

Australian Capital Territory

Competition Policy Reform Act 1996

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About this republication

The republished law

This is a republication of the *Competition Policy Reform Act 1996* (including any amendment made under the *Legislation Act 2001*, part 11.3 (Editorial changes)) as in force on 16 November 2025. It also includes any commencement, amendment, repeal or expiry affecting this republished law to 16 November 2025.

The legislation history and amendment history of the republished law are set out in endnotes 3 and 4.

Kinds of republications

The Parliamentary Counsel's Office prepares 2 kinds of republications of ACT laws (see the ACT legislation register at www.legislation.act.gov.au):

- authorised republications to which the *Legislation Act 2001* applies
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Editorial changes

The *Legislation Act 2001*, part 11.3 authorises the Parliamentary Counsel to make editorial amendments and other changes of a formal nature when preparing a law for republication. Editorial changes do not change the effect of the law, but have effect as if they had been made by an Act commencing on the republication date (see *Legislation Act 2001*, s 115 and s 117). The changes are made if the Parliamentary Counsel considers they are desirable to bring the law into line, or more closely into line, with current legislative drafting practice.

This republication does not include amendments made under part 11.3 (see endnote 1).

Uncommenced provisions and amendments

If a provision of the republished law has not commenced, the symbol **U** appears immediately before the provision heading. Any uncommenced amendments that affect this republished law are accessible on the ACT legislation register (www.legislation.act.gov.au). For more information, see the home page for this law on the register.

Modifications

If a provision of the republished law is affected by a current modification, the symbol **M** appears immediately before the provision heading. The text of the modifying provision appears in the endnotes. For the legal status of modifications, see the *Legislation Act 2001*, section 95.

Penalties

At the republication date, the value of a penalty unit for an offence against this law is $160 for an individual and $810 for a corporation (see *Legislation Act 2001*, s 133).



Australian Capital Territory

Competition Policy Reform Act 1996

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Australian Capital Territory

Competition Policy Reform Act 1996

An Act to apply certain laws of the Commonwealth relating to competition policy as laws of the Australian Capital Territory, and for other purposes

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Part 1 Preliminary

1 Name of Act

This Act is the *Competition Policy Reform Act 1996*.

2 Dictionary

The dictionary at the end of this Act is part of this Act.

Note 1 The dictionary at the end of this Act defines certain terms used in this Act and includes references (***signpost definitions***) to other terms defined elsewhere in this Act or in other legislation.

For example, the signpost definition '***officer***, of the Commonwealth—see the Competition and Consumer Act, section 150A.' means that the term 'officer' is defined in that section and the definition applies to this Act.

Note 2 A definition in the dictionary (including a signpost definition) applies to the entire Act unless the definition, or another provision of the Act, provides otherwise or the contrary intention otherwise appears (see Legislation Act, s 155 and s 156 (1)).

2A Notes

A note included in this Act is explanatory and is not part of this Act.

Note See the Legislation Act, s 127 (1), (4) and (5) for the legal status of notes.

3 Terms defined in Competition and Consumer Act

Terms defined in the Competition and Consumer Act have the same meanings in this Act.

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Part 2 Competition Code

4 Competition Code text

(1) The Competition Code text consists of—

(a) the schedule version of part 4; and

(b) the remaining provisions of the Competition and Consumer Act (except sections 2A, 5, 6 and 172), so far as they would relate to the schedule version if the schedule version were substituted for that Act, part 4.

Note A reference to a provision of an Act includes a reference to the statutory instruments made or in force under the provision, including regulations (see Legislation Act, s 104).

(2) For the purpose of forming part of the Competition Code text—

(a) the provisions referred to in subsection (1) (b) are to be modified as necessary to fit in with the schedule version of part 4; and

(b) in particular, references to corporations are to include references to persons who are not corporations.

5 Application of Competition Code

(1) The Competition Code text, as in force for the time being, applies as a law of the Australian Capital Territory.

(2) This section has effect subject to section 6.

6 Future modifications of Competition Code text

(1) A modification made by a Commonwealth law to the Competition Code text—

(a) does not apply under section 5 before the end of 2 months after the day of the making of the modification unless the Minister, by writing, declares that it applies from an earlier day; and

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(b) does not apply under that section at all if the Minister, by writing, declares that it is to be excluded from the operation of the section.

