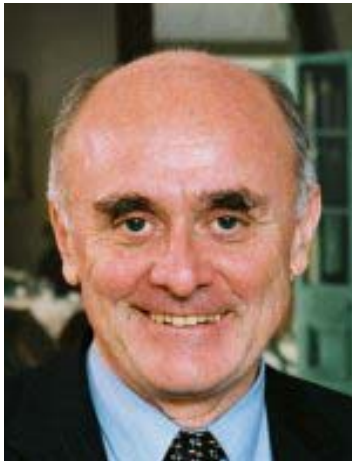


# AUSTRALIAN CANDIDATE FOR THE POST OF SECRETARY-GENERAL



**Name and Title:** Professor Allan Herbert Miller Fels, AO

**Date and Place of Birth:** 7 February 1942  
Perth, Western Australia

**Present Appointment:** Dean  
The Australia and New Zealand School of Government  
(ANZSOG).

The School is a major world-class school of government established by the governments of Australia, New Zealand, Victoria, New South Wales, Queensland and ten leading universities (Melbourne, Australian National University, Sydney etc). It was opened by the Prime Minister of Australia, Mr John Howard. It provides world-class training for senior public servants and works closely with them and in various respects it is modelled on the Kennedy School of Government at Harvard University. The School although new is substantial. 250 high level public servants do its Master's degree. 80 Deputy Secretaries do a high level world class three week residential program. There is a substantial research program.

**Other Current Posts:** Professorial Fellow, Department of Political Science, University of Melbourne; Honorary Professor, Faculty of Business and Economics, Monash University; Member, Editorial Advisory Board, OECD Journal of Competition Law and Policy; Member International Competition Network Mergers Working Group – Analytical Framework Subgroup; Member Editorial Board – Journal of Competition Law and Economics (Oxford University Press); Member of Advisory Committee of National Institute of Government, University of Canberra; RegNet, Board of Advisory Fellows.

**Other non-academic current Posts:**

Member, Bayside Health Board, Victoria (three public hospitals);

Consultant, Arnold Bloch Leibler and Associates (a Melbourne law firm);

Patron - Mental Health Council of Australia (the peak Australian body); Patron, Compeer Program (Caring for people living with a mental illness – St Vincent de Paul Society); Patron – Association of Relatives and Friends of the Mentally Ill (AFRAMI); Patron – Psychology Centre (Swinburne University); Patron - Mental Health Auxiliaries of Victoria (MHAV);

Patron – Burnet Institute (The Macfarlane Burnet Institute for Medical Research and Public Health);

Ambassador – Give As You Earn Program (Charities Aid Foundation Australia).

Patron, Foundation for Effective Markets and Governance; Patron, Society of Consumer Affairs Professionals;

Member Global Foundation; Steering Committee Member, Australia and New Zealand Leadership Forum;

### **Media Interests**

An accomplished TV and radio performer, Professor Fels has been in recent years a presenter of commentary on Channel 9, Business Sunday, the most watched business program on Australian TV.

Professor Fels contributes around an article a fortnight to major Australian newspapers. Currently he writes a column, with F. Brenchley, every two weeks in the Australian Financial Review, Australia's leading business newspaper.

### **Education:**

1959 – 65 University of Western Australia

Bachelor of Economics, First Class Honours

Bachelor of Laws

Tutor in Public Administration, 1965

Winner of Hackett Studentship for study abroad, Fulbright Fellowship for study in the USA, Duke Fellowship for study at Duke University

President, Guild of Undergraduates, 1963

1966 - 68 Duke University, Durham, NC, USA

PhD in Economics

**Honours** Order of Australia (AO), June 2001  
Centenary Medal, April 2003

**Awards** Civil Justice Foundation: Foundation Award 2002

Mental Illness Fellowship Award 2002

ATUG Regulator of the Year 1999

Honorary Membership of the Monash Chapter of the Golden Key International Honour Society

## Previous Government Posts:

From 1989 until 2003 Professor Fels was a full-time regulator for the Australian government. He was appointed as Chairman of the Prices Surveillance Authority (PSA) then as inaugural Chairman of the Trade Practices Commission (TPC) (the Antitrust regulator) and then in 1995 as Chairman of the Australian Competition and Consumer Commission (ACCC) (the antitrust regulator which also played the role of regulator of telecommunications and energy somewhat like the US Federal Communications Commission (FCC) and Federal Energy Regulation Commission (FEC)). The ACCC roles included:

- Apply and enforce competition law to all sectors, big and small, including agriculture, the professions, government businesses
- Authorise anticompetitive conduct if justified on public interest grounds
- Apply and enforce consumer protection law
- Apply and enforce secondary boycott and other laws to trade unions
- Apply and enforce small business protection laws, and industry codes
- Regulate public utilities in telecommunications, post, energy and rail
- Apply price surveillance laws from time to time, including for all sectors when a 10 per cent GST was introduced

Chairmanship of the ACC for a long period required technical skills in economics, law and public administration, as well as great political and communication skills. He was very active as Chairman. There was a dramatic increase in the output of the PSA, TPC and the ACCC (their expanded successor body). Their role and effectiveness was transformed. During this time Professor Fels became a household figure very widely known in Australia through very frequent appearance in TV, radio and newspapers, and according to the Australian Financial Review in its “power ratings” was the third most powerful man in Australia.

