



# **Amendments to CCA – Establishing a designated complaints function within the ACCC**



- The ACCC receives thousands of complaints each year. As the process of making a complaint is undifferentiated, it is difficult for the ACCC to discern and address systematic, widespread or urgent complaints.
- The Government has therefore introduced the Competition and Consumer Amendment (Fair Go for Consumers and Small Business) Bill 2024 to enable complaints raised by designated groups to be addressed in a different way to those raised through the usual channels.
- Known as the 'designated complaints function', it will increase the speed and transparency with which 'super complaints' raised by designated complainants are addressed.

# Timeline



**March  
2024**

Parliament passed the Competition and Consumer Amendment (Fair Go for Consumers and Small Business) Bill.



**May 2 - 24  
2024**

Timeframe within which the first applications to become a designated complainant are to be made.



**June  
2024**

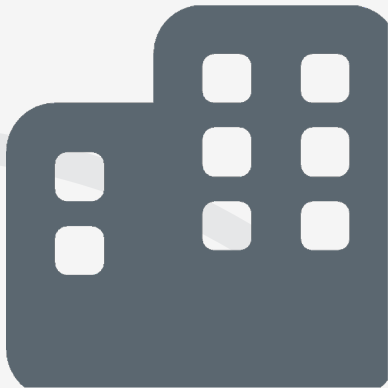
First tranche of designated complainants likely to be published on the Treasury's website.



**July  
2024**

The scheme is expected to commence with the first 'super complaints' received.

# Designated complainants



- The Minister will approve entities to be designated complainants. Any entity may apply, including individuals, corporations, a body corporate, a corporation sole, a body politic, a partnership, unincorporated associations and trusts.
- Examples of entities likely to become designated complainants include an ombudsman, a peak body, or a consumer advocate group.
- A list of designated entities will be publicly available on the Treasury's website.
- There is a limit on the number of designated complainants the Minister will approve and on the number of complaints that a designated complainant may make.

# ACCC response to 'super complaints'



- The ACCC must assess and publicly respond to the designated complaint within 90 days.
- It must provide a 'further action' or 'no further action' notice within the 90 day timeframe.
- If 'further action' is required, it must list what action will be taken in response to the complaint.
- The ACCC must also publish other certain information on its website.

# Actions for consumer products companies

- Obtain a list of designated complainants from the Treasury's website. This is likely to be published in June 2024 once the application period has closed.
- Discern which designated complainants are relevant to your industry.
- From July 2024 onwards, monitor the ACCC's website for 'super complaints' made by designated complainants and identify common areas.
- Audit your practices in common areas.
- Seek advice to audit and proactively address compliance. Chat to our regulatory compliance partners Raph Goldenberg, Peter George and Kaye Ho.



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