(2) A declaration under subsection (1) is a notifiable instrument.

(3) A declaration under subsection (1) (a)—

(a) cannot declare a day that is earlier than—

(i) the day of notification of the declaration under the Legislation Act; or

(ii) the day the modification of the text commences; and

(b) if it does appoint a day not allowed under paragraph (b)—is taken to declare the day of notification of the declaration or the day the modification of the text commences, whichever is the later.

(4) For this section, the day a modification to the Competition Code text commences is the day the Commonwealth Act making the modification receives the royal assent or the regulation making the modification is notified in the *Commonwealth of Australia Gazette*.

7 Interpretation of Competition Code

(1) The *Acts Interpretation Act 1901* (Cwlth) applies as a law of this jurisdiction to—

(a) the Competition Code of this jurisdiction; and

(b) any instrument under that code.

(2) For subsection (1), the Commonwealth Act mentioned in that subsection applies as if—

(a) the statutory provisions in the Competition Code of this jurisdiction were a Commonwealth Act; and

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(b) the regulations in the Competition Code of this jurisdiction or instruments mentioned in that subsection were regulations or instruments under a Commonwealth Act.

(3) The Legislation Act does not apply to—

(a) the Competition Code of the Territory; or

(b) any instrument under that code.

8 Application of Competition Code

(1) The Competition Code of this jurisdiction applies to and in relation to—

(a) persons carrying on business within this jurisdiction; or

(b) bodies corporate incorporated or registered under the law of this jurisdiction; or

(c) persons ordinarily resident in this jurisdiction; or

(d) persons otherwise connected with this jurisdiction.

(2) Subject to subsection (1), the Competition Code of this jurisdiction extends to conduct, and other acts, matters and things, occurring or existing outside or partly outside this jurisdiction (whether within or outside Australia).

(3) Where a claim under section 82 of the Competition Code of this jurisdiction is made in a proceeding, a person is not entitled to rely at a hearing in respect of that proceeding on conduct to which a provision of the code extends occurring outside Australia except with the consent in writing of the Commonwealth Minister.

(4) A person other than the Commonwealth Minister or the commission is not entitled to make an application to the court for an order under the Competition Code of this jurisdiction, section 87 (1) or (1A) in a proceeding in respect of conduct to which a provision of the code extends occurring outside Australia except with the consent in writing of the Commonwealth Minister.

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(5) The Commonwealth Minister is required to give a consent under subsection (3) or (4) in respect of a proceeding unless, in the opinion of the Commonwealth Minister—

(a) the law of the country in which the conduct concerned was engaged in required or specifically authorised the engaging in of the conduct; and

(b) it is not in the national interest that the consent be given.

(6) In this section:

Commonwealth Minister means a Minister of State for the Commonwealth administering the Competition and Consumer Act, part 4.

9 Special provisions

The references in the Competition Code of this or another participating jurisdiction, sections 45 and 45B to the ***commencement of this section*** are taken to be references to the commencement of the provision of the law of that jurisdiction that provides that the Competition Code text as in force for the time being applies as a law of that jurisdiction.

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Part 3 Citing the Competition Code

10 Citation of Competition Code of this jurisdiction

The Competition Code text applying as a law of this jurisdiction may be cited as the Competition Code of the Australian Capital Territory.

11 References to Competition Code

(1) The object of this section is to help ensure that the Competition Code of this jurisdiction can operate, in appropriate circumstances, as if that code, together with the Competition Code of each other participating jurisdiction, constituted a single national Competition Code applying throughout the participating jurisdictions.

(2) A reference in any instrument to the Competition Code is a reference to the Competition Codes of any or all of the participating jurisdictions.

(3) Subsection (2) has effect except so far as the contrary intention appears in the instrument or the context of the reference otherwise requires.

12 References to Competition Codes of other jurisdictions

(1) This section has effect for an Act, a law of this jurisdiction or an instrument under an Act or such a law.

(2) If a law of a participating jurisdiction other than this jurisdiction provides that the Competition Code text as in force for the time being applies as a law of that jurisdiction, the Competition Code of that jurisdiction is the Competition Code text, applying as a law of that jurisdiction.

