

# **Australian Competition and Consumer Commission**

**Entity resources and  
planned performance**



# Australian Competition and Consumer Commission

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# Australian Competition and Consumer Commission

## Section 1: Entity overview and resources

### 1.1 Strategic direction statement

The Australian Competition and Consumer Commission (ACCC) is an independent Commonwealth statutory authority whose role is to enforce the *Competition and Consumer Act 2010* (CCA) and a range of additional legislation, promoting competition, fair trading, consumer protection, and regulating national infrastructure for the benefit of all Australians.

The Australian Energy Regulator (AER) regulates energy markets and networks under national legislation and rules. The AER has an independent Board.

The ACCC and AER share staff, resources and facilities.

The roles of the ACCC and AER are founded on the principle that competition provides the best incentive for businesses to become more efficient, innovative and flexible and to operate in the long-term interests of consumers. Competition is a positive force that promotes economic growth and job creation.

It falls to the ACCC to determine which competition, consumer, fair trading and product safety matters it investigates, although it also receives directions on market studies and inquiries and industry monitoring from the Minister. The ACCC's role is to focus on those matters that have the potential to harm the competitive process or result in widespread consumer detriment.

The ACCC directs its resources to matters that provide the greatest overall benefit for competition and consumers. Each year the ACCC reviews its competition, consumer protection and fair-trading priorities, as set out in the ACCC Compliance and Enforcement Policy.

The ACCC also annually updates its product safety priorities to identify and address the risk of serious injury and death from unsafe consumer products.

The ACCC continues to prioritise work to educate and inform consumers about their rights under the Australian Consumer Law, as well as our work educating and informing consumers about the risks associated with scams.

The ACCC will continue to assess and review mergers via the informal clearance process to prevent changes in market structures that would substantially lessen competition. It will also continue to assess conduct and agreements that may breach relevant competition laws but which should be authorised because there is expected to be a net public benefit.

The ACCC will continue to focus on its role in relation to implementing and enforcing the Consumer Data Right, which provides consumers with more access to and control of their personal data, to promote competition across the economy.

The ACCC is the national regulator of natural monopoly infrastructure services in communication, postal services and rail industries, and has specific regulatory roles in relation to bulk water and bulk wheat port facilities. The ACCC also has a role in enforcing industry-specific competition and market rules in some infrastructure-based markets, such as retail electricity. Promoting efficient infrastructure provision through industry-specific regulation and access conditions is a major focus of the ACCC's economic regulatory role.

The ACCC also monitors other sectors (such as major airports, container stevedoring, petrol and communications) where there is limited competition or high consumer concern to provide information to governments and the public about the operation of the relevant markets.

In 2022–23 the ACCC will continue to focus on markets characterised by a lack of transparency or insufficient competition which inhibit efficient market outcomes. This includes undertaking inquiries, industry analysis and reporting activities covering a broad range of sectors, including gas and electricity, digital platforms, childcare, domestic aviation, agriculture, financial services, private health insurance and home, contents and strata insurance in northern Australia.

When undertaking all these key activities the ACCC will continue to engage extensively with a wide range of stakeholders to:

- achieve outcomes that enhance the welfare of all Australians
- minimise the regulatory burden for businesses without compromising its statutory responsibilities to promote competition and protect consumers.

The ACCC also seeks to contribute to the continuous improvement of regulatory frameworks to deliver on our purpose to, 'make markets work for consumers, now and in the future'.

The AER exists so that energy consumers are better off, now and in the future. The AER regulates wholesale and retail energy markets, and energy networks, under national energy legislation and rules. The AER has functions in all states and territories except Western Australia. We place consumers at the heart of our work, and are focused on ensuring a secure, reliable and affordable energy future for Australia as it transitions to net zero emissions.

In December 2020 the AER finalised and launched its *Strategic Plan 2020–2025*. The outcomes sought are grounded in the former Council of Australian Government (COAG) Strategic Energy Plan. To achieve these outcomes the AER has four objectives:

- protect vulnerable consumers, while enabling consumers to participate in energy markets
- effectively regulate competitive markets primarily through monitoring and reporting, and enforcement and compliance
- deliver efficient regulation of monopoly infrastructure while incentivising networks to become platforms for energy services
- use our expertise to inform debate about Australia’s energy future and support the energy transition.

## 1.2 Entity resource statement

Table 1.1 shows the total funding from all sources available to the entity for its operations and to deliver programs and services on behalf of the Government.

The table summarises how resources will be applied by outcome (government strategic policy objectives) and by administered (on behalf of the Government or the public) and departmental (for the entity’s operations) classification.

For more detailed information on special accounts and special appropriations, please refer to the October *Budget Paper No. 4 – Agency Resourcing*.

Information in this table is presented on a resourcing (that is, appropriations/cash available) basis, whilst the ‘Budgeted expenses by Outcome 1’ tables in Section 2 and the financial statements in Section 3 are presented on an accrual basis.

**Table 1.1: Australian Competition and Consumer Commission resource statement – Budget estimates for 2022–23 as at October Budget 2022**

	2021-22 <i>Estimated actual \$'000</i>	2022-23 Estimate \$'000
<b>Departmental</b>		
Annual appropriations - ordinary annual services (a)		
Prior year appropriations available	53,877	81,663
Departmental appropriation (b)	288,855	290,455
s74 External Revenue (c)	4,534	3,410
Departmental capital budget (d)	32,172	31,666
Annual appropriations - other services - non-operating (e)		
Prior year appropriations available	24,128	24,128
Equity injection	1,100	14,000
Total departmental annual appropriations	<b>404,666</b>	<b>445,322</b>
<b>Administered</b>		
Special appropriations (f)	20	20
<b>Total administered resourcing</b>	<b>20</b>	<b>20</b>
<b>Total resourcing for ACCC</b>	<b>404,686</b>	<b>445,342</b>
	2021-22	2022-23
<b>Average staffing level (number)</b>	1,245	1,332



**Table 1.1: Australian Competition and Consumer Commission resource statement – Budget estimates for 2022–23 as at October Budget 2022 (continued)**

**Third party payments from and on behalf of the National Competition Council (NCC)**

	<i>2021-22 Estimated actual \$'000</i>	<i>2022-23 Estimate \$'000</i>
Payments made on behalf of the NCC (as disclosed in the NCCs resource statement)	1,731	1,683
Receipts received from other entities for the provision of services (disclosed above in s74 External Revenue section above)	850	850

All figures shown above are GST exclusive – these may not match figures in the cash flow statement.

