

# Released under FOI



## ACCC Minute

**Office** Canberra

**Trackit No.** 58857

**Date** 1 April 2016

**To** Rod Sims

**Cc** Nigel Ridgway, John Jamieson, Wendy Peter

**From** Neville Matthew

**Subject:** Nomination of ACCC representative at the conference about the interim ban on hoverboards that do not meet specific safety requirements

### Purpose

To seek your nomination pursuant to s.132H(1)(a) of the *Competition and Consumer Act 2010* (CCA) of Commissioner Sarah Court to represent the ACCC at a conference to be held in relation to the interim ban on hoverboards that do not meet specific safety requirements.

### Background

On 18 March 2016, the Minister for Small Business and Assistant Treasurer imposed an interim ban on hoverboards that do not meet specific safety requirements, pursuant to s.109 of the Australian Consumer Law.

The Minister also published a notice pursuant to s.132E, inviting suppliers of hoverboards to notify the ACCC in writing within 10 days of the commencement of the interim ban if they wished the ACCC to hold a conference in relation to the interim ban.

The ACCC received six requests for a conference.

Conference details are still being finalised but we have scheduled the conference for 10:00 am on 11 April 2016 at the Melbourne office. The six suppliers are in Melbourne, Sydney and Adelaide. Interstate suppliers will attend the conference by VCU from ACCC offices, accompanied by ACCC staff.

The Minister is entitled to attend the conference in person or to nominate a person or persons to attend, pursuant to s 132H(d) of the CCA. The Minister's office has indicated that the Minister will not attend or send a representative.

Section 132F provides that the ACCC must give written notice to the Minister of the date, time and place of the conference. An Executive Minute has been drafted to serve this purpose.

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Section 132H of the CCA sets out requirements for the conduct of conferences in relation to interim bans. Section 132H(1)(a) provides that the Commission must be represented at the conference by a member or members of the Commission who are nominated by the Chairperson.

## Recommendation

That, pursuant to s 132H(1)(a), you nominate Commissioner Sarah Court to represent the Commission at the proposed conference in relation to the interim ban on hoverboards that do not meet specific safety requirements.

Chairman: Commissioner Court is Nominated / Not Nominated

Signed: .....

Date: .....