented system to one that needs to support 2-way flows of electricity; and away from centralised generation to distributed generation. For electricity transmission, the move towards more regionally dispersed variable renewable generation means there is an immediate need for significant transmission investment to connect the NEM. For gas networks, governments' policies around electrification and the uncertainty around the delivery of renewable gas at scale have raised questions about the future of gas distribution and transmission networks over the next decade. These issues, if not managed carefully, may add significantly to energy network costs and therefore consumer bills.

As the economic regulator of energy networks in all states and territories except Western Australia, we play an important role in the energy transition. We regulate 30 gas and electricity network businesses with a combined asset base of over \$130 billion. Our primary role is in setting the maximum revenue that network businesses can recover from users of their networks. Importantly, we aim to ensure consumers pay no more than necessary for safe and reliable energy.

The AER also develops key aspects of the regulatory framework (including schemes, guidelines and models) and reviews them regularly to keep them relevant. We ensure revenue determinations reflect consumer preferences while at the same time preparing the regulatory framework for new types of expenditures to manage the impact of the energy transition on networks.

Our role and key activities

Energy networks regulation is a key activity of the AER due to its role in regulating electricity networks and natural gas pipelines, and this is reported on in our performance measures (Table 3.12).

Our priorities

The AER's 2025–26 priorities under strategic objective 3 were:

- deliver and improve revenue and price controls and Integrated System Plan contingent project assessments by:
 - focusing on high impact actions that matter most to consumers
 - incentivising network businesses to deliver high-quality proposals that promote consumer interests
 - streamlining our assessment approaches
- contribute to effective energy system planning by undertaking transparency reviews of the Integrated System Plan
- deliver useful and relevant network performance reporting that enables:
 - stakeholders to be better informed and participate more effectively in debate on energy reforms as the energy market transitions
 - continuous improvement of the regulatory framework for networks
- undertake network-related compliance and enforcement activities
- support contestable markets by monitoring, and further developing, the electricity transmission and distribution ring-fencing guidelines
- work with NSW to refine and improve regulatory frameworks and processes to support the efficient and timely development of networks in Renewable Energy Zones
- for Renewable Energy Zones, deliver and improve:
 - revenue determinations
 - genuine and appropriate decisions
 - contribution determinations to support the efficient and timely development of networks.

We also had 5 'Tilt' and 2 'Advocate' priorities under this strategic objective:

- further refine and improve our regulatory framework and processes for, transmission regulation, annual pricing process, economic benchmarking, incentive schemes for transmission, long-term modelling capability, Rate of Return Instrument and network planning
- implement in regulatory decisions the guidance on social license that was developed for industry and community in our guidelines
- undertake work to refine and improve approaches to establishing the values of customer reliability and values of network resilience
- assist jurisdictions in the development and implementation of regulatory frameworks that support the efficient and timely development of networks in Renewable Energy Zones
- refine and develop regulatory frameworks that support efficient large transmission investments and the development of Renewable Energy Zones
- advocate for more efficient network investment and deployment of consumer energy resources and ensure that benefits are passed to consumers
- advocate for the establishment of policy frameworks that deal with the potential winding down of gas networks.

Performance measures

Table 3.12: Performance measures for strategic objective 3

Performance measure	2022–23	2023–24	2024–25	2025–26		Met?
	Result	Result	Result	Target	Result	
3.1 The AER promotes efficient investment in, operation and use of energy services for the long-term interests of consumers	69%	52%	60%	64%	N/A*	
Method: Proportion of AER Stakeholder Survey responses of 7 or higher in response to the question about AER promoting efficient investment in energy services Target setting method: Annual targets are based on a 4-year average of past results (2020–21 to 2023–24), helping to even out fluctuations caused by external factors beyond the AER's control, such as economic conditions						
3.2 Revenue reset determinations for electricity networks and gas pipelines completed within statutory timeframes	100%	100%	100%	100%	100%	
Method: Percentage of resets completed within statutory timeframes Target setting method: National Electricity Rules and National Gas Rules provide the statutory timeframes for revenue reset determinations. Achieving 100% ensures compliance and reduces risk This measure was included in the 2025–26 Portfolio Budget Statement						
3.3 Customers with a retailer exposed to cost reflective network tariff#	26%	31%	37%	41%	48%	
Method: Analysis of networks pricing data held by the AER to calculate the proportion of customers Target setting method: The National Electricity Rules require distributors to gradually make their tariffs more accurately reflect the cost to serving their customers, which is charged to retailers, who pass the costs onto customers. Setting a target with a 5% increase per year allows for gradual compliance with the requirements						
3.4 The AER undertakes efficient regulation of network businesses by focusing on high impact actions that matter to consumers	73%	54%	54%	66%	N/A*	
Method: Proportion of AER Stakeholder Survey responses of 7 or higher in response to the question about AER efficiently regulating networks by focusing on high impact actions Target setting method: Annual targets are based on a 4-year average of past results (2020–21 to 2023–24), helping to even out fluctuations caused by external factors beyond the AER's control, such as economic conditions						
3.5 The AER encourages the evolution of the regulatory framework to provide network customers with the services that they value at efficient prices	61%	43%	47%	55%	N/A*	
Method: Proportion of AER Stakeholder Survey responses of 7 or higher in response to the question about AER encouraging the evolution of the regulatory framework to provide network customers with the services they value at efficient prices Target setting method: Annual targets are based on a 4-year average of past results (2020–21 to 2023–24), helping to even out fluctuations caused by external factors beyond the AER's control, such as economic conditions						

* No result reported for 2025–26, as the AER Stakeholder Survey was not conducted in this reporting period.

The result reported relates to data from the Annual Regulatory Information Notices (RINs) as at 30 June 2025. There is a one-year lag in the result for this performance measure; the relevant data is submitted to the AER by network businesses each November. The AER publishes actual financial year tariff results on its website after audit-assured data is received.

Analysis of results

3.2 Revenue reset determinations for electricity networks and gas pipelines completed within statutory timeframes

The AER continued to deliver effective network regulation, completing 5 electricity distribution determinations, 2 electricity transmission determinations, 2 gas distribution and one gas transmission access arrangement. All revenue reset determinations and access arrangements were made within statutory timeframes, providing timely regulatory certainty for businesses, consumers and investors.

The reset process also continues to incentivise networks to develop high-quality proposals informed by genuine consumer engagement, contributing to regulatory outcomes that better reflect the long-term interests of consumers.

3.3 Customers with a retailer exposed to cost reflective network tariff

The AER continued support for distributors increasing the number of residential customers (who have smart meters) with a retailer exposed to cost reflective network tariffs in an increasingly dynamic energy sector.

Tariffs are designed to better reflect the costs of providing network services to customers with different patterns of electricity use. Customers who are able to shift their electricity use away from periods of high network demand may benefit from lower network charges, depending on the tariff and retail plan they are on.

The AER has amended the methodology for this performance measure to ensure that it is reliable and verifiable, and to prevent double-counting in the percentage of customers whose retailers face cost reflective network tariffs. Previous years' figures have been updated to reflect this change in methodology.

3.1 The AER promotes efficient investment in, operation and use of energy services for the long-term interests of consumers

3.4 The AER undertakes efficient regulation of network businesses by focusing on high impact actions that matter to consumers

3.5 The AER encourages the evolution of the regulatory framework to provide network customers with the services that they value at efficient prices

No result for 3.1, 3.4 and 3.5. In 2025–26, the AER did not undertake its Stakeholder survey (refer to 'AER analysis of performance – AER Stakeholder Survey' for further detail).

Outcomes achieved

In addition to the performance measure results and analysis under Table 3.12, the outcomes achieved, as detailed below, show the impact of our work and demonstrate how this contributes to achieving our purpose.

Scrutinising costs for efficient outcomes

As the energy sector undergoes rapid transformation driven by decarbonisation, decentralisation and digitalisation, the AER continued its efficient regulation of energy infrastructure while navigating increasingly complex revenue resets and a growing volume of requests to revisit past decisions.

In April 2026 the AER released [final decisions on revenue determinations](#) for 5 Victorian electricity networks – AusNet, CitiPower, Jemena, Powercor and United Energy – for the 2026–31 regulatory period. All 5 businesses proposed significant uplifts in expenditure. Our final decisions sought to balance affordability for consumers with providing the necessary expenditure that will support the changing nature of the energy system.

The AER is working to implement the [2025 AEMC rule change](#) that established new resilience expenditure factors that the AER must have regard to when assessing expenditure. We published a consultation paper on [network resilience guidelines](#) in June 2026, asking stakeholders to comment on how we should apply the new factors and how networks should plan and report on resilience expenditure.

In relation to gas markets, we published final access arrangement decisions for 2026–31 for [Evoenergy](#), [Amadeus Gas Pipeline](#) and the [Australian Gas Networks](#) (SA) in May 2026. These decisions balanced affordability for consumers with the distinct challenges each business faces, including managing network transition risk as gas demand declines in the Australian Capital Territory (ACT) and the role of renewable gas in SA.

Following the AER's decision to convert the Basslink interconnector from an unregulated market network service to a prescribed transmission service in June 2025, a [final decision on its revenue determination](#) was published in February 2026 enabling Basslink to commence operation as a regulated service from 1 July 2026. We also [made a decision](#) in June 2026 confirming payment terms, in a proposed contract for Hydro Tasmania's continued provision of load shedding and generation tripping services to Basslink, are prudent and efficient.

In December 2025 the AER made a greenfields incentive [determination for the Bulloo Interlink](#). The decision means the pipeline will be subject to lighter non-scheme regulation when commissioned and will be exempt from stronger scheme pipeline regulation for at least 10 years.

In February 2026 we also published [final decisions](#) for a revenue determination for the Marinus Link interconnector and approval of the contingent project application for the North West Transmission Development. These decisions provide an assessment of the prudence and efficiency of costs to deliver Stage 1 of Project Marinus, which will deliver a 750-megawatt cable connecting Victoria and Tasmania and associated upgrades to the existing on-land transmission network in north-west Tasmania.

All completed energy network revenue determinations are outlined in Table 3.13. The table does not separate capital expenditure allowances, which are subject to significant scrutiny and typically involve the largest reductions between the proposal and final decision.

During 2025–26 the AER also:

- made determinations on 19 cost pass-through applications relating to a range of natural disaster events, regulatory changes, and network support costs
- began assessing 4 contingent project applications including ElectraNet's Northern Transmission Project (Stage 1B early works); Transgrid's System Security Roadmap Operational Technology Project; TasNetworks' North West Transmission Development Project (Stage 1 construction); and Ausgrid's Macquarie Park/Wallumatta Project

- amended TasNetworks' 2024–29 transmission determination to account for a concessional finance agreement with the Clean Energy Finance Corporation for the North West Transmission Development Project, which reduced TasNetworks' 2026–27 maximum allowed revenue
- published the [adjusted Values of Customer Reliability](#)
- approved annual pricing proposals for electricity distribution businesses in NSW, ACT, Northern Territory, Queensland, SA and Victoria for 2026–27
- approved annual tariff variations for gas distribution and transmission pipeline businesses in NSW, Northern Territory, Queensland, SA and Victoria for 2026–27
- made 2 gas pipeline classification decisions.

Across all these processes, the AER's approach was guided by our obligation to set revenues that reflect prudent and efficient costs, protecting consumers from unnecessary charges while ensuring network businesses can deliver safe, reliable services and progress the transition to renewable energy that support the reduction of greenhouse gas emissions.

Table 3.13: AER energy network determinations completed, 2025–26

Network	Region	Period covered	Revised revenue proposed by business (\$ nominal, million)	Revenue allowed by AER (\$ nominal, million)	Difference between allowed and proposed revenues (%)	Difference between allowed revenue in current and previous period (\$real smoothed, million)	Difference between allowed revenue in current and previous period (%)
Ausnet	Vic	1 July 2026 to 30 June 2031	\$4,939.0	\$4,748.3	-3.9%	\$332.4	8.2%
Citipower	Vic	1 July 2026 to 30 June 2031	\$2,034.9	\$2,039.0	0.2%	\$162.6	9.4%
Jemena	Vic	1 July 2026 to 30 June 2031	\$2,026.7	\$2,000.3	-1.3%	\$287.9	18.5%
Powercor	Vic	1 July 2026 to 30 June 2031	\$5,313.4	\$5,335.4	0.4%	\$894.1	22.2%
United Energy	Vic	1 July 2026 to 30 June 2031	\$2,904.3	\$2,913.2	0.3%	\$279.2	11.6%
Evoenergy (Gas)	ACT	1 July 2026 to 30 June 2031	\$455.0	\$412.8	-9.3%	\$8.6	2.3%
Amadeus	NT	1 July 2026 to 30 June 2031	\$149.3	\$150.7	1.0%	\$24.0	20.7%

Network	Region	Period covered	Revised revenue proposed by business (\$ nominal, million)	Revenue allowed by AER (\$ nominal, million)	Difference between allowed and proposed revenues (%)	Difference between allowed revenue in current and previous period (\$real smoothed, million)	Difference between allowed revenue in current and previous period (%)
Australian Gas Networks (SA)	SA	1 July 2026 to 30 June 2031	\$1,386.8	\$1,370.3	-1.2%	-\$65.8	-4.9%
Marinus Link	Tas	1 July 2025 to 30 June 2030	\$3,495.3 (\$2023)*	\$3,316.9 (\$2023)*	-5.1%	Not applicable	Not applicable
Basslink	Tas	1 July 2026 to 30 June 2030	\$461.2	\$459.5	-0.4%	Not applicable	Not applicable

* The Marinus Link revenue determination was modified under the intending TNSP framework and includes forecast capex associated with Stage 1 construction costs in real terms only.

Ensuring efficient network investment

As the scale of proposed network investment continues to grow, maintaining robust incentives for efficient capital expenditure is critical to protecting consumers from unnecessary costs.

In August 2025 the AER completed its transparency [review of the Australian Energy Market Operator's \(AEMO\) 2025 Inputs, assumptions and scenarios report](#) (IASR) and in January 2026 published the transparency review of the [AEMO's Draft 2026 Integrated System Plan \(ISP\)](#).

In March 2026 the AER published proposed amendments to the [Forecasting Best Practice Guidelines](#), which set out requirements for AEMO's forecasting for reliability assessments and the ISP. We considered stakeholder submissions and then [finalised the updated guidelines](#) in June 2026.

In August 2025 the AER published [updated Capital Expenditure Incentive Guidelines](#) following the 2025 [Capital Expenditure Incentive Guidelines Review](#). The updated guidelines ensure the AER's incentive framework remains fit for purpose as the nature of network investment changes.

Key amendments include provisions to implement the AEMC rule change on managing ISP project uncertainty through targeted ex-post reviews, enabling the AER to assess large individual projects on a case-by-case basis.

The guidelines also introduce new provisions to exclude expenditure from the Capital Expenditure Sharing Scheme (CESS) in certain circumstances and make adjustments to accommodate situations where ISP projects are abandoned.

Supporting networks to enable distributed energy transformation

As 2-way energy flows become the norm, distributed energy resources proliferate and electrification drives increasing demand, Australia's electricity distribution networks are transforming from passive infrastructure into active platforms for energy services.

In 2025–26 we assessed expenditure proposed by the Victorian electricity distribution businesses to support cost-effective distributed energy. We scrutinised the scope and costing of these proposals and supported prudent expenditure by distribution businesses to undertake flexible export limits, provide data visibility and deliver marketplaces for flexibility services.

Published in December 2025, the [Facilitating CER in Australia's two-way energy system – export services network performance report 2025](#) examined how electricity distribution networks are facilitating and optimising consumer energy resources, with a focus on electric vehicles, vehicle-to-grid technology and community-scale batteries.

Enabling efficient delivery of renewable energy network infrastructure

The AER continued to play an important role in delivering Australia's renewable energy future by scrutinising the costs of network infrastructure projects associated with Renewable Energy Zones (REZ).

In NSW, the AER is a regulator under the *Electricity Infrastructure Investment Act 2020* (EII Act) with responsibility for making revenue determinations on authorised network infrastructure projects.

In November 2025 we made our [final decision](#) on Ausgrid's Hunter-Central Coast REZ non-contestable network infrastructure project. We also made our [final decision](#) on Transgrid's Central-West Orana REZ enabling non-contestable network infrastructure project in January 2026.

In February 2026 we made our [2026–27 contribution determination](#) under the EII Act. This determination establishes the amount that can be recovered from the 3 NSW network distributors for costs associated with the NSW Roadmap under the EII Act.

In April 2026 we commenced consultation on [Transgrid's hybrid revenue proposal for the System Strength Project](#). This Priority Network Infrastructure Project will deliver 10 synchronous condensers across 5 locations in NSW to meet system strength needs. The System Strength Project marks the first time the AER will make a revenue determination under the EII Act that combines both contestable and non-contestable components in one revenue determination.

In August 2024 the AER was conferred the function of 'suitably qualified person' under the *Queensland Energy (Infrastructure Facilitation) Act 2024*. This role includes, for priority transmission investment projects, reviewing Powerlink's cost-benefit analysis methods and assessing whether proposed and incurred expenditure is prudent and efficient.

Highlight: Helping to secure South Australia's energy supply

On 19 February 2026, the South Australian Government appointed the AER as one of the Scheme Regulators under the National Electricity (South Australia) (Firm Energy Reliability and Orderly Exit Management) Regulations 2025. The Firm Energy Reliability Mechanism (FERM) scheme is intended to support the security, reliability and affordability of South Australia's electricity supply as the state increases its use of renewable energy.

The AER's role includes monitoring entities' compliance with the scheme, making annual contribution determinations, publishing the Scheme Regulator guideline and approving a risk management framework applying to the Financial Vehicle. The AER approved the risk management framework for the scheme's Financial Vehicle in March 2026.

As a Scheme Regulator we will be required to make an annual contribution determination to ensure the independent Financial Vehicle has sufficient funds to meet its liabilities. We will take on this function in the coming year, publishing a determination in February 2027 for the 2027–28 period. These liabilities include the costs of underwriting storage or firming investment, and the administration costs of the scheme entities. The South Australia Transmission Network Service Provider, ElectraNet, is required to pass the scheme costs through to transmission service customers and costs are then passed on to South Australian electricity consumers.

In April 2026 the AER published our draft FERM Scheme Regulator guideline. The draft guideline sets out our process and method for how we make contribution determinations. A final guideline was published in July 2026.

We intend to expand this guideline over time on other elements of our functions under the FERM scheme, such as fuel price determinations. We will also provide separate guidance to obligated South Australian generators regarding the commencement of the Market Liquidity Obligation.

By establishing the regulatory framework for the FERM scheme, the AER is helping support a reliable and orderly energy transition in SA, while providing consumers with confidence that scheme costs and risks are subject to independent regulatory oversight.

Strategic objective 4: Evolve our regulatory frameworks and approaches to support the transition to net zero emissions

About this strategic objective

The NEM is transitioning toward a future with significant and rapid uptake of both grid-based and distributed renewable energy resources, the closure of ageing fossil fuel dependent generation plant, and technological change that will affect how consumers engage with their energy providers. During this transition the need to protect the long-term interests of consumers has never been greater. The AER, as the independent market monitoring and enforcement agency, provides strong, evidence-based analysis to inform policy proposals and help ensure those proposals are effective, holistic and fit for purpose while protecting the long-term interests of consumers.

The AER's extensive expertise in energy markets and regulation can inform and influence debate about Australia's energy future. We advocate for policy changes to improve the regulatory framework and enhance the interests of consumers. We do this through our relationships with all levels of government and the AER Chair's membership of the Energy Advisory Panel. We also engage in AEMC policy reviews and rule change processes.

A key focus for the AER is to evaluate the impact of different reform design solutions on consumers, competition and on our role (specifically network regulation along with monitoring and enforcing compliance with the National Electricity Law and National Electricity Rules).

Our role and key activities

The AER draws on its expertise and analysis to inform and influence debate about energy policy as part of our key activity, policy and advocacy, which is reported on in our performance measures (Table 3.14).

Our priorities

The AER's 2025–26 'Execute' priorities under strategic objective 4 were:

- contribute to policy processes and reviews that support the energy transition where these impact on competition, consumers and the role of the AER, including AEMC rule changes and reviews
- provide timely and insightful contributions to energy ministers, the Energy Advisory Panel and relevant market body forums
- maximise the impact of regulatory sandboxes by facilitating trials and sharing and applying lessons learned to promote innovation
- actively engage in domestic and international, energy and regulation forums and events and build bilateral relations to share knowledge and develop regulatory expertise on the energy transition.

We also had 3 'Tilt' and one 'Advocate' priorities under this strategic objective:

- advocate for change to regulatory settings for consumer energy resources to optimise utilisation, protect and build trust with consumers, and enable distribution network service providers to provide platforms for energy services
- monitor the new emissions reduction objective into the AER's decision-making, operations and guidance to industry and consumer stakeholders
- review regulatory framework with future Distribution Services and Market Operator Model
- advocate to ensure that arrangements governing consumer energy resources technical standards are fit for purpose, protect the interests of consumers and do not lead to inefficient network investment.

Performance measures

Table 3.14: Performance measures for strategic objective 4

Performance measure	2022–23	2023–24	2024–25	2025–26		Met?
	Result			Target	Result	
4.1 The AER's reports inform debate about Australia's energy future and regulatory landscape	72%	46%	61%	60%	N/A*	●
Method: Proportion of AER Stakeholder Survey responses of 7 or higher in response to question about the AER's contribution to the debate about Australia's energy future and regulatory landscape						
Target setting method: Annual targets are based on a 4-year average of past results (2020–21 to 2023–24), helping to even out fluctuations caused by external factors beyond the AER's control, such as economic conditions						
4.2 AER stakeholders' agreement with the following statements:	76%	59%	66%	69%	N/A*	●
(a) The AER engages effectively with its stakeholders						
(b) The AER shows leadership in pursuing or promoting priority issues in the energy sector	73%	47%	62%	66%	N/A*	●
Method: Proportion of AER Stakeholder Survey responses of 7 or higher in response to questions about engagement with stakeholders and showing leadership.						
Target setting method: Annual targets are based on a 4-year average of past results (2020–21 to 2023–24), helping to even out fluctuations caused by external factors beyond the AER's control, such as economic conditions.						
4.3 Reach of AER communication activities#	57,810	28,648	29,834	31,500	31,968	✓
Method: Analysis of AER strategic communications and engagement data to calculate the growth in audience of AER-owned communication channels						
Target setting method: Annual targets are a 10% growth trend year-on-year based on the last reported results at the time of target setting (i.e. for 2025–26, the result from 2023–24 is used), rounded to the nearest hundred.						
4.4 Number of rule change proposals that the AER successfully influenced	6	5	9	No target^	3	●
Method: Quantitative trend over time.						
Target setting method: While it is useful to monitor trends, it is not appropriate to set annual targets						

* No result reported for 2025–26, as the AER Stakeholder Survey was not conducted in this reporting period.

Combined number of social media and electronic newsletter subscribers.

^ The AER has expertise in energy markets and regulation, which it can use to inform and influence policy. We seek to advocate for policy changes that protect and promote the interests of consumers via several avenues – including by making

submissions to AEMC policy reviews and rule change processes. While a higher result / upward trend indicates better performance, it is not meaningful to set annual targets.

Analysis of results

4.3 Reach of AER communication activities

For 2025–26 the AER’s online audience has continued to grow with an increase to online news alert subscribers and, following the streamlining of AER’s engagement channels, and increase in followers across Facebook and LinkedIn of 7.15% over last year. Increasing the reach of our communications enables us to engage more effectively with stakeholders, improve transparency, build confidence in our regulatory role, and promote greater understanding of regulatory obligations.

4.4 Number of rule change proposals that the AER successfully influenced

Three rule changes were materially informed by our submissions to those processes:

- [Early application of a revised transmission Service Target Performance Incentive Scheme](#)
- [Improving life support processes](#)
- [Supporting compliance with meter maintenance obligations](#)

Overall we made 24 submissions to rule-making, policy and regulatory reform processes, including AEMC rule changes and reviews, Commonwealth and state consultations, and other market governance processes. Areas of focus included payment difficulty protections, life support processes, real-time data access, electricity pricing reform, integrated distribution system planning, gas network transition, CER roles and energy market misconduct.

These submissions drew on the AER’s regulatory and market expertise to advocate for reforms in consumers’ interests across consumer protection, network regulation, market governance and the energy transition.

4.1 The AER’s reports inform debate about Australia’s energy future and regulatory landscape

4.2 a) AER stakeholders agree AER engages effectively with its stakeholders

b) AER stakeholders agree AER shows leadership in pursuing or promoting priority issues in the energy sector

No result for 4.1, 4.2 (a) and 4.2 (b). In 2025–26, the AER did not undertake its stakeholder survey (refer to ‘AER analysis of performance – AER Stakeholder Survey’ for further detail).

Outcomes achieved

In addition to the performance measure results and analysis under Table 3.14, the outcomes achieved, as detailed below, show the impact of our work and demonstrate how this contributes to achieving our purpose.

Modernising network regulation

The AER continues to modernise incentive-based regulatory frameworks to ensure they remain fit for purpose in an energy system undergoing rapid transformation.

A key focus during the year was progressing reforms to the transmission Service Target Performance Incentive Scheme (STPIS) following progress made in the previous financial year. In April 2025 we

published an updated transmission STPIS (version 6). The updated STPIS included changes to all components of the scheme. The most notable change was the suspension of the Market Impact Component, which is designed to ensure transmission network service providers (TNSPs) schedule outages at time which minimise the impact on wholesale market outcomes, until such time as a replacement can be found.

Commencing October 2025, the AER began engaging exploring options to inform a replacement for the suspended Market Impact Component of the STPIS via a working group of key industry and consumer stakeholders. The working group is expected to conclude towards the end of calendar year 2026.

In August 2025 the AER [submitted a rule change request](#) to the AEMC proposing an amendment to the National Electricity Rules to enable a revised STPIS to apply to a TNSP before the end of a TNSP's regulatory control period. The AEMC's final rule came into effect on 21 May 2026 and the change provides flexibility for the AER to apply revisions to the STPIS in a timely manner, particularly in response to the changing circumstances that have arisen as a result of the energy transition.

During 2025–26 we also advanced work on regulatory approaches to reduce the impact of transmission outages on wholesale market spot prices. We have been engaged with a working group of industry and consumer stakeholders analysing the extent of the problem and potential solutions, with the results of that process to be progressed in the latter half of 2026.

In December 2025 the AER published the findings of its [review of its network performance reporting framework](#) with the framework including 2 new priorities recognising emissions reduction targets in the National Electricity Objective and National Gas Objective and our export services network performance reporting requirements.

In August 2025 the AER commenced the [2026 Rate of Return Instrument \(RORI\) review](#). After considering stakeholder submissions and an expert technical report, we published a draft RORI in May 2026 and commenced extensive engagement on the draft, which included hosting a public forum in June 2026. The AER also provided the draft RORI to an independent panel to independently assess the evidence and reasons supporting the draft RORI and provide a written report to the AER, as required under national energy laws. The RORI specifies how the AER will determine the allowed rate of return on capital invested in regulated electricity and gas networks that commence their regulatory period during the 4-year period following its release.

The AER lodged submissions on other AEMC rule changes and reviews, including:

- Electricity pricing for a consumer-driven future
- Security framework enhancements
- Enhanced distribution network planning and reporting
- [Establishing a regulatory framework for retail customer initiated gas abolishment](#)
- [Gas Networks in transition](#)
- [Updating the regulatory framework for gas connections.](#)

Our work responding to the AEMC's Electricity pricing for a consumer driven future review highlighted the interconnected nature of pricing and the broader framework for network regulation. We emphasised the need for pricing reforms to be considered in concert with broader reforms to networks to support the evolution of the system and the integration of new technology. Importantly, we also highlighted the need to balance issues of efficient network utilisation with consumer trust founded on equity and choice. The AEMC's final position in that review integrated key feedback from the AER.

Our work with the AEMC on gas connection pricing contributed to a rule change protecting existing customers from costs imposed by newly connecting customers, while also mitigating long-term

asset stranding risks faced by gas network operators. On gas connection abolishment, we are now assessing new abolishment model standing offers which flow from the AEMC's rule change. Our engagement with the AEMC on its Gas networks in transition rule change is emphasising the importance of regulatory discretion in response to evolving regulatory and commercial contexts.

In March 2026 the AER published a new [guideline](#) to assist TNSPs to better understand how they can apply to adjust network support payment allowances to account for new or amended transmission non-network options (NNOs) or seek approval for draft payment methodologies for NNO services. TNSPs may seek to enter into arrangements with NNO providers as an alternative to typical 'poles and wires' network investment to meet network needs. For example, a NNO could be to contract for energy storage services to support the capacity of the grid in a particular location.

Driving innovation for the transition

The AER continued to embed flexibility and support innovation to assist in the development of new technologies and business models required for the transition to net zero emissions.

Trial waivers remained an important tool, allowing the AER to provide temporary regulatory flexibility to support projects that test new technologies, such as innovative metering solutions and electric vehicle charging infrastructure, and new market approaches which may provide value for consumers. These trials generate valuable insights that can inform changes to regulatory frameworks and market rules over time.

The most significant sandboxing development was the AER's [December 2025 decision to grant Ausgrid a trial waiver for its Community Power Network](#) – the first waiver granted under the new policy-led sandboxing approach launched in February 2025.

In June 2026, 2 further sandbox trials were granted to [VIOTAS and Enel X](#) to test participation of sites with multiple connections points in the Wholesale Demand Response Mechanism, potentially leading to increased demand response in the NEM.

The AER also continued to enhance the [Energy Innovation Toolkit](#) – a regulatory sandbox provided in partnership with AEMO, AEMC, Essential Services Commission and Australian Renewable Energy Agency. The toolkit provides guidance and resources to assist innovators in understanding and navigating regulatory obligations.

This year there were 20,022 unique visits to the Energy Innovation Toolkit website and 159 submissions received through the Regulation Navigator tool, providing innovators with personalised guidance on the regulations that might apply to their energy project.

The AER also continued to assess [ring-fencing waiver applications](#) and grant waivers where appropriate, providing flexibility to accommodate emerging technologies and new service models within the evolving regulatory framework.

In October 2025 the AER granted [CitiPower, Powercor and United Energy](#) a ring-fencing waiver to conduct a kerbside EV charging trial in Victoria until mid-2031. The waiver allows the 3 businesses to install up to 100 EV chargers, including a minimum 5% vehicle-to-grid chargers, at sites meeting specific criteria, to test how EV charging can manage local network constraints, improve voltage stability and shift demand away from peak periods. We imposed 9 waiver conditions to ensure third parties are not disadvantaged, preserving a level playing field for competitive EV charging markets.

In November 2025 the AER granted [Ergon Energy](#) a ring-fencing waiver to continue providing distribution and generation services to non-NEM connected communities across regional Queensland. The waiver's duration was limited to 5 years to create space for the renewable generation market to evolve and for alternative providers to be considered as part of the generation mix in remote Queensland, while ensuring there is stable electricity supply as this transition occurs.

We also granted [Essential Energy](#) a ring-fencing waiver in November 2025. The waiver, valid until 30 June 2034, allows Essential Energy to establish a training academy and offer specific training courses from its purpose-built training facility in Tamworth, with training hubs in at Parkes, Grafton, Orange, Wagga Wagga and Goulburn.

In February 2026 the AER granted a [ring-fencing waiver to Tasmanian Networks Pty Ltd](#), which allows it to record Private Underground Electricity Cable asset information into the Before You Dig Australia database until 30 June 2029.

The AER continued to monitor compliance with ring-fencing obligations and in February 2026 we published the [Annual ring-fencing compliance report 2024](#) for both transmission and distribution network service providers.

Through these initiatives, we foster a regulatory environment that supports testing innovative solutions in real-world settings balanced with appropriate protections for consumers and market integrity.

Demonstrating energy industry leadership

The AER leverages its expertise in energy markets to advocate for policy changes and improvements to energy laws and rules that protect and promote the interests of energy consumers. We also lead and participate in events that foster productive relationships across Australia and the world.

In 2025–26, the AER made 24 submissions to rulemaking, policy and regulatory reform processes, including AEMC rule changes and reviews, Commonwealth and state consultations, and other market governance processes. These submissions drew on the AER’s regulatory and market expertise to advocate for reforms in consumers’ interests across consumer protection, network regulation, market governance and the energy transition. Several submissions materially informed positive policy outcomes, particularly in:

- payment difficulty protections
- life support processes
- real-time data access
- electricity pricing reform
- integrated distribution system planning
- gas network transition
- Consumer Energy Resources roles
- energy market misconduct.

The AER actively participates in domestic and international professional forums. Domestically, the AER/ACCC Regulatory Conference was held in August 2025 in Brisbane, with AER Members and staff participating in the conference along with other regulators and international guest speakers.

The AER regularly speaks at public conferences and events. A highlight this year included the AER Chair, Clare Savage, providing the keynote regulator address at the ENA Regulation Seminar in August 2025. AER Member Lynne Gallagher also participated on a panel at the Australian Energy Week conference in June 2026 discussing new initiatives and technologies in the sector.

The AER Chair continued their participation on the Energy Advisory Panel to support collaboration between market bodies and provide advice to ministers.

The AER continued to engage with international counterparts both domestically and abroad in 2025–26 with engagement activities undertaken in the South-East Asia region under the record of understanding with DFAT, see ‘Highlight: Forging international ties’ for more information.

