



EVENT PROGRAM

# ACCC's Enforcement and Compliance Policy Update 2020

Tuesday 25 February 2020, 12.00pm to 2.00pm  
Four Seasons Hotel, 199 George Street Sydney

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EVENT MAJOR SPONSOR



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# agenda

- 12.00pm Registrations
- 12.20pm Welcome  
Lee Kelly  
State Director, NSW/ACT, CEDA
- 12.25pm Lunch
- 1.00pm Introduction  
Luke Woodward  
Partner, Gilbert + Tobin
- 1.05pm Keynote address  
Rod Sims  
Chairman, Australian Competition and Consumer Commission
- 1.30pm Moderated discussion and questions
- 1.50pm Vote of thanks  
Luke Woodward  
Partner, Gilbert + Tobin
- 1.55pm Close  
Lee Kelly  
State Director, NSW/ACT, CEDA

# sponsor

## Event major sponsor

### Gilbert + Tobin

Gilbert + Tobin is a leading corporate law firm and a key player in the Australian legal market. From our Sydney, Melbourne and Perth offices, we provide innovative, relevant and commercial legal solutions to major corporate and government clients across Australia and internationally, particularly in the Asia-Pacific region. With a focus on dynamic and evolving market sectors, we work on transactions and cases that define and direct the market.

Our Competition + Regulation group is the pre-eminent competition practice in Australia. We have established a reputation as a “game changer,” by reason of our ability to achieve successful outcomes for our clients, often where others have not. We repeatedly win complex and cutting edge work because of our track record of achieving results on high-stakes transactions and litigation for our clients. With 8 partners, 3 special counsel and more than 40 lawyers, Gilbert + Tobin’s market-leading competition practice is one of the largest in Australia.

The expertise of our Competition + Regulation team is enhanced by a particular focus on several dynamic industry sectors that include health, energy and utilities, financial services, infrastructure, digital, technology and telecommunications. Our multidisciplinary approach integrates sound economic skills, legal analysis and specialist industry knowledge. We deliver commercially focused legal solutions and have a proven track record of achieving strong commercial results for our clients.

Our specialist services include:

- advising on mergers and acquisitions, including ACCC clearances.
- advising on competition law issues arising from joint ventures and strategic alliances.
- representing and advising on ACCC investigations, enforcement proceedings and litigation, including representing cartel leniency applicants in Australia and Asia Pacific and representing parties in civil damages proceedings.
- advising organisations and individuals on criminal investigations,.
- representing regulators and regulated businesses in access regimes, and advising on economic regulation and pricing decisions.
- advising government entities in the Asia Pacific region on regulatory design and implementation, including telecommunications, financial services, energy and water.
- preparing submissions to governmental regulatory and policy reviews, and advising on competition policy and legislative reforms.
- advising on misleading and deceptive conduct, consumer protection and unconscionability issues.
- advising on compliance systems and providing training.



During moderated discussion CEDA will take online questions. Go to [ceda.pigeonhole.at/ACCC](https://ceda.pigeonhole.at/ACCC)

CEDA will be tweeting from this event using **#ACCC**

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# keynote speaker



## Rod Sims

### Chairman, Australian Competition and Consumer Commission

Rod Sims was appointed Chair of the Australian Competition and Consumer Commission (ACCC) in August 2011 for an initial five year term, reappointed for a further three years in August 2016, and reappointed again in September 2018 for an unprecedented further three years till July 2022, making him the longest serving Chair of the ACCC.

Rod has extensive business and public sector experience. Immediately prior to his appointment to the ACCC, he was the Chairman of the Independent Pricing and Regulatory Tribunal of New South Wales, Commissioner on the National Competition Council, Chairman of InfraCo Asia, Director of Ingeus Limited, and member of the Research and Policy Council of the Committee for Economic Development of Australia. Rod was also a Director of Port Jackson's Partners Limited where he advised the CEOs and Boards of some of Australia's top 50 companies on commercial corporate strategy over many years. Rod relinquished all of these roles on becoming Chair of the ACCC.

Rod is also a past Chairman of the NSW Rail Infrastructure Corporation and the State Rail Authority and has been a Director of a number of private sector companies. During the late 1980s and early 1990s, Rod worked as the Deputy Secretary in the Commonwealth Department of Prime Minister and Cabinet responsible for economic, infrastructure and social policy and the Cabinet Office. He also worked as Deputy Secretary in the Department of Transport and Communications.

Rod Sims holds a first class honours degree in Commerce from the University of Melbourne and a Master of Economics from the Australian National University.

# chair/vote of thanks

## Luke Woodward

Partner, Gilbert + Tobin

Luke is the head of the Gilbert + Tobin's Competition + Regulation group and is a member of Gilbert + Tobin's Board of partners.

In a career spanning 30 years, Luke has consistently been at the forefront of the profession: as a lead prosecution lawyer; as head of mergers, head of enforcement and General Counsel at the ACCC; and 18 years as a partner at Gilbert + Tobin. He has an outstanding track record in gaining clearances in complex merger and joint venture cases, while also successfully conducting many high-profile, market power and collusion cases. Luke was recognised as the leading thought leader in the Asia-Pacific region for Competition (International Who's Who of Competition Lawyers, 2018).