Prepared on a resourcing (that is, appropriations available) basis.

- a) Appropriation Bill (No. 1) 2022–23, Supply Bill (No. 3) 2022–23 and *Supply Act (No. 1) 2022–23*.
- b) Excludes departmental capital budget (DCB).
- c) Estimated External Revenue receipts under section 74 of the PGPA Act.
- d) Departmental capital budgets are not separately identified in Appropriation Bill (No. 1) and form part of ordinary annual services items. Please refer to Table 3.5 for further details. For accounting purposes, this amount has been designated as a 'contribution by owner'.
- e) Appropriation Bill (No. 2) 2022–23, Supply Bill (No. 4) 2022–23 and *Supply Act (No. 2) 2022–23*.
- f) Relates to repayments not provided for under other appropriations through section 77 of the PGPA Act.

### 1.3 Budget measures

Budget measures in Part 1 relating to the ACCC are detailed in the October Budget Paper No. 2 and are summarised below.

**Table 1.2: Australian Competition and Consumer Commission October 2022–23 Budget measures**

**Part 1: Measures announced since the 2022–23 March Budget**

Program	2021-22 \$'000	2022-23 \$'000	2023-24 \$'000	2024-25 \$'000	2025-26 \$'000
<b>Receipt measures</b>					
More Competition, Better Prices – increase penalties	1.1				
Administered receipt		-	-	7,178	55,432
<b>Total</b>		-	-	<b>7,178</b>	<b>55,432</b>
<b>Total receipt measures</b>					
Administered		-	-	7,178	55,432
<b>Total</b>		-	-	<b>7,178</b>	<b>55,432</b>
<b>Payment measures</b>					
An Ambitious and Enduring APS Reform Plan (a)					
Departmental payment	1.1	-	(64)	(165)	-
Departmental payment	1.2	-	(37)	(92)	-
Fighting Online Scams					
Departmental payment	1.1	-	-	-	-
Murray Darling Basin – water market reform (b)(c)					
Departmental payment	1.1	-	nfp	nfp	nfp
Plan for Cheaper Child Care (d)					
Departmental payment	1.1	-	7,789	3,045	-
Powering Australia - Community Batteries for Household Solar (e)					
Departmental payment	1.2	-	627	1,097	781
Savings from External Labour, and Savings from Advertising, Travel and Legal Expenses (f)					
Departmental payment	1.1	-	(4,108)	-	-
Departmental payment	1.2	-	(2,414)	-	-
Support for the Australian Energy Regulator to Implement Regulatory Changes					
Departmental payment	1.2	-	3,168	6,454	6,822
				6,822	6,381

**Table 1.2: Australian Competition and Consumer Commission October 2022–23  
Budget measures (continued)**

	Program	2021-22 \$'000	2022-23 \$'000	2023-24 \$'000	2024-25 \$'000	2025-26 \$'000
Supporting the Supply of Australian Gas (g)						
Departmental payment	1.1	-	-	6,283	2,990	4,804
<b>Total</b>		-	<b>4,961</b>	<b>16,622</b>	<b>10,305</b>	<b>11,966</b>
<b>Total payment measures</b>						
Departmental		-	4,961	16,622	10,305	11,966
<b>Total</b>		-	<b>4,961</b>	<b>16,622</b>	<b>10,305</b>	<b>11,966</b>

Prepared on a Government Finance Statistics (Underlying Cash) basis. Figures displayed as a negative (-) represent a decrease in funds and a positive (+) represent an increase in funds.

- a) The lead entity for measure An Ambitious and Enduring APS Reform Plan is the Department of Prime Minister and Cabinet. The full measure description and package details appear in Budget Paper No. 2, *Budget Measures 2022–23*, under the Prime Minister and Cabinet portfolio.
- b) The full measure description and package details for the measure Murray Darling Basin – water market reform appear in Budget Paper No. 2, *Budget Measures 2022–23*, under the Climate Change, Energy, the Environment and Water portfolio.
- c) The financial implications for this measure are not for publication (nfp) due to commercial sensitivities.
- d) The lead entity for measure Plan for Cheaper Child Care is Services Australia. The full measure description and package details appear in Budget Paper No. 2, *Budget Measures 2022–23*, under the Education portfolio.
- e) The lead entity for measure Powering Australia – Community Batteries for Household Solar is the Department of Climate Change, Energy, the Environment and Water. The full measure description and package details appear in Budget Paper No. 2, *Budget Measures 2022–23*, under the Climate Change, Energy, the Environment and Water portfolio.
- f) The measure Savings from External Labour, and Savings from Advertising, Travel and Legal Expenses is a cross-portfolio measure. The full measure description and package details appear in the Budget Paper No. 2, *Budget Measures 2022–23*, under Cross Portfolio measures.
- g) The lead entity for measure Supporting the Supply of Australian Gas is the Department of Industry, Science and Resources. The full measure description and package details appear in Budget Paper No. 2, *Budget Measures 2022–23*, under the Industry, Science and Resources portfolio.

## Section 2: Outcomes and planned performance

Government outcomes are the intended results, impacts or consequences of actions by the Government on the Australian community. Commonwealth programs are the primary vehicle by which government entities achieve the intended results of their outcome statements. Entities are required to identify the programs which contribute to government outcomes over the Budget and forward years.

Each outcome is described below together with its related programs. The following provides detailed information on expenses for each outcome and program, further broken down by funding source.

**Note:**

Performance reporting requirements in the Portfolio Budget Statements are part of the Commonwealth performance framework established by the *Public Governance, Performance and Accountability Act 2013*. It is anticipated that the performance measure described in Portfolio Budget Statements will be read with broader information provided in an entity's corporate plans and annual performance statements – included in Annual Reports – to provide a complete picture of an entity's planned and actual performance.

The most recent corporate plan for the ACCC can be found at:  
(<https://www.accc.gov.au/publications/corporate-plan-priorities>).

The most recent annual performance statement can be found at:  
(<http://www.accc.gov.au/annualreports>).