AER Members also engaged directly with international regulatory counterparts through major overseas forums and inbound delegations. The AER Deputy Chair, Justin Oliver, spoke at Singapore International Energy Week using the opportunity to exchange regulatory insights with counterparts.

In Australia, the AER Chair met with a visiting group of regulators from the United States of America and with Singapore's Energy Market Authority, further strengthening bilateral relationships and supporting practical knowledge sharing on common energy transition challenges. Through these engagements, the AER was able to further develop its position as a globally recognised regulatory leader in 2025–26.

Highlight: Forging international ties

The AER's international engagement has increased following the signing of a record of understanding with the Department of Foreign Affairs and Trade in March 2025. Through in-country engagement with overseas counterparts, virtual exchanges and Australia-based meetings with visiting delegations, this work supports regional energy objectives and the AER's objective to evolve our regulatory frameworks and approaches for the transition to net zero emissions.

Engagement with international regulators gives us practical insights into shared transition challenges to inform our evidence-based analysis, policy advocacy and regulatory approach. It also helps the AER assess reform options through a consumer lens, including approaches to network regulation, market monitoring, compliance, interconnection, storage and system flexibility. This work is particularly relevant in a year where energy security has remained a key global focus.

A major highlight was the deepening of our relationship with Vietnam's electricity regulator, the Electricity Authority of Vietnam (EAV). This included 3 visits to Vietnam, 2 incoming delegations and engagement with Vietnam's market operator, National Power System and Market Operation Company (NSMO). It included an AER senior staff member presenting on Australia's transition experience at the Future of Vietnam conference in Hanoi in November 2025, alongside bilateral discussions with EAV and NSMO.

That engagement culminated in the AER and EAV signing an updated memorandum of understanding in Hanoi in June 2026, providing a stronger foundation for cooperation on regulatory capability, market development and energy security.

The program also supported broader regional capacity-building through the ASEAN School of Regulation in Malaysia; technical exchanges in Indonesia, Laos and Thailand; IEA-led regional training in Singapore; and hosting incoming delegations in Australia.

Other international highlights included Singapore International Energy Week, where we signed a memorandum of understanding with Singapore's Energy Market Authority in October 2025. This, together with subsequent visits and bilateral discussions with EMA, strengthened cooperation with one of the region's leading energy regulators.

These activities demonstrate the value of targeted international engagement, helping the AER share Australian regulatory experience, build trusted regional relationships, support energy security across South-East Asia, and contribute practical peer-to-peer capacity building. Our international partnerships also recognise that the energy transition is a challenge not bound by national borders – supporting others to succeed produces benefits beyond partner countries and strengthens Australia's ability to successfully navigate our transition.

Regulatory practice

Regulatory reform to reduce red tape and ease burden on businesses

Improving Australia's productivity is a key Government priority. Regulation helps lift productivity by managing risk, enabling innovation and protecting Australians.

In July 2025 the AER received a letter from the Treasurer requesting new ideas to improve regulation and reduce unnecessary compliance burdens.

For 20 years, the AER has taken an adaptive and proportionate approach to energy regulation. We continue to be committed to streamlining regulation to reduce business costs, support competition and facilitate investment.

The AER welcomed the prompt to identify further measurable actions to support productivity, while maintaining core regulatory objectives and protections. In a response letter to the Treasurer, the AER identified 18 substantial and measurable actions, where 4 actions have been completed and 14 are in progress. The AER aims to deliver on all 18 actions by the end of the 2026–27 financial year.

Principles of regulator best practice

The AER is committed to providing outcomes-focused regulatory services that emphasise a proportionate approach to risk, genuine engagement with regulated entities and the broader community, and the importance of maintaining trust and confidence in regulatory settings. In [Resource Management Guide – Regulator Performance](#) (RMG128), the Australian Government identified 3 principles of regulatory best practice. The AER applies these principles in how we undertake our work.

Principle 1: Continuous improvement and building trust asks regulators to adopt a whole-of-system perspective, continuously improving their performance, capability and culture, to build trust and confidence in Australia's regulatory settings.

Principle 2: Risk based and data driven requires regulators to manage risks proportionately and maintain essential safeguards while minimising regulatory burden, and leverage data and digital technology to support those they regulate to comply and grow.

Principle 3: Collaboration and engagement guides regulators to be transparent and responsive, implementing regulation in a modern and collaborative way.

Performance measures

Table 3.15: Performance measures for regulatory practice

Performance measure	2022–23	2023–24	2024–25	2025–26		Met?
	Result	Result	Result	Target	Result	
5.1 The AER is trusted by key stakeholders	75%	64%	69%	71%	N/A*	●
5.2 Key stakeholders agree that the AER has a balanced approach to risk that maintains essential safeguards for consumers while minimising regulatory burden	62%	46%	54%	52%	N/A*	●
5.3 The AER engages effectively with its stakeholders	76%	59%	66%	69%	N/A*	●
5.4 The AER demonstrates how consultation has informed decisions	68%	59%	65%	67%	N/A*	●

Method: Proportion of AER Stakeholder Survey responses of 7 or higher in response to the questions relevant to each measure above

Target setting method: Annual targets are based on a 4-year (5.1 and 5.3) or 3-year average (5.2 and 5.4) of past results (2020–21 to 2023–24), helping to even out fluctuations caused by external factors beyond the AER's control, such as economic conditions

* No result reported for 2025–26, as the AER Stakeholder Survey was not conducted in this reporting period

Analysis of results

5.1 The AER is trusted by key stakeholders

5.2 Key stakeholders agree that the AER has a balanced approach to risk that maintains essential safeguards for consumers while minimising regulatory burden

5.3 The AER engages effectively with its stakeholders

5.4 The AER demonstrates how consultation has informed decisions

No result for 5.2, 5.3 and 5.4. In 2025–26, the AER did not undertake its Stakeholder Survey (refer to 'AER analysis of performance – AER Stakeholder Survey' for further detail).

Outcomes achieved

The outcomes achieved are detailed below, showing the impact of our work and our commitment to regulator best practice and demonstrating how this contributes to achieving our purpose.

Principle 1: Continuous improvement and building trust

In 2025–26 we continued to:

- modernise regulatory frameworks to keep pace with the energy transition by progressing major regulatory reforms including the RORI review, STPIS reforms and network performance reporting framework improvements to ensure regulatory frameworks remain fit-for-purpose as the energy system transforms
- contribute to the Regulator Leadership Cohort (RLC), where AER Chair, Clare Savage, continued as Chair of the RLC, leading collaboration on the following areas of focus:
 - productivity, economic resilience and regulatory reform
 - balancing risk, efficiency and dynamism
 - data, digital and information sharing
 - regulatory capability, leadership and culture
 - harmonisation and whole-of-system uplift
 - regulatory stewardship, governance and accountability
 - community of practice and cross-government collaboration
- work with the Behavioural Economics Team of the Australian Government to evaluate the Better Bills Guideline and Energy Made Easy, with research showing improved consumer understanding and engagement
- strengthen industry and international regulatory capability through the Utility Regulators Forum and international engagements with regulators across the Asia-Pacific region, supporting continuous learning and improvement
- commit to reducing regulatory burden by responding to the Treasurer’s productivity by identifying 18 actions to streamline regulation, with 4 completed.

Highlight: Modernising compliance reviews

The AER implemented streamlined annual compliance review processes for the Service Target Performance Incentive Scheme (STPIS) and Customer Service Incentive Scheme (CSIS) following successful trials. The revised approach improves data capture and analysis, reducing administrative effort for both the AER and distribution network businesses while maintaining effective regulatory oversight.

This initiative demonstrates the AER’s commitment to continuous improvement by using evidence from operational experience to refine regulatory processes and embed more efficient ways of working. By modernising compliance review activities, the AER has improved the efficiency of its regulatory administration while reducing regulatory burden on businesses and maintaining confidence in the effectiveness of regulatory oversight.

Principle 2: Risk based and data driven

In 2025–26 we continued to:

- deliver on our risk-based compliance and enforcement priorities that were informed by harm and risk intelligence from complaints data, self-reporting, ombudsman information and market monitoring activities
- enhance data collection and market transparency through new wholesale gas performance reporting, expanded retail market performance reporting and strengthened gas market reporting obligations to improve transparency and market oversight
- leverage data by introducing contract market monitoring capability and issuing the first Market Monitoring Information Notices and Orders, and launching the Contract Market Monitoring Portal to securely collect and analyse wholesale contract market data. The resulting data improves market transparency and policy insights
- use evidence to inform regulatory improvements, using findings from retail market reporting and behavioural research to initiate reviews of retail guidelines and identify opportunities for more principles-based, streamlined regulation
- progress digital transformation by establishing new automated retail reporting processes designed to improve data quality, reduce manual processing, enhance analytics capability and reduce regulatory burden on stakeholders. This was accompanied by enhanced data modelling and analytics which are intended to enable us to extract richer insights more quickly from our retail data.

Highlight: Targeted compliance and enforcement

The AER focuses its compliance and enforcement activities on areas of greatest regulatory risk, using compliance monitoring, reporting and intelligence to identify and respond to potential non-compliance. This targeted approach enables the AER to direct regulatory effort to matters where intervention is most needed, rather than applying the same level of oversight across all regulated entities and obligations.

The AER employs a range of regulatory responses proportionate to the nature and seriousness of non-compliance, including education and guidance, engagement and compliance reviews, infringement notices, enforceable undertakings and court action. This graduated approach supports early intervention and improved compliance where appropriate, while enabling stronger enforcement action where warranted.

Together, these approaches demonstrate the AER's commitment to proportionate, evidence-based regulation. By targeting compliance activities and tailoring regulatory responses to identified risks and circumstances, the AER supports effective regulatory outcomes while using its resources efficiently and minimising unnecessary regulatory burden.

Principle 3: Collaboration and engagement

In 2025–26 we worked to:

- engage on major regulatory decisions by undertaking significant consultation on DMO determinations, including workshops, stakeholder meetings, consumer engagement and public consultation
- partner with industry on major reforms conducting extensive engagement with stakeholders when implementing enhanced wholesale market monitoring and reporting reforms, including forums, workshops and consultation on information collection instruments
- strengthen consumer engagement through the continued Customer Consultative Group to ensure consumer perspectives inform regulatory decisions and priorities
- collaborate to improve support for vulnerable consumers, working with industry through initiatives including the Family Violence Retailer Forum and ongoing collaboration regarding family violence protections and payment difficulty reforms
- support innovation through regulatory partnerships by developing the Energy Innovation Toolkit with AEMO, AEMC, Essential Services Commission and ARENA, helping innovators to navigate regulatory requirements and trial new technologies
- build on domestic and international partnerships through expanded engagement with international regulators, signing new memoranda of understanding and sharing expertise to support energy transition objectives and regulatory capability development.

Highlight: Reducing duplicated reporting requirements

The AER reduced regulatory burden on industry by ceasing the separate collection of over-the-counter electricity price hedging products used in setting the Default Market Offer. Information is now collected through existing contract market monitoring arrangements, removing duplicate reporting requirements while ensuring the AER continues to have access to information needed to support its regulatory functions.

This reform demonstrates the AER's responsiveness to opportunities identified through stakeholder engagement and the Government's productivity agenda. By streamlining reporting requirements and reducing unnecessary administrative burden, the AER has improved regulatory efficiency while maintaining the information necessary to support effective regulatory oversight. The initiative supports a more proportionate approach to regulation by reducing compliance costs for businesses without compromising regulatory outcomes.

4

Management and accountability



Senior leadership

The ACCC's senior leadership comprises members of the Commission (appointed by the Governor-General) and Senior Executive Service (SES) employees.

The AER's senior leadership comprises the AER Board (appointed by the Governor-General) and SES employees who are engaged exclusively on work carried out by the AER.

Details of the leadership structure are in Figure 2.1.

Australian Competition and Consumer Commission

The ACCC has a Chair, 2 Deputies and 4 Commissioners. It also has a number of Associate Members.

Their names and appointment terms are shown as at 30 June 2026 in Table 4.1.

Table 4.1: ACCC members during 2025–26

Position	Name	Appointed until
Chair	Gina Cass-Gottlieb	20 March 2027
Deputy Chairs	Mick Keogh	29 May 2028
	Catriona Lowe	26 January 2028
Commissioners	Anna Brakey	8 December 2030
	Luke Woodward	9 October 2030
	Ian Oppermann	10 December 2030
	Philip Williams AM	26 June 2029
Associate Members	Stephen Ridgeway	26 June 2027
	Nerida O'Loughlin PSM	13 October 2027
	Adam Suckling	24 July 2028
	Clare Savage*	13 October 2027
	Justin Oliver*	2 February 2030
	Kate Symons*	26 September 2029
	Lynne Gallagher*	31 May 2028
	Jarrold Ball*	22 May 2028

* Due to legislative changes, AER members will cease to be Associate Members of the ACCC from 1 July 2026.

Chair



Gina Cass-Gottlieb

Gina Cass-Gottlieb commenced her 5-year appointment as Chair of the Australian Competition and Consumer Commission (ACCC) on 21 March 2022.

Prior to her appointment Gina had over 30 years' experience advising on a large number of merger, competition and regulatory matters in Australia and New Zealand.

Since 2013 Gina has been a member of the Reserve Bank of Australia's Payments System Board. The Payments System Board is the Australian regulator of access to payment systems and the stability regulator for financial market intermediaries. Gina was a member of the Financial Regulator Assessment Authority from September 2021 to March 2022. For 10 years Gina was a director on the board of the Sydney Children's Hospitals Foundation.

Gina chairs Commission meetings, and Scams and Digital Markets Committee, is Deputy Chair of the Infrastructure and Communications Committee, and is a member of the Enforcement Committee, Mergers Review Committee, Digital ID and Consumer Data Right Committee, Fuel Monitoring Division of Commission, and Energy Markets Board.

Gina is the first female Chair of the ACCC and its predecessor, the Trade Practices Commission, since its establishment in 1974. Gina is also a member of the Bureau of the OECD Competition Committee and the Steering Group of the International Competition Network.

Deputy Chairs



Mick Keogh

Mick Keogh was appointed to the ACCC in February 2016, and then as Deputy Chair of the ACCC in 2018, with responsibility for Small Business and Agriculture. He was reappointed in May 2023.

Mick has a long and diverse history of involvement with the small business and agriculture sector, including periods of employment as a business consultant, and in advocacy and advisory roles to policymakers and governments. He has also chaired a number of Commonwealth Government inquiries and ministerial advisory boards. He is currently a Board member of the Food Agility Co-operative Research Centre.

From 2003 to 2018 he was Executive Director of the Australian Farm Institute, an independent policy research institute that conducted research into strategic policy issues of importance to Australian agriculture and regional Australia. Mick continued in that role until his appointment as Deputy Chair of the ACCC in June 2018.

Mick chairs the Water and Agriculture Committee, and Competition Exemptions Committee, is Deputy Chair of Commission, Fuel Monitoring Division of Commission, and Compliance and Product Safety Committee, and is a member of the Mergers Review Committee and Enforcement Committee. Mick's role also includes oversight of the small business, franchising and agriculture units of the ACCC.

Mick was awarded the Order of Australia Medal in 2015. He holds bachelor's and master's degrees in science, both obtained at the University of New South Wales, and a Doctor of Applied Science (honoris causa) from Charles Sturt University.



Catriona Lowe

Catriona Lowe was appointed by the Governor General to the position of ACCC Deputy Chair for a 5-year term on 27 January 2023. On 19 June 2023 Catriona commenced as an Associate Member of the Australian Communications and Media Authority.

For over 20 years Catriona has had a strong commitment to consumer issues and protection of consumer rights in her varied roles as a regulator, litigator and consumer advocate.

Before joining the ACCC, Catriona was a Board Member of the Australian Energy Regulator from February 2020. She has also held a non-Executive director role on a range of boards, including the Australian Financial Complaints Authority, the Financial Adviser Standards and Ethics Authority and the Telecommunications Industry Ombudsman. Catriona was also principal of a consumer-focused consulting practice.

From 2006 to 2013 Catriona was Co-CEO of the Consumer Action Law Centre. She has also held senior roles with the Consumers' Federation of Australia and the ACCC.

Over the years Catriona has worked extensively on matters involving consumer-focused regulation, behavioural economics and effective enforcement and compliance. She has advocated for consumers across a range of markets, including financial services, telecommunications and energy.

Catriona chairs the Compliance and Product Safety Committee, is the Deputy Chair of Commission, Digital ID and Consumer Data Right Committee, Scams and Digital Markets Committee, and Enforcement Committee, and is a member of the Energy Markets Board.

Catriona has a Bachelor of Laws from Northern Territory University (now Charles Darwin University).

Commissioners



Anna Brakey

Anna Brakey was appointed a Commissioner of the ACCC in December 2020. She was reappointed in December 2025.

Anna is also an Associate Member of the Australian Communications and Media Authority. On 1 March 2022 Anna commenced as an Associate Member of the New Zealand Commerce Commission.

Anna has extensive experience in regulatory economics and public policy, with over 25 years of experience working with regulators and government and within the private sector. She has had broad exposure to a wide range of infrastructure industries, including energy, water and transport. Additionally, she has worked on economic reform to social policy.

Prior to starting at ACCC, Anna worked as an economist at Frontier Economics and held a number of roles at the Independent Pricing and Regulatory Tribunal (IPART), including being a deputy Tribunal Member, the Executive Director of Strategy and Economic Analysis and the Chief Operating Officer. Anna's expertise includes the parliamentary committee process, the New South Wales Department of Transport, the Australian Productivity Commission, the Bureau of Industry Economics and the Australian Bureau of Statistics. Additionally, Anna has worked for the Australian Energy Market Commission (AEMC) on reforms to economic regulation and with the New South Wales Treasury on the sale of assets.

Anna chairs the Infrastructure and Communications Committee, Energy Markets Board, and Fuel Monitoring Division of Commission, and is the Deputy Chair of the Water and Agriculture Committee.

Anna holds a Bachelor of Economics from Australian National University and a Graduate Diploma of Applied Finance and Investment from Securities Institute of Australia. She is also a Graduate of the Australian Institute of Company Directors.



Luke Woodward

Luke Woodward commenced his 5-year appointment with the ACCC on 10 October 2025.

Luke has over 30 years of competition and consumer law enforcement experience. He has advised on a wide range of matters, including competition and consumer law matters, acquisition and merger transactions and infrastructure regulation across telecommunications, gas, electricity, water, airports, seaports and rail industries.

Prior to this appointment, Luke was a partner in private legal practice, specialising in competition and consumer law and market regulation. He was the national head of practice at leading Australian law firms. He also previously worked at the ACCC as an Executive General Manager, General Counsel and Senior Assistant Commissioner between 1993 and 2000; and commenced his career as a specialist competition law litigator in the Australian Government Solicitor's Trade Practices Unit.

Luke chairs the Enforcement Committee, is the Deputy Chair of the Mergers Review Committee and the Energy Markets Board, is a member of the Compliance and Product Safety Committee, Scams and Digital Markets Committee, Water and Agriculture Committee, and the Fuel Monitoring Division of Commission.

Luke graduated from the Harvard Kennedy School with a Master of Public Administration and the University of Sydney with degrees in Economics and Law.



Ian Oppermann

Dr Ian Oppermann commenced his 5-year appointment with the ACCC on 10 December 2025.

Ian has more than 30 years' experience in the information and communication technology sector; and deep expertise in data, broadband-enabled services and technology.

Ian is a respected thought leader in the digital economy. His leadership reflects the ACCC's role in consumer data protection and supports our data-driven regulatory innovation.

Prior to joining the ACCC, Ian held the position of Data Standards Chair for Digital ID and Consumer Data Right, served as the New South Wales Government's inaugural Chief Data Scientist (CDS) and is currently the Vice-President of the International Electrotechnical Commission.

Ian chairs the Digital Identity and Consumer Data Right Committee and is a member of the Compliance and Product Safety Committee, Scams and Digital Markets Committee, and Infrastructure and Communications Committee.

Ian holds a Master of Business Administration from the University of London and a PhD in Mobile Telecommunications from the University of Sydney.



Philip Williams

Dr Philip Williams AM commenced his 5-year term with the ACCC on 27 June 2024. Dr Williams is an accomplished economist whose work has focused on the intersection of economics and competition law in Australia.

Philip chairs the Mergers Review Committee, is Deputy Chair of the Competition Exemptions Committee, and is a member of the Enforcement Committee, Infrastructure and Communications Committee and Fuel Monitoring Division of Commission.

Philip is former Executive Chair of Frontier Economics and a former Professor of Law and Economics at the University of Melbourne. He has advised leading law firms as well as the ACCC and the National Competition Council on competition and regulatory issues.

Philip holds a Master of Economics from Monash University and a PhD from the London School of Economics.

Australian Energy Regulator

The AER has 5 members, including the Chair, Clare Savage, and the Deputy Chair, Justin Oliver.

Table 4.2: AER members during 2025–26

Position	Name	Appointed until
Chair	Clare Savage	13 October 2027
Deputy Chair	Justin Oliver	2 February 2030
Members	Lynne Gallagher	31 May 2028
	Jarrold Ball	22 May 2028
	Kate Symons	26 September 2029

Biographies – AER

Chair



Clare Savage

Clare Savage was appointed Chair of the AER in September 2019 and is a Commonwealth member of the AER. She was reappointed in May 2024 for a further 3-year term commencing October 2024.

Over more than 20 years, Clare has acquired significant leadership experience in the Australian energy industry and has worked extensively on a range of energy-related matters.

In September 2024 Clare was appointed as Chair of the Regulator Leadership Cohort. Before joining the AER, Clare was Deputy Chair of the Energy Security Board.

Other previous roles include senior executive positions within Energy Australia spanning corporate strategy, business development, policy, public and government affairs; and several roles at the Energy Supply Association of Australia, including Chief Executive Officer.

Clare began her career in the public service – initially in the UK and then at the Department of the Treasury.

Clare has a Bachelor of Commerce (Economics) and a Bachelor of Arts (Politics and History) from the University of Melbourne and is a Graduate of the Australian Institute of Company Directors.

Deputy Chair



Justin Oliver

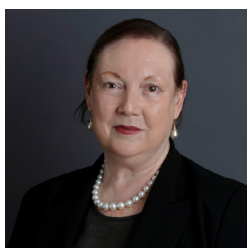
Justin Oliver was appointed a Commonwealth member of the AER in February 2020 and was appointed as the AER Deputy Chair commencing 26 June 2024.

Justin was formerly a partner of MinterEllison, specialising in competition law and energy regulation. Before joining MinterEllison he was the head of the ACCC's regulatory law practice, advising on all aspects of energy, communications and transport regulation; and he became the head of legal for the AER upon its creation in 2005. Justin has also worked as a senior lawyer in the Victorian Department of Premier and Cabinet.

For 2 decades, Justin has acted for governments, regulators and industry participants involved in all parts of Australia's energy sector. He has worked extensively on a range of relevant issues, including gas pipeline access arrangements and electricity network determinations; energy policy reform; and a range of compliance and enforcement issues under laws governing the operation of wholesale energy markets, energy networks and energy retail businesses.

Justin holds a Bachelor of Economics and Bachelor of Laws (Honours) from Monash University.

Members



Lynne Gallagher

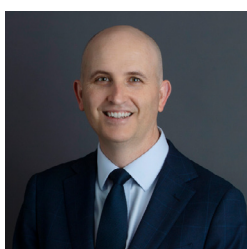
Lynne Gallagher was appointed a state/territory member of the AER in June 2023.

For over 15 years, Lynne has championed major reforms and systems design change in Australia's energy sector to achieve better outcomes for people and communities. Before working in the energy sector, Lynne held senior executive leadership roles in business, including in the finance, infrastructure and superannuation sectors; and in the public sector, including the Australian Government Department of the Prime Minister and Cabinet and the Treasury.

Prior to joining the AER, from March 2020 Lynne was the Chief Executive Officer of Energy Consumers Australia – the national voice for households and small business energy consumers.

Lynne is an advisory council member at the Monash Energy Institute and Western Sydney University's Urban Transformations Research Centre. She is also a member of Energy Safe Victoria's Future Trends Advisory Council and sits on the Advisory Board for the Pacific Energy Institute.

Lynne holds a Bachelor of Economics from the Australian National University and has completed Harvard University's Applied Behavioural Insights for Public Policy program and the Executive Leadership Program at Mt Eliza Business School.



Jarrod Ball

Jarrod Ball was appointed a state/territory member of the AER in May 2023.

Prior to joining the AER, Jarrod was Chief Economist at the Committee for Economic Development of Australia, leading their economic research and advocacy. He has over 20 years' experience in public policy, government relations and economics, working across state and federal governments and major Australian companies such as EY and BHP. Jarrod has provided economic and policy advice to governments across the energy, transport and telecommunications sectors, including as a lead adviser on microeconomic reform in the Victorian Government.

Jarrod has also held several board and committee positions across government and business and until recently was an Adjunct Associate Professor at Deakin Business School.

Jarrod holds a Master of Economics from Monash University and a Bachelor of Business and Bachelor of Arts from the University of Southern Queensland.



Kate Symons

Kate Symons was appointed as a state/territory member to the AER in September 2024.

She is a lawyer with qualifications in public administration and corporate governance. Kate has experience across a number of sectors and particular expertise in risk, governance, and compliance and enforcement.

Kate served as a Commissioner for 8 years at the Essential Services Commission (Victoria), including a 5-year term as Chair from 2019 to 30 June 2024, regulating a number of sectors in Victoria, including energy, water, local government and transport and Victoria's energy efficiency program. Her leadership as Chair was key to the Essential Services Commission becoming a stronger, consumer-focused regulator with broader and more complex functions, including a strong compliance and enforcement focus, particularly in the Victorian energy sector.

Prior to this, Kate held roles including as solicitor assisting the Royal Commission into HIH Insurance and within the university sector and the Federal Court of Australia. She has worked in private legal practice, both in Australia and overseas.

Kate has a Bachelor of Arts and Bachelor of Laws (Hons) from the University of Adelaide, a Master of Public Administration from Flinders University and a Graduate Diploma of Applied Corporate Governance from the Governance Institute of Australia. She is also a graduate of the Australian Institute of Company Directors.

Managing the ACCC and AER

Committees

The decision making functions of the ACCC and AER are supported by the agency's committee framework, which comprises statutory committees and corporate governance committees. The ACCC and AER governance structure is shown in Figure 4.1.

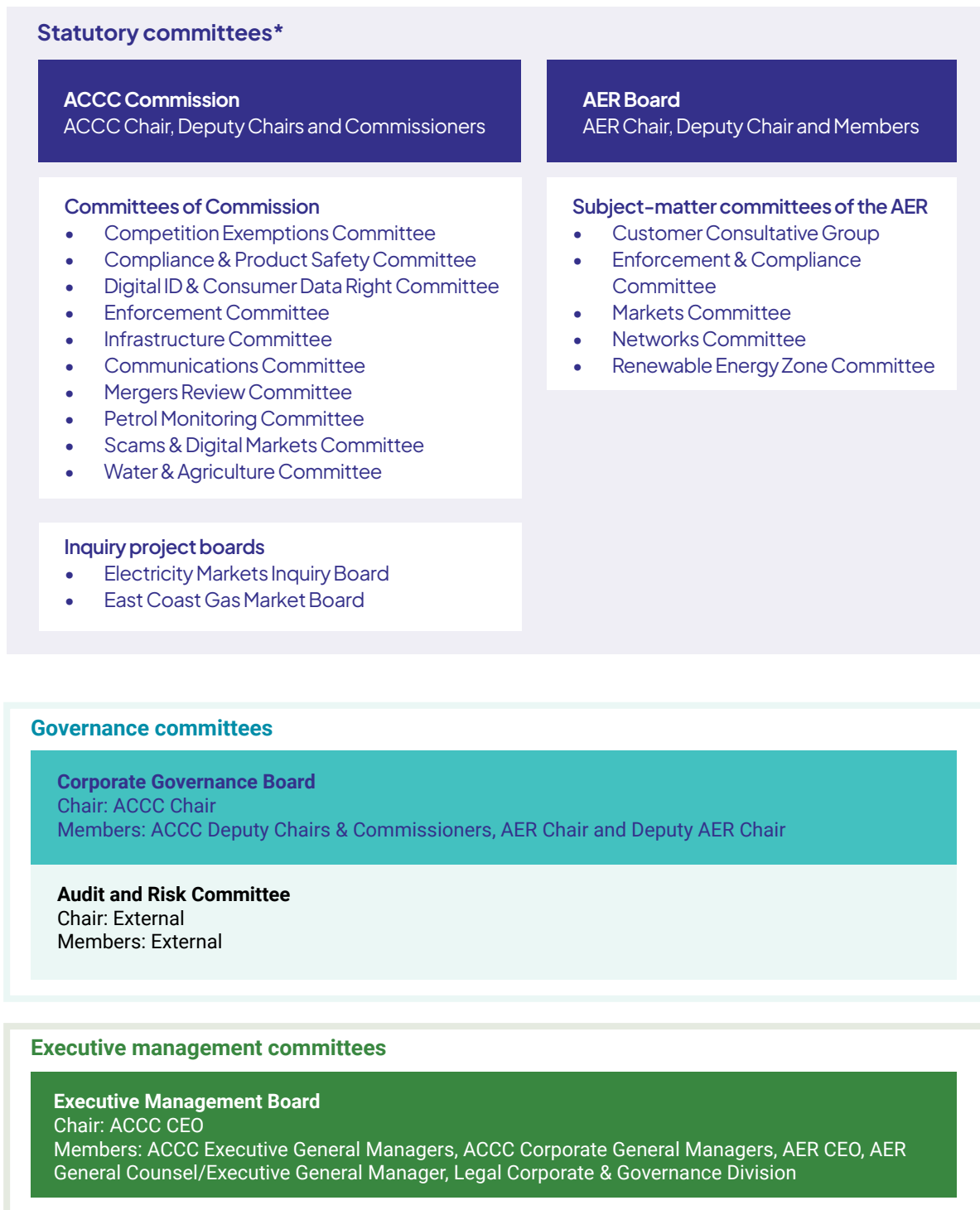
The ACCC makes statutory decisions through the Commission, aided by specialist subject-matter committees called Committees of Commission, comprising subgroups of Commissioners, and inquiry project boards. Committees of Commission are established by written direction of the ACCC Chair under section 19 of the Competition and Consumer Act to streamline decision making and, where required, sit as Divisions of the Commission. Their roles, responsibilities, directions and relevant delegations are set out in their Terms of Reference and recorded in the Delegations, Authorities and Appointments register.

The AER makes its decisions through its Board and the Renewable Energy Zone Division. Four subject-matter committees provide the opportunity for early and open discussion of issues and topics.

Both the Commission and the AER members may delegate certain other decisions and powers to Commissioners, members or senior employees.

The agency is also governed and its administration is overseen by governance committees.

Figure 4.1: ACCC and AER governance structure (as at 30 June 2026)



* Committees of Commission and Inquiry Project Boards are subject to change throughout the year as operationally required.

Statutory committees

Commission

The Commission meeting is the forum in which the ACCC exercises its decision making role under the Competition and Consumer Act. Matters presented to the Commission for decision include mergers, authorisations and notifications; whether to begin court proceedings; whether to accept enforceable undertakings; and decisions about access to infrastructure facilities.

The requirements for Commission meetings are contained in section 18 of the Competition and Consumer Act.

The Commission is also discussed in Part 2.

Committees of Commission

The Commission is supported by several subject-specific committees that help streamline the Commission's decision making. Each committee comprises full-time members and, where appropriate, associate members who have expertise on the particular subjects that the committee considers. Table 4.3 provides a brief explanation of each committee.

Table 4.3: Committees of Commission – as at 30 June 2026

Committee	Members	Purpose
Competition Exemptions Committee	Mick Keogh (Chair), Philip Williams (Deputy Chair), Stephen Ridgeway	The committee considers authorisation applications, significant notifications of exclusive dealing and collective bargaining conduct, and significant certification trademark applications. It sits as a division of the Commission under section 19 of the Competition and Consumer Act for statutory decisions.
Compliance and Product Safety Committee	Catriona Lowe (Chair), Mick Keogh (Deputy Chair), Luke Woodward, Ian Oppermann	The committee provides a forum for strategic input and discussion for the ACCC's consumer, business compliance, communications and product safety related activities. This includes consideration of policy recommendations, law reform proposals and the exercise of relevant statutory powers and functions. It also includes compliance, education and strategic communications functions that relate to consumers, small business, scams, strategic engagement, and product safety programs.
Digital ID and Consumer Data Right Committee	Ian Oppermann (Chair), Catriona Lowe (Deputy Chair), Gina Cass-Gottlieb	The committee provides policy oversight and determines the strategic direction of the ACCC's Digital ID and Consumer Data Right (CDR) functions. The types of matters it considers include accreditations, compliance and enforcement, including granting exemptions, audits of CDR participants, and approvals for entities to participate in the Australian Government Digital ID System.
Enforcement Committee	Luke Woodward (Chair), Catriona Lowe (Deputy Chair), Gina Cass-Gottlieb, Mick Keogh, Philip Williams, Stephen Ridgeway	The committee oversees the ACCC's enforcement program to ensure compliance with and enforcement of the Competition and Consumer Act. Its recommendations are referred to the Commission for decision.