Luke is regularly sought out for strategic advice in complex industry-changing matters. He is known for achieving outstanding commercial results, through innovative solutions and perseverance. Luke's expertise spans general competition law/antitrust and regulation of utilities (aviation, ports, electricity and water), which in Australia is based on competition law and/or undertaken by the ACCC or state regulators within a common framework.

Luke remains as a lead competition adviser to the Business Council of Australia on Competition Law and Policy reform, including proposals to amend the misuse of market power provision (s 46). Luke is consistently ranked as one of Australia's leading competition and regulation lawyers in major legal directories. He is currently ranked as a leading competition practitioner in Australia (Who's Who Legal 2019).

He was named Competition and Trade Partner of the Year at the 2016 Lawyers Weekly Partner of the Year Awards and was a finalist for the same award in 2017. Prior to joining the firm in 2000, Luke held senior positions at the ACCC as General Counsel, Executive General Manager, Compliance Division (responsible for enforcement) and Senior Assistant Commissioner, responsible for mergers and asset sales.

Luke is a proud CEDA trustee.



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# corporate tables

CEDA would like to thank the following members for hosting a corporate table at today's event.

Alinta Energy	Allens	Australian Payments Network	Clayton Utz
Deloitte	Gilbert + Tobin	Herbert Smith Freehills	IAG
Maddocks	NBN Co	Newgate Communications	PwC Australia
Snowy Hydro	TransGrid		

# attendees

David Absolum Deputy General Counsel SingTel Optus Pty Ltd	Debra Barbour Allianz Australia	Miklos Bolza Journalist Lawyerly	Chris Campbell Head of Payments Policy and Strategy Westpac
Sarah Alderson General Manager, Regulatory Networks NBN Co	Jennifer Barron Special Counsel Gilbert + Tobin	Eugenia Borgese Company Secretary/ Senior Legal Counsel Bayer Australia Limited	Conni Carnabucci Australian Broadcasting Corporation
Affy Aligiannis Senior Director FTI Consulting	Kerry Barwise Managing Director FTI Consulting	Kate Bowman General Counsel and Company Secretary Pacific National	Elizabeth Carstens Legal Counsel Holcim (Australia)
Anne-Marie Allgrove Partner Baker McKenzie	Marianne Bell Member Relations and Office Manager NSW/ACT CEDA	David Bowtell Associate Director - Policy & Events NSW/ACT CEDA	Liza Carver Partner, Competition, Regulation and Trade, Sydney Herbert Smith Freehills
Peter Armstrong Legal Counsel Samsung	Tim Besley AC CEDA Honorary Life Trustee	David Britton Corporate Counsel Snowy Hydro	Gina Cass-Gottlieb Partner Gilbert + Tobin
Elizabeth Avery Partner Gilbert + Tobin	Marianne Birch Executive Director Macquarie Capital Advisers	Michael Broadhead Managing Director Folk	Jugal Chandawalla Event Coordinator NSW and ACT CEDA
Christian Baldock Legal Counsel Coca Cola Amatil	Jessica Blomfield General Counsel and Company Secretary DP World	Ross Cadell Senior Projects Director Port of Newcastle	Louise Claridge Associate Director - Membership Engagement NSW/ACT CEDA
Elise Ball Special Counsel Maddocks	Tel Bodiam Senior Associate Norton Rose Fulbright	Marika Calfas Chief Executive Officer NSW Ports	

Patrick Clark  
Senior Associate  
Herbert Smith Freehills

Jennifer Clark  
Director  
Australian Payments Network

Michelle Coco  
Head of Competition  
Compliance  
Westpac

Damien Coleman  
Company Secretary  
Telstra

Joanne Collins  
Associate Partner  
Newgate Communications

Brooke Connell  
Senior Legal Counsel  
Velocity Frequent Flyer

Patrick Cooper  
CEO  
Hunter Valley Coal Chain  
Coordinator

Mitch Cooper  
Head of Public Policy  
Uber

Charles Coorey  
Partner  
Gilbert + Tobin

Michael Corrigan  
Partner  
Clayton Utz

Nita Cowan  
Principal Advisor  
NSW Treasury

Leigh Creswell  
Snowy Hydro

Fiona Crosbie  
Chairman  
Allens

David Cullen  
Executive Legal Counsel  
AMP Services

Andrew Cullen  
General Counsel, Asia Pacific  
Associated British Foods plc

Alison Cunningham  
Executive Director Office of the  
Secretary  
Transport for NSW

Christine Cupitt  
Executive Director of Policy  
Australian Bankers'  
Association

Gabrielle Curtin  
Executive Officer, Safety  
People & Services  
Snowy Hydro

Trent Czinner  
General Counsel & Company  
Secretary  
Vodafone Hutchison Australia

Tony Damian  
Partner  
Herbert Smith Freehills

Philip Davies  
Head of Competition and  
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Sydney Water

