# EXPLANATORY STATEMENT

## Issued by authority of the Treasurer

*Competition and Consumer Act 2010*

*DECLARATION NO 94*

Section 95X of the *Competition and Consumer Act 2010* (the Act) provides that the Minister may, by notice published in the Gazette, declare goods or services of a specified description to be notified goods or services and may also declare a person to be, in relation to goods or services of a specified description, a declared person. The effect of declaration is that the ability of the declared person to increase the price of notified goods or services is restricted in accordance with section 95Z of the Act.

Declaration No. 94 declares Sydney Airport Corporation Ltd in relation to the provisions of aeronautical services and facilitates for regional air services to and from Sydney Kingsford Smith Airport.

Public consultation on the text of the declaration was not considered necessary because this declaration extends the price notification arrangements contained in the lapsed Declaration No. 93, made on 27 May 2013.

Declaration No. 94 is a legislative instrument for the purposes of the *Legislation Act 2003*.

Declaration No. 94 takes effect on 1 July 2016 and ceases on 30 June 2019.

### Statement of Compatibility with Human Rights

*Prepared in accordance with Part 3 of the Human Rights (Parliamentary Scrutiny) Act 2011*

***Competition and Consumer Act 2010***

This Legislative Instrument is compatible with the human rights and freedoms recognised or declared in the international instruments listed in section 3 of the *Human Rights (Parliamentary Scrutiny) Act 2011*.

#### Overview of the Legislative Instrument

This Legislative Instrument declares Sydney Airport Corporation Ltd a declared person in relation to the provision of aeronautical services and facilities for regional air services to and from Sydney Kingsford Smith Airport, for the purposes of section 95X of the Act. The effect of this declaration is that the ability of the Sydney Airport Corporation Ltd to increase the price of those aeronautical services and facilities is restricted in accordance with section 95Z of the Act across the declaration period.

#### Human rights implications

This Legislative Instrument does not engage any of the applicable rights or freedoms.

#### Conclusion

This Legislative Instrument is compatible with human rights as it does not raise any human rights issues.