Committee	Members	Purpose
Infrastructure and Communications Committees	Infrastructure Anna Brakey (Chair), Gina Cass-Gottlieb (Deputy Chair), Philip Williams, Ian Oppermann Communications Anna Brakey (Chair), Gina Cass-Gottlieb (Deputy Chair), Philip Williams, Ian Oppermann Associate member: Adam Suckling	The Infrastructure Committee and the Communications Committee meet together under the banner of 'Infrastructure and Communications Committee'. The committees discuss and consider issues relating to communications, transport, insurance and financial services and port and stevedoring functions, and a range of regulatory policy matters and competition issues arising in these sectors. Both committees may sit as a division of the Commission under section 19 of the Competition and Consumer Act.
Mergers Review Committee	Philip Williams (Chair), Luke Woodward (Deputy Chair), Gina Cass-Gottlieb, Mick Keogh, Stephen Ridgeway	The committee considers significant acquisition notifications and significant notification waiver applications. It sits as a division of the Commission under section 19 of the Competition and Consumer Act for statutory decisions.
Petrol Monitoring Division of Commission	Anna Brakey (Chair), Gina Cass-Gottlieb, Mick Keogh, Philip Williams, Luke Woodward	The division of Commission oversees the ACCC's weekly monitoring and reporting on prices, costs and profits relating to the supply of petroleum products in Australia. Decisions and final weekly fuel price monitoring reports are approved by the Commission, provided to the Treasurer's Office and published on the ACCC website.
Scams and Digital Markets Committee	Gina Cass-Gottlieb (Chair), Catriona Lowe (Deputy Chair), Luke Woodward, Ian Oppermann	The committee is a forum for strategic input, discussion and decision making within the ACCC relevant to the operation of the National Anti-Scam Centre, Scams Prevention Framework policy, digital platform markets and related advisory and regulatory work.
Water and Agriculture Committee	Mick Keogh (Chair), Anna Brakey (Deputy Chair), Luke Woodward	The committee considers matters related to competition and fair trading matters in agriculture markets, including industry codes, the ACCC's functions under the <i>Water Act 2007</i> (Cth) and the development and implementation of water market integrity laws and a code regulating water markets intermediaries.

Inquiry project boards

Under the Competition and Consumer Act, the ACCC can be directed to undertake in-depth inquiries into certain matters and long-term monitoring activities into particular sectors. Inquiry project boards have been established to provide strategic guidance on these inquiries. In 2025–26 the East Coast Gas Market Project Board and Electricity Inquiry Project Board sat together as the Energy Markets Board.

AER Board

The AER is an independent statutory entity. AER members are appointed under Part IIIAA of the Competition and Consumer Act, following a process outlined in the Australian Energy Market Agreement. The AER comprises 2 Commonwealth members and 3 state/territory members. One member is appointed as the Chair and another member is appointed as the Deputy Chair.

The Board meeting is the forum in which the AER members exercise their decision making role under its statutory powers. During these meetings, the Board also provides strategic guidance and direction and oversees the AER's performance.

AER members are supported by the AER's legal and specialist staff who are engaged exclusively on energy matters. It also has access to the ACCC's specialist corporate (including corporate legal) and economic staff.

The AER members and governance are further discussed in Part 2.

AER subject-matter committees

The AER has a Governance Forum and the AER members are also supported by 4 subject-specific committees (Networks, Compliance and Enforcement, Markets, and Renewable Energy Zone).

Each committee is chaired by an AER member, meets fortnightly and provides the opportunity for timely strategic direction and informal discussion between AER members and staff. The committees are less formal than the AER Board Meeting and designed as forums for staff to seek early feedback and direction on work in progress before papers are submitted to the Board for formal decision.

The Renewable Energy Zone Division has been established with the power to make statutory decisions under the New South Wales renewable energy zones framework.

Division of the AER

Since 1 April 2025 the Renewable Energy Zone Division was established as a Division of the AER under a direction of the Chair of the AER pursuant to section 44AAEC(1) of the Competition and Consumer Act. The Renewable Energy Zone Division has power to make statutory decisions of the AER under the *Electricity Infrastructure Investment Act 2020* (NSW) and the *Electricity Infrastructure Investment Regulation 2021* (NSW). The Renewable Energy Zone Division is constituted by the Chair of the AER and members of the Renewable Energy Zone Committee. The division meets as required, with 2 AER members forming a quorum. The AER is taken to consist of the Renewable Energy Zone Division when statutory decisions are made by the division under the New South Wales renewable energy zones framework.

Table 4.4: Subject-matter committees and Divisions of the AER – as at 30 June 2026

Committee	Members	Purpose
Markets Committee	Jarrold Ball (Chair), Lynne Gallagher, Justin Oliver, Anna Brakey	The committee is focused on market entry, exit and structure; wholesale and retail markets; and market performance, including reporting frameworks, publications and intelligence/surveillance.
Networks Committee	Lynne Gallagher (Chair), Kate Symons, Jarrold Ball	The committee is focused on the efficient regulation of monopoly infrastructure and incentivising networks to become platforms for energy services.
Enforcement and Compliance Committee	Justin Oliver (Chair), Kate Symons, Jarrold Ball	The committee is focused on compliance with and enforcement of the Energy Laws and Rules.
Renewable Energy Zone Committee	Kate Symons (Chair), Justin Oliver, Lynne Gallagher	The committee is focused on strategic oversight of the prioritisation, impact and timely decision making on matters relating to renewable energy zones in various Australian states, including New South Wales, Queensland and Victoria.
AER Governance Forum	Justin Oliver (Chair), Clare Savage, Kate Symons, Lynne Gallagher, Jarrold Ball, Matt Garbutt (CEO)	The forum is focused on AER's operational performance, risk management, strategic setting and corporate planning.
Renewable Energy Zone Division	Clare Savage (Chair), Justin Oliver, Kate Symons, Lynne Gallagher	The division is focused on the making of statutory decisions under the New South Wales renewable energy zones framework.

Corporate governance

The ACCC and AER corporate governance framework provides oversight of the agency's planning, performance, financial management, resource management and accountability.

The corporate governance framework consists of 2 types of committees:

- governance committees
- executive management committees.

Governance committees

Corporate Governance Board

The Corporate Governance Board oversees enterprise governance matters of strategic importance to the ACCC and AER, including corporate and financial performance, and supports the ACCC Chair's role as the agency's Accountable Authority to meet the *Public Governance, Performance and Accountability Act 2013* (PGPA Act) and Public Governance, Performance and Accountability Rule 2014 (PGPA Rule) responsibilities. The board's role does not cover the statutory decision making.

During 2025–26 the Board met 7 times. The Corporate Governance Board, advised by the Audit and Risk Committee and by executive management committees, is well equipped to oversee our strong corporate and financial performance.

The responsibilities of the Corporate Governance Board include:

- strategy setting and corporate planning
- internal budgets and resource management
- performance monitoring and reporting
- risk oversight and management
- agency accountability.

Members: Gina Cass-Gottlieb (Chair), AER Chair or nominated representative, ACCC Deputy Chairs, AER Deputy Chair, and all other ACCC Commissioners.

Audit and Risk Committee

The ACCC and AER Audit and Risk Committee provides independent advice to the Accountable Authority (the ACCC Chair) through the Corporate Governance Board. It reviews, reports on and provides advice on the agency's financial reporting, performance reporting, risk oversight and management, and systems of internal control. The committee provides an annual written statement to the ACCC Chair setting out its views about these 4 areas.

The committee meets at least 4 times per year, as well as holding an additional meeting in August each year focusing on the agency's financial statements and performance reporting. The committee Chair also attends a meeting of the Corporate Governance Board at least once per year.

The Audit and Risk Committee's [Charter](#) is published on the [ACCC Accountability and reporting website](#).

Table 4.5: Audit and Risk Committee – 2025–26

Member	Qualifications, knowledge, skills or experience	Number of meetings attended/number of meetings eligible to attend*	Total remuneration (GST inc.)
Don Cross (Chair) Appointed as a member for 2 years commencing 1 June 2020, and as Chair commencing 1 July 2021. Reappointed as Chair from 1 July 2022 to 11 November 2023. Reappointed as Chair from 1 December 2023 to 30 November 2025.	Qualifications in accounting, business administration and fraud control, with strong risk management, audit and financial management expertise. Member of the Australian Society of Certified Practising Accountants and fellow of Chartered Accountants Australia and New Zealand. Extensive experience delivering internal audit and assurance services to the public sector, including at partnership level. Currently a member or chair of a number of federal government department and agency audit and risk committees.	3/3	\$14,960
Susan Ryan (Chair) Appointed as Chair commencing 18 February 2026.	Qualified Chartered Accountant. Member of the Australian Institute of Company Directors and Institute of Internal Auditors (Australia). Holds a Diploma of Fraud Control and a Bachelor of Commerce. Extensive experience in public sector governance, risk management, internal audit, external audit and control redesign. Senior executive positions in various entities, including the private sector and federal government. Currently serves as an independent audit and risk committee member for a range of non-corporate Commonwealth entities and regulators and is the managing director of a consulting firm.	2/2	\$9,020
Paula Goodwin Appointed as a member for 2 years, commencing 1 June 2021. Reappointed as a member from 1 June 2023 to 30 May 2026. Reappointed as a member from 1 June 2026 to 31 May 2027.	Masters level qualifications in National Security Policy Studies, Human Resources and Business Administration. Senior executive public sector experience includes A/g First Assistant Secretary, People, at the Australian Government Department of Immigration and Border Protection; Chief Operating Officer at the Australian Government Department of the Environment and Energy; and Group Executive Enterprise Service Bureau of Meteorology. Current role is Deputy CEO, at the Veteran and Family Wellbeing Agency.	3/5	\$0 [#]

Member	Qualifications, knowledge, skills or experience	Number of meetings attended/number of meetings eligible to attend*	Total remuneration (GST inc.)
Fiona Bennett Appointed as a member for 2 years, commencing 1 July 2022. Reappointed 1 July 2024 to 30 June 2026.	Qualified Chartered Accountant. Fellow of the Australian Institute of Company Directors and Fellow of Chartered Accountants Australia and New Zealand. Senior executive positions in various entities, including as chief financial officer. Extensive senior experience in risk management, internal audit, external audit and financial and business management. Experienced non-executive director across ASX-listed companies and government entities. Significant experience as a board chair and chair of audit, risk and compliance committees.	5/5	\$14,338.55

As an employee of the APS, Paula Goodwin does not receive additional remuneration for her role as a member of the ACCC and AER Audit and Risk Committee.

* The number of meetings attended are in accordance with their term as a member of the ACCC and AER Audit and Risk Committee, which may not be the full year.

Executive management committees

The ACCC has a number of executive management committees that support the governance committees and help to ensure that the organisation is managed effectively.

Executive Management Board

The Executive Management Board (EMB) is the agency's peak management forum for ACCC and AER-wide management, operational and strategic matters. It supports the Accountable Authority, Corporate Governance Board and Chief Executive Officers of the ACCC and AER by providing advice, feedback and recommendations on matters affecting the agency, including strategy and planning, financial and resource management, risk and compliance, and cross-agency projects and initiatives. From 1 July 2026, the AER will no longer participate in EMB and will move to its own corporate governance arrangements.

The EMB is not a decision making forum but may discuss, advise and make recommendations to those with decision making authority. Members include the ACCC Chief Executive Officer (Chair), the AER Chief Executive Officer, Executive General Managers and General Managers of the Corporate Divisions of the ACCC.

The EMB is supported by subcommittees, led by senior managers, that provide advice to it as required. Subcommittees include the Data, Information & Security Committee, the Legal Committee and the Workforce Capability and Leadership Committee.

Corporate, business and strategic plans

The [ACCC and AER Corporate Plan 2025–26](#) meets the requirements of the PGPA Act and PGPA Rule.

ACCC divisions and the AER prepare annual business plans that align operations and risk management with the strategic objectives and priorities set out in the corporate plan.

In February 2026, the ACCC launched the [ACCC Strategy 2026–29](#), following the AER’s separation. The ACCC Strategy sets a clear 3-year direction for the ACCC, focused on outcome-focused priorities, responding to changing markets and technology, to guide decision making and improve how we work. It also supports an uplift to the ACCC’s performance framework, with changes to key activities and performance measures to provide a clearer line of sight between the ACCC’s work, the outcomes it is seeking to achieve and the impact of its regulatory activities. Initial refinements have been reflected in the [ACCC’s Corporate Plan 2026–27](#) summary of changes table.

Internal audit, compliance and risk

Internal audit

The agency’s internal audit program provides assurance that we are meeting our obligations and that our internal control environment adds value to the management and governance of our operations.

The following internal audits were conducted during 2025–26:

- business continuity plan testing
- inadvertent information disclosure
- project management
- evidence holdings (per Australian Government Investigations Standards requirements).

Internal compliance

The agency takes compliance with its obligations seriously and is committed to supporting a positive culture of compliance, in terms of both legal compliance and compliance with the spirit and intent of obligations.

The agency has a compliance framework and undertakes activities to support and guide the work of agency personnel responsible for managing compliance with particular obligations.

Risk management

Risk management is a key element of our strategic planning, decision making and business operations. The ACCC and AER aim for best practice in managing risk by identifying priority exposures, addressing them through improvement strategies and contingency planning, and monitoring and reviewing residual risk.

The ACCC and AER Risk Management Framework has been established to deliver on our obligations under the PGPA Act and aligns with the Commonwealth Risk Management Policy. This framework formalises our risk management practices; sets out our risk appetite and tolerance statements; and details governance structures, policies and strategies to strengthen risk culture and review risk management performance.

The agency's risk culture is driven by the Chief Risk Officer. The agency has continued to implement its work program to increase its risk maturity level. This has included the implementation of risk management software and continued refinement of processes to support enterprise risk identification, risk assessment, risk reporting and risk management learning and development.

The agency also participated in the 2025 Comcover Risk Management Benchmarking Survey, the results of which positively reflected the agency's work to increase risk maturity.

The ACCC has commenced a project to review and revise its risk appetite to ensure it remains fit for purpose and supports innovation, growth and sound decision making. The project responds to changes in the agency's operating environment, including the expanded scope and diversity of the ACCC's role, evolving markets and advancements in technology. It will also help build risk maturity, strengthen overall risk capability and further embed a positive risk culture. The agency's enterprise risks and management approach are outlined in the ACCC and AER Corporate Plan 2025–26.

Business continuity

Business continuity management strengthens business resilience, lessening the likelihood of incidents that adversely affect ACCC and AER operations and minimising the impact if such incidents occur.

The ACCC and AER Business Continuity Plan was revised in March 2024 following an uplift of the agency's emergency management and business continuity arrangements. This uplift ensures the agency's arrangements are fit for purpose given our growing, hybrid and dispersed workforce. The Business Continuity Plan is regularly reviewed, tested and updated to ensure it continues to meet the needs of the agency. The most recent business continuity exercise was undertaken in the second half of 2025, where lessons learned were captured and incorporated into the 2026 review cycle.

Ethical standards

The ACCC and AER take our ethical standards seriously in seeking to maintain the public's confidence in the integrity of the agency and our employees.

Fraud and corruption control

The internal Fraud and Corruption Control Plan outlines the agency's approach to fraud and corruption prevention, detection, investigation, reporting and data collection, in line with legal obligations, including the Commonwealth Fraud and Corruption Control Framework. In 2025–26 the agency reviewed and updated its fraud and corruption risk assessment and consequently also updated its Fraud and Corruption Control Plan.

Conflicts of interest

To ensure our independence and compliance with the law, and to maintain confidence in our agency, the ACCC and AER have strict procedures to identify and manage any interests that may give rise to an actual, perceived or potential conflict.

As statutory office holders, ACCC Commissioners, Associate Members and AER members are held to high standards of conduct. These standards arise from the high ethical standards we set ourselves and are backed by legislation, codes of conduct and the common law. The [Code of Conduct for Commission Members and Associate Members](#) was updated in June 2024 and is available on the ACCC website. The [AER Board Charter](#) was published in March 2025 and is available on the AER website.

ACCC Commissioners, Associate Members and AER members must provide a statement of material personal interests annually and not participate in matters in which they, or a member of their immediate family, may have an actual or perceived conflict of interest.

Given conflicts or perceived conflicts can arise at any time, agendas for meetings of the Commission and other committees/boards with decision making or oversight responsibilities have a standing item for and a practice of requiring the declaration of any interests that have not been previously declared. The process to be followed by ACCC Commissioners and Associate Members in relation to conflicts of interest involves identification and disclosure of the conflict, assessment of that disclosure by the Chair (or Deputy Chair where it relates to the Chair), and decision by the Chair or Deputy Chair on the appropriate management plan. Disclosures and management plans are then reported to the full Commission.

The employee Conflict of Interest Policy requires all real, perceived or potential conflicts of interest – along with agreed management actions – to be recorded in an online form for each employee. All employees, including SES and certain contractors, submit at least one conflict of interest declaration each year. Form completion rates are reported to senior management and follow-up continues until 100% completion has been achieved.

The Conflict of Interest Policy also prohibits share trading in certain circumstances, including where there is a real or perceived conflict between the employee's official duties and responsibilities and their potential trading activities.

Gifts and hospitality

The agency has a [Gifts and Hospitality Policy](#) for ACCC Commissioners and agency employees. This policy has also been adopted in the AER Board Charter. The agency regularly publishes [Gifts and Hospitality Registers for statutory office holders and employees](#). A procedure and guidance are in place to support personnel compliance with policy obligations.

ACCC Commissioners, AER members and employees are discouraged from accepting offers of gifts or hospitality to minimise the risk or perception of integrity compromise. The acceptance of gifts or hospitality is permitted in some limited circumstances – such as to avoid causing cultural offence – and acceptance of all such offers must be disclosed.

Artificial intelligence transparency

In February 2026, the ACCC published our [AI transparency statement](#). The statement articulates how the ACCC intends to use artificial intelligence (AI), areas of application, impact and compliance with legislation and regulation. The statement will be reviewed and updated at least once a year or when significant change is made to the agency's approach to AI.

External scrutiny

As an Australian Government agency, the ACCC and AER are held to account for their activities by a variety of external bodies, including:

- courts
- tribunals
- parliament
- agencies with administrative or regulatory oversight, including the Commonwealth Ombudsman and the Australian Commission for Law Enforcement Integrity.

Collectively, these bodies have the power to scrutinise and review our decisions and work, conduct inquiries and either overturn or uphold decisions of the ACCC and AER or make orders or recommendations for change. Each year the ACCC/AER reports on its interaction with these bodies to ensure transparency on external scrutiny.

Judicial decisions

There was one judicial review decision in respect of decisions made by the ACCC in 2025–26.

In June 2025 an application was made to the Federal Court of Australia for judicial review of an alleged failure by the ACCC to appropriately consider a submission made to it by the applicant. In December 2025 the Court dismissed the application and ordered that the applicant pay the ACCC's costs of the proceedings.

Administrative Review Tribunal

There were no decisions by the Administrative Review Tribunal or its predecessor, the Administrative Appeals Tribunal, in respect of decisions made by the ACCC or AER in 2025–26.

Australian Competition Tribunal

During 2025–26 no ACCC authorisation decisions or AER matters were before the Australian Competition Tribunal.

Parliamentary scrutiny

The ACCC and AER are required to regularly attend hearings of the standing committees on economics, communications, and environment, respectively, of both the House of Representatives and the Senate as part of the annual governance, performance and accountability cycle. This provides the opportunity for parliament to examine the operations of the agency and plays a key role in parliamentary scrutiny of the executive.

There were no significant findings regarding the operations of the ACCC and AER in the committees' reports in 2025–26.

Agency capability reviews

There were no ACCC/AER agency capability reviews in 2025–26.

Australian National Audit Office

No performance audits of the agency were undertaken by the Australian National Audit Office in 2025–26.

Office of the Merit Protection Commissioner

The Merit Protection Commissioner did not receive any new applications for review relating to ACCC employees during 2025–26.

Office of the Australian Information Commissioner

Privacy

In 2025–26 the ACCC/AER were not made aware of any privacy complaints made to the Privacy Commissioner in relation to the ACCC/AER.

Freedom of information

In 2025–26 the Australian Information Commissioner did not publish any decisions under the *Freedom of Information Act 1982* (Cth) (FOI Act) in relation to the ACCC.

In 2025–26 the Australian Information Commissioner did not publish any decision under the FOI Act in relation to the AER.

Agencies operating under the FOI Act must publish information for the public as part of the Information Publication Scheme. This requirement has replaced the former requirement to publish a statement in the annual report. Each agency's website must include a plan that shows the information it publishes in accordance with the scheme's requirements. The ACCC and AER's Information Publication Scheme statement pursuant to Part II of the FOI Act can be found on the ACCC's website under [Freedom of information](#).

Commonwealth Ombudsman

The Commonwealth Ombudsman can investigate complaints made about our activities, including those made under the Service Charter of the [ACCC](#) or [AER](#). The Ombudsman's jurisdiction arises under the *Ombudsman Act 1976* (Cth). It can resolve disputes through consultation or negotiation or by making recommendations.

The Commonwealth Ombudsman did not issue any reports in relation to the operations of the ACCC/AER during the relevant period.

National Anti-Corruption Commission

In 2025–26 the ACCC Chair had no cause to refer a corruption issue to the National Anti-Corruption Commissioner in accordance with section 33 of the *National Anti-Corruption Act 2022* (Cth).

Developments affecting our operations or financial results

No developments during or since the end of the financial year have affected, or may affect, our operations or financial results.

Significant issues reported to the Minister

There were no significant issues reported to the Minister under section 19(1)(e) of the PGPA Act, which includes compliance with finance law.

Correction of material errors in previous annual reports

The following errors appeared in the ACCC and AER annual report 2024–25.

The methodology and data source of performance measure 4d was incorrectly published, as during this reporting period, some of the National Anti-Scam Centre’s industry and government partners had more than one data sharing arrangement in place. Therefore, the methodology used to determine the 2024–25 results was ‘Count of number of arrangements in place involving data sharing between the National Anti-Scam Centre and industry or government’, which is more consistent with the wording of the performance measure.

As printed on page 68:

Performance measures	2021–22	2022–23	2023–24	2024–25		Met?
	Result	Result	Result	Target	Result	
4d. Number of automated data sharing arrangements for near real-time data sharing to National Anti-Scam Centre, industry and government partners	N/A	N/A	N/A	20	31	✓
Methodology: <i>Count of number of arrangements in place involving data sharing between the National Anti-Scam Centre and industry or government</i>						
Data source: <i>Internal records</i>						
Related regulator best practice principles: <i>1, 2 and 3</i>						
Related key activities: <i>4.4</i>						

Procurement

The ACCC uses Australian Government resources and spends public money in accordance with the requirements of the PGPA Act and the Commonwealth Procurement Rules.

Responsibility for procurement lies with the financial delegates in each business unit, who have support from a central procurement team. The team advises on risk management, probity, compliance with procurement policy and contract management. Procurement processes are managed by business units with central procurement involvement commensurate with the scale, scope and risk of the procurement. The central procurement team provides a compliance review of all procurements valued over \$10,000 to ensure that we comply with the Commonwealth Procurement Rules and relevant connected policies.

Information on all ACCC contracts awarded with a value of \$10,000 (inclusive of GST) or more is available on the AusTender [website](#).

The ACCC had no exempt contracts for the financial year.

There were no contracts of \$100,000 or more (inclusive of GST) during 2025–26 that did not provide for the Auditor-General to have access to the contractor's premises.

The ACCC supports small business participation in the Commonwealth Government procurement market through:

- the Small Business Engagement Principles (outlined in the Government's Industry Innovation and Competitiveness Agenda), such as communicating in clear, simple language and presenting information in an accessible format
- the use of the Commonwealth Contracting Suite for low-risk procurements valued under \$200,000
- electronic systems or other processes used to facilitate on-time payment performance, including the use of payment cards
- advocacy of the updated Commonwealth Procurement Rules requiring specific engagement of Small and Medium Enterprises (SMEs).

The ACCC supports small business participation in the Commonwealth Government procurement market. SME and Small Enterprise participation statistics are available on the Department of Finance's [website](#).

Information on procurements expected to be undertaken in the coming year is included in the ACCC's annual procurement plan. This plan is updated as and when circumstances change.

Consultancy and non-consultancy contract expenditure reporting

Consultancy contracts

During 2025–26, 42 new reportable consultancy contracts were entered into involving total actual expenditure of \$3.8 million. In addition, 26 ongoing reportable consultancy contracts were active during the period, involving total actual expenditure of \$5.5 million.

Annual reports contain information about actual expenditure on reportable consultancy contracts. Information on the value of reportable consultancy contracts is available on the AusTender [website](#).

Decisions to engage consultants during 2025–26 were made in accordance with the PGPA Act and related regulations, including the Commonwealth Procurement Rules and relevant internal policies. The Commission selects consultants through the use of panel arrangements or by making an open approach to market.

The ACCC engages consultants where we lack specialist expertise or when independent research, review or assessment is required. Consultants typically investigate or diagnose a defined issue or problem; carry out reviews or evaluations; or provide independent advice, information or creative solutions to assist ACCC decision making.

Table 4.6: Expenditure on reportable consultancy contracts (2025–26) – PGPA Rule subparagraphs 17AG(7)(a)(i)–(iv)

	Number	Expenditure \$'000 (GST inc.)
New contracts entered into during the reporting period	42	3,784
Ongoing contracts entered into during a previous reporting period	26	5,452
Total	68	9,236

Table 4.7: Organisations receiving a share of reportable consultancy contract expenditure (2025–26) – PGPA Rule subsections 17AGA(2)–(3)

Name of organisation	Organisation ABN	Expenditure \$'000 (GST inc.)
SamKnows Ltd	N/A	1,635
Energy Market Consulting associates	75 102 418 020	870
Houston Kemp Economists	11 169 176 069	775
Agora Consulting Pty Ltd	28 604 109 604	717
Proximity Advisory Services Pty Ltd	92 147 937 844	556

Non-consultancy contracts

During 2025–26, 571 new reportable non-consultancy contracts were entered into involving total actual expenditure of \$62.3 million (inclusive of GST). In addition, 559 ongoing reportable non-consultancy contracts that were entered into during a previous reporting period, involving total actual expenditure of \$88.6 million in the reporting period on those ongoing contracts (inclusive of GST).

Annual reports contain information about actual expenditure on reportable non-consultancy contracts. Information on the value of reportable non-consultancy contracts is available on the AusTender [website](#).

Table 4.8: Expenditure on reportable non-consultancy contracts (2025–26) – PGPA Rule subparagraph 17AG(7A)(a)(i)–(iv)

	Number	Expenditure \$'000 (GST inc.)
New contracts entered into during the reporting period	571	62,380
Ongoing contracts entered into during a previous reporting period	559	88,604
Total	1,130	150,984

Table 4.9: Organisations receiving a share of reportable non-consultancy contract expenditure (2025–26) – PGPA Rule subsections 17AGA(2)–(3)

Name of organisation	Organisation ABN	Expenditure \$'000 (GST inc.)
Cushman & Wakefield Pty Ltd	77 074 196 991	18,492
Datacom Systems (ACT) Pty Ltd	39 135 427 075	14,502
Johnson Winter & Slattery	70 843 523 318	13,258
Australian Government Solicitor	69 405 937 639	9,482
Data #3 Limited	31 010 545 267	7,291

The ACCC recognises the importance of ensuring that small businesses are paid on time. The results of the Survey of Australian Government Payments to Small Business are available on the Treasury's [website](#).

Grant programs

Neither the ACCC nor the AER administer any grant programs.

Asset management

The ACCC's asset management framework incorporates asset policies and procedures that enable the efficient acquisition and effective management of assets.

Assets managed by the ACCC include:

- offices, including fit-outs and leasehold improvements
- infrastructure, plant and equipment, including office equipment, furniture and fittings and computer equipment
- intangibles, including computer software.

In 2025–26 we undertook an independent fair value assessment of our offices, infrastructure, plant and equipment to confirm the validity and value of our asset portfolio.

Management of ACCC's assets is governed by the Commonwealth Property Management Framework (RMG 500), which supports the PGPA Act and Commonwealth Procurement Rules, aligning with accounting standards and government best practice. The ACCC follows all requirements of RMG 500 and is supported in its acquisition, maintenance and management of assets by its Property Services Provider (PSP), allocated under the whole-of-government Property Services Coordinated Procurement arrangements. The ACCC maintains a Capital Management Plan and Property Management Plan for all properties, plant and leasehold improvements.

Strategic objective 7: Improve our own systems, capabilities and ways of working

About this strategic objective

To achieve this strategic objective, we undertake the following key activities:

- 7.1 Support our people to develop and meet their full potential and facilitate a diverse, respectful and inclusive culture.
- 7.2 Modernise our ICT, improve the reliability, flexibility and security of our business and data systems, and enhance our data capabilities.
- 7.3 Adapt our ways of working to allow resources to be used flexibly to meet changing priorities and to adopt innovative practices commensurate with the level of risk; and empower our people to work autonomously and influence the direction of the organisation.
- 7.4 Further develop our standing as a world-class independent regulator through external engagement and internal collaboration to support robust, evidence-based and transparent decision making that is responsive to complex challenges and demands.

Performance indicators

Table 4.10: Performance indicators for strategic objective 7

Performance indicator	2022–23	2023–24	2024–25	2025–26	
				Target	Result
7a. Agency APS census 'wellbeing' score	ACCC: 78% (2023) Unchanged from 2022 AER: 71% Down 3% from 2022	ACCC: 77% (2024) Down 1% from 2023 AER: 74% Up 3% from 2023	ACCC: 77% (2025) Unchanged from 2024 AER: 74% Unchanged from 2024	> 77%	ACCC: 77% (2026) Unchanged from 2025 AER: 73% Down 1% from 2025
Methodology: Positive percentages are calculated by adding together positive responses (e.g. strongly agree + agree, or always + often) and dividing by the number of respondents who answered the questions Data source: APS Census results Related regulator best practice principles: 1 Related key activities: 7.1					
7b. Agency APS census 'employee engagement' score [#]	79% [#]	79% [#]	79%	> 79%	80%

Performance indicator	2022–23	2023–24	2024–25	2025–26	
				Target	Result

Methodology: Positive percentages are calculated by adding together positive responses (e.g. strongly agree + agree, or always + often) and dividing by the number of respondents who answered the questions

Data source: APS Census results

Related regulator best practice principles: 1

Related key activities: 7.1

7c. The percentage of positive responses to APS Census survey questions about whether employees have the appropriate skills, capabilities and knowledge to perform well	ACCC: 85% (2023) Down 1% from 2022 AER: 79% Down 2% from 2022	ACCC: 86% (2024) Up 1% from 2023 AER: 79% Unchanged from 2023	ACCC: 85% (2025) Down 1% from 2024 AER: 78% Down 1% from 2024	> 86%	ACCC: 84% (2026) Down 2% from 2025 AER: 77% Down 1% from 2025
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Methodology: Positive percentages are calculated by adding together positive responses (e.g. strongly agree + agree, or always + often) and dividing by the number of respondents who answered the questions

Data source: APS Census results

Related regulator best practice principles: 1

Related key activities: 7.1

7d. Continue to reduce the agency's gender pay gap	5.0%	1.6%	1.0%	< 5%	data currently not available from WGEA
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Methodology: The percentage difference between the average annual, full-time equivalent earnings of male and female employee cohorts (male average minus female average, divided by male average)^

Data source: Workplace Gender Equality Agency (WGEA) Gender Pay Gap Report

Related regulator best practice principles: 1

Related key activities: 7.1

7e. Percentage of employees who identify as Indigenous	1.6% (Internal HR records management system) 1.4% (APS Census)	2.2% (Internal HR records management system) 2% (APS Census)	2.3% (Internal HR records management system) 2% (APS Census)	3%	2.2% (Internal HR records management system) 2% (APS Census)
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Methodology: As at 30 June of the reporting period, the total number of employees who identify as Indigenous in Aurion divided by the total number of employees, expressed as a percentage. APS Census – the total number of survey respondents who identify as Indigenous, divided by the total number of survey respondents who answered the question, expressed as a percentage

Data source: Aurion (Internal HR records management system) and APS Census results

Related regulator best practice principles: 1

Related key activities: 7.1

Performance indicator	2022–23	2023–24	2024–25	2025–26	
				Target	Result
7f. Percentage of employees who identify as living with a disability	4.9%	4.8%	4.8%	7%	4.6%
	(Internal HR records management system)	(Internal HR records management system)	(Internal HR records management system)		(Internal HR records management system)
	9.4% (APS Census)	10% (APS Census)	12% (APS Census)		11% (APS Census)

Methodology: As at 30 June 2026 of the reporting period, the total number of employees who identify as a person with a disability in Aurion divided by the total number of employees, expressed as a percentage. APS Census – the total number of survey respondents who identify as a person with a disability, divided by the total number of survey respondents who answered the question, expressed as a percentage

Data source: Aurion (Internal HR records management system) and APS Census results

Related regulator best practice principles: 1

Related key activities: 7.1

7g. Number of security awareness activities delivered to drive a security aware culture	18	18	17	12	16
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Methodology: Count of security awareness activities recorded

Data source: Internal records

Related regulator best practice principles: 1 and 2

Related key activities: 7.1 and 7.2

7h. Overall ICT system availability	99.91%	99.9%	99.9%	99.9%	99.9%
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Methodology: Total number of minutes during the time period minus the number of minutes of outages divided by the total number of minutes during the time period, expressed as a percentage

Data source: Audit logs from internal IT systems such as onsite servers and external IT systems such as those associated with telephony and cloud services

Related regulator best practice principles: 1

Related key activities: 7.2

7i. Insourcing of core work				\$658,514	\$935,268
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Methodology: Reduction in outsourced expenditure

Data source: Internal records

Related regulator best practice principles: 1

Related key activities: 7.1

Performance indicator 7b was not measured in annual reports before 2023–24. The previous results here are taken from the APS Employee Engagement Index for the ACCC and AER.

