



Market Power Laws and the Effects Test

HIA's Policy Position

HIA opposes the introduction of an effects test into section 46 of the Competition and Consumer Act 2010.

- Misuse of market power laws should be targeted at those firms with substantial market power misusing that power to stifle competition and innovation.
- To look at the 'effect' of market conduct rather than its 'misuse' represents a fundamental change that is inconsistent with competitive, productive and efficient markets.
- Introducing laws that 'protects' one business at the expense of another is the antithesis of competition, is counterproductive and will aggravate the difficulties faced by business.
- HIA does not consider that any change would assist the housing industry or the participants in that industry.