



Australian Government
The Treasury

Ministerial Submission

MS25-000705



FOR ACTION - APPOINTMENT - FINAL SIGNOFF - Full-time Scheme Adviser - Motor Vehicle Service and Repair Information Scheme

TO: Assistant Minister for Productivity, Competition, Charities and Treasury - The Hon Dr Andrew Leigh MP

CC: Treasurer - The Hon Jim Chalmers MP

TIMING

By **26 June 2025**, to allow communication, lodgement and registration to occur before the appointment is due to commence on 1 July 2025.

RECOMMENDATION

- That you **note** the revised Performance Expectations for the Scheme Adviser for 2025 -2027 (Attachment A).

Noted / Please discuss

- That (*following the Prime Minister approval*) you **sign and date** the instrument of appointment (Attachment B).

Signed / Not signed

- That (*following the Prime Minister approval*) you **sign and date** the letter to the Australian Automotive Service and Repair Authority Limited (AASRA) advising the organisation of its reappointment as the Scheme Adviser. (Attachment C).

Approved / Not approved

- That (*following the Prime Minister approval*) you **agree** to advise AASRA of their appointment prior to issuing a media release.

Agreed / Not agreed

- That (*following the Prime Minister approval*) you **issue** a media release announcing the appointment. A draft media release is attached for your consideration (Attachment D).

Agreed / Not agreed

Note that (*following the Prime Minister approval*), you are required to inform his Press Office of the appointment details (Attachment E) prior to issuing a media release. Noted

- **Agree** to request a report from the Scheme Adviser under section 57FB of the *Competition and Consumer Act 2010* on the operation of the Scheme following the conclusion of the appointment process.

Agreed / Not agreed

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Signature

Date: 26/6/2025

KEY POINTS

- Treasury has been working to progress the reappointment of the Australian Automotive Service and Repair Authority Limited (AASRA) as the Scheme Adviser for the Motor Vehicle Service and Repair Information Sharing Scheme (MVIS).
- As part of this process, Treasury, in consultation with the Australian Competition and Consumer Commission, has agreed an updated performance expectations document with the AASRA. It sets out the Government's expectations for AASRA's operations over the appointment term (see [Attachment A](#)). While not legally binding, these expectations are designed to provide clarity and transparency around roles, responsibilities, and strategic direction in AASRA's performance of the Scheme Adviser appointment. Key updates from the 2022 performance expectations include:
 - Clarifying expectations about any actual or perceived conflicts of interest, including in relation to board members and organisations they are affiliated with.
 - Explicitly requiring AASRA develop and maintain a risk management plan.
 - Ensuring AASRA develops a process to enable it to report to you, if requested, on scheme prices, terms and conditions of scheme offers and availability of scheme information.
- You are currently awaiting a response from the Prime Minister to your proposed reappointment of the AASRA as the MVIS Scheme Adviser for a two-year period commencing on 1 July 2025 and up to and including 30 June 2027. Letter from the Prime Minister on 10 June 2025 (MS25-000226 and MS25 000227 refers).
- Following this formal approval, you will have authority to make the appointment under subsection 57FA(2) of the *Competition and Consumer Act 2010*.
 - A reappointment instrument for the Scheme Adviser is at [Attachment B](#) for your signature along with a draft letter of congratulations to AASRA at [Attachment C](#).

Next steps

- To finalise the appointment, *following the Prime Minister approval*, you will need to review the final signoff documents and:
 - sign the instrument of appointment ([Attachment B](#))
 - sign the letter of congratulations to AASRA ([Attachment C](#))
 - finalise the draft media release with your office ([Attachment D](#)).
- Your office will then need to take the following steps:
 - Advise AASRA of their reappointment and that a media release will be issued immediately. Treasury can do this on your or your office's behalf if you wish.

- Send the Prime Minister’s Press Office the Appointment Announcement Checklist (Attachment E) and a copy of the draft Media Release (Attachment D).
- Issue the media release (if required) on the same day that the instrument of appointment is signed.
- Advise the Appointments contact for this minute as soon as possible if there are any changes to this recommended process so that Treasury can negotiate timing with the Office of Parliamentary Counsel for the lodgement of the instrument.