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Part 4 Application of Competition Codes to Crown

13 Application law of this jurisdiction

The application law of this jurisdiction binds (so far as the legislative power of Parliament permits) the Crown in right of this jurisdiction and of each other jurisdiction, so far as the Crown carries on a business, either directly or by an authority of the jurisdiction concerned.

14 Application law of other jurisdictions

The application law of each participating jurisdiction other than this jurisdiction binds the Crown in right of this jurisdiction, so far as the Crown carries on a business, either directly or by an authority of this jurisdiction.

15 Activities that are not business

(1) For sections 13 and 14, the following do not amount to carrying on a business:

(a) imposing or collecting—

(i) taxes; or

(ii) levies; or

(iii) fees for licences;

(b) granting, refusing to grant, revoking, suspending or varying licences (whether or not they are subject to conditions);

(c) a transaction involving—

(i) only persons who are all acting for the Crown in the same right (and none of whom is an authority of a State); or

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(ii) only persons who are all acting for the same authority of a State; or

(iii) only the Crown in right of a State and 1 or more non-commercial authorities of that State; or

(iv) only non-commercial authorities of the same State;

(d) the acquisition of primary products by a government body under legislation, unless the acquisition occurs because—

(i) the body chooses to acquire the products; or

(ii) the body has not exercised a discretion that it has under the legislation that would allow it not to acquire the products.

(2) Subsection (1) does not limit the things that do not amount to carrying on a business for sections 13 and 14.

(3) In this section:

acquisition of primary products by a government body under legislation includes vesting of ownership of primary products in a government body by legislation.

government body means a State or an authority of a State.

licence means a licence that allows the licensee to supply goods or services.

primary products means—

(a) agricultural or horticultural produce; or

(b) crops, whether on or attached to the land or not; or

(c) animals (whether dead or alive); or

(d) the bodily produce (including natural increase) of animals.

(4) For this section, an authority of a State is ***non-commercial*** if—

(a) it is constituted by only 1 person; and

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(b) it is neither a trading corporation nor a financial corporation.

16 Crown not liable to pecuniary penalty or prosecution

(1) Nothing in the application law of this jurisdiction makes the Crown in any capacity liable to a pecuniary penalty or to be prosecuted for an offence.

(2) Without limiting subsection (1), nothing in the application law of a participating jurisdiction makes the Crown in right of this jurisdiction liable to a pecuniary penalty or to be prosecuted for an offence.

(3) The protection in subsection (1) or (2) does not apply to an authority of any jurisdiction.

17 Pt 4 overrides the prerogative

If, because of this part, a provision of the law of another participating jurisdiction binds the Crown in right of this jurisdiction, the Crown in that right is subject to that provision despite any prerogative right or privilege.

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Part 5 National administration and enforcement of Competition Codes

Division 5.1 Preliminary

18 Object of pt 5

The object of this part is to help ensure that the Competition Codes of the participating jurisdictions are administered on a uniform basis, in the same way as if those Codes constituted a single law of the Commonwealth.

Division 5.2 Conferral of functions

19 Conferral of functions and powers on certain bodies

The authorities and officers of the Commonwealth referred to in the Competition Code of this jurisdiction, including (but not limited to) the commission, the tribunal and the council, have the functions given to them under the Competition Code of this jurisdiction.

Note 1 ***Function*** includes authority, duty and power (see Legislation Act, dictionary, pt 1).

Note 2 A provision of a law that gives an entity (including a person) a function also gives the entity powers necessary and convenient to exercise the function (see Legislation Act, s 196 and dict, pt 1, def ***entity***).

20 Conferral of other functions and powers for law in this jurisdiction

The commission and the tribunal have power to do acts in this jurisdiction in the exercise of any function expressed to be conferred on them by the Competition Code of another participating jurisdiction.

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Division 5.3 Jurisdiction of courts

21 Jurisdiction of Federal Court

Jurisdiction is conferred on the Federal Court with respect to all civil and criminal matters arising under the Competition Code of this jurisdiction.

22 Jurisdiction of courts of this jurisdiction

Subject to section 23, the courts of this jurisdiction do not have jurisdiction with respect to the matters referred to in section 21.

23 Exercise of jurisdiction under cross-vesting provisions

This part does not affect the operation of any law of this jurisdiction relating to cross-vesting of jurisdiction.

