



# Markets and consumers in the digital age: the ACCC and the platforms

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[acc.gov.au](https://www.accc.gov.au)

# Overview of Digital Platforms Inquiry

- 4 Dec 2017 – Federal Government direction issued
- 26 February 2018 – release of issues paper
  - Received 70 public submissions
- 10 December 2018 – release of preliminary report
  - Received 129 public submissions
- 26 July 2019 – release of final report
  - 23 recommendations covering media, mergers, competition, privacy law & the ACL
- 12 December 2019 – release of Australian Government's response and implementation roadmap



## Key findings

- Substantial market power of Google in search services and search advertising
- Substantial market power of Facebook in social media and display advertising
- Lack of transparency in online advertising
- Information asymmetries, bargaining power imbalance, and behavioural biases in many consumer transactions with digital platforms
- Regulatory imbalance between news media and digital platforms
- Digitalisation has had positive and negative effects on news and journalism

## 23 recommendations

- **Rec 2:** Advanced notice of acquisitions
- **Rec 3:** Changes to search engine and internet browser defaults
- **Rec 4:** Proactive investigation, monitoring and enforcement
- **Rec 5:** Ad tech inquiry
- **Rec 7:** News media bargaining code
- **Rec 10:** Grants for local journalism
- **Rec 15:** Disinformation code
- **Recs 16-18:** Updating Australia's privacy regime
- **Rec 21:** Prohibition on unfair trading practices
- **Rec 23:** Ombudsman scheme to resolve complaints and disputes

# Current areas of focus

Digital Platform Services  
Inquiry (2020-2025) –  
second monitoring report

Pro-active enforcement,  
monitoring and liaison

**Digital  
Platforms  
Branch**

Ad tech inquiry

News media bargaining code

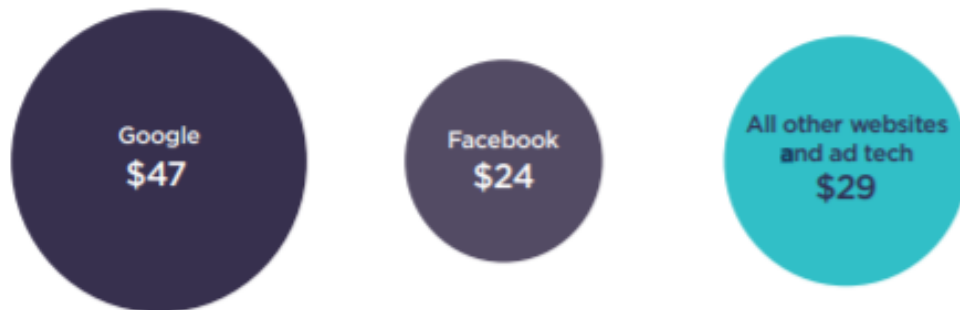
## Digital Platforms Services Inquiry (2020-2025)

- Broad range of digital platform services covered by Direction
- Six monthly reports. First report handed to treasurer on 30 September 2020



# Ad Tech Inquiry

- 10 February 2020 – direction from the Government to conduct the inquiry
- 31 December 2020 – interim report due
- 31 August 2021 – final report due



## News media bargaining code

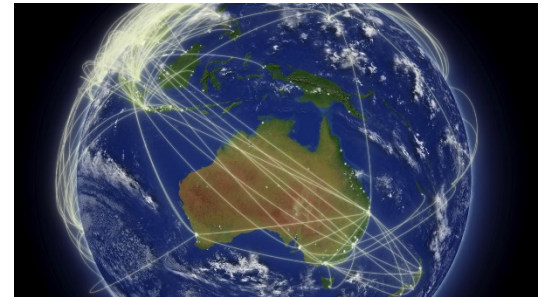
- Recommendation was initially for a voluntary code developed by the ACMA
- In April, Government directed ACCC to develop a mandatory code by end of July
- The draft code (in the form of a draft Bill) was released for comment
- Government is committed to introduce the Bill by the end of the year – watch this space!





# Proactive monitoring, enforcement and international engagement

- Proactive monitoring of issues related to digital platforms
  - Enforcement investigations
  - Regulatory developments overseas
- International engagement
- Domestic government engagement



# Key lessons learnt from the Digital Platforms Inquiry

1. Importance of myth-busting and unpacking the problems Kate Reader
2. Importance of absolute clarity in all public-facing communications
3. Value of close collaboration with international counterparts
4. Importance of looking at problems holistically Morag Bond
5. The need to engage with the full range of stakeholders, across the breadth of size/scale
6. Even when dealing with some of the largest companies in the world, important to still be cognisant of the burden