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One of the more pressing issues facing business leaders is how to operate and expand their companies in an increasingly competitive global environment. Australian businesses, large and small, need to be assured that legislation will not act against continued growth and productivity. And consumers need to feel assured that their interests are being looked after. The lead article in this issue of *ACCC update* takes a look at the review of the competition provisions of the TPA.

The Australian Competition and Consumer Commission remains dedicated to strong and effective trade practices legislation to ensure the success and fairness of Australia's business activity. While various aspects of the Trade Practices Act have been reviewed over the past few years, there has not been a comprehensive review of the competition provisions (Part IV) since the Hilmer committee reported in 1993.

In its submission to the review committee, the ACCC strongly supports the introduction of jail sentences for hard-core, high-level collusion—which would put it in line with Australia's major trading partners such as the United States, Japan and Britain. It also supports the introduction of an 'effects test' to supplement the existing purpose test, when assessing whether businesses are misusing their market power.

While concern has been expressed in the business community about mergers, the ACCC considers that s. 50 of the Act and its own informal clearance process for merger assessments is working well. The ACCC is not persuaded that any significant change is required to either.

In a report released in April this year, *Report on the Nature and Impact of Hard Core Cartels*, the OECD calls for strong sanctions against enterprises and individuals to increase the effectiveness of leniency programs

in uncovering cartels and provide incentives for cartel participants to cooperate with investigators and 'blow the whistle'.

The report, following a survey of cartel cases conducted by member nations, declares that cartels harm consumers and have pernicious effects on economic efficiency. It is also covered in this issue of *ACCC update*.

The issue of leniency and cooperation policy was also tackled at an ACCC conference on law enforcement, held in Sydney on 4 and 5 July 2002. This is further addressed in this issue.

But it's not all about enforcing the law. Other stories look at recent successes in regional and rural areas with the ACCC holding a very successful Competing Fairly Forum in May this year, and the expansion of the Rural and Regional Network.

We hope that the breadth of stories in this issue offers something of interest to all our readers.