Division 5.4 Offences

24 Object

(1) The object of this division is to further the object of this part by providing—

(a) for an offence against the Competition Code of this jurisdiction to be treated as if it were an offence against a law of the Commonwealth; and

(b) for an offence against the Competition Code of another participating jurisdiction to be treated in this jurisdiction as if it were an offence against a law of the Commonwealth.

(2) The purposes for which an offence is to be treated as mentioned in subsection (1) include, for example (but without limitation)—

(a) the investigation and prosecution of offences; and

(b) the arrest, custody, bail, trial and conviction of offenders or persons charged with offences; and

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(c) proceedings relating to a matter referred to in paragraph (a) or (b); and

(d) appeals and review relating to criminal proceedings and to proceedings of the kind referred to in paragraph (c); and

(e) the sentencing, punishment and release of persons convicted of offences; and

(f) fines, penalties and forfeitures; and

(g) liability to make reparation in connection with offences; and

(h) proceeds of crime; and

(i) spent convictions.

25 Application of Commonwealth laws to offences against Competition Code of this jurisdiction

(1) The Commonwealth laws apply as laws of this jurisdiction in relation to an offence against the Competition Code of this jurisdiction as if that code were a law of the Commonwealth and not a law of this jurisdiction.

(2) For a law of this jurisdiction, an offence against the Competition Code of this jurisdiction—

(a) is taken to be an offence against the laws of the Commonwealth, in the same way as if that code were a law of the Commonwealth; and

(b) is taken not to be an offence against the laws of this jurisdiction.

(3) Subsection (2) has effect for a law of this jurisdiction except as prescribed by regulation under this Act.

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26 Application of Commonwealth laws to offences against Competition Codes of other jurisdictions

(1) The Commonwealth laws apply as laws of this jurisdiction in relation to an offence against the Competition Code of another participating jurisdiction as if that code were a law of the Commonwealth and not a law of that other jurisdiction.

(2) For a law of this jurisdiction, an offence against the Competition Code of another participating jurisdiction—

(a) is taken to be an offence against the laws of the Commonwealth, in the same way as if that code were a law of the Commonwealth; and

(b) is taken not to be an offence against the laws of that jurisdiction.

(3) Subsection (2) has effect for a law of this jurisdiction except as prescribed by regulation under this Act.

(4) This section does not require, prohibit, empower, authorise or otherwise provide for, the doing of an act outside this jurisdiction.

27 Functions given to Commonwealth officers and authorities

(1) A Commonwealth law applying because of section 25 that gives a Commonwealth officer or authority a function in relation to an offence against the Competition and Consumer Act also gives the officer or authority the same function in relation to an offence against the corresponding provision of the Competition Code of this jurisdiction.

Note ***Function*** includes authority, duty and power (see Legislation Act, dictionary, pt 1).

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(2) A Commonwealth law applying because of section 26 that gives a Commonwealth officer or authority a function in relation to an offence against the Competition and Consumer Act also gives the officer or authority the same function in relation to an offence against the corresponding provision of the Competition Code of another participating jurisdiction.

(3) The function referred to in subsection (2) may only be exercised in this jurisdiction.

(4) In exercising a function given by subsection (1) or (2), the Commonwealth officer or authority must act as nearly as practicable as the officer or authority would act in exercising the same function in relation to an offence against the corresponding provision of the Competition and Consumer Act.

28 Restriction of functions of officers and authorities of this jurisdiction

Where, under this division, a function is given to a Commonwealth officer or authority, that function may not be exercised by an officer or authority of this jurisdiction.

Note ***Function*** includes authority, duty and power (see Legislation Act, dictionary, pt 1).

Division 5.5 Administrative law

29 Meaning of *Commonwealth administrative laws*—div 5.5

In this division:

Commonwealth administrative laws means the following:

(a) the *Administrative Review Tribunal Act 2024* (Cwlth), other than part 7 (Appeals and references of questions of law to Federal Court);

(b) the *Freedom of Information Act 1982* (Cwlth);

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(c) the *Ombudsman Act 1976* (Cwlth);

(d) the *Privacy Act 1988* (Cwlth).

Note A reference to a Cwlth Act includes a reference to the statutory instruments made or in force under that Act, including regulations (see Legislation Act, s 104).