Victoria Davis  
Principal, Public Policy &  
Industry Affairs  
IAG

Felicity Day  
Competition Counsel  
Google

Robert de Boer  
Partner  
Mills Oakley Lawyers

Bridget De Pelleport  
Membership Administrator  
CEDA

Frederika DeWilde  
General Counsel  
GraysOnline

Carlos Dias  
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Origin Energy

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Deputy Director  
Federal Department of Foreign  
Affairs and Trade

Mike Dodd  
GM Infrastructure  
Yancoal Australia Ltd

Norman Donato  
Partner  
Bartier Perry

Joe Dowling  
Port of Newcastle

Jacqueline Downes  
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Allens

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General Manager Non  
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NBN Co

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Policy Analyst  
NSW Treasury

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Secretary  
InfoTrack Pty Ltd

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Partner  
Piper Alderman

Sharon Eacott  
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Baker McKenzie

Dr Geoff Edwards  
Vice President  
CRA International (UK) Limited

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Catriona Webster  
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Christopher Willcox  
General Manager, Government  
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NBN Co

Peter Wills AC  
Member  
CEDA Leadership Council

Ben Wilmot  
Commercial Property Reporter  
The Australian

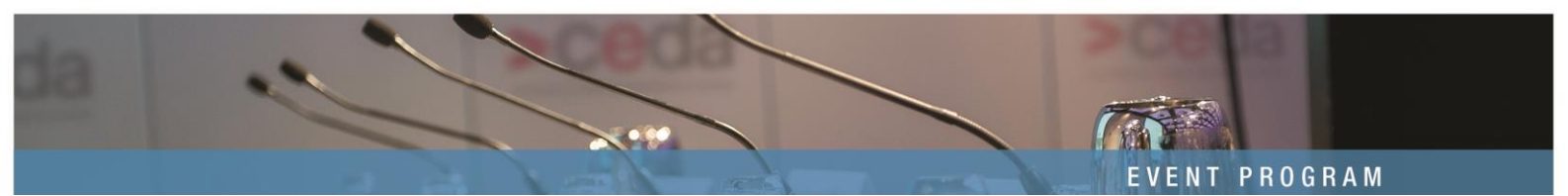
Hannah Wooton  
Reporter  
Australian Financial Review

Mark Worsman  
Senior Director, Legal  
Zoetis

Gordon Wymer  
Chief Commercial Officer  
Snowy Hydro

Jim Zafiroopoulos  
Head of Public Policy and  
Reform  
Westpac





# notes

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## CEDA NSW: March 2020

### Leading social enterprise: Innovation achieving impact

**DATE** Tuesday 10 March 2020, 5.00pm to 6.30pm

**VENUE** CEDA Boardroom, Sydney

**SPEAKERS** Nic Marchesi and Lucas Patchett, Co-Founders, OrangeSky Australia



### Sydney 2050: Planning reform for growth

**DATE** Thursday 19 March 2020, 11.45am to 2.00pm

**VENUE** Four Seasons Hotel, Sydney

**SPEAKERS** The Hon. Rob Stokes MP, NSW Minister for Planning and Public Spaces



*Supported by CEDA members: GHD and Liverpool City Council*

### The cost of poor mental health

**DATE** Tuesday 24 March 2020, 11.45am to 2.00pm

**VENUE** Hilton Hotel, Sydney

**SPEAKERS** Dr Stephen King, Commissioner - Mental Health, Productivity Commission



*Supported by CEDA member: PwC*

### Industry development through the Aerotropolis

**DATE** Tuesday 31 March 2020, 11.45am to 2.00pm

**VENUE** Novotel Parramatta, Sydney

**SPEAKERS** Sam Sangster, Chief Executive Officer, Western City and Aerotropolis Authority; Latify Chami, Chief Operating Officer, Vitex Pharmaceuticals, Dr Andy Marks, Assistant Vice-Chancellor, Strategy and Policy, Western Sydney University



*Supported by CEDA members: Western Sydney University, Westpac and PwC*

### CEDA Contact:

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# about CEDA



CEDA – the Committee for Economic Development of Australia – is an independent, membership-based think tank. Working with our members, we identify policy issues that matter for Australia’s future and pursue solutions that deliver better economic and social outcomes for the greater good. CEDA has 770 members. Our cross-sector membership spans every state and territory and includes Australia’s leading businesses, community organisations, government departments and academic institutions.

## Membership

Organisations join CEDA because CEDA delivers exposure to high level thought leadership, timely briefings on issues of economic importance, access to networking and brand reach through sponsorship and hosting opportunities. In addition to high profile public events, CEDA also delivers regular member only events for employees of member organisations and exclusive Trustee only boardroom briefings for senior executives from member organisations. These provide a unique opportunity for peer-to-peer knowledge exchange and for speakers and attendees to talk candidly on issues.

## Research and policy

CEDA’s only agenda is to pursue good public policy to progress Australia’s economic and social development. Since 1960 CEDA has produced more than 3000 publications, research reports and articles highlighting emerging issues and directions in a diverse range of policy areas. Research in 2020 will explore unlocking data in the public interest, release the second Community Pulse nationwide survey, discuss the skills mismatch in the permanent migration system, and release the second report in our series on disadvantage.

### For more information on CEDA membership, research and events please contact:

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