## 2.1 Budgeted expenses and performance for Outcome 1

**Outcome 1: Enhanced welfare of Australians through enforcing laws that promote competition and protect consumers, as well as taking other regulatory and related actions including monitoring and market analysis, public education, determining the terms of access to infrastructure services, and discharging regulatory responsibilities governing energy markets and networks.**

### Budgeted expenses for Outcome 1

This table shows how much the entity intends to spend (on an accrual basis) on achieving the outcome, broken down by program, as well as by Administered and Departmental funding sources.

**Table 2.1: Budgeted expenses for Outcome 1**

	2021-22 Estimated actual \$'000	2022-23 Budget \$'000	2023-24 Forward estimate \$'000	2024-25 Forward estimate \$'000	2025-26 Forward estimate \$'000
<b>Program 1.1: Australian Competition and Consumer Commission</b>					
Departmental expenses					
Departmental appropriation	212,569	210,628	202,332	193,359	186,692
s74 External Revenue (a)	2,111	2,585	1,285	1,285	1,285
Expenses not requiring appropriation in the Budget year (b)	16,249	27,066	23,624	22,637	22,141
<b>Departmental total</b>	<b>230,929</b>	<b>240,279</b>	<b>227,241</b>	<b>217,281</b>	<b>210,118</b>
<b>Total expenses for program 1.1</b>	<b>230,929</b>	<b>240,279</b>	<b>227,241</b>	<b>217,281</b>	<b>210,118</b>
<b>Program 1.2: Australian Energy Regulator</b>					
Departmental expenses					
Departmental appropriation	75,258	79,827	73,436	74,256	74,504
<b>Departmental total</b>	<b>75,258</b>	<b>79,827</b>	<b>73,436</b>	<b>74,256</b>	<b>74,504</b>
<b>Total expenses for program 1.2</b>	<b>75,258</b>	<b>79,827</b>	<b>73,436</b>	<b>74,256</b>	<b>74,504</b>
<b>Outcome 1 Totals by appropriation type</b>					
Departmental expenses					
Departmental appropriation	287,827	290,455	275,768	267,615	261,196
s74 External Revenue (a)	2,111	2,585	1,285	1,285	1,285
Expenses not requiring appropriation in the Budget year (b)	16,249	27,066	23,624	22,637	22,141
<b>Departmental total</b>	<b>306,187</b>	<b>320,106</b>	<b>300,677</b>	<b>291,537</b>	<b>284,622</b>
<b>Total expenses for Outcome 1</b>	<b>306,187</b>	<b>320,106</b>	<b>300,677</b>	<b>291,537</b>	<b>284,622</b>
	2021-22	2022-23			
<b>Average staffing level (number)</b>	1,245	1,332			

a) Estimated expenses incurred in relation to receipts retained under section 74 of the PGPA Act.

b) Expenses not requiring appropriation in the Budget year are made up of depreciation expenses, amortisation expenses, make good expenses, audit fees and Litigation Contingency Fund payments funded from equity.

Note: Departmental appropriation splits and totals are indicative estimates and may change in the course of the budget year as government priorities change.

**Table 2.2: Performance measure for Outcome 1**

Table 2.2 details the performance measures for each program associated with Outcome 1. It also provides the related key activities as expressed in the current Corporate Plan where further detail is provided about the delivery of the activities related to the program, the context in which these activities are delivered and how the performance of these activities will be measured. Where relevant, details of the October 2022–23 Budget measures that have created new programs or materially changed existing programs are provided.

<p><b>Outcome 1 – Enhanced welfare of Australians through enforcing laws that promote competition and protect consumers, as well as taking other regulatory and related actions including monitoring and market analysis, public education, determining the terms of access to infrastructure services, and discharging regulatory responsibilities governing energy markets and networks.</b></p>	
<p><b>Program 1.1 – Australian Competition and Consumer Commission</b>                  To achieve compliance with the <i>Competition and Consumer Act 2010</i> and other legislation to protect, strengthen and supplement the way competition works in Australian markets and industries to improve the efficiency of the economy and to increase the welfare of Australians.</p>	
<p><b>Key Activities</b></p>	<p>The ACCC achieves Outcome 1 by using its resources to undertake the following key activities to achieve its seven strategic objectives:</p> <ol style="list-style-type: none"> <li>1. Address anti-competitive conduct and promote competition:                         <ul style="list-style-type: none"> <li>– initiate compliance and enforcement actions to address harm to consumers and businesses resulting from anti-competitive conduct</li> <li>– make decisions on authorisation, notification and certification trademark applications in the public interest</li> <li>– undertake market studies and inquiries to contribute to improved market outcomes.</li> </ul> </li> <li>2. Prevent anti-competitive mergers:                         <ul style="list-style-type: none"> <li>– assess mergers to prevent changes in market structures that substantially lessen competition.</li> </ul> </li> <li>3. Improve competition and choice by facilitating safe and secure data sharing by consumers through the Consumer Data Right (a):                         <ul style="list-style-type: none"> <li>– deliver the enabling technology solutions for Consumer Data Right</li> <li>– support Consumer Data Right participants, including through assistance with testing and on-boarding</li> <li>– accredit Consumer Data Right data recipients</li> <li>– promote compliance with and enforce the Consumer Data Right rules and standards.</li> </ul> </li> <li>4. Protect consumers from misleading and deceptive conduct and promote fair trading:                         <ul style="list-style-type: none"> <li>– initiate compliance and enforcement actions to address harm to consumers and small businesses resulting from non-compliance with the Australian Consumer Law and industry codes</li> <li>– empower small businesses by increasing awareness of their rights under the Australian Consumer Law and industry codes</li> <li>– empower consumers by increasing awareness of their rights under the Australian Consumer Law and alerting them to the risk of scams.</li> </ul> </li> </ol>