Other appointment matters

- You have an obligation to arrange for an instrument to be lodged for registration as soon as practicable after signing. Failure to lodge instruments promptly can have significant legal and other consequences particularly where the instrument specifies a particular date on which the period of appointment commences and the instrument is not registered in advance of this date.
 - Following your signature, Treasury will lodge the instrument for registration on the Federal Register of Legislation.
 - Once the signed instrument is registered, it becomes publicly available.

Scheme Adviser reporting

- To support the operation of the scheme, Treasury recommends that, following the conclusion of the appointment process, you write to AASRA requesting they provide you with a report on the operation of the Scheme including on scheme prices, the terms and conditions of scheme offers and the availability of scheme information.
 - This would provide you with enhanced visibility of the Scheme’s operations and support the review of the scheme that is currently underway in Treasury.
- You are able to request reports from the Scheme Adviser in relation to the operation of the Scheme under section 57FB of the *Competition and Consumer Act 2010*. No report has been requested since the Scheme commenced in 2022.
- As this would be the first Ministerial report request made under the Scheme, we recommend providing AASRA with a number of months to report back to you to ensure it is able to compile the required data and engage with industry stakeholders as needed.
 - Treasury also believes a generous timeframe is appropriate as AASRA is not paid any remuneration for its role and will need to compile the report amongst its existing priorities including engagement with the right to repair review process.
- Subject to your agreement, Treasury will consult AASRA about the proposed report request including the request content and proposed timeframe. We will also consult the Right to Repair review team to ensure engagement with AASRA is coordinated and will then provide you with a draft letter for your consideration and signature.

Clearance Officer

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Market Conduct Division
20 June 2025

Contact Officer

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Consumer Policy Unit

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Appointments Contact Officer

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CONSULTATION

Treasury: Appointments and Media Team – Corporate Division; Law Division; Right to Repair Review – Competition Taskforce Division; the Australian Competition and Consumer Commission (ACCC); the Australian Automotive Service and Repair Authority Limited.

ATTACHMENTS

- A: Performance Expectations 2025 -2027
- B: Instrument of Appointment
- C: Letter of congratulations to AASRA
- D: Draft Media Release
- E: PMO Appointment Announcement Checklist



Australian Government
The Treasury

**ATTACHMENT A**

File: MS25-000226

MOTOR SCHEME ADVISER

This document provides the performance expectations for the appointment of Scheme Adviser for the Motor Vehicle Service and Repair Information Sharing Scheme, for a period of two years beginning on 1 July 2025.

Purpose, powers and functions of Statutory Authorities (Secondary Advisory)

The establishment of the role of the Scheme Adviser including its purpose, powers and functions are set out in Division 6 of Part IVE of the *Competition and Consumer Amendment (Motor Vehicle Service and Repair Information Sharing Scheme) Act 2021* (the Act). The Treasury provides advice to Government on the Motor Vehicle Service and Repair Information Sharing Scheme, including the role of the Scheme Adviser.

PERFORMANCE EXPECTATIONS

The appointee is expected to perform all roles and deliver reports in accordance with the Act in a reasonably competent manner for a period of two years from 1 July 2025 including:

1. Nominate mediation and technical experts as required under the Act including:
 - 1.1. establishing an equitable process for identifying and appointing mediators and technical experts having regard to appropriate qualifications, skills, expertise and experience and their ability to deliver impartial cost-effective services to parties,
 - 1.2. maintaining a database of providers for use in nominating mediators and technical experts,
 - 1.3. maintaining a secure and confidential register of inquiries and disputes for purposes as outlined in the Act including nominating a mediator, reporting on inquiries and disputes and receiving mediation commencement reports and termination certificates,
 - 1.4. nominating a mediator or technical expert within two business days of receiving a valid request.
2. Maintain records of offers made by data providers for the supply of scheme information notified under the Act, including prices and availability of scheme information for the purposes of:
 - 2.1. providing deidentified reports to the Minister on matters outlined in the Act including terms and conditions of scheme offers and other matters as requested by the Minister,

