

## WORK PLAN FOR THE NATIONAL COMPETITION COUNCIL FOR 2025-26

The NCC is an independent Commonwealth Statutory agency that operates in accordance with Part IIA of the *Competition and Consumer Act 2010* (CCA) and this Annual Work Plan is determined in accordance with clauses 46 to 53 of the *Intergovernmental Agreement on National Competition Policy* (IGA).

Table 1 describes the functions of the NCC under the CCA, the IGA and the *Federation Funding Agreement – Affordable Housing, Community Services and Other – National Competition Policy Schedule* (FFA Schedule), and requirements for the 2025-26 Annual Work Plan.

**Table 1 – Functions of the NCC**

Function	Reference	Description	Required action	Timing
<b>National Access Regime</b>				
National Access Regime	Part IIIA, CCA	To make recommendations under the National Access Regime in Part IIIA of the CCA and recommendations and decisions under the National Gas Access (Western Australia) Law.	Advice	Demand-driven requirement
<b>NCP – National Reform Agenda</b>				
Assessment of Jurisdiction-specific Reform Plans (JSRPs) as requested by the Commonwealth	Clause 13, FFA Schedule	The Commonwealth may request advice from the NCC to assist it in assessing and providing advice on a jurisdiction's draft Jurisdiction-Specific Reform Plan (JSRP).	Advice	Demand-driven requirement
Binding <i>ex ante</i> advice on reform implementation	Clauses 22 – 28, FFA Schedule	States and territories that are parties to the FFA Schedule may request the NCC to provide and publish binding advice on whether – and to what extent – that party's proposed implementation approach for performance elements that will have no guidelines or will be different from approved guidelines would likely meet the commitments set out in the FFA Schedule.	Advice	Demand-driven requirement
<b>NCP – National Competition Principles</b>				

Function	Reference	Description	Required action	Timing
Advice on implementation of Principles	Clause 21, IGA	Parties to the IGA may request advice on the application of the National Competition Principles.	Advice	Demand-driven requirement
Thematic reviews of Principles	Clause 44(b)(i), IGA	After engaging with states and territories, the NCC may undertake and publish thematic reviews of how one or more Principles are being applied in practice (planning activities may be undertaken in 2025/26).	Report	NCC-driven. Lower priority in 2025-26.
<b>NCP - Education</b>				
Education and communication	Clause 44(c), IGA	The NCC has a role in educating the public on the value of competition and competition policy reform and advocating for ongoing progress for National Competition Policy.	Advocacy Communication	Ongoing
<b>NCP – Reporting</b>				
Reporting	Clause 45, IGA	The NCC is required to provide (a) regular updates to the National Competition Oversight Committee, and (b) an annual update to Heads of Treasuries and Council on Federal Financial Relations on its work relating to National Competition Policy.	Meeting attendance and annual report	(a) NCC to provide update on request  (b) NCC to provide annual update
<b>Other</b>				
Advice – Review of Australia’s Mutual Recognition Schemes for Workers	Section 29B(1)(b) of the CCA	The Government, in agreement with states and territories tasked the NCC to undertake an independent review of Australia’s mutual recognition schemes.	Advice	February to July 2026

Function	Reference	Description	Required action	Timing
Reporting for the purpose of exceptions from the Competition Laws	Clause 30, IGA	Where a Party to the IGA enacts legislation that relies on section 51 of the CCA, the Commonwealth will request the NCC to examine and report on matters specified in clause 30 of the IGA to enable the Commonwealth Minister to table the Commonwealth Parliament regulations made for the purposes of section 51(1C)(f) of the CCA in respect of that legislation.	Report	Nil anticipated for 2025-26
Other conferred functions	Sections 29B(2)-(2B) of the CCA	The NCC may be requested to undertake other functions and powers as conferred on it by a law of the Commonwealth, or a law of a state or territory, subject to the agreement by the majority of Parties (this does not apply to s29BA of the CCA).	n/a	Nil anticipated for 2025-26