30 Application of Commonwealth administrative laws to Competition Code of this jurisdiction

(1) The Commonwealth administrative laws apply as laws of this jurisdiction to any matter arising in relation to the Competition Code of this jurisdiction as if that code were a law of the Commonwealth and not a law of this jurisdiction.

(2) For a law of this jurisdiction, a matter arising in relation to the Competition Code of this jurisdiction—

(a) is taken to be a matter arising in relation to laws of the Commonwealth in the same way as if that code were a law of the Commonwealth; and

(b) is taken not to be a matter arising in relation to laws of this jurisdiction.

(3) Subsection (2) has effect for a law of this jurisdiction except as prescribed by regulation under this Act.

31 Application of Commonwealth administrative laws to Competition Codes of other jurisdictions

(1) The Commonwealth administrative laws apply as laws of this jurisdiction to any matter arising in relation to the Competition Code of another participating jurisdiction as if that code were a law of the Commonwealth and not a law of that jurisdiction.

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(2) For a law of this jurisdiction, a matter arising in relation to the Competition Code of another participating jurisdiction—

(a) is taken to be a matter arising in relation to laws of the Commonwealth in the same way as if that code were a law of the Commonwealth; and

(b) is taken not to be a matter arising in relation to laws of that jurisdiction.

(3) Subsection (2) has effect for a law of this jurisdiction except as prescribed by regulation under this Act.

(4) This section does not require, prohibit, empower, authorise or otherwise provide for, the doing of an act outside this jurisdiction.

32 Functions given to Commonwealth officers and authorities—administrative law

(1) A Commonwealth administrative law applying because of section 30 that gives a Commonwealth officer or authority a function also gives the officer or authority the same function in relation to a matter arising in relation to the Competition Code of this jurisdiction.

Note ***Function*** includes authority, duty and power (see Legislation Act, dictionary, pt 1).

(2) A Commonwealth administrative law applying because of section 31 that gives a Commonwealth officer or authority a function also gives the officer or authority the same function in relation to a matter arising in relation to the Competition Code of another participating jurisdiction.

(3) The function referred to in subsection (2) may only be exercised in this jurisdiction.

(4) In exercising a function given by subsection (1) or (2), the Commonwealth officer or authority must act as nearly as practicable as the officer or authority would act in exercising the same function under the Commonwealth administrative law.

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33 Restriction of functions of officers and authorities of this jurisdiction—administrative law

Where, under this division, a function is given to a Commonwealth officer or authority, that function may not be exercised by an officer or authority of this jurisdiction.

33A References to the Administrative Review Tribunal Act 2024 (Cwlth), pt 7

For sections 30 and 31, a reference in a provision of the *Administrative Review Tribunal Act 2024* (Cwlth) (as that provision applies as a law of this jurisdiction) to that Act, part 7 (Appeals and references of questions of law to Federal Court), or any provision of that part, is a reference to the part or provision of that part as it has effect as a law of the Commonwealth.

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Part 6 Miscellaneous

34 No doubling-up of liabilities

(1) If—

(a) an act or omission is an offence against the Competition Code of this jurisdiction and is also an offence against the Competition and Consumer Act or an application law of another participating jurisdiction; and

(b) the offender has been punished for the offence under the Competition and Consumer Act or the application law of the other jurisdiction;

the offender is not liable to be punished for the offence against the Competition Code of this jurisdiction.

(2) If a person has been ordered to pay a pecuniary penalty under the Competition and Consumer Act or the application law of another participating jurisdiction, the person is not liable to a pecuniary penalty under the Competition Code of this jurisdiction in respect of the same conduct.

35 Things done for multiple purposes

The validity of an authorisation, notification or any other thing given or done for the Competition Code of this jurisdiction is not affected only because it was given or done also for the Competition and Consumer Act or the Competition Code of 1 or more other jurisdictions.

36 Reference in Commonwealth law to a provision of another law

For section 25, 26, 30 or 31, a reference in a Commonwealth law to a provision of that or another Commonwealth law is taken to be a reference to that provision as applying because of that section.

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37 Fees and other money

(1) All fees, taxes, penalties (including pecuniary penalties referred to in the Competition Code, section 76), fines and other money that, under the application law of this jurisdiction, are authorised or directed to be payable by or imposed on any person must be paid to the Commonwealth.

(2) Subsection (1) does not apply to amounts recovered for loss or damage as referred to in the Competition Code, section 82 or 87 and other amounts prescribed by regulation under this Act.