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Australia

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- 2.2. reporting systemic regulatory or enforcement issues to the Australian Competition and Consumer Commission (ACCC).
3. Develop, maintain and regularly update a secure website to publish information about the availability of scheme information, dispute resolution processes and how to access them and the publication of annual reports as required by the Act, excluding information obtained in confidence.
4. Provide impartial reports, as requested, to the Minister and ACCC as specified in the Act including:
 - 4.1. to the Minister on scheme prices, terms and conditions of scheme offers or availability of scheme information; whether or not, in the appointee's opinion, particular information is or should be scheme information; and other matters relevant to the operation of the scheme as requested by the Minister
 - 4.2. to the ACCC about any systemic regulatory or enforcement issues relating to the operation of the scheme, to enable the ACCC to then determine whether to take action in line with its published compliance and enforcement priorities.
5. Publish annual reports on its website, as soon as practicable after the end of the relevant period, covering matters outlined in the Act or requested by the Minister.
6. Provide impartial general advice in relation to the operation of the scheme, including clearly communicating the Scheme Adviser's role as adviser and not decision maker.
7. Engage all stakeholders in an open, inclusive and impartial manner including industry stakeholders not represented within the appointee's organisation, as well as federal, state and territory agencies.
 - 7.1. Engagement should cover the operation of the Scheme, the identification of systemic non-compliance and other relevant matters.
 - 7.2. The appointee should consider all views in forming its findings and recommendations in these areas, including minority ones. It should endeavour to engage with industry stakeholders not represented within the appointee's organisation periodically to inform this work.
8. Work effectively with the ACCC, the Minister and Treasury to undertake its statutory role including engaging with Treasury on at least an annual basis to discuss AASRA's views on the scheme's operation and the Scheme Adviser role.
9. Demonstrate an understanding of the risks of anti-competitive conduct and develop and maintain a risk management plan to prevent and address such risks.
 - 9.1. As part of these activities, the appointee should actively manage actual or perceived conflicts of interest, including in relation to its Board members and organisations they are affiliated with. It should also identify, record and manage any actual or perceived conflicts of interest, as well as confidentiality matters, within the risk management plan.
10. Develop a process to enable the appointed to meet the performance expectations at clause 4 regarding scheme prices, terms and conditions of scheme offers or availability of scheme information.

Enquiries and questions

Any questions in relation to this information can be sent through appointments@treasury.gov.au.

OFFICIAL



Australian Government

The Treasury

MS25-000705

Mr Stuart Charity
Secretary
Australian Automotive Service and Repair Authority Limited

Email: stuart.charity@aasra.com.au

Dear Mr Charity

I thank the Australian Automotive Service and Repair Authority Limited (AASRA) for its interest in being reappointed for the role of Scheme Adviser for the Motor Vehicle Service and Repair Information Sharing Scheme established under the *Competition and Consumer Act 2010*.

To support further consideration of AASRA's reappointment to the Scheme Adviser role, we are seeking your acknowledgement of AASRA's agreement to the terms and conditions of the role. AASRA's agreement is sought for the updated performance expectations and an acknowledgement that, should AASRA be reappointed as the Scheme Adviser, it will be bound by the confidentiality and organisation undertakings that it has executed, which are enclosed for your information.

Please acknowledge AASRA's agreement to the terms and conditions of the role by signing below and returning this letter to Treasury's Appointments Team at appointments@treasury.gov.au as soon as possible. If you propose changes to the attached documents, please discuss these with the Appointments Team.

.....	s 47F	
Stuart Charity		18 / 06 / 2025
PRINTED NAME	SIGNATURE	DATE

OFFICIAL

AASRA's agreement will be held on record, supporting your signed Confidentiality and Organisational Deeds and performance expectations. For further assistance regarding this appointment process please contact the Appointments Team at appointments@treasury.gov.au.

Yours sincerely

s 22



Market Conduct Division

18 June 2025

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Australian Government

The Treasury

ATTACHMENT C

DEED POLL – ORGANISATION RELATING TO THE APPOINTMENT OF THE MOTOR VEHICLE SERVICE AND REPAIR INFORMATION SCHEME ADVISER

THIS DEED POLL is made by:

Organisation name: Australian Automotive Service and Repair Authority **ACN:** 655 606 983

Address: Australian Automotive Service and Repair Authority, 16 Manning Street, South Brisbane, QLD, 4101 (**AASRA**)

for the benefit of the Commonwealth of Australia, as represented by the Department of the Treasury (ABN 92 802 414 793) of Langton Crescent, Parkes ACT 2600 (**Treasury**).