**Table 2.2: Performance measure for Outcome 1 (continued)**

<b>Key Activities</b>	<p>5. Protect consumers from unsafe products:</p> <ul style="list-style-type: none"> <li>– identify safety hazards in consumer products and prioritise the risks that may result in serious injury and death</li> <li>– address the highest priority risks of serious injury and death arising from safety hazards in consumer products through regulation, education, compliance and enforcement actions.</li> </ul> <p>6. Regulate monopoly infrastructure and monitor concentrated markets in the long-term interests of consumers:</p> <ul style="list-style-type: none"> <li>– formulate regulatory decisions that promote the long-term interests of end-users and consumers</li> <li>– provide industry monitoring reports to government in relation to highly concentrated or emerging markets</li> <li>– improve the efficient operation of markets by enforcing industry-specific competition and market rules.</li> </ul> <p>7. Improve our own systems, capabilities and ways of working:</p> <ul style="list-style-type: none"> <li>– support our people to develop and meet their full potential; and facilitate a diverse, respectful and inclusive culture</li> <li>– modernise our ICT, improve the reliability, flexibility and security of our business and data systems and enhance our data capabilities;</li> <li>– adapt our ways of working to allow resources to be used flexibly to meet changing priorities and to adopt innovative practices commensurate with the level of risk</li> <li>– further develop our standing as a world-class independent regulator through external engagement and internal collaboration to support robust and transparent decision making that is responsive to complex challenges and demands.</li> </ul>	
<b>Year</b>	<b>Performance measures</b>	<b>Expected Performance Results (b)</b>
Prior year 2021-22	<p>Number of competition enforcement interventions (court proceedings commenced, section 87B undertakings accepted, administrative resolutions).</p> <p>Percentage of merger matters considered (under the informal merger review process) that were finalised by pre-assessment.</p> <p>Percentage of authorisation applications assessed within statutory timeframe(s) (excluding time periods where information is outstanding).</p> <p>Number of Australian Consumer Law and industry codes enforcement interventions (court proceedings commenced, section 87B undertakings accepted, infringement notices issued, administrative resolutions).</p> <p>Number of small business Info centre contacts served.</p>	<p>5</p> <p>94%</p> <p>100%</p> <p>40</p> <p>8,843</p>

**Table 2.2: Performance measure for Outcome 1 (continued)**

Year	Performance measures	Expected Performance Results
Prior year 2021–22	Number of Info centre contacts served (includes Info centre contacts served and webforms received).  Number of monitoring reports (covering electricity, gas, communications, rail, petrol, aviation, ports and stevedoring sectors).	379,902  28
Year	Performance measures	Planned Performance Results
Budget Year 2022–23	Number of competition enforcement interventions (court proceedings commenced, section 87B undertakings accepted, administrative resolutions).  Percentage of merger matters considered (under the informal merger review process) that were finalised by pre-assessment.  Percentage of authorisation applications assessed within statutory timeframe(s) (excluding time periods where information is outstanding).  Number of Australian Consumer Law and industry codes enforcement interventions (court proceeding commenced, section 87B undertakings accepted, infringement notices issued, administrative resolutions).  Number of small business Info centre contacts served.  Number of monitoring reports (covering electricity, gas, communications, rail, petrol, aviation, ports, and stevedoring sectors).	Target is 6+  Target is 80% to 95%  Target is 100%  Target is 40+  Target is 7,000  Target is 31
Forward Estimates 2023–26	As per 2022-23	As per 2022–23

(a) The wording of this strategic objective has been revised to assist with clarity.

(b) Actual performance results against measures for 2021–22 as described in *2021–22 Portfolio Budget Statements*.

The above program is linked to the Department of Health and Aged Care (Program 1.8 – Health Protection, Emergency Response and Regulation), the Department of Industry, Science and Resources (Program 1.2 – Growing innovative and competitive businesses, industries and regions), and the Department of Climate Change, Energy, the Environment and Water (Program 1.3 – Supporting reliable, secure and affordable energy).



**Table 2.2: Performance measure for Outcome 1 (continued)**

<b>Outcome 1 – Enhanced welfare of Australians through enforcing laws that promote competition and protect consumers, as well as taking other regulatory and related actions including monitoring and market analysis, public education, determining the terms of access to infrastructure services, and discharging regulatory responsibilities governing energy markets and networks.</b>		
<b>Program 1.2 – Australian Energy Regulator</b>		
The AER exists so that energy consumers are better off, now and in the future. We focus on ensuring a secure, reliable and affordable energy future for Australia as it transitions to net zero emissions. We regulate wholesale and retail energy markets, and energy networks, under national energy legislation and rules. The AER has functions in all states and territories except Western Australia.		
<b>Key Activities</b>	The AER achieves Outcome 1 by: <ul style="list-style-type: none"> <li>• consumer protection: enabling consumers to make informed choices about their energy supplier, including through setting the Default Market Offer to protect consumers from high prices and encourage participation in the market, approving retailer policies to assist customers facing financial hardship, and administering a retailer of last resort scheme if a retailer fails</li> <li>• retail energy market regulation: regulating retail electricity and gas markets in jurisdictions that have commenced the National Energy Retail Law: Tasmania (for electricity customers only), the Australian Capital Territory, South Australia, New South Wales and Queensland. We also provide a price comparison website – Energy Made Easy – to help consumers find the best energy offers for their needs</li> <li>• wholesale energy market regulation: monitoring, investigating and enforcing compliance with national energy legislation and rules in wholesale electricity and gas markets. We monitor participant bidding and rebidding, market dispatch and prices, network constraints and outages, demand forecasts and forecasts of production and capacity. We also report on market activity</li> <li>• energy networks regulation: regulating electricity networks and natural gas pipelines by setting the maximum amount of revenue they can earn, with reference to factors including quality of engagement with customers, projected demand, age of infrastructure, operating and financial costs, and network reliability and safety standards</li> <li>• policy and advocacy: advocating for policy changes and improvements to energy laws and rules that protect and promote the interests of energy consumers.</li> </ul>	
<b>Year</b>	<b>Performance measures</b>	<b>Expected Performance Results</b>
Prior year 2021–22	Proportion of stakeholder survey respondents that agree with the statements: <ul style="list-style-type: none"> <li>• The AER supports and protects energy consumers, particularly those in vulnerable circumstances.</li> <li>• The AER demonstrates a sound knowledge and understanding of energy consumers.</li> </ul> Number of people completing their plan search on Energy Made Easy (EME). Percentage of new and amended retailer hardship policies assessed within 12 weeks of AER receiving all relevant information.	78%  55%  970,000+  100%

