



Dealing with Competitive Neutrality Complaints Procedures

Governance/Administrative Procedures/Guidelines Manual

Procedure 003 – Version 001

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1. Where a member of the public suspects that Council has not met its requirements relating to the principles of competitive neutrality, they must submit any complaint in writing directed to the General Manager. *Note: In accordance with Section 48 of the Economic Regulator Act 2009 (the Act) a potential complainant is required to discuss concerns relating to the application of the competitive neutrality principles with the government body (Council) providing the business activity in question prior to lodging a complaint with the Economic Regulator (the Regulator).* Some complaints may be resolved informally by the complainant obtaining further information about the costing structure and regulatory environment of the government body's business activity.
2. The General Manager will acknowledge the receipt of a complaint in respect to point 1 above in accordance with Council's Customer Service Charter Policy No. 8.
3. Upon investigation of the facts, the General Manager will determine the appropriate action to be taken to resolve the matter. If no further action is to be taken, the General Manager will provide reasons for the decision within 30 days of the receipt of the complaint.
4. Where the complainant considers that the complaint remains unresolved the complainant may wish to take the matter further by lodging a formal complaint with the Tasmanian Economic Regulator (the Regulator).
5. Section 49 of the Act requires that the complaint must be in writing and contain sufficient details to enable the Regulator to:
 - Identify the business activity of the government body which is the subject of the complaint;
 - Provide details of how the complainant believes the principles have been contravened; and
 - Provide details as to how the complainant has been adversely affected by the failure to apply the competitive neutrality principles.
6. Any departure from these procedures will be determined by the Act.
7. Further information in respect to submitting a complaint to the Regulator may be obtained by visiting the website of the Office of the Tasmanian Economic Regulator www.economicregulator.tas.gov.au