This Deed Poll (**Deed**) must be forwarded by email to Treasury, Portfolio Governance and Appointments, appointments@treasury.gov.au.

Interpretation

1. In this Deed, unless the contrary intention is expressed:
 - 1.1 a reference to a 'person' includes a natural person, partnership, body corporate, association, governmental or local authority or agency or other entity, as the case may be
 - 1.2 a reference to a 'regulator' includes the Australian Securities and Investments Commission, the Australian Information Commissioner and the Australian Competition and Consumer Commission.

Performance and accountability

2. AASRA will be appointed as the motor vehicle service and repair information scheme adviser (**Scheme Adviser**) under the *Competition and Consumer Act 2010*, (**Appointment**). In order to assist in ensuring the integrity and success of the Appointment, AASRA provides the following acknowledgements and undertakings in respect of its performance of the functions and exercise of powers of the Scheme Adviser (the **Activity**).
3. Acknowledging the greater transparency and accountability expected of entities undertaking statutory roles and the need to align with community standards (e.g. with respect to remuneration, media engagement, impartiality and scrutiny by the Australian Parliament), AASRA undertakes to:

- 3.1 perform its functions and exercise its powers and duties with due skill and care;
 - 3.2 ensure that consideration is given to the suitability of directors and officeholders of AASRA;
 - 3.3 consider gender and geographical balance in the appointment of directors and officeholders;
 - 3.4 comply with, and ensure its officers, employees, agents and subcontractors comply with, all relevant laws in force from time to time in the jurisdiction in which AASRA undertakes the Activity.
4. Nothing in clause 3 is intended to require the appointment, or prevent the appointment, of a particular person as a director or officeholder of AASRA.

Keeping the Treasury informed

5. AASRA undertakes to promptly notify the Treasury of:
- 5.1 any non-compliance with clause 3 in relation to the Activity or any serious concerns raised by a regulator about the operations of AASRA;
 - 5.2 any material changes in its circumstances that may affect its ability to undertake the Activity;
 - 5.3 any complaints it receives about its performance of the Activity or the Scheme's dispute resolution processes. However, this paragraph does not require the disclosure of personal or commercial in confidence information to the Treasury.

Conflicts of interest

6. AASRA has either declared any real or perceived conflicts of interest that might arise, or states that no conflicts of interest exist, or are anticipated, relevant to:
- 6.1 its appointment as Scheme Adviser; or
 - 6.2 its performance of the Activity.
- including relationships with the responsible Minister, the Minister's office or officials of the Treasury.
7. For the purposes of clauses 6 and 8, a conflict of interest includes real or perceived conflicts of interest of officers or office holders of AASRA.
8. If any conflict or potential conflict arises during the term of the appointment as Scheme Adviser, AASRA undertakes to notify the Treasury as soon as practicable.

Ongoing governance arrangements

9. AASRA undertakes to comply with all reasonable requests from Treasury in relation to agreeing ongoing governance arrangements related to the Appointment and any periodic review of the Appointment or the Scheme.

Relationship with the Commonwealth

10. AASRA acknowledges that its appointment as Scheme Adviser will not make it the employee, agent, officer or partner of the Commonwealth nor will it be authorised to bind or represent the Commonwealth.
11. AASRA undertakes to ensure that its officers, employees, agents or subcontractors do not represent themselves as being an officer, employee, partner or agent of the Commonwealth.

No remuneration

12. AASRA acknowledges it is not entitled to be paid any remuneration or allowances by the Commonwealth in relation to the Activity and is expected not to charge any person in relation to the performance of those functions or exercise of those powers or duties.