**Table 2.2: Performance measure for Outcome 1 (continued)**

Year	Performance measures	Expected Performance Results
Prior year 2021–22 (continued)	<p>Percentage of retail authorisation and exemptions applications to sell energy assessed within 16 weeks of receiving all relevant information (a).</p> <p>Percentage of market reports published within agreed/statutory timeframes:</p> <ul style="list-style-type: none"> <li>• weekly Wholesale Markets</li> <li>• quarterly Retail &amp; Wholesale Market Performance</li> <li>• annual Retail Markets</li> <li>• annual Retail Compliance</li> <li>• annual State of the Energy Market</li> <li>• Biennial Wholesale Electricity Market</li> <li>• high Price Events.</li> </ul> <p>Percentage of revenue reset determinations for electricity networks and gas pipelines completed within statutory timeframes.</p>	<p>71%(authorisations) 80% (exemptions)</p> <p>76%</p> <p>100%</p>
Year	Performance measures	Planned Performance Results
Budget Year 2022–23	<p>Proportion of stakeholder survey respondents that agree with the statements:</p> <ul style="list-style-type: none"> <li>• The AER supports and protects energy consumers, particularly those in vulnerable circumstances.</li> <li>• The AER demonstrates a sound knowledge and understanding of energy consumers.</li> </ul> <p>Number of people completing their plan search on Energy Made Easy (EME).</p> <p>Percentage of new and amended retailer hardship policies assessed within 12 weeks of AER receiving all relevant information (a).</p> <p>Percentage of retail authorisation and exemptions applications to sell energy assessed within 16 weeks of receiving all relevant information (a).</p> <p>Percentage of market reports published within agreed/statutory timeframes.</p> <p>Percentage of revenue reset determinations for electricity networks and gas pipelines completed within statutory timeframes.</p>	<p>Target is ≥ 2021-22 result</p> <p>Target is ≥ 2021-22 result</p> <p>Target is ≥ 2021-22 result</p> <p>Target is 100%</p> <p>Target is 100%</p> <p>Target is 100%</p> <p>Target is 100 %</p>
Forward Estimates 2023–26	As per 2022–23	As per 2022–23

a) Noting that service standards may not be met for complex applications that have greater due diligence requirements.

The above program is linked to the Department of Climate Change, Energy, the Environment and Water (Program 1.3 – Supporting reliable, secure and affordable energy).

## Section 3: Budgeted financial statements

Section 3 presents budgeted financial statements which provide a comprehensive snapshot of entity finances for the 2022–23 budget year, including the impact of budget measures and resourcing on financial statements.

### 3.1 Budgeted financial statements

#### 3.1.1 Differences between entity resourcing and financial statements

The entity resource statement is prepared on a cash basis and provides a view of cash/appropriations resources available to the ACCC whilst the financial statements are prepared on an accrual basis.

#### 3.1.2 Explanatory notes and analysis of budgeted financial statements

The ACCC is budgeting for an approved operating loss of \$4.9m to support the development of its Consumer Data Right program after excluding depreciation, amortisation and the impact of AASB16 – Leases in 2022–23. This has been reflected in the Comprehensive Income Statement in Table 3.1

Total appropriation revenue for 2022–23 is estimated to be \$290.5 million. This has increased from \$286.9 million as reported in the March 2022–23 *Portfolio Budget Statements*. The total capital budget for 2022–23, which exists to cover the purchase of non-financial assets, is estimated to be \$31.7m. This has increased from \$30m as reported in the March 2022–23 *Portfolio Budget Statements*. The increases in operating and capital funding are primarily due to the new budget measures reported under Table 1.2.

The primary financial asset relates to receivables, and are used to fund the ACCC's capital program, employee entitlements, creditors and to provide working capital.

Non-financial assets represent future benefits that the ACCC will consume in producing outputs. The reported value represents the purchase price paid less depreciation incurred to date in using the asset. Buildings largely represent the recognition of the ACCC's long-term office accommodation leases under AASB 16-Leases.

Provisions and payables include:

- employee entitlements arising from services rendered by employees. The liability includes unpaid annual leave and long service leave
- long-term office accommodation lease liabilities under AASB16 – Leases
- unpaid expenses as at balance date.

### 3.2 Budgeted financial statements tables

**Table 3.1: Comprehensive income statement (showing net cost of services) for the period ended 30 June**

	2021-22 Estimated actual \$'000	2022-23 Budget \$'000	2023-24 Forward estimate \$'000	2024-25 Forward estimate \$'000	2025-26 Forward estimate \$'000
<b>EXPENSES</b>					
Employee benefits	172,181	185,033	172,227	166,588	166,230
Suppliers	103,158	102,729	94,416	90,519	83,726
Depreciation and amortisation (a)	29,729	31,599	33,559	33,823	33,952
Finance costs	1,022	745	475	607	714
Losses from asset sales	97	-	-	-	-
<b>Total expenses</b>	<b>306,187</b>	<b>320,106</b>	<b>300,677</b>	<b>291,537</b>	<b>284,622</b>
<b>LESS:</b>					
<b>OWN-SOURCE INCOME</b>					
<b>Own-source revenue</b>					
Sale of goods and rendering of services	2,045	2,536	1,246	1,256	1,256
Rental income	66	-	-	-	-
Sublease interest income	-	49	39	29	29
<b>Total own-source revenue</b>	<b>2,111</b>	<b>2,585</b>	<b>1,285</b>	<b>1,285</b>	<b>1,285</b>
<b>Gains</b>					
Other	2,126	115	115	115	115
<b>Total gains</b>	<b>2,126</b>	<b>115</b>	<b>115</b>	<b>115</b>	<b>115</b>
<b>Total own-source income</b>	<b>4,237</b>	<b>2,700</b>	<b>1,400</b>	<b>1,400</b>	<b>1,400</b>
<b>Net (cost of)/contribution by services</b>	<b>(301,950)</b>	<b>(317,406)</b>	<b>(299,277)</b>	<b>(290,137)</b>	<b>(283,222)</b>
Revenue from Government	288,855	290,455	275,768	267,615	261,196
<b>Surplus/(deficit) attributable to the Australian Government</b>	<b>(13,095)</b>	<b>(26,951)</b>	<b>(23,509)</b>	<b>(22,522)</b>	<b>(22,026)</b>
<b>OTHER COMPREHENSIVE INCOME</b>					
Changes in asset revaluation surplus	(823)	-	-	-	-
<b>Total comprehensive income/(loss)</b>	<b>(13,918)</b>	<b>(26,951)</b>	<b>(23,509)</b>	<b>(22,522)</b>	<b>(22,026)</b>
<b>Total comprehensive income/(loss) attributable to the Australian Government</b>	<b>(13,918)</b>	<b>(26,951)</b>	<b>(23,509)</b>	<b>(22,522)</b>	<b>(22,026)</b>