^ The Workplace Gender Equality Agency methodology is based on calendar year, rather than financial year and replaces data source from internal Human Resources records management system Aurion from 2024 onwards.

Key activity 7.1: Support our people to develop and meet their full potential and facilitate a diverse, respectful and inclusive culture

About this key activity

Our culture is built on a foundation of care, support and inclusion for our people to perform at their best. We foster an environment where everyone can thrive. We support connection, collaboration and active sharing of skills, knowledge and support. We prioritise the wellbeing of our people and empower them to work autonomously and flexibly. We:

- develop strong frameworks to attract, onboard and support people to plan their careers
- ensure that our employee value proposition is fit for purpose and that our people bring it to life in everything that they do
- have frameworks and guidance to support a safe, flexible workforce and workplace, adapting our support given evolving requirements
- invest in leadership capability, supporting professional development and individual performance with meaningful feedback
- partner with managers to build their leadership capabilities and embed practical workforce plans
- deliver wellbeing and inclusion programs to support people to be their best
- develop and administer employment frameworks and terms and conditions that drive organisational performance
- ensure that employee related expenses such as payroll are disbursed accurately and on time.

These initiatives contribute to our people's health, safety and welfare by embedding a culture of wellbeing, inclusion and supportive leadership factors that support the mitigation of psychosocial risks, promote a safe and healthy workplace and are reportable requirements set out in Schedule 2, Part 4 of the *Work Health and Safety Act 2011* (Cth) (WHS Act).

In the 2026 APS Census results, 93% of our employees advised they are proud to work in our agency with 92% saying they would recommend the agency as a place to work.

Capability building

For the ACCC, there was a marginal decrease in the percentage of positive responses to APS Census survey questions about whether employees have the appropriate skills, capabilities and knowledge to perform well (performance indicator 7c). However, the ACCC still achieved a high score of 84%. This is a robust outcome relative to the APS average of 78%.

APS Strategic Commissioning Framework

In 2025–26 the ACCC took steps to bring core work in-house in line with the APS Strategic Commissioning Framework. The outsourcing of core work is minimal and aligns with the limited circumstances in the framework. A limited number of core roles were filled during 2025–26 to meet critical business needs and support the legal separation of the AER, taking effect from 1 July 2026. The contracts were sourced to respond to a surge in workload and fill short-term resourcing gaps while on going recruitment was undertaken. From 1 July, the AER will manage, report on and where appropriate, transition these core roles to APS.

Performance and behaviour expectations

In response to the release of the APSC's SES Performance Leadership Framework in August 2023, the ACCC has revised SES performance planning (new obligations came into effect for the 2025–26 performance cycle), adjusted performance measures, embedded moderation and refined reporting. Work will continue into 2026–27 in response to the APSC non-SES Performance Framework, which was released in 2025.

Wellbeing

In 2025–26 we continued to invest in supporting employees' health and wellbeing. Central to this has been implementing the APSC's ADDRESS model to identify psychosocial hazards. Each division is now developing an action plan to implement controls for the hazards identified. Action plans will be reviewed every 6 months to identify what is working well and what has changed and replace any completed control. Census data will be analysed to identify trends and whether controls may need to be adjusted.

Throughout 2025–26 our Work Health, Safety and Wellbeing team engaged across the agency to build skill in preventing and mitigating risks to psychological and psychosocial health and safety. For example, the team:

- conducted tailored sessions for branches and teams on the agency's approach to psychological and psychosocial health and safety and the supports available to them
- continued to consult with business areas that are at high risk from hazards or that have identified areas of concern to minimise risk of injury
- continued implementing the recommendations from the external review conducted last year including the development of a mental health and wellbeing strategy
- commenced a review of work health and safety (WHS) policies.

Different avenues of support for wellbeing are actively promoted to employees through our internal communication channels. We continued to promote our Employee Assistance Program, wellbeing webinars and access to the Peer Support Adviser Network. Through monthly wellbeing articles, we have maintained our focus on encouraging employees to engage in different wellbeing topics and strategies to look after their wellbeing.

In addition to managing psychological matters, the team worked with employees experiencing physical discomfort or injury and exploring early medical, counselling or remedial support. Appendix 4 provides details of injuries, incidents and investigations.

Ergonomic awareness continued to be a focus in 2025–26. All employees were required to submit a remote work application to confirm that at-home workstations remain compliant with ergonomic safety requirements. We conducted additional workstation assessments with employees who have particular needs or have experienced pain and discomfort.

Employees experiencing injury or illness who require assistance to remain engaged in their work or to return to work – for example, employees with ongoing medical illness or who are recovering from acute medical conditions or musculoskeletal injury – are supported through comprehensive case management. Where necessary, these employees also receive assistance from external occupational rehabilitation consultants so they receive professional vocational rehabilitation support. In the 2026 APS Census results, 79% of employees said the agency was effective in the promotion of available health and wellbeing supports.

We continued to provide free influenza vaccinations to all employees and a Healthy Lifestyle Reimbursement that encourages employees to invest in their personal health and wellbeing activities.

Gender equality reporting

In line with commitments made under [Working for Women: A Strategy for Gender Equality](#), Australian Government departments have committed to report on their efforts to achieve gender equality and build gender analysis capability in their annual reports. As part of this initiative, this annual report includes a case study to demonstrate how the department is working towards the ambition of a better, gender equal Australia for everyone.

In 2025–26 the ACCC took an important step forward in building a more inclusive workplace with the launch of Gen2 – a refreshed employee network focused on gender equality and generational inclusion initiatives.

The network builds on a strong history of employee-led action to advance gender equality at the ACCC. By bringing gender and generational inclusion together, Gen2 creates a stronger platform for change – one that reflects how people experience work across different life stages, caring responsibilities, career pathways and workplace expectations. Gen2 also provides the platform for the ACCC to implement deliverable actions to meet our responsibilities under the APS Gender Equality Strategy 2021–26.

Some of the key early milestones for the network in its first year of operation include obtaining Breastfeeding Friendly Workplace accreditation through the Australian Breastfeeding Association, overseeing the distribution of desk fans to all ACCC offices to support employees experiencing physical symptoms of perimenopause or menopause, and providing input into the selection of the ACCC's gender equality targets for the 2026 Workplace Gender Equality Agency (WGEA) gender pay gap reporting process. Further initiatives to advance gender equality and age inclusivity will be identified in separate network level plans that will be released early in 2026–27.

Economic equality and security – the gender pay gap closes

Our gender pay gap is a key measure of how inclusive we are. Measuring, understanding and responding to the gender pay gap for the last 8 years is an integral component of our Diversity and Inclusion output.

In 2020 we set a goal to reduce our pay gap to 3% by 2030 through regular gap analysis and ensuring no gender bias occurs in the remuneration review process. Our most recent gender pay gap was 1.0% as at 31 December 2024.

Our goal now is to reduce the gap to zero and sustain it. We will do that by including targets in our refreshed Gender Equality Plan and continuing to identify and remove barriers to gender equality in the workplace.

Leadership, representation and decision making – gender equality and counsel fees

The ACCC and AER are committed to meeting equitable briefing targets, which also support the objectives of the Law Council of Australia's Equitable Briefing Policy. We make a conscious effort to monitor and increase the number and value of briefs to female barristers, both senior and junior. As a result, since the Legal Services Directions targets were introduced in 2018, we have consistently exceeded the overall targets for both senior and junior female counsel.

Annual reports published by the Australian Government Attorney-General's Department show that female barristers are starting to receive more briefs from the Commonwealth and Commonwealth agencies.

The Legal Services Directions 2025, which came into effect on 2 March 2026, introduced updated equitable briefing targets to encourage Commonwealth agencies to use all reasonable endeavours to select female counsel with relevant seniority, expertise and experience in the relevant practice area, with a view to:

- women counsel accounting for at least 40% of all the entity's briefs
- at least 40% of the total value of all the entity's briefs.

The ACCC and AER have demonstrated significant improvement in this area over the last decade. In 2010–11 the ACCC/AER briefed female counsel only 13% of the time, with a value that was only 9% of the overall value of briefs. By 2023–24 we increased the percentage of briefs going to female counsel to 57%, representing 37% of value.

By 2024–25 we increased the percentage of briefs going to female counsel to 50%, representing 53% of value.

This progress has been achieved because the agency has adopted an equitable briefing practice where ACCC/AER employees and panel firms are encouraged to select female barristers with relevant seniority, expertise and experience in the relevant practice areas where possible. The agency also has a practice of reviewing and seeking to increase rates paid to female counsel where they do not match the rates paid to male counsel of similar seniority and experience.

Diversity and inclusive strategies and plans

In September 2025 we launched our ACCC/AER Pride Plan 2025–28, which promotes a diverse and inclusive workplace where people of all sexual orientations and gender identities can thrive. Our 2025–28 Pride Plan sets 4 priorities and the actions we have identified to achieve our aim of embedding a culture that is inclusive of LGBTQIA+ employees in a way that is visible across the ACCC and AER, with high levels of support and engagement from our people.

In December 2025 we launched the [ACCC/AER Reconciliation Action Plan 2025–2027](#) – our fifth Reconciliation Action Plan and the fourth at the Innovate level. This further confirms our commitment to advancing reconciliation through the implementation of 16 actions with 81 deliverables, to close the gaps in employment and consumer protection between First Nations Peoples and other Australians.

In April 2026 we released our new [ACCC/AER Diversity and Inclusion Strategy 2026–29](#), which highlights 3 key focus areas:

- Inclusive leaders – developing leaders who embrace and celebrate difference and enable and advocate for all people.
- Inclusive culture – building empathy and commitment through understanding.
- Inclusive experiences – investing in how every employee feels at and about work.

Our diversity and inclusion work is also evidenced through external commitments made in our [Disability Action Plan](#), [Gender Equity Action Plan](#) and [Cultural Diversity Plan](#). In the 2026 APS Census results, 94% of employees said the ACCC/AER supported and actively promoted an inclusive workplace culture.

We are working to meet the APS goal of at least 5% of our employees identifying as Indigenous by 2030. In 2025–26 we advanced our First Nations recruitment by enhancing our First Nations Employment Register and using Affirmative Measures. We also rebranded our First Nations Recruitment Committee to the First Nations Careers Committee (FNCC) to focus our commitment on creating positive outcomes for First Nations employees at all stages of the employee life cycle.

Disability reporting

Australia's Disability Strategy 2021–2031 is the overarching framework for inclusive policies, programs and infrastructure that will support people living with disability to participate in all areas of Australian life. The strategy highlights practical changes that will be made to improve the lives of people living with disability in Australia. It ensures the principles underpinning the United Nations Convention on the Rights of Persons with Disabilities are incorporated into Australia's policies and programs that affect people with disability, their families and carers. All levels of government have committed to deliver more comprehensive and visible reporting under the strategy. A range of reports on progress of the strategy's actions and outcome areas will be published and available on the [Disability Gateway](#).

Disability reporting is included in the Australian Public Service Commission's State of the Service reports and the APS Statistical Bulletin. These reports are available on the [Australian Public Service Commission](#) website.

The ACCC and AER are committed to providing a safe and inclusive culture and work environment where all employees feel they can self-identify and report a disability.

Our target was that, by 2026, 7% of our employees would identify as a person living with disability (performance indicator 7f). Based on our 2026 APS Census results, 11% of our employees identify as a person living with disability.

We are continuing to work to improve our reporting capability so we can gain a better understanding of our people's needs that goes beyond State of the Service requirements.

APS Values and Code of Conduct

The ACCC and AER are committed to driving a respectful culture that upholds and promotes the behaviours specified in the APS Values and Code of Conduct.

Employees learn about the APS Values and Code of Conduct as part of our Induction Program. Additional awareness training is offered through online courses, cultural awareness workshops and presentations, and leadership training.

The Appropriate Workplace Behaviour Policy and Guidelines make all employees aware of their obligations and avenues for reporting inappropriate behaviour. The Prevention of Workplace Sexual Harassment and Related Unlawful Conduct Policy details our commitment to providing a safe, inclusive and respectful work environment that is free from sexual harassment and related unlawful behaviours. This policy supports the agency to comply with positive duty obligations.

Alleged misconduct by employees may be dealt with under the APS Code of Conduct. In 2025–26 the agency commenced investigating 6 potential breaches of the code.

Our employee profile

More information on our employees and employee profile is in Appendix 2 – Management of human resources.

Table 4.11: ACCC and AER turnover according to separation type 2025–26

Separation	Classification	Number of ACCC employees	Number of AER employees
External transfer or promotion	Non-SES	27	11
	SES	2	0
Retirement	Non-SES	9	3
	SES	4	0
Contract expired	Non-SES	10	5
Resignation	Non-SES	74	24
	SES	2	3
Other	Non-SES	3	3
Total		131	49

Employment agreements and remuneration

Enterprise Agreement

The ACCC Enterprise Agreement 2024–2027 came into effect on 4 April 2024, following approval by the Fair Work Commission. The process of updating associated policies and procedures is well underway and will continue in 2026. The APSC will commence negotiations for the APS for a new Enterprise Agreement in July 2026.

Public office holders remuneration

Remuneration for ACCC and AER members is determined by the Remuneration Tribunal in accordance with:

- the *Remuneration Tribunal Act 1973* (Cth)
- the Remuneration Tribunal (Remuneration and Allowances for Holders of Full-time Public Office) Determination 2024
- the Remuneration Tribunal (Remuneration and Allowances for Holders of Part-time Public Office) Determination 2024.

Mandatory executive remuneration reporting is detailed in Appendix 3.

Determinations

SES employees are engaged via individual and cohort determinations that detail their remuneration and terms and conditions. Determinations are made in accordance with the *Public Service Act 1999* (Cth) and SES remuneration policies and approved by the Chief Executive Officer or Chair.

Common law contracts and Australian Workplace Agreements

There were no employees covered by common law contracts or Australian Workplace Agreements in 2025–26.

Non-salary benefits

Non-salary benefits provided to employees under the Enterprise Agreement include:

- the ability to work from our offices located across Australia in all capital cities and Townsville
- flexible working arrangements such as part-time work, flexible hours of work and the option to work from home up to 3 days a week
- access to paid study leave for tertiary education where it aligns with a course of study directly relevant to ACCC/AER employment
- access to extensive learning and development opportunities to support employees in their career with the ACCC/AER
- access to salary sacrificing
- annual flu vaccination program
- a one-off \$600 gross payment upon commencement with the agency to help in the setup of a home workstation
- a healthy lifestyle allowance – every year in March we reimburse up to \$299.99 for items related to maintaining a healthy lifestyle
- flex leave and time off in lieu arrangements
- 4 weeks of annual leave each year (pro-rata for part-time employees) with the option to purchase additional annual leave
- 20 days of personal leave per annum (pro-rata for part-time employees)
- end-of-year closedown during the December and January public holiday period
- 18 weeks of paid parental leave for primary caregivers (pro-rata for part-time employees)
- 11 weeks of paid parental leave for secondary caregivers, building to 18 weeks over the life of the agreement (pro-rata for part-time employees)
- 3 days of cultural leave per year for essential religious or cultural obligations
- paid time for lactation breaks and blood donation leave
- 6 days of leave for First Nations employees that can be used over 2 years for cultural and ceremonial purposes, and 1 day NAIDOC leave
- paid family and domestic violence leave
- access to sabbatical leave after 3 years of continuous service with the ACCC/AER.

More information can be found on the [ACCC website](#).

Key activity 7.2 Modernise our ICT, improve the reliability, flexibility and security of our business and data systems, and enhance our data capabilities

About this key activity

In 2025–26 the agency’s ability to deliver its regulatory responsibilities, support employees, and respond to emerging risks and opportunities has been strengthened through the modernisation of the agency’s digital and data capabilities. In 2025–26 this included a progressive enterprise-level rollout of Microsoft’s generative AI tool, M365 Copilot, for employee use. Early feedback has been positive, with employees reporting meaningful time savings.

A significant priority for the year was the successful technology build for the new merger regime. This work delivered the digital foundations, including case management portals, webforms, and updated public registers. Evaluation surveys sent to external parties in early 2026 indicated high approval ratings for the accessibility, ease of use and effectiveness of the new merger portal and webforms.

The National Anti-Scam Centre has continued to build data and technology capability to support its establishment and growth. At the end of 2025–26 sectors for all regulated entities can share data with the National Anti-Scam Centre in near real time through Application Programming Interfaces (APIs). Ongoing ICT development is ensuring the National Anti-Scam Centre remains responsive to changes in the scams environment, including maintaining the underlying systems and preparing for implementation of the Scams Prevention Framework.

These major programs have been delivered alongside a broader ICT work program that supports whole-of-agency priorities. In March 2026 the agency transferred the Franchise Disclosure Register from the federal Treasury. The agency also implemented a new service management solution and entered an ICT shared services model with the AER following its formal separation as a standalone agency from 1 July 2026.

This progress has been maintained while continuing to meet the agency’s security obligations and uplifted organisational awareness of cyber and information security risks. The agency’s security practice has continued to mature through direct communication with employees, intranet articles, briefings and all-staff updates. The agency also met its stated performance target of 99.9% system availability, supporting the continued delivery of reliable, secure and high-quality ICT services for employees.

Key activity 7.3: Adapt our ways of working to allow resources to be used flexibly to meet changing priorities and to adopt innovative practices commensurate with the level of risk; and empower our people to work autonomously and influence the direction of the organisation

About this key activity

The ACCC is committed to innovation and continuous improvement. A key deliverable was the development of our ACCC Strategy 2026–2029, which sets out how we will enhance our efficiency and effectiveness and adapt and respond to emerging needs. The strategy is underpinned by a focus on 5 operational areas:

- Governance and decision making: We will strengthen trust and confidence in our decisions and in the way we work. We will make efficient decisions that support our goals and that will help us keep up with our changing world.
- Workforce capability: We will make sure our people have the right skills and knowledge to do their jobs well, now and in the future.
- Data and digital: We will use digital tools and data to innovate, learn and make timely, efficient and evidence-based decisions. We will have a strong digital culture, underpinned by clear rules and responsibilities for managing and protecting our data.
- Ways of working: We will make sure our people are empowered to be innovative, efficient and adaptable in their work.
- Communications and engagement: We will improve public understanding and awareness of what we do, and strengthen trust in our work.

To drive change, capability uplift and improve how we work, we have prioritised a series of projects for each of these focus areas over the 3 years of the Strategy. These projects are designed to build a more agile organisation; empower our teams; support considered risk-taking; and enable faster, data-driven decisions in an increasingly complex landscape.

The ACCC and AER have a strong focus on capability building. We continue to develop work area specific training to support the technical knowledge requirements, such as those in the Australian Government Investigation Standard.

We develop training to support core skills and priorities of work areas. Our work area priority training builds on the Essentials program, which is a curated program of training for all ACCC and AER employees that supports core capability development and the agency's values and objectives and helps the agency meet its expectations and obligations as an APS agency. We identified change leadership as a key capability priority in 2025–26 and targeted our investment in our SES and EL2 cohorts across the year through formal learning programs and ongoing collaborative learning activities.

In line with the APS Workforce Strategy 2026, we are committed to becoming a modern, data-literate and data-driven agency.

Implementation of ServiceNow Human Resources Service Delivery

During 2025–26 the ACCC continued to adapt its ways of working to ensure resources are used flexibly and effectively in response to changing priorities, while adopting innovative practices commensurate with organisational risk. A key milestone was the implementation of ServiceNow Human Resources Service Delivery (HRSD), which has leveraged technology to systemise how services are accessed and delivered across the organisation.

ServiceNow provides a single, digital entry point for human resources services, enabling employees and managers to access information, submit requests and track progress transparently and securely. The new platform supports greater autonomy for employees, simplifies previously manual processes and allows People Branch resources to be redirected from transactional activities toward higher value strategic work.

Building on last year's focus on capability, innovation and workforce dashboards, ServiceNow also strengthens data quality, consistency and reporting. Centralised workflows and structured data capture enhance visibility of service demand and emerging trends, supporting continuous improvement. The ServiceNow platform establishes a strong foundation for more timely and reliable performance insights.

The implementation of ServiceNow represents a significant step forward in enabling flexible, modern and accountable services, empowering our workforce and supporting the organisation's evolving needs.

Key activity 7.4: Further develop our standing as a world-class independent regulator through external engagement and internal collaboration to support robust and transparent decision making that is responsive to complex challenges and demands

About this key activity

We will nurture our role as an independent regulator with robust and transparent decision making that is responsive to complex challenges and demands. We will do this by ensuring that:

- our role is clear in the face of expanding responsibilities
- our connections with external stakeholders provide opportunities for better outcomes for consumers
- our internal collaboration assists us to achieve better outcomes for consumers
- we remain objective by making decisions based on data and evidence
- change is managed successfully in the organisation.

As discussed in Part 4 – Management and accountability, the agency’s corporate governance framework equips us to achieve our strategic objectives while complying with legislation and policies, maintaining performance standards and making the most cost-effective use of resources.

ACCC Commissioners are full-time statutory office holders and collectively have a clear view of the connection between their statutory decision making on particular matters and the overall staffing resources and legal expenditure implications of those decisions.

The ACCC is continuing to enhance its ways of working to allow resources to be prioritised and allocated flexibly, including through strengthening prioritisation processes and making better use of data. For example, most employees are required to record time spent on cases and projects to provide data-informed insights. This helps us to ensure our people can be optimally deployed across projects and divisions in a way that aligns with the agency’s highest priorities.

As part of our intranet redevelopment project, we have developed a new content strategy and governance framework to make it easier for employees to find, understand and maintain relevant information.

Cooperation and collaboration with stakeholders

The ACCC is a multi-function national regulator, with an economy-wide remit. We engage with stakeholders across federal Government, state and territory governments, [Australian consumers and businesses](#), [consultative committees](#) and [international counterparts](#), and these are reflected in our [national](#) and [international](#) memorandums of understanding and agreements. Detailed engagement can be found throughout Part 3 – Annual performance statements.

Responsiveness to complex and evolving regulatory challenges

In 2025–26 the ACCC continued to respond to complex and evolving market conditions by adapting its regulatory priorities, monitoring activities and internal governance arrangements. This included responding to emerging risks in fuel markets following conflict in the Middle East and associated impacts on international crude oil and refined fuel benchmarks. To support timely market oversight, the ACCC moved from quarterly to weekly fuel monitoring, providing more frequent analysis of developments in wholesale and retail fuel prices and their implications for Australian consumers and businesses.

The ACCC also established a dedicated fuel monitoring division to support the timely consideration of weekly reports, with final reports approved for provision to the Treasurer's office and publication. This approach demonstrated the ACCC's capacity to respond quickly to market volatility by using its monitoring functions and decision making arrangements to provide clear, evidence-based information to government, industry and the public.

The ACCC's work during the year also reflected the ongoing review and modernisation of competition and consumer law settings. The commencement of the new mergers regime from 1 January 2026 is a significant reform designed to strengthen the ACCC's ability to assess acquisitions that may substantially lessen competition. By requiring acquisitions that meet specified thresholds to be notified to the ACCC and not proceed without approval, the regime supports a more risk-based and transparent approach to merger assessment, focusing regulatory effort on transactions with the greatest potential to affect competition while providing clearer pathways for lower risk matters.

Broader reforms to consumer and fair trading laws are also intended to improve the ACCC's ability to address harmful conduct in changing markets. The proposed introduction of an unfair trading practices prohibition, increased maximum penalties and the commencement of the excessive pricing prohibition reflect continued efforts to ensure the legislative framework remains effective, proportionate and fit for purpose. These reforms are particularly important in markets where consumer harm can occur quickly, where essential goods and services are affected, or where existing provisions may not adequately address emerging forms of conduct.

Together, these activities demonstrate the ACCC's role as a responsive and adaptive regulator. The ACCC continued to use evidence, intelligence and stakeholder insights to identify emerging risks, target regulatory effort and support legislative change where existing settings need to evolve. This approach supports effective and proportionate regulation, while maintaining the flexibility required to respond to increasingly complex market conditions and deliver outcomes that benefit consumers, small businesses and the broader economy.

5

Financial statements





INDEPENDENT AUDITOR'S REPORT

To the Treasurer

Opinion

In my opinion, the financial statements of the Australian Competition and Consumer Commission (the Entity) for the year ended 30 June 2026:

- (a) comply with Australian Accounting Standards – Simplified Disclosures and the *Public Governance, Performance and Accountability (Financial Reporting) Rule 2015*; and
- (b) present fairly the financial position of the Entity as at 30 June 2026 and its financial performance and cash flows for the year then ended.

The financial statements of the Entity, which I have audited, comprise the following as at 30 June 2026 and for the year then ended:

- Statement by the Accountable Authority and Chief Financial Officer;
- Statement of Comprehensive Income;
- Statement of Financial Position;
- Statement of Changes in Equity;
- Cash Flow Statement;
- Administered Schedule of Comprehensive Income;
- Administered Schedule of Assets and Liabilities;
- Administered Reconciliation Schedule;
- Administered Cash Flow Statement; and
- Notes to the financial statements, comprising material accounting policy information and other explanatory information.

Basis for opinion

I conducted my audit in accordance with the Australian National Audit Office Auditing Standards, which incorporate the Australian Auditing Standards. My responsibilities under those standards are further described in the *Auditor's Responsibilities for the Audit of the Financial Statements* section of my report. I am independent of the Entity in accordance with the relevant ethical requirements for financial statement audits conducted by the Auditor-General and their delegates. These include the relevant independence requirements of the Accounting Professional and Ethical Standards Board's APES 110 *Code of Ethics for Professional Accountants (including Independence Standards)* (the Code) to the extent that they are not in conflict with the *Auditor-General Act 1997*. I have also fulfilled my other responsibilities in accordance with the Code. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

Accountable Authority's responsibility for the financial statements

As the Accountable Authority of the Entity, the Chair is responsible under the *Public Governance, Performance and Accountability Act 2013* (the Act) for the preparation and fair presentation of annual financial statements that comply with Australian Accounting Standards – Simplified Disclosures and the rules made under the Act. The Chair is also responsible for such internal control as the Chair determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, the Chair is responsible for assessing the ability of the Entity to continue as a going concern, taking into account whether the Entity's operations will cease as a result of an administrative restructure or for any other reason. The Chair is also responsible for disclosing, as applicable, matters related to

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going concern and using the going concern basis of accounting, unless the assessment indicates that it is not appropriate.

Auditor's responsibilities for the audit of the financial statements

My objective is to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with the Australian National Audit Office Auditing Standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of the financial statements.

As part of an audit in accordance with the Australian National Audit Office Auditing Standards, I exercise professional judgement and maintain professional scepticism throughout the audit. I also:

- identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control;
- obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Entity's internal control;
- evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the Accountable Authority;
- conclude on the appropriateness of the Accountable Authority's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Entity's ability to continue as a going concern. If I conclude that a material uncertainty exists, I am required to draw attention in my auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify my opinion. My conclusions are based on the audit evidence obtained up to the date of my auditor's report. However, future events or conditions may cause the Entity to cease to continue as a going concern; and
- evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

I communicate with the Accountable Authority regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that I identify during my audit.

Australian National Audit Office



Kristian Gage
Acting Group Executive Director
Delegate of the Auditor-General
Canberra

31 August 2026

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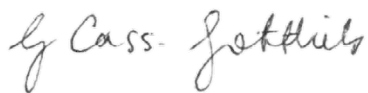
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AUSTRALIAN COMPETITION AND CONSUMER COMMISSION

STATEMENT BY THE ACCOUNTABLE AUTHORITY AND CHIEF FINANCE OFFICER

In our opinion, the attached financial statements for the year ended 30 June 2026 comply with subsection 42(2) of the *Public Governance, Performance and Accountability Act 2013* (PGPA Act) and are based on properly maintained financial records as per subsection 41(2) of the PGPA Act.

In our opinion, at the date of this statement, there are reasonable grounds to believe that the Australian Competition and Consumer Commission will be able to pay its debts as and when they fall due.



Gina Cass-Gottlieb
Chair and Accountable Authority

28 August 2026



Sharon Alley
Chief Finance Officer

28 August 2026

AUSTRALIAN COMPETITION AND CONSUMER COMMISSION

Statement of Comprehensive Income

for the year ended 30 June 2026

	Notes	2026 \$'000	2025 \$'000	Original Budget \$'000
NET COST OF SERVICES				
Expenses				
Employee benefits	1.1A	283,767	269,722	244,817
Suppliers	1.1B	120,927	121,623	124,831
Depreciation and amortisation	2.2	35,869	36,019	43,865
Settlement of litigation		3,293	2,340	-
Finance costs		929	1,094	920
Write-down and impairment of assets	2.2	-	799	-
Impairment of financial assets		-	3	-
Total expenses		444,785	431,600	414,433
Own-source income				
Own-source revenue	1.2	10,674	7,278	10,776
Total own-source income		10,674	7,278	10,776
Net (cost of) services		(434,111)	(424,322)	(403,657)
Departmental appropriations	4.1A	409,352	404,419	371,509
Surplus/(Deficit)		(24,759)	(19,903)	(32,148)
OTHER COMPREHENSIVE INCOME				
Items not subject to subsequent reclassification to net cost of services				
Changes in asset revaluation surplus		-	2,477	-
Total comprehensive income/(loss)		(24,759)	(17,426)	(32,148)

The above statement should be read in conjunction with the accompanying notes.

AUSTRALIAN COMPETITION AND CONSUMER COMMISSION

Statement of Financial Position

as at 30 June 2026

	Notes	2026 \$'000	2025 \$'000	Original Budget \$'000
ASSETS				
Financial assets				
Cash and cash equivalents		13,342	2,184	2,137
Trade and other receivables	2.1	143,540	137,944	118,164
Total financial assets		156,882	140,128	120,301
Non-financial assets				
Leasehold improvements	2.2	58,142	71,817	59,536
Plant and equipment	2.2	4,045	4,605	5,109
Computer software	2.2	69,205	67,014	57,786
Prepayments		3,886	5,787	3,671
Total non-financial assets		135,278	149,223	126,102
Total assets		292,160	289,351	246,403
LIABILITIES				
Payables				
Suppliers	2.3	14,228	17,099	17,870
Employee related payables		9,620	8,789	1,286
Total payables		23,848	25,888	19,156
Interest bearing liabilities				
Leases	2.4	51,345	63,096	51,409
Total interest bearing liabilities		51,345	63,096	51,409
Provisions				
Employee provisions	5.1	72,461	68,246	69,188
Other provisions	2.5	3,853	3,657	203
Total provisions		76,314	71,903	69,391
Total liabilities		151,507	160,887	139,956
Net assets		140,653	128,464	106,447
EQUITY				
Contributed equity		376,657	339,709	362,712
Reserves		6,215	6,215	3,738
Retained surplus/(Accumulated deficit)		(242,219)	(217,460)	(260,003)
Total equity		140,653	128,464	106,447

The above statement should be read in conjunction with the accompanying notes.

AUSTRALIAN COMPETITION AND CONSUMER COMMISSION

Cash Flow Statement

for the year ended 30 June 2026

	2026 \$'000	2025 \$'000	Original Budget \$'000
OPERATING ACTIVITIES			
Cash received			
Appropriations	418,888	418,867	402,973
Sale of goods and rendering of services	10,360	9,061	10,681
Interest	20	32	-
Net GST received	13,277	14,850	14,740
Other	201	172	-
Total cash received	442,746	442,982	428,394
Cash used			
Employees	278,729	261,129	252,310
Suppliers	131,938	139,382	122,221
Interest payments on lease liabilities	929	1,094	920
Section 74 receipts transferred to OPA	28,370	28,779	25,421
Net GST paid	-	-	15,805
Settlement of litigation	2,063	-	-
Total cash used	442,029	430,384	416,677
Net cash from/(used by) operating activities	717	12,598	11,717
INVESTING ACTIVITIES			
Cash used			
Purchase of non-financial assets	27,967	35,724	22,504
Total cash used	27,967	35,724	22,504
Net cash from/(used by) investing activities	(27,967)	(35,724)	(22,504)
FINANCING ACTIVITIES			
Cash received			
Principal receipts on sublease receivable	1,100	952	-
Contributed equity	49,059	33,322	22,504
Total cash received	50,159	34,274	22,504
Cash used			
Principal payments on lease liabilities	11,751	11,101	11,717
Total cash used	11,751	11,101	11,717
Net cash from/(used by) financing activities	38,408	23,173	10,787
Net increase/(decrease) in cash held	11,158	47	-
Cash and cash equivalents at the beginning of the reporting period	2,184	2,137	2,137
Cash and cash equivalents at the end of the reporting period	13,342	2,184	2,137

The above statement should be read in conjunction with the accompanying notes.