Surrender of records

13. Property in all records relating to the performance of AASRA's functions as Scheme Adviser will transfer to the Commonwealth if:
- 13.1 its appointment as the Scheme Adviser comes to an end; and/or
 - 13.2 it goes into liquidation or voluntary administration.
14. In that event, AASRA agrees that it will surrender those records to the Commonwealth and AASRA will retain no ongoing possession or access to the records.
15. Further, AASRA will follow all reasonable directions of the Commonwealth in relation to the transfer or surrender, including (but not limited to):
- 15.1 ensuring electronic records are provided in a readable and accessible format; and
 - 15.2 facilitating arrangements for licensing or otherwise obtaining access to proprietary software required to access and use the records.

Other matters

16. The obligations in this Deed are perpetual.
17. This Deed will be governed by and construed in all respects in accordance with the law of the Australian Capital Territory. The Confidant agrees to submit to the jurisdiction of the courts of that Territory in respect of all matters arising under, or in relation to, this Deed.
18. Notices under this Deed must be provided by email to appointments@treasury.gov.au, or to an alternative address advised by the Treasury.

EXECUTED AS A DEED POLL on: 3 JUNE 2025

Executed as a deed for and on behalf)
of Australian Automotive Service and)
Repair Authority ACN: 655 606 983 in)
accordance with the requirements of)
section 127 of the Corporations Act)
2001 (Cth) by:

Brian Anthony Savage
Name of Director

Stuart Nathan Charity
Name of Director/Secretary

s 47F

Signature of Director

s 47F

Signature of Director/Secretary



ASSISTANT MINISTER TO THE PRIME MINISTER
ASSISTANT MINISTER FOR THE PUBLIC SERVICE
ASSISTANT MINISTER FOR EMPLOYMENT AND WORKPLACE RELATIONS
MEMBER FOR PERTH
The Hon Patrick Gorman MP

Reference: MC25-079094

The Hon Dr Andrew Leigh MP
Assistant Minister for Productivity, Competition, Charities and the Treasury
Parliament House
CANBERRA ACT 2600

Dear Assistant Minister

Andrew

Thank you for your letter to the Hon Anthony Albanese MP, Prime Minister, received 9 June 2025 regarding the re-appointment of the Australian Automotive Service and Repair Authority (AASRA) as the Scheme Adviser for the Motor Vehicle Service and Repair Information Sharing Scheme. The Prime Minister has asked me to respond on his behalf.

I agree to the re-appointment of AASRA for a period of two years, commencing 1 July 2025.

I have copied this letter to the Prime Minister and the Hon Dr Jim Chalmers MP, Treasurer.

Yours sincerely

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24 / 06 / 2025



Competition and Consumer (Motor Vehicle Service and Repair Information Scheme Adviser) Appointment 2025

I, Andrew Leigh, Assistant Minister for Productivity, Competition, Charities and Treasury,
make the following appointment.

Dated *26 June* 2025

s 22

Dr Andrew Leigh
Assistant Minister for Productivity, Competition, Charities and Treasury
Parliamentary Secretary to the Treasurer

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Part 1—Preliminary

1 Name

This instrument is the *Competition and Consumer (Motor Vehicle Service and Repair Information Scheme Adviser) Appointment 2025*.

2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
The whole of this instrument	The later of: a) 1 July 2025; or b) the day after this instrument is registered.	

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

This instrument is made under the *Competition and Consumer Act 2010*.

4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

5 Definitions

Note: Expressions have the same meaning in this instrument as in the *Competition and Consumer Act 2010* as in force from time to time—see paragraph 13(1)(b) of the *Legislation Act 2003*.

In this instrument:

ACN has the meaning given by the *Corporations Act 2001*.

the Act means the *Competition and Consumer Act 2010*.

Section 6

**Part 2—Appointment of the motor vehicle service and repair
information scheme adviser**

6 Appointment of the Scheme Adviser

Under subsection 57FA(2) of the Act, the Australian Automotive Service and Repair Authority Limited (ACN 655 606 983) is appointed as the motor vehicle service and repair information scheme adviser, for a period of two years beginning on the day this instrument commences.

Schedule 1—Repeals

Competition and Consumer (Motor Vehicle Service and Repair Information Scheme Adviser) Appointment 2022

1 The whole of the instrument

Repeal the instrument.