**Table 3.1: Comprehensive income statement (showing net cost of services) for the period ended 30 June (continued)****Note: Impact of net cash appropriation arrangements**

	2021-22 Estimated actual \$'000	2022-23 Budget \$'000	2023-24 Forward estimate \$'000	2024-25 Forward estimate \$'000	2025-26 Forward estimate \$'000
<b>Total comprehensive income/(loss) - as per statement of Comprehensive Income</b>	<b>(13,918)</b>	<b>(26,951)</b>	<b>(23,509)</b>	<b>(22,522)</b>	<b>(22,026)</b>
plus: depreciation/amortisation of assets funded through appropriations (departmental capital budget funding and/or equity injections) (a)	17,187	21,443	23,590	24,062	24,233
plus: depreciation/amortisation expenses for ROU assets (b)	12,542	10,156	9,969	9,761	9,719
less: lease principal repayments (b)	14,702	10,373	10,925	11,301	11,926
<b>Net Cash Operating Surplus/ (Deficit) (c)</b>	<b>1,109</b>	<b>(5,725)</b>	<b>(875)</b>	<b>-</b>	<b>-</b>

Prepared on Australian Accounting Standards basis.

- From 2010–11, the Government introduced net cash appropriation arrangements where Bill 1 revenue appropriations for the depreciation/amortisation expenses of non-corporate Commonwealth entities (and select corporate Commonwealth entities) were replaced with a separate capital budget (the Departmental Capital Budget, or DCB) provided through Bill 1 equity appropriations. For information regarding DCBs, please refer to Table 3.5 Departmental Capital Budget Statement.
- Applies leases under AASB 16 Leases.
- The 2022–23 operating result includes approval for an operating loss of \$4.9m to support the development of the Consumer Data Right program.

**Table 3.2: Budgeted departmental balance sheet (as at 30 June)**

	2021-22 Estimated actual \$'000	2022-23 Budget \$'000	2023-24 Forward estimate \$'000	2024-25 Forward estimate \$'000	2025-26 Forward estimate \$'000
<b>ASSETS</b>					
<b>Financial assets</b>					
Cash and cash equivalents	2,113	2,113	2,113	2,113	2,113
Trade and other receivables	105,791	112,256	102,293	100,559	99,478
<b>Total financial assets</b>	<b>107,904</b>	<b>114,369</b>	<b>104,406</b>	<b>102,672</b>	<b>101,591</b>
<b>Non-financial assets</b>					
Land and buildings	82,926	84,457	72,987	61,833	50,485
Property, plant and equipment	2,899	4,382	5,009	4,475	3,995
Intangibles	42,408	53,872	52,518	41,709	32,086
Other non-financial assets	2,452	2,452	2,452	2,452	2,452
<b>Total non-financial assets</b>	<b>130,685</b>	<b>145,163</b>	<b>132,966</b>	<b>110,469</b>	<b>89,018</b>
<b>Total assets</b>	<b>238,589</b>	<b>259,532</b>	<b>237,372</b>	<b>213,141</b>	<b>190,609</b>
<b>LIABILITIES</b>					
<b>Payables</b>					
Suppliers	14,426	13,216	8,805	7,960	6,379
Other payables	8,521	8,521	8,521	8,521	8,521
<b>Total payables</b>	<b>22,947</b>	<b>21,737</b>	<b>17,326</b>	<b>16,481</b>	<b>14,900</b>
<b>Interest bearing liabilities</b>					
Leases	78,673	82,111	71,583	60,282	48,356
<b>Total interest bearing liabilities</b>	<b>78,673</b>	<b>82,111</b>	<b>71,583</b>	<b>60,282</b>	<b>48,356</b>
<b>Provisions</b>					
Employee provisions	51,413	51,413	46,236	44,847	44,847
Other provisions	2,902	2,902	2,902	2,902	2,902
<b>Total provisions</b>	<b>54,315</b>	<b>54,315</b>	<b>49,138</b>	<b>47,749</b>	<b>47,749</b>
<b>Total liabilities</b>	<b>155,935</b>	<b>158,163</b>	<b>138,047</b>	<b>124,512</b>	<b>111,005</b>
<b>Net assets</b>	<b>82,654</b>	<b>101,369</b>	<b>99,325</b>	<b>88,629</b>	<b>79,604</b>
<b>EQUITY*</b>					
<b>Parent entity interest</b>					
Contributed equity	216,743	262,409	283,874	295,700	308,701
Reserves	3,738	3,738	3,738	3,738	3,738
Retained surplus (accumulated deficit)	(137,827)	(164,778)	(188,287)	(210,809)	(232,835)
<b>Total parent entity interest</b>	<b>82,654</b>	<b>101,369</b>	<b>99,325</b>	<b>88,629</b>	<b>79,604</b>
<b>Total equity</b>	<b>82,654</b>	<b>101,369</b>	<b>99,325</b>	<b>88,629</b>	<b>79,604</b>

Prepared on Australian Accounting Standards basis.

\*'Equity' is the residual interest in assets after deduction of liabilities.

