Draft Terms of Reference (ToR) for the Consumer Protection & Competition Consultative Committee (CPCCC)
Contents

1. Overview ......................................................................................................................... 3

2. Guiding Principles of Consumer Protection and Competition Committee
   (CPCCC) ............................................................................................................................... 3

3. Purpose .................................................................................................................................. 3
   3.1 Key results

4. General Membership ......................................................................................................... 4
   4.1 Chairperson
   4.2 Appointment of Members
   4.3 Working Group
   4.4 Other

5. Roles and responsibilities .................................................................................................. 5
   5.1 Chairperson
   5.2 Secretariat
   5.3 Members

6. Meetings ............................................................................................................................ 6

7. Information sharing ............................................................................................................ 6

8. Reporting relationship ....................................................................................................... 6

9. Decision-making ................................................................................................................ 6

10. Quorum ............................................................................................................................. 6

11. Confidentiality .................................................................................................................. 6

12. Costs .................................................................................................................................... 7

13. Review .................................................................................................................................. 7
1. Overview.

The *Independent Consumer and Competition Commission Act 2002 (the ICCC Act)* encourages the Commission to engage with stakeholders (Government agencies, the private sector and NGOs).

The establishment of the CPCCC as an informal forum brings together departments and agencies of Government, industry and other relevant stakeholders to discuss and debate consumer protection and competition matters relating to the ICCC Act; enabling legislations of the Commission; and the work of the Commission as it relates to Government policy and industry operations.

2. Guiding Principles of Consumer Protection and Competition Consultative Committee (CPCCC).

While:

- recognizing the Government’s responsibility in determining consumer and competition policy; and
- the Independent Consumer and Competition Commission’s role in administering and implementing those policies as reflected in relevant legislations;

the views and perspectives of business, government agencies and communities organisations are important in:

- determining such policies;
- designing relevant legislation;
- administering and implementing such policies and legislation; and
- assuring broad understanding of the policies and legislation.

The Commission shall take into consideration the CPCCC’s recommendations and decide the appropriate way forward in respect of such issues consistent with section 9 of the ToR hereunder.

3. Purpose.

The purpose of the CPCCC is to:

- provide an avenue for discussing consumer and competition issues and disseminating consumer protection and competition information,
- have open dialogue on consumer and competition issues,
- make recommendations to the Commission on consumer and competition issues, including on
o matters relating to consumer and competition issues and the ICCC
o consumer protection;
o product safety;
o competition issues;
o health and sanitation issues relating to preparation and handling of foodstuff;
o competition and consumer information and awareness;
o law and regulations relating to consumer protection and competition issues; and
o the preparation of guidelines and any other educational materials,

- recommend consumer protection and competition priorities.

3.1 Key Results

- The CPCCC will operate as an informal forum for awareness, discussion and review of current legislation concerning consumer protection, product safety and competition issues.
- The CPCCC will address consumer and competition issues and recommend action to the Commission and other appropriate Government agencies.

4. General Membership.

Membership shall consist of representatives of:

- government agencies that enforce and regulate consumer and competition related legislation;
- manufacturing (supplies and distributors) industries;
- the retail sector;
- the hospitality and service industries sector;
- non-government organisations;
- academic and professional bodies;
- research institutions; and
- other organisations that may contribute to furthering the aims of the CPCCC.

4.1 Chairperson

- The Commission will act as the Chair of the CPCCC.
- The Chairperson will be either the Commissioner or the Associate Commissioner of the ICCC.

A member who is a representative of a private sector organisation can be appointed as Co-chair
4.2 Appointment of members

- The Commission will formally invite members identified under section 4 of the ToR to appoint their CPCCC nominees to attend and participate in meetings.

4.3 Working Group

The CPCCC, through the Chair can appoint sub-committees to act as a working group to progress resolutions passed by members.

4.3 Other

- Where appropriate, persons with specific expertise may be invited by the CPCCC through the Chair to attend a meeting and contribute their expertise to CPCCC discussions. They will not hold membership status.
- Observer status at a meeting may be granted by the CPCCC through the Chair to persons who have a special interest, but such people will not take part in any discussion unless permitted by the Chair.

5. Roles and Responsibilities.

5.1 Chairperson

- The Chair will facilitate and manage the proceedings of the CPCCC meetings.
- The Chair will present to the Commission recommendations of the CPCCC meetings.

5.2 Secretariat

- The Commission will perform the Secretariat functions of the CPCCC.
- The Secretariat is responsible for liaising with members on all CPCC matters. This include but is not limited to:
  - organising meetings
  - preparing and distributing CPCCC agendas and meeting minutes
  - coordinating feedback and inputs to agendas, minutes and auctioning resolutions

5.3 Members

Members are expected to:

- liaise with the Secretariat on all CPCCC matters
- provide accurate input when representing a sector or an organisation
- provide timely feedback on CPCCC minutes and resolutions
- appraise their respective sectors and organisations on relevant CPCCC discussions.
6. Meetings

The CPCCC shall meet at least once quarterly.

7. Information Sharing

The meetings of the CPCCC will form the basis for interaction and dissemination of relevant information amongst members within reasonable time, before, during and after meetings.

All substantive matters scheduled for CPCCC discussion should be shared by the sector/organisation concerned with members at least two weeks prior to the scheduled meeting.

8. Reporting Relationship.

The Secretariat will be responsible for:

- submitting CPCCC reports to the Commission through the Chair regarding pertinent issues, progress; and recommendations; including updates on schedules, planned actions, and issues that remain unresolved.
- uploading CPCC minutes of the meetings for public viewing via the Commission's website. Confidential information will be omitted from the meeting minutes and withheld from the public.

9. Decision-making

Recommendations made by the CPCCC members is not legally binding; however, the Commission will give due consideration to these consistent with its powers and functions and the role of the CPCCC.

The Commission shall provide reasons for its decisions against recommendations of the CPCCC in writing or in the next immediate scheduled CPCCC meeting.

10. Quorum

The proceedings and decisions undertaken by the Committee shall be null and void unless two-thirds 2/3 or more of the members are present and voting.

11. Confidentiality

Members are expected to seek prior approval from the respective organisations before making available sensitive information at the CPCCC meetings.

Members can request, through the Chair non-disclosure of confidential of information by CPCCC members.
The Commission will approve all information to be released to the media or public so as to avoid conflicting views and potential legal challenges

12. Costs

Costs incurred by persons or organisations to attend meetings or to perform any other work related to the CPCCC terms of reference are to be borne by those organisations or persons. No seating or attendance fees apply.

Through the Chair, the Commission will meet costs associated with meeting venue, equipment and refreshments.

13. Review

The role and structure of the CPCCC will be reviewed after every three years.

---

1 This refers to all related legislations administered by the ICCC

- ii In order to facilitate a free flow of discussion and information, it is important that all members understand when a representative is speaking on behalf of their organisation, or is putting forth their own point of view. Accordingly, it will be assumed that a member is stating the view of their organisation or association, unless otherwise indicated.
- If a person who has been delegated to represent an association or organisation cannot be present at a meeting, then the association or organisation can appoint an alternate. In order to keep the membership of the CPCCC consistent, there shall be only one alternate appointed.
- When a member leaves the employer of their association or organisation, another member and/or alternate can be appointed by the member employer or association to represent them.