

Independent Competition and Regulatory Commission (Investigation into motor vehicle fuel prices in the ACT) Terms of Reference Determination 2019

Disallowable instrument DI2019–18

made under the

Independent Competition and Regulatory Commission Act 1997 (the Act), Section 15 (nature of industry references) and Section 16 (terms of industry reference)

EXPLANATORY STATEMENT

The purpose of this instrument is to refer to the Independent Competition and Regulatory Commission (the Commission), pursuant to section 15 of the Act, an investigation into motor vehicle petrol prices in the ACT.

The Terms of Reference for the investigation, issued under Section 16 of the Act, outline the specific issues to be considered.

As part of its investigation, the Commission will be required to undertake a factual analysis of petrol prices and competition in the ACT market. This will include consideration of a number of matters including:

- Comparisons of average petrol prices and costs faced by petrol suppliers with other capital cities and regional towns in proximity to the ACT;
- how petrol prices are determined in the ACT;
- the nature of costs faced by ACT petrol suppliers in the Territory;
- the structure of the market, including any variation observed across different locations within the ACT; and
- whether there is effective competition in the ACT market, including whether barriers to entry exist and the level of information available to consumers.

As part of its investigation, the Commission will be required to release a draft report, undertake public consultation and consider submissions from stakeholders.

The Commission is required to provide its final report to the Treasurer by 28 June 2019.