**Table 3.3: Departmental statement of changes in equity – summary of movement (Budget year 2022–23)**

	Retained earnings \$'000	Asset revaluation reserve \$'000	Contributed equity/ capital \$'000	Total equity \$'000
<b>Opening balance as at 1 July 2022</b>				
Balance carried forward from previous period	(137,827)	3,738	216,743	82,654
<b>Adjusted opening balance</b>	<b>(137,827)</b>	<b>3,738</b>	<b>216,743</b>	<b>82,654</b>
<b>Comprehensive income</b>				
Surplus/(deficit) for the period	(26,951)	-	-	(26,951)
<b>Total comprehensive income</b>	<b>(26,951)</b>	<b>-</b>	<b>-</b>	<b>(26,951)</b>
<b>Transactions with owners</b>				
<b>Distributions to owners</b>				
Equity injection - Appropriation	-	-	14,000	14,000
Departmental Capital Budget (DCB)	-	-	31,666	31,666
<b>Sub-total transactions with owners</b>	<b>-</b>	<b>-</b>	<b>45,666</b>	<b>45,666</b>
<b>Estimated closing balance as at 30 June 2023</b>	<b>(164,778)</b>	<b>3,738</b>	<b>262,409</b>	<b>101,369</b>
<b>Closing balance attributable to the Australian Government</b>	<b>(164,778)</b>	<b>3,738</b>	<b>262,409</b>	<b>101,369</b>

Prepared on Australian Accounting Standards basis

**Table 3.4: Budgeted departmental statement of cash flows (for the period ended 30 June)**

	2021-22 Estimated actual \$'000	2022-23 Budget \$'000	2023-24 Forward estimate \$'000	2024-25 Forward estimate \$'000	2025-26 Forward estimate \$'000
<b>OPERATING ACTIVITIES</b>					
<b>Cash received</b>					
Appropriations	294,651	314,973	300,793	282,220	274,648
Sale of goods and rendering of services	4,534	3,410	2,156	1,282	1,282
Net GST received	11,486	14,183	12,406	11,089	10,589
Other	2,074	-	-	-	-
<b>Total cash received</b>	<b>312,745</b>	<b>332,566</b>	<b>315,355</b>	<b>294,591</b>	<b>286,519</b>
<b>Cash used</b>					
Employees	171,820	185,033	177,404	167,977	166,230
Suppliers	98,397	104,450	99,458	91,120	85,063
Net GST paid	10,308	14,437	12,531	11,215	10,715
Interest payments on lease liability	1,022	-	-	-	-
s74 External Revenue transferred to the OPA	22,693	17,588	14,562	12,371	11,871
Other	3,475	685	475	607	714
<b>Total cash used</b>	<b>307,715</b>	<b>322,193</b>	<b>304,430</b>	<b>283,290</b>	<b>274,593</b>
<b>Net cash from/(used by) operating activities</b>	<b>5,030</b>	<b>10,373</b>	<b>10,925</b>	<b>11,301</b>	<b>11,926</b>
<b>INVESTING ACTIVITIES</b>					
<b>Cash used</b>					
Purchase of property, plant and equipment and intangibles	24,263	32,266	20,965	11,326	12,501
<b>Total cash used</b>	<b>24,263</b>	<b>32,266</b>	<b>20,965</b>	<b>11,326</b>	<b>12,501</b>
<b>Net cash from/(used by) investing activities</b>	<b>(24,263)</b>	<b>(32,266)</b>	<b>(20,965)</b>	<b>(11,326)</b>	<b>(12,501)</b>
<b>FINANCING ACTIVITIES</b>					
<b>Cash received</b>					
Contributed equity	33,272	32,266	20,965	11,326	12,501
Other	698	-	-	-	-
<b>Total cash received</b>	<b>33,970</b>	<b>32,266</b>	<b>20,965</b>	<b>11,326</b>	<b>12,501</b>
<b>Cash used</b>					
Principal payments on lease liability	14,702	10,373	10,925	11,301	11,926
<b>Total cash used</b>	<b>14,702</b>	<b>10,373</b>	<b>10,925</b>	<b>11,301</b>	<b>11,926</b>
<b>Net cash from/(used by) financing activities</b>	<b>19,268</b>	<b>21,893</b>	<b>10,040</b>	<b>25</b>	<b>575</b>
<b>Net increase/(decrease) in cash held</b>	<b>35</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
Cash and cash equivalents at the beginning of the reporting period	2,078	2,113	2,113	2,113	2,113
<b>Cash and cash equivalents at the end of the reporting period</b>	<b>2,113</b>	<b>2,113</b>	<b>2,113</b>	<b>2,113</b>	<b>2,113</b>

Prepared on Australian Accounting Standards basis.



**Table 3.5: Departmental capital budget statement (for the period ended 30 June)**

	2021-22 Estimated actual \$'000	2022-23 Budget \$'000	2023-24 Forward estimate \$'000	2024-25 Forward estimate \$'000	2025-26 Forward estimate \$'000
<b>NEW CAPITAL APPROPRIATIONS</b>					
Capital budget - Bill 1 (DCB)	32,172	31,666	20,365	10,726	11,901
Equity injections - Bill 2	1,100	14,000	1,100	1,100	1,100
<b>Total new capital appropriations</b>	<b>33,272</b>	<b>45,666</b>	<b>21,465</b>	<b>11,826</b>	<b>13,001</b>
<i>Provided for:</i>					
<i>Purchase of non-financial assets</i>	32,772	32,266	20,965	11,326	12,501
<i>Other Items</i>	500	13,400	500	500	500
<b>Total items</b>	<b>33,272</b>	<b>45,666</b>	<b>21,465</b>	<b>11,826</b>	<b>13,001</b>
<b>PURCHASE OF NON-FINANCIAL ASSETS</b>					
Funded by capital appropriations (a)	600	3,350	6,099	600	600
Funded by capital appropriation - DCB (b)	32,172	28,916	14,866	10,726	11,901
<b>TOTAL</b>	<b>32,772</b>	<b>32,266</b>	<b>20,965</b>	<b>11,326</b>	<b>12,501</b>
<b>RECONCILIATION OF CASH USED TO ACQUIRE ASSETS TO ASSET MOVEMENT TABLE</b>					
Total purchases	32,772	32,266	20,965	11,326	12,501
<b>Total cash used to acquire assets</b>	<b>32,772</b>	<b>32,266</b>	<b>20,965</b>	<b>11,326</b>	<b>12,501</b>

Prepared on Australian Accounting Standards basis.

a) Includes both current Bill 2 and prior Act 2/4/6 appropriations.

b) Includes purchases from current and previous years' Departmental capital budgets (DCBs).