(3) This subsection imposes the fees (including fees that are taxes) that the regulations in the Competition Code of this jurisdiction prescribe.

38 Regulation-making power

The Executive may make regulations for this Act.

39 Regulations for exceptions under Competition and Consumer Act, s 51 or code

Without limiting any other power to make regulations under any other Act, regulations may be made under this Act specifically authorising a specified thing to be done in this jurisdiction and referring expressly to the Competition and Consumer Act or the Competition Code.

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Dictionary

(see s 2)

Note 1 The Legislation Act contains definitions and other provisions relevant to this Act.

Note 2 For example, the Legislation Act, dict, pt 1 defines the following terms:

- function
- Minister
- notifiable instrument.

application law means—

(a) a law of a participating jurisdiction that applies the Competition Code, either with or without modifications, as a law of the participating jurisdiction; or

(b) the Competition Code, applying as a law of the participating jurisdiction, either with or without modifications.

Note A reference to an Act includes a reference to the statutory instruments made or in force under the Act, including regulations (see Legislation Act, s 104).

commission means the Australian Competition and Consumer Commission established by the Competition and Consumer Act, section 6A, and includes a member of the commission or a division of the commission performing functions of the commission.

Commonwealth administrative laws, for division 5.5 (Administrative law)—see section 29.

Competition and Consumer Act means the *Competition and Consumer Act 2010* (Cwlth).

Competition Code means (according to the context)—

(a) the Competition Code text; or

(b) the Competition Code text, applying as a law of a participating jurisdiction, either with or without modifications.

Competition Code text means the text described in section 4.

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Conduct Code Agreement means the Conduct Code Agreement made on 11 April 1995 between the Commonwealth, the State of New South Wales, the State of Victoria, the State of Queensland, the State of Western Australia, the State of South Australia, the State of Tasmania, the Australian Capital Territory and the Northern Territory of Australia, as in force for the time being.

council means the National Competition Council established by the Competition and Consumer Act, section 29A.

instrument means any document whatever, including—

(a) an Act or an instrument made under an Act; or

(b) a law of this jurisdiction or an instrument made under such a law; or

(c) an award or other industrial determination or order, or an industrial agreement; or

(d) any other order (whether executive, judicial or otherwise); or

(e) a notice, certificate or licence; or

(f) an agreement; or

(g) an application made, information or complaint laid, affidavit sworn, or warrant issued, for any purpose; or

(h) an indictment, presentment, summons or writ; or

(i) any other pleading in, or process issued in connection with, a legal or other proceeding.

jurisdiction means a State.

law, in relation to a Territory, means a law of, or in force in, that Territory.

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month means a period commencing at the beginning of a day of 1 of the 12 months of the year and ending immediately before the beginning of the corresponding day of the next month or, if there is no such corresponding day, ending at the expiration of the next month.

officer, of the Commonwealth—see the Competition and Consumer Act, section 150A.

participating jurisdiction means a jurisdiction that is a party to the Conduct Code Agreement and applies the Competition Code as a law of the jurisdiction, either with or without modifications.

schedule version of part 4 means the text that is set out in the Competition and Consumer Act, schedule.

State includes a Territory.

Territory means the Australian Capital Territory or the Northern Territory of Australia.

this jurisdiction means the Australian Capital Territory.

tribunal means the Australian Competition tribunal referred to in the Competition and Consumer Act, and includes a member of the tribunal or a division of the tribunal performing functions of the tribunal.

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Endnotes

1 About the endnotes

Amending and modifying laws are annotated in the legislation history and the amendment history. Current modifications are not included in the republished law but are set out in the endnotes.

Not all editorial amendments made under the *Legislation Act 2001*, part 11.3 are annotated in the amendment history. Full details of any amendments can be obtained from the Parliamentary Counsel's Office.

Uncommenced amending laws are not included in the republished law. The details of these laws are underlined in the legislation history. Uncommenced expiries are underlined in the legislation history and amendment history.

If all the provisions of the law have been renumbered, a table of renumbered provisions gives details of previous and current numbering.

The endnotes also include a table of earlier republications.