AUSTRALIAN COMPETITION AND CONSUMER COMMISSION

Statement of Changes in Equity

for the year ended 30 June 2026

	Retained Surplus			Contributed Equity			Asset Revaluation Reserve			Total Equity		
	2026 \$'000	2025 \$'000	Original Budget \$'000	2026 \$'000	2025 \$'000	Original Budget \$'000	2026 \$'000	2025 \$'000	Original Budget \$'000	2026 \$'000	2025 \$'000	Original Budget \$'000
Opening balance at 1 July 2025	(217,460)	(197,557)	(227,855)	339,709	299,532	339,709	6,215	3,738	3,738	128,464	105,713	115,592
Adjusted opening balance at 1 July	(217,460)	(197,557)	(227,855)	339,709	299,532	339,709	6,215	3,738	3,738	128,464	105,713	115,592
Comprehensive Income												
Surplus/(Deficit) for the period	(24,759)	(19,903)	(32,148)	-	-	-	-	-	-	(24,759)	(19,903)	(32,148)
Other comprehensive income	-	-	-	-	-	-	-	2,477	-	-	2,477	-
Total comprehensive income	(24,759)	(19,903)	(32,148)	-	-	-	-	2,477	-	(24,759)	(17,426)	(32,148)
Transactions with owners												
Contributions by owners												
Equity injection	-	-	-	14,900	1,100	1,100	-	-	-	14,900	1,100	1,100
Departmental capital budget	-	-	-	22,048	39,077	21,903	-	-	-	22,048	39,077	21,903
Total transactions with owners	-	-	-	36,948	40,177	23,003	-	-	-	36,948	40,177	23,003
Closing balance as at 30 June	(242,219)	(217,460)	(260,003)	376,657	339,709	362,712	6,215	6,215	3,738	140,653	128,464	106,447

The above statement should be read in conjunction with the accompanying notes.

Accounting Policy

Equity Injections

Amounts appropriated which are designated as 'equity injections' for a year (less any formal reductions) and Departmental Capital Budgets (DCBs) are recognised directly in contributed equity in that year.

AUSTRALIAN COMPETITION AND CONSUMER COMMISSION
Administered Schedule of Comprehensive Income
for the year ended 30 June 2026

	2026 \$'000	2025 \$'000	Original Budget \$'000
NET COST OF SERVICES			
Expenses			
Impairment of receivables	10,000	1,750	-
Repayment of fees and fines	25,000	-	-
Total expenses	35,000	1,750	-
Income			
Non-taxation revenue			
Fines, penalties and costs	314,108	236,028	230,696
Other fees and charges	18,573	3,391	-
Total income	332,681	239,419	230,696
Surplus	297,681	237,669	230,696
Total comprehensive income	297,681	237,669	230,696

Administered Schedule of Assets and Liabilities
as at 30 June 2026

	Notes	2026 \$'000	2025 \$'000	Original Budget \$'000
ASSETS				
Financial assets				
Cash and cash equivalents		187	-	-
Trade and other receivables	3.1	67,671	59,705	19,321
Total financial assets		67,858	59,705	19,321
Total assets administered on behalf of Government		67,858	59,705	19,321
LIABILITIES				
Payables				
Fees and fines		25,000		
Total payables		25,000		
Total liabilities administered on behalf of Government		25,000		
Net assets/(liabilities)		42,858	59,705	19,321

The above schedules should be read in conjunction with the accompanying notes.

AUSTRALIAN COMPETITION AND CONSUMER COMMISSION

Administered Reconciliation Schedule

for the year ended 30 June 2026

	2026 \$'000	2025 \$'000
Opening assets less liabilities as at 1 July	59,705	19,321
Net (cost of)/contribution by services		
Income	332,681	239,419
Expenses	(35,000)	(1,750)
Transfers (to)/from the Australian Government		
Appropriation transfers to Official Public Account		
Transfers to Official Public Account	(314,528)	(197,285)
Closing assets less liabilities as at 30 June	42,858	59,705

Accounting Policy

Administered Cash Transfers to and from the Official Public Account

Revenue collected by the Commission for use by the Government rather than the Commission is administered revenue. Collections are transferred to the Official Public Account (OPA) maintained by the Department of Finance. Conversely, cash is drawn from the OPA to make payments under Parliamentary appropriation on behalf of Government. These transfers to and from the OPA are adjustments to the administered cash held by the Commission on behalf of the Government and reported as such in the schedule of administered cash flows and in the administered reconciliation schedule.

Administered Cash Flow Statement

for the year ended 30 June 2026

	2026 \$'000	2025 \$'000
OPERATING ACTIVITIES		
Cash received		
Fines and costs	296,400	193,891
Other fees and charges	18,567	3,387
Total cash received	314,967	197,278
Cash used		
Refund of fees and fines	252	1
Total cash used	252	1
Net cash from operating activities	314,715	197,277
Cash to Official Public Account		
Appropriations	(314,528)	(197,285)
Total cash to Official Public Account	(314,528)	(197,285)
Cash and cash equivalents at the beginning of the reporting period	-	8
Cash and cash equivalents at the end of the reporting period	187	-

This above schedules should be read in conjunction with the accompanying notes.

OVERVIEW

The Australian Competition and Consumer Commission (ACCC) is an Australian Government controlled not-for-profit entity domiciled in Australia, whose role is to enforce the *Competition and Consumer Act 2010* and a range of additional legislation, promoting competition, fair trading and regulating national infrastructure for the benefit of all Australians.

The ACCC has a number of offices across Australia, with its registered office located at Marcus Clarke Street, Canberra.

The continued existence of the ACCC in its present form and with its present programs is dependent on Government policy and on continuing funding by Parliament for the ACCC's administration and programs.

The Basis of Preparation

The financial statements are required by section 42 of the *Public Governance, Performance and Accountability Act 2013*.

The financial statements have been prepared in accordance with:

- *Public Governance, Performance and Accountability (Financial Reporting) Rule 2015* (FRR); and
- Australian Accounting Standards and Interpretations - including simplified disclosures for Tier 2 Entities under AASB 1060 issued by the Australian Accounting Standards Board (AASB).

The financial statements have been prepared on an accrual basis and in accordance with the historical cost convention, except for certain assets and liabilities at fair value. Except where stated, no allowance is made for the effect of changing prices on the results or the financial position. The financial statements are presented in Australian dollars.

Significant Accounting Judgements and Estimates

In the process of applying the accounting policies listed in these statements, the Commission has made assumptions or estimates in the following areas that have the most significant impact on the amounts recorded in the financial statements:

- With the exception of right-of-use assets that are carried at cost, the fair value of property, plant and equipment (PP&E) is assessed at market or depreciated replacement cost as determined by an independent valuer and is subject to ongoing assessment by the valuer and management between formal valuations.
- Lease liabilities are discounted using the interest rate implicit in the lease. Where the implicit rate cannot be readily determined the discount rate is based on zero coupon bond yields. The discount rate is established on lease commencement and is not changed during the lease term unless there has been a modification to the lease that impacts the remaining lease payments.
- Leave provisions involve assumptions based on the expected tenure of existing staff, patterns of leave claims and payout, future salary movements and future discount rates. Leave liabilities have been determined by reference to the work of an actuary as at 30 June 2024 (and subsequent minor update in June 2026) and are subject to ongoing assessment by management.
- Litigation provisions have been determined by management based on its best estimate of the expenditure required to settle obligations at reporting date. In determining this amount management uses a combination of available information and past experience to identify a range of possible outcomes. Provisions are established at the highest potential cost outcome where there is a considerable chance that option could eventuate. Provisions are reviewed at the end of each reporting period and adjusted to reflect the current best estimate.

Significant Accounting Judgements and Estimates (continued)

Other than those matters discussed above, no accounting assumptions or estimates have been identified that have a significant risk of causing a material adjustment to carrying amounts of assets and liabilities within the next reporting period.

Reporting of Administered activities

Administered revenues, expenses, assets, liabilities and cash flows are disclosed in the administered schedules and related notes.

Administered revenue is generated from fines and costs applied by the courts, or by agreement between the Commission and the defendant. It is recognised when awarded by the courts, or when agreement has been executed. The court costs awarded against the Commission are recorded as a departmental expense.

Authorisation and notification fees are applied when required under the relevant legislation, and are recognised upon receipt. Administered fee revenue is recognised at its nominal amount due less any allowance for bad or doubtful debts. Collectability of debts is reviewed at the end of the reporting period. Allowances are made when collection of the debt is judged to be less rather than more likely.

Except where otherwise stated, administered items are accounted for on the same basis and using the same policies as for departmental items, including the application of Australian Accounting Standards.

New Accounting Standards

Prior to the signing of the statements by the Accountable Authority and Chief Finance Officer, no new, revised or amending standards or interpretations were issued that would have a material effect on the Commission's financial statements in the current reporting period.

Departmental Appropriations

Amounts appropriated for departmental appropriations for the year (adjusted for any formal additions and reductions) are recognised as revenue when the Commission gains control of the appropriation, except for certain amounts that relate to activities that are reciprocal in nature, in which case revenue is recognised only when it has been earned. Appropriations receivable are recognised at their nominal amounts.

Related Parties

The Commission is an Australian Government controlled entity. Related parties to this entity are Key Management Personnel and include the Portfolio Minister and other Australian Government entities.

Giving consideration to relationships with related entities, and transactions entered into during the reporting period by the Commission, it has been determined that there are no related party transactions to be separately disclosed.

Financial Instruments

The Commission's financial assets consist of cash and goods and services receivable. Financial assets are recognised when the Commission becomes party to the contract and has a legal right to receive cash. Financial assets are derecognised when the contractual rights to cash flows expire or are transferred. The Commission classifies its financial assets as 'financial assets at amortised cost' with income recognised using the effective interest rate method.

Financial liabilities, consisting of trade payables, are initially measured at fair value net of transaction costs. Trade payables are recognised to the extent the goods and services have been received. Financial liabilities are derecognised upon payment.

Events After the Reporting Period

Departmental

Under the *Competition and Consumer Amendment (Australian Energy Regulator Separation) Bill 2025* passed in November 2025, the Australian Energy Regulator will separate from the ACCC and be established as a non-corporate Commonwealth Entity from 1 July 2026. This will not affect the financial statements for 2025-26 as the AER operated as a program of the ACCC for the full financial year. AER staff, assets and liabilities will transfer to the new entity in the 2026-27 financial year.

On 19th August 2026, a judgement was handed down by the Federal Court in the matter of AGL Retail Energy Ltd (AGL) v Australian Energy Regulator (AER). The judgement allows for the repayment of penalty previously paid by AGL in 2024-25 financial year including payment of interest on the penalty. The settlement of litigation costs have been adjusted to reflect the interest payable.

Administered

Following the judgement in the matter of AGL v AER above, the repayment of \$25 million penalty has been included in the Administered Statement of Comprehensive Income and Statement of Assets and Liabilities.

1. Departmental Financial Performance

This section analyses the financial performance of the Commission for the year ended 30 June 2026

1.1 Expenses

	2026 \$'000	2025 \$'000
1.1A: Employee benefits		
Wages and salaries	219,376	206,545
Superannuation		
Defined contribution plans	30,750	28,255
Defined benefit plans	7,700	8,091
Leave and other entitlements	24,895	26,003
Separation and redundancies	232	33
Other employee benefits	814	795
Total employee benefits	283,767	269,722

Accounting Policy

Accounting policies for employee related expenses is included in the People and Relationships section.

	2026 \$'000	2025 \$'000
1.1B: Suppliers		
Goods and services supplied or rendered		
Legal expenses	35,718	29,998
Consultants and contracted services	28,514	30,175
Information technology and communications	36,044	35,141
Property operating expenses	5,358	5,177
Travel expenses	5,502	5,150
Employee related expenses	3,550	2,996
Information management expenses	2,023	2,365
Other administration expenses	3,746	9,584
Total goods and services supplied or rendered	120,455	120,586
Other suppliers		
Short-term leases	203	48
Workers compensation premiums	269	989
Total other suppliers	472	1,037
Total suppliers	120,927	121,623

1.2 Own-Source Revenue

	2026 \$'000	2025 \$'000
Revenue from contracts with customers		
Secretariat Services - National Competition Council	925	925
Memorandums of Understanding	6,866	3,378
Seminars	517	343
Total revenue from contracts with customers	8,308	4,646
Other revenue sources		
International development funding	1,719	1,926
Finance income	20	32
Resources received free of charge (Remuneration of auditors)	243	95
Other revenue	384	579
Total other revenue sources	2,366	2,632
Total own-source revenue	10,674	7,278

Accounting Policy

Revenue from rendering of services is recognised progressively as the services are provided to the customer where it can be demonstrated that:

- a) the customer simultaneously receives and consumes the services as they are provided;
- b) the services create an asset that the customer controls as the asset is created; or
- c) the services have no alternative use to the ACCC and an enforceable right to payment exists for work completed to date.

The amount of revenue recognised is determined by reference to progress made in satisfying any obligations that exist.

Where the criteria is not met to recognise revenue over time, revenue is recognised at a point in time once any performance obligations are satisfied and control has transferred to the customer.

2. Departmental Financial Position

This section analyses the Commission's assets used to conduct its operations and the operating liabilities incurred as a result.

Employee related information is disclosed in the People and Relationships section.

2.1 Financial Assets

	2026 \$'000	2025 \$'000
Trade and other receivables		
Goods and services	395	1,349
Appropriation receivable	137,485	130,762
GST receivable	2,414	2,246
Net investment in sublease	1,756	2,856
Accrued revenue	1,490	731
Total trade and other receivables (net)	143,540	137,944

Sublease Arrangements

The Commission has a sublease in Canberra that meets the criteria for recognition as a finance lease. Maturity analysis of the remaining payments is outlined below.

	2026 \$'000	2025 \$'000
Maturity analysis of finance lease receivables		
Within 1 year	1,261	1,215
One to two years	502	1,165
Two to three years	-	503
Three to four years	-	-
More than 5 years	-	-
Total undiscounted lease payments receivable	1,763	2,883
Unearned finance income	(7)	(27)
Net investment in sublease	1,756	2,856

Accounting Policy

Trade receivables are recognised where the right to consideration from the customer is unconditional, with only the passage of time required before payment is due.

Trade and other receivables that are not provided at below market rates and held for:

- the purpose of collecting contractual cash flows; and
- receiving payments that are solely principal and interest

are subsequently measured at amortised cost using the effective interest rate method, adjusted for any impairment allowance.

Trade receivables are assessed for impairment at the end of each reporting period. The Commission applies the simplified approach for trade and other receivables by recognising impairment equal to the lifetime expected credit losses.

Credit terms for goods and services are 30 days (2025: 30 days).

Sublease receivables are recognised where the Commission has transferred substantially all the risks and rewards of the head lease to a sub lessee. Sublease receivables are recognised equal to the lease payments receivable under the sublease, discounted using the same rate applied when calculating the lease liability for the head lease.

2.2 Non-Financial Assets

Reconciliation of the opening and closing balances of property, plant and equipment and intangibles

	Leasehold improvements ¹	Plant and equipment	Computer software	Total
	\$'000	\$'000	\$'000	\$'000
As at 1 July 2025				
Gross book value	119,254	4,605	148,171	272,030
Accumulated depreciation, amortisation and impairment	(47,437)	-	(81,157)	(128,594)
Total as at 1 July 2025	71,817	4,605	67,014	143,436
Additions				
Purchased or internally developed	122	1,041	22,660	23,823
Revaluations recognised in other comprehensive income	-	-	-	-
Depreciation (right-of-use assets)	(9,722)	-	-	(9,722)
Depreciation and amortisation (other assets)	(4,077)	(1,601)	(20,469)	(26,147)
Other movements	2	-	-	2
Disposals / impairments	-	-	-	-
Disposals / other adjustment (right-of-use assets)	(1,290)	-	-	(1,290)
Revaluations recognised in net cost of services	-	-	-	-
Impairments recognised in net cost of services	-	-	-	-
Other disposals/write-downs (gross book value)	1,290	-	-	1,290
Other disposals/write-downs (accumulated depreciation)	-	-	-	-
Total as at 30 June 2026	58,142	4,045	69,205	131,392
Total as at 30 June 2026 represented by				
Gross book value	118,088	5,646	170,831	294,565
Accumulated depreciation, amortisation and impairment	(59,946)	(1,601)	(101,626)	(163,173)
Total as at 30 June 2026	58,142	4,045	69,205	131,392

¹ Right-of-use assets are disclosed as part of leasehold improvements.

Leasehold improvements, plant and equipment may be sold or disposed in 2026-27 coinciding with the termination of some lease arrangements.

2.2 Non-Financial Assets (continued)

Accounting Policy

Assets are recorded at cost on acquisition except as stated below. The cost of acquisition includes the fair value of assets transferred in exchange and liabilities undertaken. Assets are initially measured at their fair value plus appropriate transaction costs.

Asset recognition

Purchases of property, plant and equipment are recognised initially at cost in the statement of financial position. Right-of-use assets arising from leasing arrangements are capitalised on the commencement date based on the initial lease liability less any lease incentives received. These assets are accounted for as a separate asset class to corresponding assets owned outright, but are disclosed as part of leasehold improvements.

The initial cost of an asset includes an estimate of the cost of dismantling and removing the item and restoring the site on which it is located. This is particularly relevant to 'make good' provisions in property leases taken up by the Commission where an obligation to restore the property to its original condition exists. These costs are included in the value of the Commission's leasehold improvements with a corresponding provision for restoration.

Intangibles

The Commission's intangibles comprise purchased and internally developed software for internal use. These assets are carried at cost less accumulated amortisation and accumulated impairment losses.

Revaluations

Right-of-use assets continue to be carried at cost after initial recognition. All other property, plant and equipment is carried at fair value less subsequent accumulated depreciation and accumulated impairment losses. Valuations are conducted with sufficient frequency to ensure the carrying amounts of assets did not differ materially from the assets' fair values as at the reporting date. The regularity of independent valuations depended upon the volatility of movements in market values for the relevant assets.

Revaluation adjustments are made on a class basis. Any revaluation increment is credited to equity under the heading of asset revaluation reserve except to the extent that it reversed a previous revaluation decrement of the same asset class that was previously recognised in the surplus/deficit. Revaluation decrements for a class of assets are recognised directly in the surplus/deficit except to the extent that they reversed a previous revaluation increment for that class.

Any accumulated depreciation as at the revaluation date is eliminated against the gross carrying amount of the asset and the asset restated to the revalued amount.

Depreciation

Depreciable property, plant and equipment assets are written-off to their estimated residual values over their estimated useful lives to the Commission using, in all cases, the straight-line method of depreciation.

Depreciation rates (useful lives), residual values and methods are reviewed at each reporting date and necessary adjustments are recognised in the current, or current and future reporting periods, as appropriate.

Depreciation rates for each class of depreciable assets are based on the following useful lives:

Asset class	2026 and 2025
Leasehold improvements	Lease term
Right-of-use assets	Lease term
Furniture and fittings	10 years
Office equipment	5 years
Computer hardware	3 to 5 years
Computer software	3 to 7 years

2.2 Non-Financial Assets (continued)

Accounting Policy (continued)

Fair Value Measurement

The ACCC engaged the valuation services of Jones Lang LaSalle (JLL) to conduct an independent valuation of the tangible non-financial asset classes. An annual assessment is undertaken to determine whether the carrying amount of the assets is materially different from the fair value. Comprehensive valuations are carried out at least once every three years with a valuation of all tangible property, plant and equipment conducted at 30 June 2025.

The methods utilised to determine and substantiate the unobservable inputs are derived and evaluated as follows:

Physical depreciation and obsolescence - assets that do not transact with enough frequency or transparency to develop objective opinions of value from observable market evidence have been measured utilising the Depreciated Replacement Cost approach. Under the Depreciated Replacement Cost approach the estimated cost to replace the asset is calculated and then adjusted to take into account physical depreciation and obsolescence. Physical depreciation and obsolescence has been determined based on professional judgement regarding physical, economic and external obsolescence factors relevant to the asset under consideration. For all leasehold improvement assets, the consumed economic benefit / asset obsolescence deduction is determined based on the term of the associated lease.

The ACCC's policy is to recognise transfers into and transfers out of fair value hierarchy levels as at the end of the reporting period. In 2025-26, some plant and equipment assets have been transferred from fair value hierarchy level 3 to level 2, with total fair value of \$2.8k at 30 June 2026.

Contractual commitments for the acquisition of property, plant and equipment and intangible assets

The Commission has contractual commitments for the acquisition of intangible assets of \$8.4m (2025: \$13m), property plant and equipment of \$nil (2025: \$0.19m) and leasehold improvements \$1m (2025: \$0.20m).

2.3 Payables

	2026 \$'000	2025 \$'000
Suppliers		
Trade creditors and accruals	12,678	14,958
Unearned revenue	1,550	2,141
Total suppliers	14,228	17,099

2.4 Leases

	2026 \$'000	2025 \$'000
Interest Bearing Liabilities		
Leases	51,345	63,096
Total interest bearing liabilities	51,345	63,096

	2026 \$'000	2025 \$'000
Maturity analysis of contractual undiscounted lease cash flows		
Within 1 year	12,102	11,752
Between 1 to 5 years	35,539	42,017
More than 5 years	3,704	9,327
Total undiscounted lease cash flows	51,345	63,096

Accounting Policy

Liabilities arising from leasing arrangements are initially recognised at the present value of any fixed lease payments that are not paid at that date, discounted using either:

- the interest rate implicit in the lease; or
- zero coupon bond yields released quarterly by the Department of Finance (if the implicit rate cannot be readily determined).

Following initial recognition lease liabilities are increased for accrued interest and decreased for any lease payments made. Lease liabilities are also remeasured where there has been a change in the underlying lease payments or lease term. Any adjustment to the liability is first recognised as an adjustment to the corresponding right-of-use asset. If the adjustment would reduce the carrying value of the right-of-use asset below zero, the remaining adjustment is recognised in the Statement of Comprehensive Income.

2.5 Other Provisions

	Provision for settlements \$'000	Provision for makegood \$'000	Total \$'000
As at 1 July 2025	3,408	249	3,657
Additional provisions made	3,570	34	3,604
Amounts used	(3,131)	-	(3,131)
Amounts reversed ¹	(277)	-	(277)
Total as at 30 June 2026	3,570	283	3,853

The Commission currently has 3 agreements (2025: 3) for the leasing of premises which have provisions requiring it to restore the premises to their original condition at the conclusion of the lease.

¹Provisions for litigation settlement expenses are recognised at the highest potential settlement value. Any change in the actual settlement expense will result in a gain or loss. Prior year litigation settlement costs were settled for less than the provision resulting in a net gain for the current financial year.

3. Assets and Liabilities Administered on Behalf of the Government

This section analyses the assets used to conduct operations and the operating liabilities the Commission does not control but administers on behalf of the Government. Unless otherwise noted, the accounting policies adopted are consistent with those applied for departmental reporting.

3.1 Administered - Financial Assets

	2026 \$'000	2025 \$'000
Trade and other receivables		
Fines and costs ¹	85,114	67,148
Total trade and other receivables (gross)	85,114	67,148
Less expected credit loss allowance	(17,443)	(7,443)
Total trade and other receivables (net)	67,671	59,705

Credit terms for fines and costs were within 30 days or as stipulated by court judgements (2025: 30 days).

¹Fines and costs are net of penalties recognised and also impaired in the same period following an assessment of the status of the debtors ability to pay the fines and costs. During 2025-26, no penalties were recognised and impaired within the same year (2024-25: \$nil).

Accounting Policy

Receivables

Administered receivables are recognised at their nominal value less an impairment allowance. The Finance Minister has determined that statutory receivables are not financial instruments and accordingly ACCC has assessed administered receivables for impairment under *AASB 136 Impairment of Assets*.

The impairment allowance is raised against receivables for any doubtful debts and any probable credit amendments and is based on a review of outstanding debts at balance date. This includes an examination of individual large debts and disputed amounts with reference to historic collection patterns and the trading status of debtors.

The impairment allowance expense is calculated using estimation techniques to determine an estimate of current receivables that are unlikely to be collected in the future.

Administered receivables that are irrecoverable at law or are uneconomic to pursue are written off under Rule 11 of the PGPA Act.

4. Funding

This section identifies the Commission's funding structure.

4.1 Appropriations

	2026 \$'000	2025 \$'000
4.1A: Annual appropriations		
Ordinary annual services	409,352	404,419
Capital Budget ¹	22,048	39,077
Equity Injections	14,900	1,100
Section 74 receipts	28,370	13,398
Total appropriation	474,670	457,994
Appropriation applied (current and prior years) ²	456,788	436,761
Variance	17,882	21,233

¹Departmental Capital Budgets are appropriated through Appropriation Acts (No.1 and 3) and Supply Act (No.1). They form part of ordinary annual services, and are not separately identified in the Appropriation Acts. During 2025-26 the Commission did not reclassify any capital funding to ordinary annual services funding (2024-25: \$8.263m).

²Appropriation applied includes use of both current and prior year appropriation funding. The variance in 2025-26 corresponds with an underspend of cash from ordinary annual services appropriations.

4.1B: Unspent annual appropriations

	2026 \$'000	2025 \$'000
Departmental		
Appropriation Act 1 2025-26	73,412	-
Appropriation Act 3 2025-26	40,467	-
Appropriation Act 1 2025-26 DCB	12,979	-
Appropriation Act 3 2025-26 DCB	145	-
Appropriation Act 2 2025-26 Equity	641	-
Appropriation Act 4 2025-26 Equity	13,800	-
Supply Act (No. 1) 2025-26 DCB	8,924	-
Supply Act (No. 2) 2025-26 Equity	459	-
Appropriation Act (No. 1) 2024-25	-	67,758
Appropriation Act (No. 1) 2024-25 DCB ¹	8,263	47,340
Appropriation Act (No. 3) 2024-25	-	16,129
Appropriation Act (No. 1) 2023-24 DCB	-	9,982
Total departmental	159,090	141,209

The unspent appropriations disclosed above, at 30 June 2026 the Commission had cash and cash equivalents of \$13.342m (2025: \$2.184m).

¹ 2024-25 Unspent balance includes \$8.263m withheld under *section 51 of the Public Governance, Performance and Accountability Act 2013 and the cash and cash equivalents of \$2.184m.*

4.1C: Special appropriations - Administered

	Appropriation applied 2026 \$'000	2025 \$'000
Authority: PGPA Act, 2013 s.77		
Type: Refund		
Purpose: To provide for an appropriation where an Act or other law permits repayment of an amount received by the Commonwealth and the Finance Minister is satisfied that, apart from this section, there is no specific appropriation for the repayment.	258	5

4.2 Administered Regulatory Charging Summary	2026	2025
	\$'000	\$'000
Administered - External revenue		
Administered	15,430	-
Total external revenue	15,430	-

Regulatory charging activities:

The external administered regulatory charges of \$15.4m relate to the Merger Control Regime. Businesses proposing mergers or seeking an exemption from the mandatory merger review process are charged fees to recover the costs of assessing those applications.

The Commission delivers the regulatory activities associated with the Annual Carrier Licence Charge (ACLC). The Australian Communications and Media Authority (ACMA) administers the charging and collection of the associated fees.

Cost Recovery Implementation Statements for the Merger Control Regime are available at:
<https://www.accc.gov.au/business/mergers-and-acquisitions/notifying-an-acquisition>

Cost Recovery Implementation Statements for the Annual Carrier Licence Charge are available at:
<https://www.acma.gov.au/cost-recovery-implementation-statement-cris>

5. People and relationships

This section describes a range of employment and post employment benefits provided to our people and our relationships with other key people.

5.1 Employee Provisions

	2026 \$'000	2025 \$'000
Employee provisions		
Leave	72,461	68,246
Total employee provisions	72,461	68,246

Accounting Policy

Liabilities for short-term employee benefits and termination benefits expected within twelve months of the end of the reporting period are measured at their nominal amounts. Other long-term employee benefits are measured as net total of the present value of the defined benefit obligation at the end of the reporting period.

Leave

The liability for employee benefits includes provision for annual leave and long service leave.

The leave liabilities are calculated on the basis of employees' remuneration at the estimated salary rates that will be applied at the time the leave is taken, including the Commission's employer superannuation contribution rates to the extent that the leave is likely to be taken during service rather than paid out on termination. The leave liabilities have been determined by reference to the work of an actuary as at 30 June 2024 along with a minor update provided in June 2026 relating to in-service factor for long service leave. The estimate of the present value of the liability takes into account attrition rates and pay increases through promotion and inflation.

Superannuation

The Commission's staff are members of the Commonwealth Superannuation Scheme (CSS), the Public Sector Superannuation Scheme (PSS), the PSS accumulation plan (PSSap), or other superannuation funds held outside the Australian Government. The CSS and PSS are defined benefit schemes for the Australian Government. The PSSap and other superannuation funds are defined contribution schemes. The liability for defined benefits is recognised in the financial statements of the Australian Government and is settled by the Australian Government in due course. This liability is reported in the Department of Finance's administered schedules and notes.

The Commission makes employer contributions to the employees' defined benefit superannuation scheme at rates determined by an actuary to be sufficient to meet the current cost to the Government. The Commission accounts for the contributions as if they were contributions to defined contribution plans. The liability for superannuation recognised as at 30 June represents outstanding contributions.

5.2 Key Management Personnel Remuneration

Key management personnel are those persons having authority and responsibility for planning, directing and controlling the activities of the Commission, directly or indirectly, including any director (whether executive or otherwise) of the Commission. The Commission assessed key management personnel to be the members of the Corporate Governance Board, Chief Executive Officer and Chief Finance Officer.

	2026 \$'000	2025 \$'000
Short-term employee benefits	5,732	5,668
Post-employment benefits	819	782
Other long-term employee benefits	144	210
Total key management personnel remuneration expenses	6,695	6,660

The total number of key management personnel that are included in the above table is 12 (2025:12).

The above key management personnel remuneration excludes the remuneration and other benefits of the Portfolio Minister. The Portfolio Minister's remuneration and other benefits are set by the Remuneration Tribunal and are not paid by the Commission.

6. Managing Uncertainties

This section analyses how the Commission manages financial risks within its operating environment.

6.1 Contingent Assets and Liabilities

As at 30 June 2026, the Commission has matters before the Courts alleging breaches of the *Competition and Consumer Act 2010*. These cases are at various stages of completion.

Departmental

In the event of an unfavourable judgement by the Courts, the Commission stands to be liable for court costs. If it had been possible to estimate the amounts of eventual payments these would have been reported as departmental liabilities. The Commission has no quantifiable contingent liabilities arising from court action to report.

Administered

In the event of a favourable judgement by the Courts, the Commission stands to gain by way of penalties or costs awarded. Due to the inherent uncertainty of litigation it was not possible to estimate the value of case outcomes at 30 June 2026.

However, prior to these statements being signed, court judgements have demonstrated that the Commission has quantifiable administered contingent assets totalling \$12.6m (2025: \$11.5m).

Accounting Policy

Contingent liabilities and contingent assets are not recognised in the statement of financial position but are reported in the notes. They may arise from uncertainty as to the existence of a liability or asset, or represent an asset or liability in respect of which the amount cannot be reliably measured. Contingent assets are disclosed when settlement is probable but not virtually certain and contingent liabilities are disclosed when settlement is greater than remote.

7. Other Information

7.1 Budgetary Reporting

Explanations of major variances between the actual amounts presented in the financial statements and the corresponding original budget amounts.

Departmental Activities

Operating Result

The Commission received \$409.4m in operating appropriation funding compared to \$371.5m included in the original 2025-26 budget due to additional departmental appropriations received as part of the Portfolio Additional Estimates (Appropriation Act No. 3). The additional resourcing has been used to deliver on the Commission's strategic priorities, as set out in the Portfolio Budget Statements and the Commissions Corporate Plan. This relates to measure for supporting Consumer Data Right and AER Regulatory Reform. This was partially offset by reductions arising from the 2025-26 Appropriation Bills update, including external labour savings measures. Employee benefits expenses were higher than originally budgeted due to actual staffing costs required to deliver these programs.

The ACCC aims to maintain a working capital balance of \$2m to meet short term cashflow requirements. At 30 June 2026 the cash balance was much higher than the budgeted amount due to the timing of end of financial year and the staff salary pay cycle. The balance included \$11m being held in preparation for a salary deduction on 1 July 2026.

The original budget assumes all capital expenditure is fully spent by year end and depreciated according to the useful life for its asset class. Differences to actual are the result of timing of capital projects. Software assets were budgeted to be \$57m at year end however software assets continued to increase due to investment in digital assets in the Consumer Data Right and Digital Identity projects resulting in a \$69m balance at year end while other property, plant and equipment were slightly under budget.

While legal expenses were higher than budget there was \$6.7m underspend in other expenses relating to digital areas and general business spend. Total supplier expenses were \$1m under budget.

The trade and other receivable relating to Appropriations were higher than originally budgeted due to the inclusion of a \$13.8 million litigation contingency fund equity injection which was not reflected in the original budget. This was confirmed after the budget had been established during the 2025-26 Portfolio Additional Estimates process. This is also evident in the increase in Contributed Equity.

Affected line items: *Employee benefits, Employee provisions, Cash Used - Employees, Suppliers, Cash Used - Suppliers, Total Expenses, Surplus / (Deficit), Total Comprehensive Income (Loss), Retained surplus/ (Accumulated deficit), Departmental appropriations, Trade and other receivables, Cash Received - Appropriations, Computer software, Cash Used - Purchase of non-financial assets, Contributed Equity, Cash Received - Contributed Equity*

Administered Activities

The final receivables balance is difficult to estimate as it reflects the amount outstanding at the reporting date, which is impacted by penalties, court costs, and the timing and ability of debtors to settle their accounts. The Commission uses a historical average to budget for fees and fines revenue due to the complexity and uncertainty in predicting the future outcome of litigation. The resulting variance between budget and actual fees and fines is a favourable \$100m (2024-25: \$79.3m). Doubtful debts increased for a specific matter resulting in a \$10m impairment to receivables. From 1 January 2026, a new Mergers regime commenced which resulted in \$15m of new cost recovery revenue received which was difficult to budget for given the uncertain effect of a voluntary system becoming mandatory. This new activity also resulted in a cash balance of \$187k at year end which was subsequently transferred to the Department of Finance 1 July 2026. The original budget assumed no balance at year end.