**Table 3.6: Statement of departmental asset movements (Budget year 2022–23)**

	Buildings \$'000	Other property, plant and equipment \$'000	Computer software and intangibles \$'000	Total \$'000
<b>As at 1 July 2022</b>				
Gross book value	20,667	4,309	68,024	93,000
Gross book value - ROU assets	95,559	-	-	95,559
Accumulated depreciation/ amortisation and impairment	(2,886)	(1,410)	(25,616)	(29,912)
Accumulated depreciation/amortisation and impairment - ROU assets	(30,414)	-	-	(30,414)
<b>Opening net book balance</b>	<b>82,926</b>	<b>2,899</b>	<b>42,408</b>	<b>128,233</b>
<b>Capital asset additions</b>				
<b>Estimated expenditure on new or replacement assets</b>				
By purchase - appropriation equity (a)	-	-	600	600
By purchase - appropriation ordinary annual services (b)	785	3,363	27,518	31,666
By purchase - appropriation equity - ROU assets	13,811	-	-	13,811
<b>Total additions</b>	<b>14,596</b>	<b>3,363</b>	<b>28,118</b>	<b>46,077</b>
<b>Other movements</b>				
Depreciation/amortisation expense	(2,909)	(1,880)	(16,654)	(21,443)
Depreciation/amortisation on ROU assets	(10,156)	-	-	(10,156)
<b>Total other movements</b>	<b>(13,065)</b>	<b>(1,880)</b>	<b>(16,654)</b>	<b>(31,599)</b>
<b>As at 30 June 2023</b>				
Gross book value	20,667	4,309	68,624	93,600
Gross book value - ROU assets	110,155	3,363	27,518	141,036
Accumulated depreciation/ amortisation and impairment	(5,795)	(3,290)	(42,270)	(51,355)
Accumulated depreciation/amortisation and impairment - ROU assets	(40,570)	-	-	(40,570)
<b>Closing net book balance</b>	<b>84,457</b>	<b>4,382</b>	<b>53,872</b>	<b>142,711</b>

Prepared on Australian Accounting Standards basis.

- a) 'Appropriation equity' refers to equity injections appropriations provided through Appropriation Bill (No. 2) 2022–23, including Collection Development Acquisition Budget.
- b) 'Appropriation ordinary annual services' refers to funding provided through Appropriation Bill (No. 1) 2022–23 for depreciation/amortisation expenses, Departmental Capital Budget or other operational expenses.

**Table 3.7: Schedule of budgeted income and expenses administered on behalf of Government (for the period ended 30 June)**

	2021-22 Estimated actual \$'000	2022-23 Budget \$'000	2023-24 Forward estimate \$'000	2024-25 Forward estimate \$'000	2025-26 Forward estimate \$'000
<b>EXPENSES</b>					
Write-down and impairment of assets	159,243	-	-	-	-
<b>Total expenses administered on behalf of Government</b>	<b>159,243</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>LESS:</b>					
<b>OWN-SOURCE INCOME</b>					
<b>Own-source revenue</b>					
<b>Taxation revenue</b>					
<b>Non-taxation revenue</b>					
Fines and costs	260,549	120,724	137,498	156,694	207,244
<b>Total non-taxation revenue</b>	<b>260,549</b>	<b>120,724</b>	<b>137,498</b>	<b>156,694</b>	<b>207,244</b>
<b>Total own-source revenue administered on behalf of Government</b>	<b>260,549</b>	<b>120,724</b>	<b>137,498</b>	<b>156,694</b>	<b>207,244</b>
<b>Net (cost of)/contribution by services</b>	<b>(101,306)</b>	<b>(120,724)</b>	<b>(137,498)</b>	<b>(156,694)</b>	<b>(207,244)</b>
<b>Surplus/(deficit)</b>	<b>101,306</b>	<b>120,724</b>	<b>137,498</b>	<b>156,694</b>	<b>207,244</b>

Prepared on Australian Accounting Standards basis.

**Table 3.8: Schedule of budgeted assets and liabilities administered on behalf of Government (as at 30 June)**

	2021-22 Estimated actual \$'000	2022-23 Budget \$'000	2023-24 Forward estimate \$'000	2024-25 Forward estimate \$'000	2025-26 Forward estimate \$'000
<b>ASSETS</b>					
<b>Financial assets</b>					
Trade and other receivables	55,991	55,991	55,991	55,991	55,991
<b>Total financial assets</b>	<b>55,991</b>	<b>55,991</b>	<b>55,991</b>	<b>55,991</b>	<b>55,991</b>
<b>Non-financial assets</b>					
<b>Total assets administered on behalf of Government</b>	<b>55,991</b>	<b>55,991</b>	<b>55,991</b>	<b>55,991</b>	<b>55,991</b>
<b>Net assets/(liabilities)</b>	<b>55,991</b>	<b>55,991</b>	<b>55,991</b>	<b>55,991</b>	<b>55,991</b>

Prepared on Australian Accounting Standards basis.

**Table 3.9: Schedule of budgeted administered cash flows (for the period ended 30 June)**

	2021-22 Estimated actual \$'000	2022-23 Budget \$'000	2023-24 Forward estimate \$'000	2024-25 Forward estimate \$'000	2025-26 Forward estimate \$'000
<b>OPERATING ACTIVITIES</b>					
<b>Cash received</b>					
Fines and costs	91,329	120,724	137,498	156,694	207,244
<b>Total cash received</b>	<b>91,329</b>	<b>120,724</b>	<b>137,498</b>	<b>156,694</b>	<b>207,244</b>
<b>Net cash from/(used by) operating activities</b>					
	<b>91,329</b>	<b>120,724</b>	<b>137,498</b>	<b>156,694</b>	<b>207,244</b>
<b>Net increase/(decrease) in cash held</b>					
	<b>91,329</b>	<b>120,724</b>	<b>137,498</b>	<b>156,694</b>	<b>207,244</b>
- Transfers from other entities (Finance - Whole of Government)	(91,329)	(120,724)	(137,498)	(156,694)	(207,244)
<i>Total cash from Official Public Account</i>	<i>(91,329)</i>	<i>(120,724)</i>	<i>(137,498)</i>	<i>(156,694)</i>	<i>(207,244)</i>
<b>Cash and cash equivalents at end of reporting period</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>

Prepared on Australian Accounting Standards basis.