2 Abbreviation key

A = Act
AF = Approved form
am = amended
amdt = amendment
AR = Assembly resolution
ch = chapter
CN = Commencement notice
def = definition
DI = Disallowable instrument
dict = dictionary
disallowed = disallowed by the Legislative Assembly
div = division
exp = expires/expired
Gaz = gazette
hdg = heading
IA = Interpretation Act 1967
ins = inserted/added
LA = Legislation Act 2001
LR = legislation register
LRA = Legislation (Republication) Act 1996
mod = modified/modification
NI = Notifiable instrument
o = order
om = omitted/repealed
ord = ordinance
orig = original
par = paragraph/subparagraph
pres = present
prev = previous
(prev...) = previously
pt = part
r = rule/subrule
reloc = relocated
renum = renumbered
R[X] = Republication No
RI = reissue
s = section/subsection
sch = schedule
sdiv = subdivision
SL = Subordinate law
sub = substituted
underlining = whole or part not commenced or to be expired

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3 Legislation history

Competition Policy Reform Act 1996 A1996-21
notified 4 June 1996 (Gaz 1996 No S101)
ss 1-3 and 40-45 commenced 4 June 1996 (s 2 (1))
remainder commenced 20 July 1996 s 2 (2))

as amended by

Legislation (Consequential Amendments) Act 2001 A2001-44 pt 71
notified 26 July 2001 (Gaz 2001 No 30)
s 1, s 2 commenced 26 July 2001 (IA s 10B)
amdt 1.787, amdt 1.789 commenced 14 September 2001 (amdt 1.787, amdt 1.789)
pt 71 remainder commenced 12 September 2001 (s 2 and see Gaz 2001 No S65)

Jurisdiction of Courts Legislation Amendment Act 2001 A2001-71 sch 1 pt 1
notified LR 14 September 2001
commenced 14 September 2001 (s 2)

Legislation Amendment Act 2002 A2002-11 pt 2.9
notified LR 27 May 2002
s 1, s 2 commenced 27 May 2002 (LA s 75)
pt 2.9 commenced 28 May 2002 (s 2 (1))

Statute Law Amendment Act 2007 A2007-3 sch 3 pt 3.22
notified LR 22 March 2007
s 1, s 2 taken to have commenced 1 July 2006 (LA s 75 (2))
sch 3 pt 3.22 commenced 12 April 2007 (s 2 (1))

Fair Trading (Australian Consumer Law) Amendment Act 2010 A2010-54 sch 3 pt 3.5
notified LR 16 December 2010
s 1, s 2 commenced 16 December 2010 (LA s 75 (1))
sch 3 pt 3.5 commenced 1 January 2011 (s 2 (1))

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Statute Law Amendment Act 2025 A2025-29 sch 3 pt 3.19, sch 4 pt 4.37

notified LR 6 November 2025

s 1, s 2 commenced 6 November 2025 (LA s 75 (1))

sch 3 pt 3.19, sch 4 pt 4.37 commenced 16 November 2025 (s 2 (1), (9))

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4 Amendment history

Name of Act
s 1 sub A2001-71 amdt 1.1

Dictionary
s 2 sub A2001-71 amdt 1.1
am A2010-54 amdt 3.12

Notes
s 2A ins A2007-3 amdt 3.109

Terms defined in Competition and Consumer Act
s 3 hdg am A2010-54 amdt 3.12
s 3 defs reloc to dict A2001-71 amdt 1.3
am A2001-71 amdt 1.4; A2010-54 amdt 3.12
def ***modifications*** om A2001-71 amdt 1.2
def ***officer*** om A2001-71 amdt 1.2

Competition Code text
s 4 am A2001-44 amdt 1.785; A2010-54 amdt 3.12

Future modifications of Competition Code text
s 6 sub A2001-44 amdt 1.786
am A2025-29 amdt 4.37

Interpretation of Competition Code
s 7 am A2002-11 amdt 2.17

Application of Competition Code
s 8 am A2010-54 amdt 3.12

Preliminary
div 5.1 hdg (prev pt 5 div 1 hdg) renum R1 LA

Conferral of functions
div 5.2 hdg (prev pt 5 div 2 hdg) renum R1 LA

Jurisdiction of courts
div 5.3 hdg (prev pt 5 div 3 hdg) renum R1 LA

Offences
div 5.4 hdg (prev pt 5 div 4 hdg) renum R1 LA

Functions given to Commonwealth officers and authorities
s 27 am A2010-54 amdt 3.12