Affected line items: *Fees and fines revenue, Impairment of fees and fines, Trade and other receivables.*

7.2 Current / Non-Current Classification of Assets and Liabilities

Departmental	2026	2025
	\$'000	\$'000
Assets expected to be recovered in:		
No more than 12 months		
Cash and cash equivalents	13,342	2,184
Trade and other receivables	143,045	136,303
Prepayments	3,769	5,615
Total no more than 12 months	160,156	144,102
More than 12 months		
Trade and other receivables	495	1,641
Leasehold improvements	58,142	71,817
Plant and equipment	4,045	4,605
Computer software	69,205	67,014
Prepayments	117	172
Total more than 12 months	132,004	145,249
Total assets	292,160	289,351
Liabilities expected to be settled in:		
No more than 12 months		
Suppliers	14,228	17,099
Employee related payables	9,620	8,789
Leases	12,102	11,752
Employee provisions	31,352	19,530
Other provisions	3,853	3,408
Total no more than 12 months	71,155	60,578
More than 12 months		
Leases	39,243	51,344
Employee provisions	41,109	48,716
Other provisions	-	249
Total more than 12 months	80,352	100,309
Total liabilities	151,507	160,887

Administered	2026	2025
	\$'000	\$'000
Assets expected to be recovered in:		
No more than 12 months		
Cash and cash equivalents	187	-
Trade and other receivables	2,780	28,592
No more than 12 months	2,967	28,592
More than 12 months		
Trade and other receivables	64,891	31,113
More than 12 months	64,891	31,113
Total assets	67,858	59,705
Liabilities expected to be settled in:		
No more than 12 months	25,000	-
Total liabilities	25,000	-

7.3 Net Cash Appropriations Arrangements

	2026 \$'000	2025 \$'000
Total comprehensive income/(loss) - as per the Statement of Comprehensive Income	(24,759)	(17,426)
<i>Plus:</i> Depreciation/Amortisation of assets funded through appropriations (DCB)	26,147	26,254
<i>Plus:</i> Depreciation on right-of-use assets	9,722	9,765
<i>Plus:</i> Principal receipts on sublease receivables	1,100	952
<i>Less:</i> Principal payments on lease liabilities	(11,751)	(11,101)
Net Cash Operating Surplus/(Deficit)	459	8,444

From 2010-11, the Government introduced net cash appropriation arrangements where revenue appropriations for depreciation/amortisation expenses of non-corporate Commonwealth entities and selected corporate Commonwealth entities were replaced with a separate capital budget provided through equity appropriations. Capital budgets are to be appropriated in the period when cash payment for capital expenditure is required.

The inclusion of depreciation/amortisation expenses related to ROU leased assets and the lease liability principal repayment amount reflects the impact of AASB 16 Leases, which does not directly reflect a change in appropriation arrangements.

The Commission maintains a Litigation Contingency Fund (LCF) to ensure adequate reserves exist to meet the cost of litigation settlements. Additional funding added to the LCF is recognised as contributed equity when received. Except for the first \$1m, the Commission is permitted to incur an operating loss where it is required to pay litigation settlement costs. During 2025-26 the Commission recognised a new litigation settlement cost in the Statement of Comprehensive Income.

6

Appendixes



Appendix 1: Entity resource statement and expenses by outcome

PGPA Rule Paragraph 17AF(1)(b) Report on Financial Performance Summary

Table A1.1: Entity resource statement 2025–26

	Current available appropriation \$'000 (a)	Payments made \$'000 (b)	Balance remaining \$'000 (a)–(b)
Departmental			
Annual appropriations – ordinary annual services^{#1}			
Prior year appropriations available	132,946	132,946	–
Departmental appropriation	431,400	295,473	135,927
S74 External revenue	28,370	28,370	–
Annual appropriations – other services – non-operating²			
Equity injection	14,900	–	14,900
Total departmental annual appropriations	607,616	456,789	150,827
Total departmental resourcing	607,616	456,789	150,827

Appropriation Act (No. 1) 2025–26, Appropriation Act (No. 3) 2025–26, prior year departmental appropriations and retained revenue receipts under section 74 of the *Public Governance, Performance and Accountability Act 2013*.

1 Departmental capital budgets are not separately identified in Appropriation Bill (Nos 1, 3 and 5) and form part of ordinary annual services items. For accounting purposes, this amount has been designated as a 'contribution by owner'.

2 Appropriation Act (No.2) 2025–26, Appropriation Act (No.4) 2025–26 and Supply Act (No.2) 2025–26.

Table A1.2: Expenses for Outcome 1 2025–26

Outcome 1: Enhanced welfare of Australians through enforcing laws that promote competition and protect consumers, as well as taking other regulatory and related actions including monitoring and market analysis, public education, determining the terms of access to infrastructure services, and discharging regulatory responsibilities governing energy markets and networks	Budget# 2025–26 \$'000	Actual expenses 2025–26 \$'000	Variation 2025–26 \$'000
	(a)	(b)	(a)–(b)
Program 1.1: Australian Competition and Consumer Commission			
Departmental expenses			
Departmental appropriation	308,882	307,349	1,533
s74 External Revenue ¹	5,201	4,159	1,042
Expenses not requiring appropriation in the Budget year ²	32,253	25,131	7,122
Departmental total	346,336	336,639	9,697
Total expenses for Program 1.1	346,336	336,639	9,697
Program 1.2: Australian Energy Regulator			
Departmental expenses			
Departmental appropriation	100,470	100,372	98
s74 External Revenue ¹	5,480	6,515	-1,035
Expenses not requiring appropriation in the Budget year ²	4,000	1,259	2,741
Departmental total	109,950	108,146	1,804
Total expenses for Program 1.2	109,950	108,146	1,804
Outcome 1 totals by appropriation type			
Departmental expenses			
Departmental appropriation	409,352	407,721	1,631
s74 External Revenue ¹	10,681	10,674	7
Expenses not requiring appropriation in the Budget year ²	36,253	26,390	9,863
Departmental total	456,286	444,785	11,501
Total expenses for Outcome 1	456,286	444,785	11,501

Full-year budget, including any subsequent adjustment made to the 2025–26 budget at Additional Estimates.

1 Estimated expenses incurred in relation to receipts retained under section 74 of the *PGPA Act 2013*.

2 Expenses not requiring appropriation in the Budget year are made up of depreciation expenses, amortisation expenses, make good expenses, audit fees, and Litigation Contingency Fund payments funded from equity.

Appendix 2: Management of human resources

Tables A2.1 to A2.9 provide details of the ACCC and AER employees in 2025–26

Ongoing and non-ongoing employees – according to PGPA Rule paragraph 17AG(4)(aa)

Table A2.1: All ongoing employees, current report period (2025–26)

	Man/male			Woman/female			Non-binary			Prefers not to answer			Uses a different term			Total
	Full time	Part time	Total	Full time	Part time	Total	Full time	Part time	Total	Full time	Part time	Total	Full time	Part time	Total	
NSW	132	1	133	161	35	196	0	0	0	0	0	0	0	0	0	329
Qld	75	11	86	153	32	185	0	0	0	0	0	0	0	0	0	271
SA	72	6	78	85	25	110	0	0	0	0	0	0	0	0	0	188
Tas	10	1	11	14	4	18	0	0	0	0	0	0	0	0	0	29
Vic	284	13	297	265	64	329	0	0	0	0	0	0	4	0	4	630
WA	28	0	28	35	11	46	0	0	0	0	0	0	0	0	0	74
ACT	133	12	145	163	30	193	0	0	0	0	0	0	1	0	1	339
NT	3	0	3	0	1	1	0	0	0	0	0	0	0	0	0	4
External Territories	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Overseas	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	737	44	781	876	202	1,078	0	0	0	0	0	0	5	0	5	1,864

Table A2.2: All non-ongoing employees, current report period (2025–26)

	Man/male			Woman/female			Non-binary			Prefers not to answer			Uses a different term			Total
	Full time	Part time	Total	Full time	Part time	Total	Full time	Part time	Total	Full time	Part time	Total	Full time	Part time	Total	
NSW	10	0	10	8	5	13	0	0	0	0	0	0	0	0	0	23
Qld	5	0	5	8	1	9	0	0	0	0	0	0	0	0	0	14
SA	1	0	1	1	2	3	0	0	0	0	0	0	0	0	0	4
Tas	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Vic	14	4	18	14	5	19	0	0	0	0	0	0	1	0	1	38
WA	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ACT	15	1	16	10	2	12	0	0	0	0	0	0	0	0	0	28
NT	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
External Territories	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Overseas	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	45	5	50	41	15	56	0	0	0	0	0	0	1	0	1	107

Australian Public Sector (APS) classification and gender – PGPA Rule subparagraphs 17AG(4)(b)(i)–(iv)

Table A2.3: Australian Public Service Act ongoing employees, current report period (2025–26)

	Man/male			Woman/female			Non-binary			Prefers not to answer			Uses a different term			Total
	Full time	Part time	Total	Full time	Part time	Total	Full time	Part time	Total	Full time	Part time	Total	Full time	Part time	Total	
SES 3	1	0	1	1	0	1	0	0	0	0	0	0	0	0	0	2
SES 2	6	0	6	10	0	10	0	0	0	0	0	0	0	0	0	16
SES 1	20	0	20	38	1	39	0	0	0	0	0	0	0	0	0	59
EL 2	177	11	188	188	53	241	0	0	0	0	0	0	0	0	0	429
EL 1	233	12	245	272	79	351	0	0	0	0	0	0	1	0	1	597
APS 6	170	12	182	200	44	244	0	0	0	0	0	0	0	0	0	426
APS 5	107	7	114	131	18	149	0	0	0	0	0	0	4	0	4	267
APS 4	6	2	8	17	5	22	0	0	0	0	0	0	0	0	0	30
APS 3	3	0	3	5	2	7	0	0	0	0	0	0	0	0	0	10
APS 2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
APS 1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Graduate	14	0	14	14	0	14	0	0	0	0	0	0	0	0	0	28
Total	737	44	781	876	202	1,078	0	0	0	0	0	0	5	0	5	1,864

Table A2.4: Australian Public Service Act non-ongoing employees, current report period (2025–26)

	Man/Male			Woman/Female			Non-binary			Prefers not to answer			Uses a different term			Total
	Full time	Part time	Total	Full time	Part time	Total	Full time	Part time	Total	Full time	Part time	Total	Full time	Part time	Total	
SES3	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
SES2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
SES1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
EL 2	3	0	3	3	2	5	0	0	0	0	0	0	0	0	0	8
EL 1	10	0	10	9	1	10	0	0	0	0	0	0	0	0	0	20
APS 6	9	0	9	11	5	16	0	0	0	0	0	0	1	0	1	26
APS 5	5	0	5	8	2	10	0	0	0	0	0	0	0	0	0	15
APS 4	3	0	3	0	2	2	0	0	0	0	0	0	0	0	0	5
APS 3	9	3	12	4	3	7	0	0	0	0	0	0	0	0	0	19
APS 2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
APS 1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Public Office Holder	6	1	7	6	0	6	0	0	0	0	0	0	0	0	0	13
Total	45	5	50	41	15	56	0	0	0	0	0	0	1	0	1	107

Employment type by full-time and part-time status – PGPA Rule subparagraphs 17AG(4)(b)(i)–(iii)

Table A2.5: Australian Public Service Act employees by full-time and part-time status, current report period (2025–26)

	Ongoing			Non-ongoing			Total
	Full time	Part time	Total ongoing	Full time	Part time	Total non-ongoing	Total
SES 3	2	0	2	0	0	0	2
SES 2	16	0	16	0	0	0	16
SES 1	58	1	59	0	0	0	59
EL 2	365	64	429	6	2	8	437
EL 1	506	91	597	19	1	20	617
APS 6	370	56	426	21	5	26	452
APS 5	242	25	267	13	2	15	282
APS 4	23	7	30	3	2	5	35
APS 3	8	2	10	13	6	19	29
APS 2	0	0	0	0	0	0	0
APS 1	0	0	0	0	1	1	1
Graduate	28	0	28	0	0	0	28
Public Office Holder	0	0	0	12	1	13	13
Total	1,618	246	1,864	87	20	107	1,971

Employment type by location – PGPA Rule subparagraph 17AG(4)(b)(v)

Table A2.6: Australian Public Service Act employment type by location, current report period (2025–26)

	Ongoing	Non-ongoing	Total
NSW	329	23	352
Qld	271	14	285
SA	188	4	192
Tas	29	0	29
Vic	630	38	668
WA	74	0	74
ACT	339	28	367
NT	4	0	4
External Territories	0	0	0
Overseas	0	0	0
Total	1,864	107	1,971

Indigenous employment – PGPA Rule subparagraph 17AG(4)(b)(vi)

Table A2.7: Australian Public Service Act Indigenous employment (2025–26)

	2025–26 Total
Ongoing	40
Non-ongoing	4
Total	44

Employment arrangements of SES and non-SES employees – PGPA Rule subparagraph 17AG(4)(c)(i)

Table A2.8: Australian Public Service Act Employment arrangements (2025–26)

	SES	Non-SES	Total
ACCC Enterprise Agreement 2024–2027	0	1,904	1,904
Individual Flexibility Agreements	0	90	90
Section 24 determinations	54	0	54
Total	54	1,994	2,048

Table A2.9: Salary ranges for APS employees at 30 June 2026

	ACCC Enterprise Agreement 2024–2027	Section 24 determinations
APS 1	\$58,039–\$64,151	
APS 2	\$65,681–\$72,834	
APS 3	\$74,808–\$80,747	
APS 4	\$83,385–\$90,535	
APS 5	\$93,004–\$98,617	
APS 6	\$102,947–\$115,384	
EL 1	\$127,908–\$141,555	
EL 2	\$148,287–\$173,778	
SES 1	–	\$247,830–\$292,871
SES 2	–	\$324,146–\$398,216
SES 3	–	\$426,372–\$436,161
Lawyer (APS3)	\$80,747	
Lawyer (APS4)	\$83,385–\$90,535	
Lawyer (APS5)	\$98,616	
Lawyer (APS6)	\$102,947–\$115,384	
Lawyer (EL1)	\$127,907–\$159,112	
Lawyer (EL2)	\$168,148–\$178,224	
Graduate	\$76,757–\$93,004	

Performance pay

It is noted that the ACCC and AER no longer pay performance pay at any level of the agency.

Appendix 3: Mandatory executive remuneration reporting

Executive remuneration policies and practices and governance arrangements are disclosed in the annual report in Part 4.

In 2025–26 key management personnel comprised members of the Corporate Governance Board, Chief Executive Officer and Chief Finance Officer as set out in the table below.

Table A3.1: Key management personnel – PGPA Rule Subparagraphs 17AE(1)(aa)(i)–(iii)

Name	Position	Term
Gina Cass-Gottlieb	Chair and Accountable Authority	Full year
Mick Keogh	Deputy Chair	Full year
Catriona Lowe	Deputy Chair	Full year
Anna Brakey	Member	Full year
Peter Crone	Member	Part year – ceased December 2025
Philip Williams AM	Member	Full year
Ian Oppermann	Member	Part year – appointed 10 December 2025
Luke Woodward	Member	Part year – appointed 9 October 2025
Clare Savage	Associate Member	Full year
Justin Oliver	Associate Member	Full year
Sarah Proudfoot	Chief Executive Officer	Full year
Sharon Alley	Chief Finance Officer	Full year

The ACCC disclosed key management personnel remuneration in note 5.2 to the financial statements for the period ending 30 June 2026.

Table A3.2: Information about remuneration for key management personnel – PGPA Rule Subsection 17AD(da)

Name	Position title	Short-term benefits				Post-employment benefits		Other long-term benefits		Termination benefits	Total remuneration
		Base salary ¹	Bonuses	Other benefits and allowances ²	Superannuation contributions ³	Long service leave ⁴	Other long-term benefits				
Gina Cass-Gottlieb	Chair ⁵	821,843	-	-	94,504	19,531	-	-	-	935,878	
Mick Keogh	Deputy Chair ⁵	575,160	-	-	88,281	19,532	-	-	-	682,973	
Catriona Lowe	Deputy Chair ⁵	597,752	-	-	86,429	17,752	-	-	-	701,933	
Anna Brakey	Member ⁵	554,223	-	-	81,493	15,427	-	-	-	651,143	
Peter Crone	Member ⁵	257,630	-	-	34,750	20,890	-	-	-	313,269	
Philip Williams AM	Member ⁵	559,912	-	-	67,505	9,144	-	-	-	636,560	
Ian Oppermann	Member ⁵	336,557	-	-	37,507	3,695	-	-	-	377,759	
Luke Woodward	Member ⁵	419,316	-	-	74,335	4,779	-	-	-	498,430	
Clare Savage	Associate Member ⁵	539,481	-	-	82,014	12,007	-	-	-	633,503	
Justin Oliver	Associate Member ⁵	398,994	-	-	63,685	9,053	-	-	-	471,732	
Sarah Proudfoot	CEO	434,638	-	-	65,508	4,828	-	-	-	504,974	
Sharon Alley	CFO	236,258	-	-	43,169	7,763	-	-	-	287,190	

Notes

- 1 Base salary includes gross salary earned while working plus annual leave accrued and taken. Differences between key management personnel figures and those provided by the Remuneration Tribunal, or employment contracts for the CEO and CFO positions, are related to adjustments for leave accrued, taken and revalued during the year in accordance with reporting requirements.
- 2 Other benefits and allowances includes car parking benefits that form part of an individual's remuneration package.
- 3 For individuals in a defined contribution scheme, superannuation includes superannuation amounts. For individuals in a defined benefits scheme, superannuation includes the relevant notional employer contribution rate and employer productivity superannuation contribution.
- 4 Long service leave includes leave accrued and taken in the period.
- 5 The remuneration for these positions is set by the Remuneration Tribunal with like positions having the same salary.

Table A3.3: Information about remuneration for senior executives PGPA Rule Subsection 17AD(da)

Total remuneration bands	Number of senior executives	Short-term benefits			Post-employment benefits	Other long-term benefits			Termination benefits	Total remuneration
		Average base salary ¹	Average bonuses	Average other benefits and allowances ²		Average long service leave ⁴	Average other long-term benefits	Average termination benefits		
\$0–\$220,000	11	84,840	–	216	13,651	11,006	–	3,631	–	113,345
\$220,001–\$245,000	1	125,691	–	–	34,895	11,423	–	62,145	–	234,154
\$245,001–\$270,000	6	223,724	–	–	38,534	329	–	–	–	262,586
\$270,001–\$295,000	13	233,234	–	–	39,484	10,593	–	–	–	283,310
\$295,001–\$320,000	15	250,598	–	–	42,394	8,538	–	5,912	–	307,443
\$320,001–\$345,000	10	273,355	–	–	46,174	7,662	–	–	–	327,191
\$345,001–\$370,000	6	293,307	–	637	47,712	12,751	–	–	–	354,407
\$370,001–\$395,000	3	316,241	–	1,855	55,998	8,459	–	–	–	382,554
\$395,001–\$420,000	4	337,444	–	523	60,152	12,577	–	–	–	410,696
\$470,001– \$495,000	2	407,014	–	–	65,314	9,930	–	–	–	482,257

Notes

- 1 Base salary includes gross salary earned while working plus annual leave accrued.
- 2 Other benefits and allowances includes car parking benefits that form part of an individual's remuneration package.
- 3 For individuals in a defined contribution scheme, superannuation includes superannuation amounts. For individuals in a defined benefits scheme, superannuation includes the relevant notional employer contribution rate and employer productivity superannuation contribution.
- 4 Long service leave includes leave accrued and taken during the period.

Table A3.4: Information about remuneration for other highly paid staff PGPA Rule Subsection 17AD(da)

Total remuneration bands	Number of other highly paid staff	Short-term benefits		Post-employment benefits	Other long-term benefits		Termination benefits	Total remuneration
		Average base salary ¹	Average bonuses		Average other benefits and allowances ²	Average superannuation contributions ³		
\$270,001–\$295,000	4	241,783	–	–	40,480	1,064	–	283,327
\$295,001–\$320,000	2	259,109	–	98	45,403	2,677	–	307,286
\$470,001–\$495,000	2	430,799	–	–	47,064	6,922	–	484,784
\$495,001– \$520,000	1	419,403	–	–	75,770	7,507	–	502,680

Notes

- 1 Base salary includes gross salary earned while working plus annual leave accrued.
- 2 Other benefits and allowances includes car parking benefits that form part of an individual's remuneration package.
- 3 For individuals in a defined contribution scheme, superannuation includes superannuation amounts. For individuals in a defined benefits scheme, superannuation includes the relevant notional employer contribution rate and employer productivity superannuation contribution.
- 4 Long service leave includes leave accrued and leave taken during the period.

Appendix 4: Work health and safety

Work health and safety management

The ACCC and AER have continued to enhance policies, guidelines and practices to meet the requirements of the *Work Health and Safety Act 2011* (Cth) (WHS Act) and the *Work Health and Safety Regulations 2011* (Cth).

In accordance with the reportable requirements set out in Schedule 2, Part 4 of the WHS Act, the ACCC and AER detailed initiatives that contributed to worker health, safety and welfare in Key activity 7.1 and have provided details of health and safety outcomes, statistics of notifiable incidents and any investigations conducted during the year below.

Health and safety outcomes

Comcare premiums

The ACCC's final Comcare premium for 2025–26 was 0.19% of payroll. This is 85% lower than the final premium for the 2024–25 year.

Compensation claims

There were 5 new compensation claims lodged with Comcare from the ACCC and AER during 2025–26. Three of these claims were accepted and 2 claims remain undetermined by Comcare. The ACCC and AER have 5 legacy current compensation claims at the end of 2025–26.

Early intervention

The ACCC and AER support employees suffering from work related and non-work related physical and psychological injuries or illnesses to maintain or resume attendance at work. During 2025–26 this assistance, including psychological support, was provided to employees and their families.

Incident statistics

There were 40 reports of incidents of an injury or a 'near miss' involving workers in 2025–26. None of these incidents required notification to Comcare.

Investigations, directions and notices

The agency received 2 notices under the WHS Act during 2025–26. One related to a sewerage smell in an ACCC office which was escalated to building management. The other related to a section 82 request regarding a policy. Comcare determined no further action was required.

Appendix 5: Advertising and market research – section 17AH(1)(a)(i)

During 2025–26, the ACCC conducted the following advertising campaigns:

- Quad bike safety <https://www.productsafety.gov.au/about-us/our-campaigns/quad-bike-safety>
- Consumer law in daily life <https://www.accc.gov.au/about-us/our-campaigns/consumer-rights-in-everyday-life-campaign-resources>
- Franchising <https://www.accc.gov.au/by-industry/franchising>
- Cash acceptance mandate <https://www.accc.gov.au/business/industry-codes/cash-acceptance-industry-codes/about-the-cash-acceptance-mandate-and-codes>
- Scams Awareness Week 2025
<https://www.youtube.com/watch?v=9hMKbRrLhZl&list=PLm9MoTQ-chADJOIWU2d7ABc7HleQsBPYN>
- How to help someone who's being scammed
<https://www.scamwatch.gov.au/stop-check-protect/help-someone-whos-being-scammed>
- Scams can happen to anyone
<https://www.scamwatch.gov.au/stop-check-protect/help-to-spot-and-avoid-scams/why-anyone-can-be-a-victim-of-a-scam>
- Romance scams awareness
<https://www.scamwatch.gov.au/types-of-scams/relationship-scams>
- Job scams and gambling awareness [Gambling and betting scams | Scamwatch](#).

Further information on those advertising campaigns is available at [Our campaigns | ACCC](#) and in the reports on Australian Government advertising prepared by the Department of Finance. Those reports are available on the Department of Finance's website on [Campaign Advertising by Australian Government Departments and Agencies](#), prepared by the Department of Finance, provides details of campaigns where expenditure was greater than \$250,000 (excluding GST).

During 2025–26, the AER did not conduct advertising campaigns.

Under section 311A of the *Commonwealth Electoral Act 1918* (Cth), the ACCC is required to provide details of payments over \$17,300 (GST inclusive) to advertising agencies, market research organisations, polling organisations, direct mail organisations and media advertising agencies.

Table A5.1 sets out expenditure incurred by the ACCC to external organisations for advertising and market research services in 2025–26.

Table A5.1: Advertising and market research payments of more than \$17,300 in 2025–26

Advertising and market research organisation	Description of advertising and market research services	Amount \$ GST Incl.
Bastion Insights Pty Ltd	Product safety knowledge and experiences market research	41,580
Bastion Insights Pty Ltd	ACCC community perceptions market research	77,979
Cox Inall Change Pty Ltd	Public Relations Services for the National Anti-Scam Centre	20,192
Ethnolink Pty Ltd	Multicultural communications services for cash acceptance mandate campaign.	66,220
Keep Left Pty Ltd	Franchising campaign public relations services	54,019
Laundry Lane Productions Pty Ltd	Content development for 2026 Consumer Law in Daily Life Campaign	37,613
SEC Newgate Pty Limited	AER stakeholder research 2025	35,264
Studio Binocular Pty Ltd	Creative development and production for the Romance Scams awareness campaign	106,911
The Shannon Company	Creative development and production for the Scam Awareness Week 2026 campaign	127,459
Tracksuit Limited	Marketing and communications insights platform	25,500
Universal McCann	Advertising services for the 2025 Youth Australian Consumer Law campaign	24,375
Universal McCann	Advertising services for the cash acceptance mandate campaign	136,392
Universal McCann	Advertising services for the Consumer Law in Daily Life Campaign	89,000
Universal McCann	Advertising services for the Romance scams awareness campaign	107,501
Universal McCann	Advertising services for the Franchising campaign	150,000
Universal McCann	Advertising services for the Scams can happen to anyone campaign	161,296
Universal McCann	Advertising services for the Scams Family and Friends campaign	110,000
Universal McCann	Advertising Scams Awareness Week 2025	55,000
Universal McCann	Advertising services for the Quad bike safety campaign	38,522
Universal McCann	Advertising services for the First Nations audience job scams and gambling awareness campaign	109,445

Appendix 6: Environmental sustainability

Mandatory environmental reporting

The ACCC is continuing to strengthen how it manages and reports on climate action and environmental sustainability. This section outlines how we are responding to Australian Government requirements for Commonwealth Climate Disclosure, operational emissions reporting and the APS Net Zero in Government Operations Strategy to demonstrate how we are managing climate-related risks and opportunities while contributing to the APS Net Zero 2030 target.

Commonwealth Climate Disclosure

Commonwealth Climate Disclosure (CCD) is the Government's policy for Commonwealth entities to publicly disclose their exposure to climate-related risks and opportunities, as well as their actions to manage them, delivering transparent and consistent climate disclosures to the Australian public.

Under the policy, non-corporate Commonwealth entities are required to complete climate disclosures. As the ACCC meets the thresholds of Tranche 1 in the CCD Policy Architecture, this climate statement has been prepared in accordance with the Year 2 CCD Disclosure Requirements for Tranche 1 entities. In accordance with the CCD Year 2 Requirements, we have utilised all reasonable and supportable information available without undue cost or effort to assess our climate-related risks and opportunities.

Governance

Effective governance is crucial to enabling the ACCC Chair, as our Accountable Authority, to oversee our agency's management of climate-related risks and opportunities. With a comprehensive governance framework already in place, we use existing policies and procedures to manage all our enterprise risks and opportunities, including those relating to climate change. This ensures we are delivering on our obligations under the [Australian Government's Approach to Climate Risk and Opportunity Management in the Public Sector 2024–2026](#). The Corporate Governance section and the Risk Management section (both in Part 4 – Management and accountability, under 'Managing the ACCC and AER') can be referenced for further information on our agency-wide approach to governance, risk management, related policies and procedures and the roles and responsibilities of our executive committees.

As Australia's economy transitions in response to climate related drivers, competition and consumer issues with a climate nexus are occurring with greater frequency. This is expected to continue and increase in line with climate-related economic impacts. Teams regularly consider climate related matters – to date, this has been most pronounced in the areas of consumer law (environmental claims compliance and enforcement) and competition law (exemptions for collective action delivering a public benefit).

The ACCC also plays an important role supporting market participants and policymakers. We regularly engage externally on climate-related matters and have published principles-based guidance on greenwashing and sustainability collaborations, which can be found on our website.

When it comes to ACCC operations, our strategy to reduce emissions aligns with the [APS Net Zero in Government Operations Strategy](#), and is set out in our publicly available [Emissions Reduction Plan](#).

Our approach to climate governance

Our climate governance is underpinned by our agency's Risk Management Framework, established in accordance with our Accountable Authority's Instructions, the *Commonwealth Risk Management Policy* (2023), *ISO 31000:2018 Risk Management Guidelines*, and the *Public Governance, Performance and Accountability Act 2013* (PGPA Act). There have been no material changes to the agency's risk management processes from the last reporting period. Our Risk Management Framework aligns with section 16 of the PGPA Act, which requires our ACCC Chair to establish and maintain internal systems for oversight and management of risk.

The ACCC Chief Risk Officer oversees the agency's risk management processes, including the management of enterprise risks and climate-related risks and opportunities. The ACCC Chair is informed and supported by the Chief Risk Officer, Corporate Governance Board and the Audit and Risk Committee. The Chair also oversees the setting of targets related to climate-related risks and opportunities, as set out in our [Emissions Reduction Plan](#), monitors progress towards those targets and ensures our climate risk management practices align with the Climate Risk and Opportunity Management Program (CROMP).

The governance structure associated with climate risk management is consistent with the agency's Risk Management Framework, which includes executive management and Commissioners (including the ACCC Chair) – see Part 4 – Management and accountability, under the Internal audit, compliance and risk. In addition to these roles, climate risks and opportunities are managed in the agency through the roles and responsibilities outlined in Table A6.1.

Table A6.1: Climate risk roles and responsibilities

Role	Responsibility
ACCC Chair	The ACCC Chair is the Accountable Authority of the Commission, who is the ultimate decision maker, responsible for establishing and maintaining internal risk management systems under the PGPA Act. This includes ensuring that climate-related risks and opportunities are appropriately identified, prioritised, managed, monitored and disclosed.
Corporate Governance Board	The Corporate Governance Board oversees the agency's risk management, which includes climate risks and opportunities. The Board is consulted on climate risks and opportunities, and associated management strategies, at least once a year.
Audit and Risk Committee	Under the Audit and Risk Committee charter, the Audit Committee monitors the Commission's risk management framework and reviews and provides advice on the adequacy of systems and processes for managing risk, in keeping with the Commonwealth Risk Management Policy. The Committee meets at least 4 times per year, with risks escalated to the entity Accountable Authority in accordance with the ACCC's risk framework.
Property Services Team	Responsible for monitoring and reporting on the agency's emissions and progress towards net zero and supporting the ACCC through the CROMP process.
Sustainability Taskforce	The ACCC Sustainability Taskforce supports agency decision making, external engagement and cross-agency coordination in the context of climate and sustainability related economic transformation.
Risk, Assurance and Integrity Team	Responsible for designing, building, and implementing our risk management framework, developing internal capability to manage risk, promoting positive risk culture and supporting the ACCC through the CROMP process.

Role	Responsibility
Green Transformation Community of Practice	Established by the Sustainability Taskforce, this Community of Practice (CoP) facilitates climate-related information sharing and capability development for staff. At CoP events external speakers present to staff on competition and consumer-related issues in sustainability, and ACCC team members share their experiences. The CoP also disseminates information on relevant policy, regulatory and market developments in Australia and internationally.
Environment Network	The Environment Network explores the ways the ACCC/AER and its employees can contribute to sustainability and other environmental objectives including climate risks and opportunities. The Environment Network is a group of ACCC/AER employees with an interest in leading more sustainable lives at work and outside of work. Network events and activities are coordinated by the ACCC/AER Environment Champions.

Climate risk capability

The Commonwealth Risk Management Policy requires that Commonwealth entities have an appropriate level of risk management capability. To ensure our agency is equipped with the in-house capability to manage climate-related risks, members of the Property Services Team, Sustainability Taskforce and the Risk, Assurance and Integrity team completed the first 3 Climate Risk and CROMP training modules. Select staff are also undertaking specialist training on climate fundamentals for government operations. Climate capability development will be an ongoing focus to ensure the agency is well-equipped to effectively manage climate risks and opportunities. Building internal climate capability is an important component of effective risk management and will be a focus for the agency moving forward.

Risk management and strategy

Climate risk and opportunity assessment

The ACCC completed its climate risk and opportunity assessment this year in accordance with our obligations under [The Australian Government's Approach to Climate Risk and Opportunity Management in the Public Sector 2024–2026](#). This assessment was conducted in line with the [CROMP resources](#) and published by the Department of Climate Change, Energy, the Environment and Water (DCCEEW) and the agency's risk management processes (outlined in Part 4 – Management and accountability).

The assessment was informed by:

- the agency's Risk Management Framework and associated processes
- a quantitative physical climate risk assessment of the ACCC's national office and data centre locations, undertaken by our property and facilities provider
- internal analysis of the past, present and potential future impacts of climate and the net zero transition on the ACCC's functions and priorities, including via consultation with agency personnel representing each of the agency's divisions, as well as the Green Transformation Community of Practice, Environment Network and Sustainability Taskforce.

