

# WHAT IS COMPETITIVE NEUTRALITY?



**Competitive neutrality** is the principle that government should compete with private business on an equal footing

## Who can lodge a complaint?

Any actual or potential competitor with a NSW Government business (or a person authorised to act on their behalf).

## Where do I make my complaint?

You write to the NSW Government business.

## What happens next?

The NSW Government business should respond within four weeks of receiving the complaint.

## What happens if I am not satisfied with the NSW Government response?

You may write to the Premier and ask for the complaint to be referred to IPART.

## What will the Premier do?

The Premier may refer the complaint to IPART if some conditions are met. These are:

- ▼ the complaint relates to any or all of the public trading activities of the Government business
- ▼ the competitor competes, or seeks to compete, in a particular market with the Government business and is hindered or is likely to be hindered from or in doing so by the matters complained of

- ▼ the competitor is materially affected by the matters complained of or is likely to be so affected
- ▼ the complaint has been made by the competitor or by a person or body authorised by the competitor to make the complaint on behalf of the competitor, and
- ▼ the subject matter of the complaint has been raised with the Government business and the complainant has reasonable grounds for not being satisfied with the response to the complaint.

## What will IPART do?

If the Premier refers the matter to IPART, then IPART has 10 weeks to investigate and report on the complaint. IPART must publish its report.

## What happens next?

The Minister for the NSW Government business must respond to IPART's report within eight weeks. The Minister's report must be published.

## What other information is there?

You can read the NSW Government's policy statement on competitive neutrality on NSW Treasury's [website](https://www.treasury.nsw.gov.au/sites/default/files/pdf/TPP02-1_Policy_Statement_on_the_Application_of_Competitive_Neutrality_Policy_and_Guidelines_Paper.pdf).

**For more information visit NSW Treasury's [website](https://www.treasury.nsw.gov.au/sites/default/files/pdf/TPP02-1_Policy_Statement_on_the_Application_of_Competitive_Neutrality_Policy_and_Guidelines_Paper.pdf)**