Administrative law
div 5.5 hdg (prev pt 5 div 5 hdg) renum R1 LA

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Meaning of *Commonwealth administrative laws*—div 5.5

s 29 hdg sub A2007-3 amdt 3.110
s 29 def ***Commonwealth administrative laws*** sub A2001-44 amdt 1.787
am A2001-71 amdt 1.5; A2025-29 amdt 3.56

References to the Administrative Review Tribunal Act 2024 (Cwlth), pt 7

s 33A hdg sub A2025-29 amdt 3.57
s 33A ins A2001-71 amdt 1.6
am A2025-29 amdt 3.58

No doubling-up of liabilities

s 34 am A2010-54 amdt 3.12

Things done for multiple purposes

s 35 am A2010-54 amdt 3.12

Regulation-making power

s 38 sub A2001-44 amdt 1.788
am A2025-29 amdt 4.37

Regulations for exceptions under Competition and Consumer Act, s 51 or code

s 39 hdg am A2010-54 amdt 3.12
s 39 am A2010-54 amdt 3.12

Transitional rules

pt 7 hdg om A2007-3 amdt 3.111

Definitions for pt 7

s 40 om A2007-3 amdt 3.111
def ***code*** om A2007-3 amdt 3.111
def ***cut-off date*** om A2007-3 amdt 3.111
def ***existing contract*** om A2007-3 amdt 3.111
def ***operative date*** om A2007-3 amdt 3.111

Existing contracts

s 41 om A2007-3 amdt 3.111

Section 51 exceptions

s 42 om A2001-71 amdt 1.7

Temporary exemption form pecuniary penalties

s 43 om A2001-71 amdt 1.7

Advance authorisations

s 44 om A2001-71 amdt 1.7

Regulations relating to savings and transitional matters

s 45 om A2001-71 amdt 1.7

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Dictionary

dict

ins A2001-71 amdt 1.8
def ***application law*** sub A2001-44 amdt 1.789
reloc from s 3 A2001-71 amdt 1.3
def ***commission*** reloc from s 3 A2001-71 amdt 1.3
am A2010-54 amdt 3.12
def ***Commonwealth administrative laws*** ins A2007-3 amdt 3.112
def ***Competition and Consumer Act*** ins A2010-54 amdt 3.13
def ***Competition Code*** reloc from s 3 A2001-71 amdt 1.3
def ***Competition Code text*** reloc from s 3 A2001-71 amdt 1.3
def ***Conduct Code Agreement*** reloc from s 3 A2001-71 amdt 1.3
def ***council*** reloc from s 3 A2001-71 amdt 1.3
am A2010-54 amdt 3.14
def ***instrument*** reloc from s 3 A2001-71 amdt 1.3
def ***jurisdiction*** reloc from s 3 A2001-71 amdt 1.3
def ***law*** reloc from s 3 A2001-71 amdt 1.3
def ***month*** reloc from s 3 A2001-71 amdt 1.3
def ***officer*** ins A2001-71 amdt 1.8
am A2010-54 amdt 3.14
def ***participating jurisdiction*** reloc from s 3 A2001-71 amdt 1.3
def ***schedule version of part 4*** reloc from s 3 A2001-71 amdt 1.3
am A2010-54 amdt 3.14
def ***State*** reloc from s 3 A2001-71 amdt 1.3
def ***Territory*** reloc from s 3 A2001-71 amdt 1.3
def ***this jurisdiction*** reloc from s 3 A2001-71 amdt 1.3
def ***Trade Practices Act*** reloc from s 3 A2001-71 amdt 1.3
om A2010-54 amdt 3.15
def ***tribunal*** reloc from s 3 A2001-71 amdt 1.3
am A2010-54 amdt 3.16

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5 Earlier republications

Some earlier republications were not numbered. The number in column 1 refers to the publication order.

Since 12 September 2001 every authorised republication has been published in electronic pdf format on the ACT legislation register. A selection of authorised republications have also been published in printed format. These republications are marked with an asterisk (*) in column 1. Electronic and printed versions of an authorised republication are identical.

Republication No	Amendments to	Republication date
1	A2001-71	25 January 2002
2	A2002-11	30 May 2002
3	A2007-3	12 April 2007
4	A2010-54	1 January 2011

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