The agency's climate risks were considered against 3 different climate scenarios, as outlined in Table A6.2. The scenarios were selected to align with the APS Net Zero in Government Operations Strategy and the Paris Agreement. To conduct this analysis, the agency used the climate scenario and transition summaries in the CROMP Technical Application Guide, the Australian Government Net Zero Plan and sectoral plans, and the National Climate Risk Assessment Report. Our outsourced property and facilities provider used the Jupiter Intelligence Climate Score Global tool for their analysis.

Table A6.2: Climate risk assessment scenarios¹⁵

Scenario	Conditions	Key outcomes/assumptions
Present day	Condition under today's climate	Effects of climate change already being felt; both physical and transition risks already being realised.
2030 Moderate emissions (near-term)	Emissions are curbed based on existing policies and commitments with a global warming of 2–3°C.	Emissions are curbed based on existing policies and announced national commitments to reduce emissions but fall short of meeting the Paris Agreement. There are more frequent and severe physical climate events. The transition to a low carbon economy is disorderly, uncoordinated and delayed; moderate transition to renewables and electrification. Slow implementation of policies due to political, institutional and social barriers.
2050 Low emissions (mid-term)	Mitigation efforts to curb emissions are ambitious to limit warming to 1.5–2°C.	Transition risks and opportunities dominate. Globally coordinated effort to reduce emissions to net zero around 2070 globally. Accelerated transition to renewables and electrification; aggressive regulations limiting the extraction and use of fossil fuels in all major economies; greater connected markets; and effective global management. Some physical impacts greater than those felt today.

Table A6.3 outlines the agency's key enterprise climate risks and opportunities, which have been assessed as likely to have a material effect on the agency's strategic objectives over the short-term (2030) and medium-term (2050). A moderate emissions scenario in 2030 was selected to assess the agency's readiness for the likely most plausible near-term scenario. A low emissions scenario as at 2050 was selected to test the agency's resilience in a longer-term scenario that would likely drive the most significant changes to our operating environment. We considered the combination would provide a balanced view across time horizons. Climate risks are considered in line with other enterprise risks and are prioritised in accordance with the agency's Risk Management Framework and Risk Assessment Criteria Matrix.

We considered the broad scope of the ACCC's operations and its primary operating locations in conducting this climate-related scenario analysis. The scenario analysis was carried out during the 2025–26 reporting period. Given the ACCC's functions, we applied a primarily qualitative lens when conducting our climate-related scenario analysis.

When rating the agency's material climate risks, we assigned a likelihood and consequence rating to each risk in accordance with agency's Risk Management Framework. Likelihood ratings considered the potential impact of climate-related drivers on the agency's operating environment, while consequence ratings reflected the most relevant impacts on consumers, competition, capability, reputation, employee wellbeing, and delivery of agency objectives. The risk ratings reflect the risk level having considered the impact of existing controls.

A strategic climate-related opportunity was also identified which, if pursued, will enable the agency to strengthen competition and consumer outcomes and deliver right-sized regulation in line with our strategic objectives. We expect additional opportunities will emerge as the transition continues.

¹⁵ [CROMP Technical Guidance](#), pp 32–35.

Table A6.3: Climate risks and opportunities

Organisational climate risk
Severe weather affecting workplace accessibility, business continuity and employee welfare. This is primarily a physical risk.
Policy-related climate risks
The agency lacks sufficient awareness, capacity and capability to adapt to changing community expectations, emerging technologies and market shifts associated with the transition to a low-carbon economy. This is primarily a transition risk.
Extreme weather events may disrupt domestic or international supply chains for critical inputs (e.g. construction materials, energy components), increasing costs and reducing competition in regulated markets. This is primarily a physical risk.
Policy and programs supporting the transition to a low carbon economy may raise new, or exacerbate existing, competition and consumer issues. This is primarily a transition risk.
Policy-related climate opportunity
The agency has an opportunity to support pro-competition and consumer outcomes in the transition through market advocacy. This is primarily a transition opportunity.

Our climate-related risks and opportunity are currently managed and monitored using our existing governance structures and risk systems, policies and tools. See risk roles and responsibilities as outlined in Table A6.1 above.

Operational model effects

The current and anticipated effects on the agency's operational model of the organisational climate risk identified include:

- threats to the safety, wellbeing and productivity of our people
- increased demands on business continuity arrangements
- diversion of resources away from core functions to manage the impacts of major climate-related incidents.

The ACCC has several controls in place to manage these effects across each of our locations. These include emergency and extreme weather event procedures and protocols, our business continuity framework, and a designated incident coordination group. We are also liaising with our property landlords to ascertain additional steps that can be taken to mitigate risk exposures at ACCC sites, noting that physical climate risks are expected to increase over time regardless of emissions scenario. Additional mitigation strategies for the agency's organisational climate risks will be identified in the agency's Emission Reduction Plan as required.

Public policy delivery effects

Climate impacts and Australia's responses will influence the ACCC's operating context. Policy and regulatory settings, market drivers and structures (including new and emerging markets), technologies and community expectations will continue to undergo complex and rapid transformation. This directly impacts the ACCC's work, its oversight of markets and the stakeholders with which the agency engages. It will stretch agency capability and capacity to respond effectively.

To date, climate-related effects on performance of our role are most evident in agency functions exposed to evolving and emerging markets, including mergers, competition exemptions, the electricity markets inquiry and enforcement matters. In these areas, teams are dealing with increasing complexity such as carbon accounting, the evolution of a multi-sided electricity market, and technically complex claimed environmental benefits.

Australia's private sector is responding to climate change and increasingly seeking to do so collectively. This is reflected in ACCC authorisations matters – 1 in 3 applications for authorisations considered environmental benefits in 2025, up from 1 in 4 in the preceding year. In the case of greenwashing, environmental groups continued to refer cases to the ACCC for consideration, and the ACCC continued its environmental claims priority area. The ACCC made submissions to the Senate Inquiry into Greenwashing,¹⁶ and the Final Report of the Select Committee on Information Integrity on Climate Change and Energy recommended the Government ensure adequacy of resourcing for regulators, including the ACCC, to combat misleading marketing claims to consumers.¹⁷

In this context, the ACCC has an opportunity to support a more efficient transition to a low carbon economy by safeguarding competition and consumer protection, including through targeted advocacy, guidance, proportionate and pragmatic enforcement and, where there is a net public benefit, competition law exemptions.

The ACCC continues to apply existing resources to strengthen its climate-related capabilities in light of these changes.

Effects on strategy and decision making

Existing governance and risk management frameworks ensure climate-related risks and opportunities are considered in strategic planning. The climate risk and opportunity assessment, including analysis of climate-related impacts on the agency's functions, is informed by regular staff consultation and the work of the agency's Sustainability Taskforce. Collectively, this informs consideration of current and emerging risks, priority-setting and resource allocation.

While a range of controls are already in place, the agency will continue to embed the management and identification of climate-related risks and opportunities, including through reporting and monitoring, continued capability development, and consideration of climate-related issues in decision making processes.

Operationally, the ACCC will continue to engage with landlords and service providers on physical climate risks at ACCC sites and use assessment findings to inform future property and business continuity planning.

Metrics and targets

APS Net Zero 2030 is the Government's policy for the Australian Public Service (APS) to reduce its greenhouse gas emissions to net zero by 2030 and transparently report on its emissions. As part of the Net Zero in Government Operations Strategy and the reporting requirements under section 516A of the *Environment Protection and Biodiversity Conservation Act 1999* (Cth), Commonwealth entities such as the ACCC are required to report on their operational greenhouse gas (GHG) emissions.

Emissions reporting

Our greenhouse gas emissions are calculated using the [Australian Public Service Net Zero Emissions Reporting Framework](#).

In line with the APS Net Zero 2030 – the Government's policy for the Australian Public Service (APS) to reduce its greenhouse gas emissions to net zero by 2030 – greenhouse gas emissions reporting has been developed with methodology that is consistent with the whole-of-Australian-Government approach. The agency is required to publicly report on our operational emissions. Reporting of the ACCC and AER's 2025–26 emissions is included above. The Department of Finance will publish a consolidated whole-of-government report before the end of 2026.

¹⁶ [ACCC submissions to external consultations | ACCC](#).

¹⁷ [The Integrity Gap: Restoring Trust in the Climate and Energy Debate – Parliament of Australia](#).

Table A6.4: 2025–26 Greenhouse gas emissions inventory – location based method

Emission source	Scope 1 t CO ₂ -e	Scope 2 t CO ₂ -e	Scope 3 t CO ₂ -e	Total t CO ₂ -e
Electricity (location-based approach)	N/A	396.78	36.32	433.10
Natural gas	1.26	N/A	0.32	1.58
Solid waste	0.00	N/A	0.00	0.00
Refrigerants	0.00	N/A	N/A	0.00
Fleet and other vehicles	0.00	N/A	0.00	0.00
Domestic commercial flights	N/A	N/A	587.86	587.86
Domestic hire car	N/A	N/A	0.73	0.73
Domestic travel accommodation	N/A	N/A	140.50	140.50
Other energy	0.00	N/A	0.00	0.00
Total t CO₂-e	1.26	396.78	765.73	1,163.77

Notes: The table above presents emissions related to electricity usage using the location-based accounting method. CO₂-e = carbon dioxide equivalent.
N/A = not applicable.

Table A6.5: 2025–26 Electricity greenhouse gas emissions

Emission Source	Scope 2 t CO ₂ -e	Scope 3 t CO ₂ -e	Total t CO ₂ -e	Electricity kWh
Location-based electricity emissions	396.78	36.32	433.10	615,994.04
Market-based electricity emissions	347.62	47.21	394.83	429,159.45
Total renewable electricity¹	N/A	N/A	N/A	186,834.60
<i>Renewable Power Percentage²</i>	N/A	N/A	N/A	106,505.37
<i>Jurisdictional Renewable Power Percentage³</i>	N/A	N/A	N/A	80,329.23
<i>GreenPower</i>	N/A	N/A	N/A	0.00
<i>Large-scale generation certificates</i>	N/A	N/A	N/A	0.00

Notes: The table above presents emissions related to electricity usage using both the location-based and the market-based accounting methods. CO₂-e = carbon dioxide equivalent. Electricity usage is measured in kilowatt hours (kWh).

- 1 Excludes behind-the-meter solar other than generation used to create large-scale generation certificates (LGCs).
- 2 The renewable power percentage (RPP) accounts for the portion of electricity used, from the grid, that falls within the Renewable Energy Target (RET).
- 3 The Australian Capital Territory is currently the only state with a jurisdictional renewable power percentage (JRPP).

Fleet vehicles are not used.

APS Net Zero 2030 target

We are committed to leading climate action within the public sector and contributing to the [APS Net Zero 2030 target](#). See the [APS Net Zero Target Factsheet](#) for details including scope, emissions sources and timeframes. We have not deviated from the approach in this fact sheet.

Our approach to reducing emissions is detailed in our publicly available [Emissions Reduction Plan](#) which reports on our entity's progress annually. This plan was approved by the ACCC Chair who will also monitor its ongoing performance through regular board meetings.

Over the reporting period, the ACCC progressed implementation of priority actions identified in the Emissions Reduction Plan, with a continued focus on accelerating reductions in electricity and property emissions, which remain the largest sources of operational emissions. Key actions progressed during the year include transition to whole-of-Australian-Government purchasing arrangements for access to renewable electricity through annual updates, advancing waste reduction initiatives throughout the portfolio (where operationally possible), and removing the need for our single passenger vehicle fleet resulting in zero emissions.

Complementing these activities, the ACCC strengthened enabling measures to support sustained emissions reduction. Emissions considerations were embedded more consistently into procurement and contract management processes, emissions data quality and coverage were improved, and analysis of Scope 3 emissions was expanded to better understand key sources and inform future action. These measures have supported the identification of additional emissions reduction opportunities and will guide refinement of future actions, particularly where existing initiatives have not yet delivered the expected reductions.

The ACCC acknowledges employee involvement in progress against our plan and contribution to maintaining a workplace culture of environmentally sustainable work practices. We continue to support an internal Environment Network where all employees can facilitate new initiatives and help raise awareness or act on environmental issues. During 2025–26, the Environment Network:

- celebrated World Environment Day, Clean Up Australia Day and Ride2Work Day
- promoted Plastic Free July
- promoted staff office plants
- continued implementation and assessment of the office keep-cup program
- rolled out Simply Cups program to sites where available
- maintained container deposit schemes in several office locations
- established an Environment Network Teams chat
- encouraged/prompted sustainability conversations amongst Environment Network members via social channels
- housekeeping/updating of Environment Network intranet/resources.

The ACCC supports a holistic approach to sustainability and reducing carbon emissions across all areas including facilities and operations to deliver several environmental achievements:

- subletting part of a floor in Canberra office, reducing footprint by 830 sqm
- follow-me printing and hybrid working arrangements has led to a substantive reduction of copy paper and stationery supply
- installation of LED lighting and motion sensors in office fit-outs to reduce energy usage
- the introduction of an organic waste stream to kitchen/breakout areas where available
- confirmed NABERS minimum of 5.5-star rating for metropolitan sites and 4.5-star rating for regional sites for offices above 1,000 sqm

- purchase of high-efficiency kitchen appliances used in fit-out projects or end of life replacement
- where available re-use of office furniture for fit-out projects
- steps taken to ensure Emissions reduction considerations have been incorporated into relevant procurement guidance and contract management processes. Further refinements will be made as policies and templates are updated
- agency-issued laptops are the Acer TravelMate P6 devices which incorporate recycled materials and packaging to support recognised environmental certification standards such as EPEAT. Acer's product lifecycle assessment for the P614–53T family also estimates typical electricity consumption of approximately 11.8 kWh per device per year, with around 1,500 devices currently being used. Acer has estimated a whole-of-life carbon footprint of 340 ± 78 kg CO₂-e per device, based on an assumed 4-year product life. Importantly, the majority of the footprint is attributed to manufacturing, compared with only 7% to electricity use, 3.8% to transport and 0.3% to end of life.

Appendix 7: Information required under the Competition and Consumer Act 2010

This appendix contains certain disclosures required by the *Competition and Consumer Act 2010* (Cth) (CCA).

Section 171(2) reporting requirements

Section 51(1) of the CCA provides that conduct that would normally contravene the law may be permitted if it is specifically authorised under other Commonwealth, state or territory legislation. Section 171(2) of the CCA requires our annual report to include a list of all Commonwealth, state and territory laws that the ACCC is aware of that rely on section 51(1) of the CCA or section 51(1) of the Competition Code (as defined in section 150A).

Exceptions under Commonwealth, state and territory legislation

Below is a list of the legislation that allows such conduct or provides for regulations to be made authorising particular conduct. The list includes legislation of which the ACCC has been notified or has otherwise become aware.

Table A7.1: Exceptions under Commonwealth, state or territory legislation

Commonwealth	Australian Capital Territory	New South Wales	Northern Territory
<i>Australian Postal Corporation Act 1989</i>	<i>Cemeteries and Crematoria Act 2020</i>	<i>Australian Jockey and Sydney Turf Clubs Merger Act 2010</i>	<i>Competition Policy Reform (Northern Territory) Act 1996</i>
<i>Banking Act 1959</i>	<i>Competition Policy Reform Act 1996</i>	<i>Betting and Racing Act 1998</i>	<i>Electricity Reform Act 2000</i>
<i>Competition and Consumer Act 2010</i>	<i>Financial Management Act 1996</i>	<i>Casino Control Regulation 2019</i>	<i>Environmental Protection (Beverage Containers and Plastic Bags) Act 2011</i>
<i>Customs Act 1901</i>	<i>Government Procurement Act 2001</i>	<i>Coal Industry Act 2001</i>	<i>Liquor Act 2019</i>
<i>Financial Sector (Business Transfer and Group Restructure) Act 1999</i>	<i>Health Act 1993</i>	<i>Competition Policy Reform (New South Wales) Act 1995</i>	<i>Water Supply and Sewerage Services Act 2000</i>
<i>Insurance Act 1973</i>	<i>Insurance Authority Act 2005</i>	<i>Electricity Generator Assets (Authorised Transactions) Act 2012</i>	
<i>Life Insurance Act 1995</i>	<i>Racing Act 1999</i>	<i>Electricity Infrastructure Investment Act 2020</i>	
<i>Liquid Fuel Emergency Act 1984</i>	<i>Road Transport (Public Passenger Services) Act 2001</i>	<i>Gaming Machines Act 2001</i>	
<i>Payment Systems (Regulation) Act 1998</i>	<i>Territory Records Act 2002</i>	<i>Health Services Act 1997</i>	
<i>Social Security (Administration) Act 1999</i>	<i>Waste Management and Resource Recovery Act 2016</i>	<i>Hunter Water Act 1991</i>	
<i>Telecommunications Act 1997</i>		<i>Industrial Relations Act 1996</i>	
<i>Fair Work Act 2009</i>		<i>Industrial Relations (Ethical Clothing Trades) Act 2001</i>	
<i>Corporations Act 2001</i>		<i>James Hardie Former Subsidiaries (Winding up and Administration) Act 2005</i>	
		<i>Land and Property Information NSW (Authorised Transaction) Act 2016</i>	
		<i>Liquor Act 2007</i>	
		<i>Major Events Act 2009</i>	
		<i>Passenger Transport Act 2014</i>	
		<i>Point to Point Transport (Taxis and Hire Vehicles) Act 2016</i>	
		<i>Rice Marketing Act 1983</i>	
		<i>Sporting Venues Authorities Act 2008</i>	
		<i>Thoroughbred Racing Act 1996</i>	
		<i>Totalizator Act 1997</i>	
		<i>Waste Avoidance and Resource Recovery Act 2001</i>	

Table A7.1: continued.

Queensland	South Australia	Tasmania	Victoria	Western Australia
<i>Brisbane Olympic and Paralympic Games Arrangements Act 2021</i>	<i>Adelaide University Act 2023</i>	<i>Competition Policy Reform (Tasmania) Act 1996</i>	<i>Circular Economy (Waste Reduction and Recycling) Act 2021 (section 113)</i>	<i>Betting Control Act 1954</i>
<i>Energy (Infrastructure and Facilitation) Act 2024 (previously Energy (Renewable Transformation and Jobs) Act 2024)</i>	<i>Authorised Betting Operations Act 2000</i>	<i>Container Refund Scheme Act 2022</i>	<i>Gambling Regulation Act 2003 (sections 3.4.59R, 3.4A.34, 4.2.3E, 4.9.1, 6A.6.1)</i>	<i>Competition Policy Reform (Western Australia) Act 1996</i>
<i>Industrial Relations Act 2016</i>	<i>Competition Policy Reform (South Australia) Act 1996</i>	<i>Biosecurity (Salmonid Biosecurity Zones) Regulations 2022</i>	<i>Gas Industry (Residual Provisions) Act 1994 (sections 62O and 62S)</i>	<i>Electricity Corporations Act 2005</i>
<i>Liquor Act 1992</i>	<i>Cooper Basin (Ratification) Act 1975</i>	<i>Electricity Reform Act 2012</i>	<i>Health Services Act 1988 (section 134O)</i>	<i>Electricity Industry Act 2004</i>
<i>Racing Act 2002</i>	<i>Liquor Licensing Act 1997</i>	<i>Electricity Supply Industry Act 1995</i>	<i>Legal Profession Uniform Law Application Act 2014 (section 119)</i>	<i>Electricity Industry (Electricity System and Market) Regulations 2004</i>
<i>Sugar Industry Act 1999</i>	<i>Roxby Downs (Indenture Ratification) Act 1982</i>	<i>Electricity Supply Industry Restructuring (Savings and Transitional Provisions) Act 1995</i>	<i>Liquor Control Reform Act 1998 (section 146C)</i>	<i>Electricity Industry (Pilbara Networks) Regulations 2021</i>
<i>Transport Operations (Passenger Transport) Act 1994</i>		<i>Energy Coordination and Planning Act 1995</i>	<i>National Electricity (Victoria) Act 2005 (section 68A)</i>	<i>Energy Coordination Act 1994</i>
<i>Waste Reduction and Recycling Act 2011</i>		<i>Gaming Control Act 1993</i>	<i>Outworkers (Improved Protection) Act 2003 (section 28)</i>	<i>Legal Profession Uniform Law Application Act 2022</i>
		<i>Rail Company Act 2009</i>	<i>Owner Drivers and Forestry Contractors Act 2005 (section 64)</i>	<i>Liquor Control Act 1988</i>
		<i>TOTE Tasmania (Sale) Act 2009</i>	<i>State Owned Enterprises Act 1992 (sections 86 and 86A)</i>	<i>North West Gas Development (Woodside) Agreement Act 1979</i>
		<i>Water and Sewerage Corporation Act 2012</i>		<i>Owners-Drivers (Contracts and Disputes) Act 2007</i>
				<i>TAB Disposal Act 2019</i>
				<i>Waste Avoidance and Resource Recovery Act 2007</i>

Section 171(3) reporting requirements

Time taken to make final determinations and decisions

No final determinations were made under section 44V of the CCA in relation to access disputes during the reporting period.

No decisions were made on applications under section 44PA(1) about government tendering.

Matters related to the mandatory merger control regime – Information relating to the acquisitions provisions given by the ACCC under the CCA

From 1 January 2026, the merger control regime became mandatory. Section 171(3)(ab) of the CCA requires this report to include information relating to the acquisitions provisions.

Section 171(3)(ab)(i): the number of notification waiver applications were made, and a general summary of the kinds of acquisitions to which the applications related

- 286 notification waiver applications were made of which 4 were ceased.

Table A7.2: Types of acquisitions by ANZSIC code of the transaction – Notification Waiver Applications determined*

A – Agriculture, Forestry and Fishing	7
B – Mining	10
C – Manufacturing	54
D – Electricity, Gas, Water and Waste Services	16
E – Construction	18
F – Wholesale Trade	16
G – Retail Trade	30
H – Accommodation and Food Services	22
I – Transport, Postal and Warehousing	14
J – Information Media and Telecommunications	29
K – Financial and Insurance Services	70
L – Rental, Hiring and Real Estate Services	20
M – Professional, Scientific and Technical Services	54
N – Administrative and Support Services	11
O – Public Administration and Safety	4
P – Education and Training	7
Q – Health Care and Social Assistance	18
R – Arts and Recreation Services	2
S – Other Services	14

* One waiver may involve more than one ANZSIC Division code.

Table A7.3: Types of acquisitions by transaction value – Notification Waiver Applications determined*

Waivers by transaction value	
Nominal/Not available	8
Under \$10m	49
\$10m–\$50m	43
\$50m–\$100m	22
\$100m–\$200m	10
\$200m–\$300m	10
\$300m–\$500m	30
\$500m–\$1b	32
\$1b–\$5b	36
\$5b–\$10b	3
More than \$10b	5

* The greater of consideration/transaction value has been used. For certain lease transactions the base rent for the first term of the lease was estimated where the transaction value was not provided.

Table A7.4: Types of waiver by type of acquisition*

Waivers by type of acquisition*	
Horizontal	48%
Vertical	7%
Conglomerate	8%
Business input	6%
Other	38%

* One waiver may involve more than one type of acquisition.

Section 171(3)(ab)(ii): the number of notifications of acquisitions made, and a general description of the kinds of acquisitions notified:

- 145 notifications of acquisitions were made between 1 January 2026 and 30 June 2026
- 13 notifications were made between 1 July 2025 and 31 December 2025.

Table A7.5: Types of acquisitions by ANZSIC code of the transaction – Notifications determined

A – Agriculture, Forestry and Fishing	3
B – Mining	5
C – Manufacturing	34
D – Electricity, Gas, Water and Waste Services	3
E – Construction	7
F – Wholesale Trade	16
G – Retail Trade	9
H – Accommodation and Food Services	5
I – Transport, Postal and Warehousing	9
J – Information Media and Telecommunications	18
K – Financial and Insurance Services	20
L – Rental, Hiring and Real Estate Services	9
M – Professional, Scientific and Technical Services	28
N – Administrative and Support Services	2
O – Public Administration and Safety	1
Q – Health Care and Social Assistance	0
R – Arts and Recreation Services	10
S – Other Services	2

Note: one notification transaction may involve more than one ANZSIC Division code.

Table A7.6: Types of acquisitions by transaction value – Notifications determined*

Notifications by transaction value	
Nominal/Not available	3
Under \$10m	12
\$10m–\$50m	23
\$50m–\$100m	9
\$100m–\$200m	6
\$200m–\$300m	2
\$300m–\$500m	11
\$500m–\$1b	4
\$1b–\$5b	28
\$5b–\$10b	5
More than \$10b	14

* The greater of consideration / transaction value has been used. For certain lease transactions the base rent for the first term of the lease was estimated where the transaction value was not provided.

Table A7.7: Types of notifications by type of acquisition*

Notifications by type of acquisition	
Horizontal	75%
Vertical	32%
Conglomerate	15%
Business input	7%
Other	4%

* One notification may involve more than one type of acquisition.

Section 171(3)(ab)(iii): the number of notifications that the Commission decided were to be subject to phase 2 review, and a general summary of the circumstances in which the Commission made such decisions:

The Commission decided that 6 notifications were to be subject to phase 2 review:

- Ampol Retail Holding Pty Ltd’s acquisition of EG Group Australia and EG AsiaPac Holdings – the Commission considered the acquisition could substantially lessen competition in the retail supply of petrol and diesel in several markets in Australia.
- Coles Group Limited’s acquisition of a lease for a supermarket and liquor store in Kalgoorlie, WA – the Commission considered the acquisition could substantially lessen competition for the retail supply of groceries in Kalgoorlie.
- MicroStar Logistics LLC’s acquisition of the assets of Konvoy Holdings Pty Ltd (Receivers and Managers Appointed) – the Commission considered the acquisition could substantially lessen competition in the market for keg pooling services.
- Insurance Australia Group Limited’s proposed acquisition of RAC Insurance – the Commission considered the acquisition could substantially lessen competition in both the supply of motor vehicle insurance and the supply of home and contents insurance in Western Australia.
- Peter Warren Automotive Holdings Limited’s proposed acquisition of 30 new car dealership sites from Wakeling Automotive Group – the Commission considered the acquisition could substantially lessen competition in the supply of new cars in the Macarthur region and surrounding areas.
- Trescal Holding Pty Ltd’s proposed acquisition of TR Pty Ltd’s calibration and equipment sales business – the Commission considered that Trescal’s proposed acquisition could substantially lessen competition in the supply of calibration services in certain testing domains.

Section 171(3)(ab)(iv): the number of acquisition determinations the Commission made that included conditions, and a general description of the kinds of conditions included:

One acquisition determination the Commission made for a notification received between 1 July 2025 and 31 December 2025 was approved with conditions. Ampol Retail Holding Pty Ltd’s proposed acquisition of the retail sites operated by EG Australia was approved on condition of acceptance of an undertaking that Ampol divest 41 retail fuel sites to address competition concerns in 29 local markets.

Section 171(3)(ab)(v): a general summary of the kinds of goodwill protection provisions specified in notifications of acquisitions:

Under the mandatory merger control regime, notifying parties are required to specify in their notifications whether the acquisition contract contains a goodwill protection provision.

Of the 158 notifications the ACCC received in the financial year 2025–26, just under two-thirds identified that the acquisition contract contained goodwill protection provisions.

ACCC analysis indicates that, of acquisition contracts containing a goodwill protection provision, approximately 85% contained non-compete provisions and two-thirds contained non-solicitation provisions.

Section 171(3)(ab)(vi): the number of declarations the Commission included in determinations under subsection 51ABZG(1), and a general summary of the circumstances in which the Commission included such declarations:

In financial year 2025–26, the ACCC made no declarations under subsection 51ABZG(1) of the CCA in relation to a goodwill protection provision. The ACCC can only make such a declaration if it is satisfied that the goodwill protection provision is not necessary for the protection of the purchaser in respect of the goodwill of the business.

The ACCC did however query the necessity of goodwill protection provisions in a number of instances. In response to the ACCC's queries, some merger parties amended their acquisition contracts to narrow the goodwill protection provisions.

The ACCC is continuing to focus on goodwill protection provisions that do not appear necessary for the protection of the purchaser in respect of the goodwill of the business it is acquiring. The ACCC expects merger parties to have actively considered the necessity of goodwill protection provisions in their acquisition contracts.

Notices given by the ACCC under the CCA

General description of matters for which notices were given

In 2025–26 the following notices were issued by the ACCC during market studies, inquiries and investigations of conduct potentially in contravention of the prohibition on anti-competitive mergers, restrictive trade practices provisions, industry codes and consumer and small business protection provisions in the Competition and Consumer Act:

- 13 total (including electricity market) notices under section 51ADD (requiring the provision of information or documents that the addressee is required to keep, generate or publish under an applicable industry code)
- 218 notices under section 95ZK (requiring the provision of information and/or documents relating to the affairs of the addressee which may be relevant to an ACCC inquiry or ACCC monitoring, as set out in the provision)
- 152 notices under section 53ZT (requiring the provision of information or documents required to be kept, generated or published under a gas market instrument)
- nil notices under section 133D (requiring the provision of information and documentation relating to the safety of consumer goods)
- 208 notices under section 155(1)(a) and (b) (requiring the addressee to furnish information in writing and produce documents)
- 14 notices under section 155(1)(a) (requiring the addressee to furnish information)
- 51 notices under section 155(1)(b) (requiring the addressee to produce documents)

- 79 notices under section 155(1)(c) (requiring the addressee to appear in person and give evidence)
- 1 authorisation instrument was signed to facilitate the disclosure of protected information under section 155AAA(12) (where the Chair is satisfied that particular protected information will assist another agency, body or person)
- nil notices under section 155A (requiring the provision of information and documents relating to a matter that may constitute a misuse of market power in a trans-Tasman market).

No proceedings were instituted to challenge the validity of any statutory notice issued by the ACCC.

Search warrants issued or signed

There were no search warrants issued by a judge under section 135Z or signed by a judge under section 136 of the Act, and there were no warrants issued by a magistrate under section 154 (Part XID) or signed by a magistrate under section 154Y of the Act.

Entry to premises

There were no entries onto premises under section 133B, section 133C, Division 6 of Part XI or Part XID (s 154D).

Inspectors appointed under section 133(1) of the Competition and Consumer Act may enter the premises from which a person in trade or commerce supplies consumer goods and services, if the public has access to the premises at the time of entry. While on the premises, the inspector may take photographs, inspect consumer goods and equipment or purchase consumer goods and services. During 2025–26 surveillance staff appointed as inspectors undertook no entries to premises under section 133B or section 133C as part of the ACCC routine surveillance program.

Contacts received

Details of the number of contacts received by the ACCC in 2025–26 (other than designated complaints) are set out in Part 3, key activity 4.3.

Designated complaints

The ACCC received one designated complaint in 2025–26. The time for the Commission's compliance with the requirements in section 154ZG and section 154ZK(3)(b) of the CCA for this designated complaint does not arise until the 2026–27 financial year.

In relation to the designated complaints received in 2024–25, where the time for compliance fell in the 2025–26 financial year, the Commission was compliant with section 154ZG and section 154ZK(3)(b) of the CCA.

The number of designated complaints for which the Commission did not comply with section 154ZG was zero. The number of designated complaints for which the Commission did not comply with section 154ZK(3)(b) was zero.

Substantiation notices issued

There were 4 substantiation notices issued pursuant to section 219(2)(a) and (c) of the CCA in 2025–26.

Intervention in proceedings

In October 2025 the ACCC was granted leave by the High Court of Australia to intervene in the *Mayfield Development Corporation v NSW Port Operations Hold Co & Ors* proceedings. The High Court's decision was handed down on 6 May 2026.

In April 2026, the ACCC was granted leave by the Federal Court to intervene in the *Epic Games, Inc v Apple Inc* proceedings. Details of this intervention are provided in Part 3.

Section 56CH(4) reporting requirements

Section 56CH(4) of the CCA requires this report to include information about the performance of the CDR Accreditor's functions, and the exercise of the CDR Accreditor's powers.

Entities that wish to collect consumer data directly from data holders under CDR must be accredited by the CDR Accreditor. The CDR Accreditor is provided with a number of functions and powers in Part IVD of the CCA and the CDR Rules. The CDR Accreditor's functions and powers include to accredit an accreditation applicant if satisfied that the applicant meets the accreditation criteria specified in the CDR Rules; impose, vary or remove conditions on an accreditation; and revoke or suspend an accreditation. The CDR Rules also allow the CDR Accreditor to accept the surrender of an accreditation, approve the form in which an accreditation application can be made, consult with other regulators, request further information from applicants and audit the compliance of an accredited data recipient.

The ACCC is the CDR Accreditor under the CCA. During 2025–26 the CDR Accreditor:

- accredited 3 persons at the unrestricted level
- received notification of 52 CDR representative arrangements¹⁸
- accepted the surrender of 2 accreditations at the unrestricted level
- imposed conditions on the accreditation of 2 accredited persons.

Section 56CL(4) reporting requirements

Section 56CL(4) of the CCA requires this report to include information about the performance of the CDR Accreditation Registrar's functions and the exercise of the Accreditation Registrar's powers.

The Accreditation Registrar has a number of functions and powers under Part IVD of the CCA and the CDR Rules. The Accreditation Registrar must establish and maintain the Register. Information in the Register must be made publicly available by the Accreditation Registrar as required by the CDR Rules. The CDR Rules also require the Accreditation Registrar to create and maintain a database of other information to be kept in association with the Register. This database includes a list of data holders and associated technical information.

Other Accreditation Registrar functions are to:

- manage the process of onboarding accredited persons and data holders to the Register and associated database by requiring them to provide information to be stored in the Register and associated database that is necessary for the processing of requests for CDR data

¹⁸ 52 arrangements were notified in 2025–26. However, as at 30 June 2026, 3 of these had ended. Since the first representative arrangement was notified to us in December 2021, 279 arrangements have been notified in total. However, one of these has progressed to obtaining their own accreditation and another 100 have now ended.

- maintain and ensure the security, integrity and stability of the Register and associated database, including by undertaking and facilitating testing by accredited data recipients and data holders
- issue requests to data holders and accredited data recipients to do specified things where necessary or convenient in order for the Accreditation Registrar to exercise its powers or, where this is necessary, to ensure the security, integrity and stability of the Register or associated database
- inform the CDR Accrerator of any failure of an accredited data recipient to comply with a condition of its accreditation or to do things requested by the Accreditation Registrar.

The ACCC is the Accreditation Registrar under the CCA.

During 2025–26 the Accreditation Registrar:

- maintained the Register and associated database including by:
 - publishing entries for 3 newly accredited persons (all at the unrestricted level) and 52 CDR representative arrangements
 - activating 1 data holder, 10 additional data holder brands, 1 accredited data recipient and 25 additional accredited data recipient software products
 - removing:
 - 5 data holders that surrendered their banking licences
 - 2 accredited persons that surrendered their accreditations
 - 15 additional data holder brands and 32 accredited data recipient software products pursuant to requests from the relevant participants
 - amending and correcting entries to reflect other changes the Accreditation Registrar was informed of – for example, updating the details of data holders that changed their names.
- updated the guidance for data holders and accredited persons on the process to onboard to the Register and associated database.

Public registers

[ACCC's public registers](#) are official lists that we are required under our legislation to publish. We also maintain some voluntary public registers in the public interest. Through these registers and the information that is published, the ACCC remains transparent and accountable in our decision making.

Appendix 8: Information required under the National Energy Retail Law, National Gas Law, National Electricity Law

This appendix contains certain disclosures required by the *National Energy Retail Law*, *National Gas Law* and *National Electricity Law*.

National Energy Retail Law (NERL)

Section 206(17) reporting requirements

2025–26 – 0 notices issued under section 206(2)(c) of the NERL

National Gas Law (NGL)

Section 42(17) reporting requirements

2025–26 – 0 notices issued under section 42(2)(c) of the NGL

0 notices issued under section 42(2)(a) and section 42(2)(b) of the NGL for the purposes of a function under Division 1AA

National Electricity Law (NEL)

Section 28(17) reporting requirements

2025–26 – 1 notice issued under section 28(2)(c) of the NEL

18 notices issued under section 28(2)(a) of the NEL for the purposes of a function under Division 1A

Glossary of abbreviations and acronyms

A/g	Acting
ACCC	Australian Competition and Consumer Commission
ACL	Australian Consumer Law
ACMA	Australian Communications and Media Authority
ACT	Australian Capital Territory
ADGSM	Australian Domestic Gas Security Mechanism
AEMC	Australian Energy Market Commission
AEMO	Australian Energy Market Operator
AER	Australian Energy Regulator
AFCX	Australian Financial Crimes Exchange
AgCC	Agriculture Consultative Committee
AGDIS	Australian Government Digital ID System
AI	artificial intelligence
ANZSIC	Australian and New Zealand Standard Industrial Classification
API	Application Programming Interface
APIC	ACCC-Pacific Islands Cooperation Program
APIs	Application Programming Interfaces
APS	Australian Public Service
ARCP	Atlas to Reedy Creek Pipeline
ARFF	aviation rescue and firefighting services
ASEAN	Association of Southeast Asian Nations
ASIC	Australian Securities and Investments Commission
ASX	Australian Stock Exchange
BETA	Behavioural Economics Team of the Australian Government
CALC	Consumer Action Law Centre
CAP	Consumer Affairs Program
CCA	<i>Competition and Consumer Act 2010</i> (Cth)
CCD	Commonwealth Climate Disclosure

CCP	OECD Committee on Consumer Policy
CDPP	Commonwealth Director of Public Prosecutions
CDR	Consumer Data Right
CDR Rules	Competition and Consumer (Consumer Data Right) Rules 2020
CDR Standards	Consumer Data Standards
CDS	Chief Data Scientist
CEO	Chief Executive Officer
CESS	Capital Expenditure Sharing Scheme
CFMEU	Construction, Forestry and Maritime Employees Union
CFO	Chief Finance Officer
CFR	Council of Financial Regulators
CLIP	Competition Law Implementation Program
Co	Company
CO ₂ -e	carbon dioxide equivalent
COO	Chief Operating Officer
CoP	Community of Practice
CROMP	Climate Risk and Opportunity Management Program
CSIS	Customer Service Incentive Scheme
Cth	Commonwealth
DCCEEW Water	Australian Government Department of Climate Change, Energy, the Environment and Water
DFAT	Australian Government Department of Foreign Affairs and Trade
DMO	Default Market Offer
DP-Reg	Digital Platform Regulators Forum
DPSI	Digital Platform Services Inquiry
DSB	Data Standards Body
EAV	Electricity Authority of Vietnam
EEI Act	<i>Electricity Infrastructure Investment Act 2020</i> (Cth)
EL	Executive Level
EMA	Energy Market Authority of Singapore
EMB	Executive Management Board
EME	Energy Made Easy

ESC	Essential Services Commission of Victoria
EWON	Energy and Water Ombudsman NSW
FERM	Firm Energy Reliability Mechanism
FNCC	First Nations Careers Committee
FOAS	fixed originating access service
FOI Act	<i>Freedom of Information Act 1982</i> (Cth)
FTAS	fixed terminating access service
FTTP	fibre to the premises
GHG	greenhouse gas
GST	goods and services tax
HFC	hybrid fibre coaxial
HoA	Heads of Agreement
Hon	honourable
HRSD	Human Resources Service Delivery
IASR	Inputs, Assumptions and Scenarios Report
ICN	International Competition Network
ICPEN	International Consumer Protection Enforcement Network
ICT	information and communications technology
inc.	including
IPART	Independent Pricing and Regulatory Tribunal
ISP	Integrated System Plan
JRPP	jurisdictional renewable power percentage
KPPU	Indonesia Competition Commission
kWh	kilowatt hours
LGBTIQ+	Lesbian, Gay, Bisexual, Trans, Intersex, Queer and other sexual and gender identities
LGC	large-scale generation certificate
LNG	liquefied natural gas
Ltd	Limited
MLA	member of the Legislative Assembly
MLC	member of the Legislative Council
MoU	Memorandum of Understanding
MP	Member of Parliament
MTAS	mobile terminating access service

MVIS	Motor Vehicle Information Scheme
MVP	minimum viable product
N/A	not applicable
NASC	National Anti-Scam Centre
NBN	National Broadband Network
NEL	National Electricity Law
NEM	National Electricity Market
NERL	National Energy Retail Law
NGL	National Gas Law
NNOs	non-network options
NSMO	National Power System and Market Operation Company
NSW	New South Wales
NT	Northern Territory
NZCC	New Zealand Commerce Commission
OAIC	Office of the Australian Information Commissioner
OECD	Organisation for Economic Co-operation and Development
Ors	others
PGPA Act	Public Governance, Performance and Accountability Act 2013
PGPA Rule	Public Governance, Performance and Accountability Rule
PINCCER	Pacific Island Network of Competition, Consumer and Economic Regulators
PSP	Property Services Provider
PSS	Public Sector Superannuation Scheme
PSSap	PSS accumulation Plan
Pty Ltd	Proprietary Limited
Qld	Queensland
RAAP	Register and Accreditation Application Platform
Register	Register of Accredited Persons
RET	Renewable Energy Target
Retail Law	National Energy Retail Law
Retail Rules	National Energy Retail Rules
REZ	renewable energy zone
RIN	Regulatory Information Notice
RKRs	record keeping rules

RLC	Regulator Leadership Cohort
RMA	Replacement Module Application
RMD	Replacement Module Determination
RMG	Resource Management Guide
RoLR	Retailer of Last Resort
RORI	Rate of Return Instrument
RPP	renewable power percentage
SA	South Australia
SAU	Special Access Undertaking
SBAS	superfast broadband access service (SBAS)
SBFCC	Small Business and Franchising Consultative Committee
SE Qld	south-east Queensland
SES	Senior Executive Service
SMEs	Small and Medium Enterprises
SPV	Significant Price Variation
SSO	Solar Sharer Offer
STPIS	Service Target Performance Incentive Scheme
t/a	trading as
Tas	Tasmania
TNSP	transmission network service providers
UK	United Kingdom
US(A)	United States of America
WA	Western Australia
WACC	weighted average cost of capital
WGEA	Workplace Gender Equality Agency
WHS	work health and safety
WHS Act	<i>Work Health and Safety Act 2011</i> (Cth)
WPCPS	Working Party on Consumer Product Safety

Compliance index

List of requirements

This schedule provides, for the purposes of paragraph 17AJ(d) of the Public Governance, Performance and Accountability Rule 2014 (PGPA Rule), the list of requirements to be included in a non-corporate Commonwealth entity's annual report for a reporting period. The schedule is prepared for subsection 46(3) of the *Public Governance, Performance and Accountability Act 2013* (Cth).

PGPA Rule Reference	Part of Report	Description	Requirement
17AD(g)	Letter of transmittal		
17AI	Letter of transmittal	A copy of the letter of transmittal signed and dated by accountable authority on date final text approved, with statement that the report has been prepared in accordance with section 46 of the Act and any enabling legislation that specifies additional requirements in relation to the annual report.	Mandatory
17AD(h)	Aids to access		
17AJ(a)	Contents	Table of contents (print only).	Mandatory
17AJ(b)	Index	Alphabetical index (print only).	Mandatory
17AJ(c)	Glossary and abbreviations	Glossary of abbreviations and acronyms.	Mandatory
17AJ(d)	Compliance index	List of requirements.	Mandatory
17AJ(e)	About this report	Details of contact officer.	Mandatory
17AJ(f)	About this report	Entity's website address.	Mandatory
17AJ(g)	About this report	Electronic address of report.	Mandatory
17AD(a)	Review by accountable authority		
17AD(a)	Part 1 Year in review	A review by the accountable authority of the entity.	Mandatory
17AD(b)	Overview of the entity		
17AE(1)(a)(i)	Part 2 Agency overview – About the ACCC and AER	A description of the role and functions of the entity.	Mandatory
17AE(1)(a)(ii)	Part 2 Agency overview – About the ACCC and AER	A description of the organisational structure of the entity.	Mandatory
17AE(1)(a)(iii)	Part 2 – Performance measurement and reporting framework	A description of the outcomes and programmes administered by the entity.	Mandatory

PGPA Rule Reference	Part of Report	Description	Requirement
17AE(1)(a)(iv)	Part 2 – Agency overview – The ACCC’s Purpose and Part 2 – Agency Overview – The AER’s purpose and vision	A description of the purposes of the entity as included in corporate plan.	Mandatory
17AE(1)(aa)(i)	Part 4 Management and Accountability – Senior leadership	Name of the accountable authority or each member of the accountable authority.	Mandatory
17AE(1)(aa)(ii)	Part 4 Management and Accountability – Senior leadership	Position title of the accountable authority or each member of the accountable authority.	Mandatory
17AE(1)(aa)(iii)	Part 4 Management and Accountability – Senior leadership	Period as the accountable authority or member of the accountable authority within the reporting period.	Mandatory
17AE(1)(b)	N/A	An outline of the structure of the portfolio of the entity.	Portfolio departments – mandatory
17AE(2)	Part 3 Annual Performance Statement – Program 1.2 – Australian Energy Regulator – AER Stakeholder Survey	Where the outcomes and programs administered by the entity differ from any Portfolio Budget Statement, Portfolio Additional Estimates Statement or other portfolio estimates statement that was prepared for the entity for the period, include details of variation and reasons for change.	If applicable, Mandatory
17AD(c)	Report on the Performance of the entity		
	Annual performance Statements		
17AD(c)(i); 16F	Part 3 Annual performance statement	Annual performance statement in accordance with paragraph 39(1)(b) of the Act and section 16F of the Rule.	Mandatory
17AD(c)(ii)	Report on Financial Performance		
17AF(1)(a)	Part 1 Year in Review – Corporate snapshot and Part 5 – Financial Statements – Overview	A discussion and analysis of the entity’s financial performance.	Mandatory
17AF(1)(b)	Part 6 Appendix 1	A table summarising the total resources and total payments of the entity.	Mandatory
17AF(2)	Part 1 Year in Review – Corporate snapshot	If there may be significant changes in the financial results during or after the previous or current reporting period, information on those changes, including: the cause of any operating loss of the entity; how the entity has responded to the loss and the actions that have been taken in relation to the loss; and any matter or circumstances that it can reasonably be anticipated will have a significant impact on the entity’s future operation or financial results.	If applicable, mandatory
17AD(d)	Management and Accountability		
	Corporate Governance		

PGPA Rule Reference	Part of Report	Description	Requirement
17AG(2)(a)	Part 4 Management and Accountability – Fraud Control	Information on compliance with section 10 (fraud systems).	Mandatory
17AG(2)(b)(i)	Letter of transmittal	A certification by accountable authority that fraud risk assessments and fraud control plans have been prepared.	Mandatory
17AG(2)(b)(ii)	Letter of transmittal	A certification by accountable authority that appropriate mechanisms for preventing, detecting incidents of, investigating or otherwise dealing with, and recording or reporting fraud that meet the specific needs of the entity are in place.	Mandatory
17AG(2)(b)(iii)	Letter of transmittal	A certification by accountable authority that all reasonable measures have been taken to deal appropriately with fraud relating to the entity.	Mandatory
17AG(2)(c)	Part 4 Management and Accountability – Managing the ACCC and AER	An outline of structures and processes in place for the entity to implement principles and objectives of corporate governance.	Mandatory
17AG(2)(d)–(e)	Part 1 Year in Review – Corporate snapshot	A statement of significant issues reported to Minister under paragraph 19(1)(e) of the Act that relates to non-compliance with Finance law and action taken to remedy non-compliance.	If applicable, mandatory
Audit Committee			
17AG(2A)(a)	Part 4 Management and Accountability – Managing the ACCC and AER	A direct electronic address of the charter determining the functions of the entity's audit committee.	Mandatory
17AG(2A)(b)	Part 4 Management and Accountability – Managing the ACCC and AER	The name of each member of the entity's audit committee.	Mandatory
17AG(2A)(c)	Part 4 Management and Accountability – Managing the ACCC and AER	The qualifications, knowledge, skills or experience of each member of the entity's audit committee.	Mandatory
17AG(2A)(d)	Part 4 Management and Accountability – Managing the ACCC and AER	Information about the attendance of each member of the entity's audit committee at committee meetings.	Mandatory
17AG(2A)(e)	Part 4 Management and Accountability – Managing the ACCC and AER	The remuneration of each member of the entity's audit committee.	Mandatory
External Scrutiny			
17AG(3)	Part 4 Management and Accountability – External scrutiny	Information on the most significant developments in external scrutiny and the entity's response to the scrutiny.	Mandatory
17AG(3)(a)	Part 4 Management and Accountability – External scrutiny	Information on judicial decisions and decisions of administrative tribunals and by the Australian Information Commissioner that may have a significant effect on the operations of the entity.	If applicable, Mandatory

PGPA Rule Reference	Part of Report	Description	Requirement
17AG(3)(b)	Part 4 Management and Accountability – External scrutiny	Information on any reports on operations of the entity by the Auditor-General (other than report under section 43 of the Act), a Parliamentary Committee, or the Commonwealth Ombudsman.	If applicable, Mandatory
17AG(3)(c)	Part 4 Management and Accountability – External scrutiny	Information on any capability reviews on the entity that were released during the period.	If applicable, Mandatory
Management of Human Resources			
17AG(4)(a)	Part 4 Management and Accountability – Strategic objective 7	An assessment of the entity's effectiveness in managing and developing employees to achieve entity objectives.	Mandatory
17AG(4)(aa)	Part 6 Appendix 2	Statistics on the entity's employees on an ongoing and non-ongoing basis, including the following: (a) statistics on full-time employees; (b) statistics on part-time employees; (c) statistics on gender; (d) statistics on staff location.	Mandatory
17AG(4)(b)	Part 6 Appendix 2	Statistics on the entity's APS employees on an ongoing and non-ongoing basis; including the following: ■ Statistics on staffing classification level; ■ Statistics on full-time employees; ■ Statistics on part-time employees; ■ Statistics on gender; ■ Statistics on staff location; ■ Statistics on employees who identify as Indigenous.	Mandatory
17AG(4)(c)	Part 4 Management and Accountability – Strategic objective 7	Information on any enterprise agreements, individual flexibility arrangements, Australian workplace agreements, common law contracts and determinations under subsection 24(1) of the <i>Public Service Act 1999</i> .	Mandatory
17AG(4)(c)(i)	Part 6 Appendix 2	Information on the number of SES and non-SES employees covered by agreements etc identified in paragraph 17AG(4)(c).	Mandatory
17AG(4)(c)(ii)	Part 6 Appendix 2	The salary ranges available for APS employees by classification level.	Mandatory
17AG(4)(c)(iii)	Part 4 Management and Accountability – Strategic objective 7	A description of non-salary benefits provided to employees.	Mandatory
17AG(4)(d)(i)	Part 6 Appendix 2	Information on the number of employees at each classification level who received performance pay.	If applicable, Mandatory
17AG(4)(d)(ii)	Part 6 Appendix 2	Information on aggregate amounts of performance pay at each classification level.	If applicable, Mandatory
17AG(4)(d)(iii)	Part 6 Appendix 2	Information on the average amount of performance payment, and range of such payments, at each classification level.	If applicable, Mandatory

PGPA Rule Reference	Part of Report	Description	Requirement
17AG(4)(d)(iv)	Part 6 Appendix 2	Information on aggregate amount of performance payments.	If applicable, Mandatory
Assets Management			
17AG(5)	N/A	An assessment of effectiveness of assets management where asset management is a significant part of the entity's activities.	If applicable, mandatory
Purchasing			
17AG(6)	Part 4 Management and Accountability – Procurement	An assessment of entity performance against the <i>Commonwealth Procurement Rules</i> .	Mandatory
Reportable consultancy contracts			
17AG(7)(a)	Part 4 Management and Accountability – Procurement	A summary statement detailing the number of new reportable consultancy contracts entered into during the period; the total actual expenditure on all such contracts (inclusive of GST); the number of ongoing reportable consultancy contracts that were entered into during a previous reporting period; and the total actual expenditure in the reporting period on those ongoing contracts (inclusive of GST).	Mandatory
17AG(7)(b)	Part 4 Management and Accountability – Procurement	A statement that “During [reporting period], [specified number] new reportable consultancy contracts were entered into involving total actual expenditure of \$[specified million]. In addition, [specified number] ongoing reportable consultancy contracts were active during the period, involving total actual expenditure of \$[specified million]”.	Mandatory
17AG(7)(c)	Part 4 Management and Accountability – Procurement	A summary of the policies and procedures for selecting and engaging consultants and the main categories of purposes for which consultants were selected and engaged.	Mandatory
17AG(7)(d)	Part 4 Management and Accountability – Procurement and Asset Management	A statement that “Annual reports contain information about actual expenditure on reportable consultancy contracts. Information on the value of reportable consultancy contracts is available on the AusTender website.”	Mandatory
Reportable non-consultancy contracts			
17AG(7A)(a)	Part 4 Management and Accountability – Procurement	A summary statement detailing the number of new reportable non-consultancy contracts entered into during the period; the total actual expenditure on such contracts (inclusive of GST); the number of ongoing reportable non-consultancy contracts that were entered into during a previous reporting period; and the total actual expenditure in the reporting period on those ongoing contracts (inclusive of GST).	Mandatory
17AG(7A)(b)	Part 4 Management and Accountability – Procurement	A statement that “Annual reports contain information about actual expenditure on reportable non-consultancy contracts. Information on the value of reportable non-consultancy contracts is available on the AusTender website.”	Mandatory

PGPA Rule Reference	Part of Report	Description	Requirement
17AD(daa)	Additional information about organisations receiving amounts under reportable consultancy contracts or reportable non-consultancy contracts		
17AGA	Part 4 Management and Accountability – Procurement	Additional information, in accordance with section 17AGA, about organisations receiving amounts under reportable consultancy contracts or reportable non-consultancy contracts.	Mandatory
Australian National Audit Office Access Clauses			
17AG(8)	Part 4 Management and Accountability – Procurement	If an entity entered into a contract with a value of more than \$100,000 (inclusive of GST) and the contract did not provide the Auditor-General with access to the contractor's premises, the report must include the name of the contractor, purpose and value of the contract, and the reason why a clause allowing access was not included in the contract.	If applicable, Mandatory
Exempt contracts			
17AG(9)	Part 4 Management and Accountability – Procurement	If an entity entered into a contract or there is a standing offer with a value greater than \$10,000 (inclusive of GST) which has been exempted from being published in AusTender because it would disclose exempt matters under the FOI Act, the annual report must include a statement that the contract or standing offer has been exempted, and the value of the contract or standing offer, to the extent that doing so does not disclose the exempt matters.	If applicable, Mandatory
Small business			
17AG(10)(a)	Part 4 Management and Accountability – Procurement	A statement that "[Name of entity] supports small business participation in the Commonwealth Government procurement market. Small and Medium Enterprises (SME) and Small Enterprise participation statistics are available on the Department of Finance's website."	Mandatory
17AG(10)(b)	Part 4 Management and Accountability – Procurement	An outline of the ways in which the procurement practices of the entity support small and medium enterprises.	Mandatory
17AG(10)(c)	Part 4 Management and Accountability – Procurement	If the entity is considered by the Department administered by the Finance Minister as material in nature – a statement that "[Name of entity] recognises the importance of ensuring that small businesses are paid on time. The results of the Survey of Australian Government Payments to Small Business are available on the Treasury's website."	If applicable, Mandatory
Financial Statements			
17AD(e)	Part 5 Financial Statements	Inclusion of the annual financial statements in accordance with subsection 43(4) of the Act.	Mandatory
Executive Remuneration			
17AD(da)	Part 6 Appendix 3	Information about executive remuneration in accordance with Subdivision C of Division 3A of Part 2-3 of the Rule.	Mandatory
17AD(f)	Other Mandatory Information		

PGPA Rule Reference	Part of Report	Description	Requirement
17AH(1)(a)(i)	Part 6 Appendix 5:	If the entity conducted advertising campaigns, a statement that "During [reporting period], the [name of entity] conducted the following advertising campaigns: [name of advertising campaigns undertaken]. Further information on those advertising campaigns is available at [address of entity's website] and in the reports on Australian Government advertising prepared by the Department of Finance. Those reports are available on the Department of Finance's website."	If applicable, Mandatory
17AH(1)(a)(ii)	Part 6 Appendix 5:	If the entity did not conduct advertising campaigns, a statement to that effect.	If applicable, Mandatory
17AH(1)(b)	Part 4 Management and Accountability	A statement that "Information on grants awarded by [name of entity] during [reporting period] is available at [address of entity's website]."	If applicable, Mandatory
17AH(1)(c)	Part 4 Management and Accountability – Strategic objective 7	Outline of mechanisms of disability reporting, including reference to website for further information.	Mandatory
17AH(1)(d)	Part 4 Management and Accountability – External scrutiny	Website reference to where the entity's Information Publication Scheme statement pursuant to Part II of FOI Act can be found.	Mandatory
17AH(1)(e)	Part 4 Management and Accountability – External Scrutiny	Correction of material errors in previous annual report.	If applicable, mandatory
17AH(2)	Compliance index	Information required by other legislation.	Mandatory

Information required by other legislation

Subsection 17AH(2) of the PGPA Rule provides for the inclusion of other mandatory information in annual reports as required by an act or instrument. The ACCC is required to include information in its annual report by the *Competition and Consumer Act 2010* (Cth) (CCA), the *Work Health and Safety Act 2011* (Cth), the *Commonwealth Electoral Act 1918* (Cth) and the *Environment Protection and Biodiversity Conservation Act 1999* (Cth).

Competition and Consumer Act 2010 requirements

Under our enabling legislation, the Competition and Consumer Act, the ACCC is required to include the following matters in its annual report.

Section of CCA	Requirement	Part of Report
56CH(4)	Information about the performance of the Data Recipient Accreditor's functions, and the exercise of the Data Recipient Accreditor's powers	Part 6 Appendix 7 – Section 56CH(4) reporting requirements
56CL(4)	Information about the performance of the Accreditation Registrar's functions, and the exercise of the Accreditation Registrar's powers	Part 6 Appendix 7 – Section 56CL(4) reporting requirements
171(2)	Cumulative list of all Commonwealth, state and territory laws that the Commission knows about that authorise things for the purposes of s 51(1) of this Act or s 51(1) of the Competition Code (as defined in s 150A).	Part 6 Appendix 7 – <i>Exceptions under Commonwealth, state and territory legislation</i>
171(3)(aa)(i)	The time taken to make final determinations under s 44V in relation to access disputes.	Part 6 Appendix 7 <i>Time taken to make final determinations and decisions</i> – Final determinations on access disputes under section 44V
171(3)(aa)(ii)	The time taken to make decisions on access undertaking applications (within the meaning of s 44B) or access code applications (within the meaning of that section).	Part 6 Appendix 7 – <i>Time taken to make final determinations and decisions</i> – Decisions on access undertaking applications and access code applications
171(3)(aa)(iii)	The time taken to make decisions on applications under s 44PA(1).	Part 6 Appendix 7 – <i>Time taken to make final determinations and decisions</i> – Time taken to make decisions on applications under subsection 44PA(1)
171(3)(ab)(i)	The number of notification waiver applications made, and a general summary of the kinds of acquisitions to which the applications related.	Part 6 Appendix 7 – <i>Matters related to the mandatory merger control regime</i> – acquisitions provisions under the CCA
171(3)(ab)(ii)	The number of notifications of acquisitions made, and a general description of the kinds of acquisitions notified.	Part 6 Appendix 7 – <i>Matters related to the mandatory merger control regime</i> – acquisitions provisions under the CCA
171(3)(ab)(iii)	The number of notifications that the Commission decided were to be subject to phase 2 review, and a general summary of the circumstances in which the Commission made such decisions, relating to acquisitions provisions.	Part 6 Appendix 7 – <i>Matters related to the mandatory merger control regime</i> – acquisitions provisions under the CCA

Section of CCA	Requirement	Part of Report
171(3)(ab)(iv)	The number of acquisition determinations the Commission made that included conditions, and a general description of the kinds of conditions included.	Part 6 Appendix 7 – <i>Matters related to the mandatory merger control regime – acquisitions provisions under the CCA</i>
171(3)(ab)(v)	A general summary of the kinds of goodwill protection provisions specified in notifications of acquisitions.	Part 6 Appendix 7 <i>Matters related to the mandatory merger control regime – acquisitions provisions under the CCA</i>
171(3)(ab)(vi)	The number of declarations the Commission included in determinations under subsection 51ABZG(1), and a general summary of the circumstances in which the Commission included such declarations	Part 6 Appendix 7 <i>Matters related to the mandatory merger control regime – acquisitions provisions under the CCA</i>
171(3)(a)(i)	The number of notices given by the Commission under s 155.	Part 6 Appendix 7 – Notices under the CCA
171(3)(a)(iii)	The number of notices given by the Commission under s 155A.	Part 6 Appendix 7 – Notices under the CCA
171(3)(b)	A general description of the nature of the matters in respect of which the notices were given.	Part 6 Appendix 7 – Notices under the CCA
171(3)(c)	The number of proceedings brought to challenge the validity of the notices.	Part 6 Appendix 7 – Notices under the CCA <i>Challenges to the validity of notices</i>
171(3)(ca)	The number of search warrants issued by a judge under s 135Z or signed by a judge under s 136.	Part 6 Appendix 7 – Notices under the CCA <i>Search warrants issued or signed</i>
171(3)(d)	The number of search warrants issued by a magistrate under s 154X or signed by a magistrate under s 154Y.	Part 6 Appendix 7 – Notices under the CCA <i>Search warrants issued or signed</i>
171(3)(da)	A general description of the nature of the matters in respect of which the search warrants referred to in paragraph (ca) or (d) were issued or signed.	Part 6 Appendix 7 – Notices under the CCA <i>Search warrants issued or signed</i>
171(3)(db)	The number of proceedings brought to challenge the validity of the search warrants referred to in paragraph (ca) or (d).	Part 6 Appendix 7 – Notices under the CCA <i>Challenges to the validity of search warrants</i>
171(3)(dc)	The number of entries onto premises under s 133B or 133C, Division 6 of Part XI or Part XID.	Part 6 Appendix 7 – <i>Entry to premises</i>
171(3)(dd)	The number of designated complaints received by the Commission.	Part 6 Appendix 7 – <i>Designated complaints</i>
171(3)(de)(i)	The number of designated complaints in respect of which the Commission did not comply with section 154ZG	Part 6 Appendix 7 – <i>Designated complaints</i>
171(3)(de)(ii)	The number of designated complaints in respect of which the Commission did not comply with paragraph 154ZK(3)(b)	Part 6 Appendix 7 – <i>Designated complaints</i>
171(3)(e)	The number of complaints received by the Commission.	Part 6 Appendix 7 – <i>Complaints received by the ACCC</i>
171(3)(f)	A general summary of the kinds of complaints received by the Commission and how it dealt with them.	Part 3

Section of CCA	Requirement	Part of Report
171(3)(g)	A general description of the major matters investigated by the Commission.	Part 3
171(3)(h)	The number of times the Commission has intervened in proceedings and a general description of the reasons for doing so.	Part 6 Appendix 7 – <i>Intervention in proceedings</i>

National Energy Retail Law requirements

Under s206 of the *National Energy Retail Law* the AER is required to report on the following matters in its annual report.

Section	Requirement	Part of Report
s206(2)(c)	The number of notices (if any) given under during the reporting period to appear to provide information or to give evidence orally.	Part 6 Appendix 8

National Gas Law requirements

Under s42 of the *National Gas Law* the AER is required to report on the following matters in its annual report.

Section	Requirement	Part of Report
s42(2)(c)	The number of notices (if any) given during the reporting period to appear to provide information or to give evidence orally.	Part 6 Appendix 8
s42(17)	The number of notices given under this section for the purposes of a function under Division 1AA.	Part 6 Appendix 8

National Electricity Law requirements

Under s28 of the *National Electricity Law* the AER is required to report on the following matters in its annual report.

Section	Requirement	Part of Report
s28(2)(c)	The number of notices (if any) during the reporting period to appear to provide information or to give evidence orally.	Part 6 Appendix 8
s28 of the NEL for the purposes of a function under Division 1A	The number of notices given under this section for the purposes of a function under Division 1A.	Part 6 Appendix 8

Commonwealth Electoral Act 1918 requirements

Under s 311A of the *Commonwealth Electoral Act 1918*, the ACCC is required to report on the following matters in its annual report.

Requirement	Part of Report
A statement setting out particulars of all amounts more than \$17,300 paid by, or on behalf of, the Commonwealth Department during the financial year to: advertising agencies; market research organisations; polling organisations; direct mail organisations; and media advertising organisations; and the persons or organisations to whom those amounts were paid.	Part 6 Appendix 5

Work Health and Safety Act 2011 requirements

In accordance with Schedule 2, Part 4 of the *Work Health and Safety Act 2011*, the matters the ACCC must include in its annual report are as follows.

Section	Requirement	Part of Report
4(2)(a)	Initiatives taken during the year to ensure the health, safety and welfare of workers who carry out work for the entity.	Part 4 Management and Accountability
4(2)(b)	Health and safety outcomes (including the impact on injury rates of workers) achieved as a result of initiatives mentioned under paragraph (a) or previous initiatives.	Part 6 Appendix 4
4(2)(c)	Statistics of any notifiable incidents of which the entity becomes aware during the year that arose out of the conduct of businesses or undertakings by the entity.	Part 6 Appendix 4
4(2)(d)	Any investigations conducted during the year that relate to businesses or undertakings conducted by the entity, including details of all notices given to the entity during the year under Part 10 of the <i>Work Health and Safety Act 2011</i> .	Part 6 Appendix 4
4(2)(e)	Such other matters as are required by guidelines approved on behalf of the parliament by the Joint Committee of Public Accounts and Audit.	N/A

Environment Protection and Biodiversity Conservation Act 1999 requirements

Section 516A of the *Environment Protection and Biodiversity Conservation Act 1999* requires Commonwealth entities and Commonwealth companies to report on the following matters.

Section	Requirement	Part of Report
516A(6)(a)	How the activities of, and the administration (if any) of legislation by, the entity during the period accorded with the principles of ecologically sustainable development (ESD).	Part 6 Appendix 6
516A(6)(b)	How the outcomes (if any) specified for the entity in an Appropriations Act relating to the period contribute to ESD.	Part 6 Appendix 6
516A(6)(c)	The effect of the entity's activities on the environment.	Part 6 Appendix 6
516A(6)(d)	Any measures the reporter is taking to minimise the impact of activities by the entity on the environment.	Part 6 Appendix 6
516A(6)(e)	The mechanisms, if any, for reviewing and increasing the effectiveness of those measures.	Part 6 Appendix 6

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