1995 - 03    Chairman, Australian Competition and Consumer Commission

1991 - 95    Chairman, Trade Practices Commission

1989 – 92    Chairman, Prices Surveillance Authority

1996 - 03    Co-chair, Joint Group on Trade and Competition, OECD

1991 - 96    Deputy Chairman, Competition Law and Policy Bureau, OECD

2001 – 03    Member Steering Group, International Competition Network

1982 - 91    Prices Commissioner, Victoria

1984 - 89    Associate Member, Prices Surveillance Authority

1973 - 81    Member (Part-time), Prices Justification Tribunal

- 1994 - 95 Member, Telecommunications Advisory Panel to advise the Minister for Communications on the future nature of Australian telecommunications policy.
- 1989 - 97 Associate Member, AUSTEL (Australian Telecommunications Authority)
- 1991 - 92 Member, Australian Industrial Relations Commission Review
- 1978 Member, ILO/UNDP Mission to advise Government of Zambia on Prices and Incomes Policy
- 1973 - 81 Member (Part-time), Prices Justification Tribunal

**During 1971 – 96** - Chair, Shop Trading Hours Panel, Victorian Government; Chairman, Egg Industry Prices Panel, Member, Supreme Court of Victoria Law Cost Coordination Committee; Member, Solicitors' Remuneration Order Committee; Independent Arbitrator appointed by Victorian Department of Agriculture at various times to resolve disputes concerning prices paid by processors to chicken, winegrape and tomato growers; Alternative Member, Independent Air Fares Committee; Consultant, UK Price Commission; Adviser, (Commonwealth) Parliamentary Joint Committee on Prices; Consultant, National Board for Prices and Incomes, UK

**Previous Other Activities**

- 1985 - 90 Chairman, Academic Board, National Institute of Economic and Industry Research
- 1987- 91 Counsellor, Committee for Economic Development of Australia (CEDA)
- 1998 - 03 Member, Australian-American Leadership Dialogue
- 1963 - 65 President, Nedlands Branch; Secretary, Curtin Division; State Council Member, Liberal Party of Australia.

**Previous Academic Posts:**

- 1984 - 96 Professor of Administration, Monash University, Faculty of Economics and Politics (on leave 1991-1996)
- 1985 - 90 Director, Graduate School of Management, Monash University
- 1985 - 89 Director, MBA program
- 1987 - 91 Director, Public Sector Management Institute, Monash University
- 1987 - 91 Director, National Key Centre in Industrial Relations, Monash University

- 1973 - 84 Senior Lecturer in Economics, Monash University
- 1982 Visiting Professor, Economics Department, Duke University
- 1978 Tripos Lecturer, Department of Economics, University of Cambridge
- 1969 – 72 Research Fellow, Department of Applied Economics, University of Cambridge

## Major Research Grants

During his time as an academic, Professor Fels demonstrated a substantial capacity to initiate, develop, direct and implement research strategies in a wide range of areas of public policy.

- June 2005 Australian Government \$10million contributed to the Australia and New Zealand School of Government Foundation.
- 1987-93 Australian Government, Department of Education, Employment and Training, \$625,000 per annum for Public Sector Management Institute (renewed, after review, in 1990) (This was the major part of a \$750,000 per annum grant established, on my initiative, for public sector management studies in Australia)
- 1987-91 Government of Victoria, \$100,000 per annum for Chair of Public Sector
- 1988 Academic Development Fund, Monash University, \$60,000 Public Sector Management Institute
- 1987 Academic Development Fund, Monash University, \$60,000 Public Sector Management Institute
- 1989-99 I established and then played a significant role in the successful application of the National Health Services Evaluation Centre (which I established as part of the Public Sector Management Institute) for funds of around \$300,000 per annum from the NHMRC and a further matching amount of around \$300,000 per annum from the Victorian Health Promotion Foundation. This was a ten year grant subject to a review after five years.
- 1989-95 Australian Government, Department of Education, Employment and Training, National Key Centre in Industrial Relations, \$180,000 per annum, supplemented by Vice Chancellor's Grant of \$140,000 in 1990. (This was located in the Public Sector Management Institute)
- 1982 ARGC, \$10,000 Economics of Law with Special Reference to Class Actions (with Professor Brunt)

- 1981            ARGC, \$10,000 Economics of Law with Special Reference to Class Actions (with Professor Brunt)
- 1980            Reserve Bank, \$6,000 Econometric Study of Inflation (with Dr Tran)
- 1978            Research Bank, \$6,000 Econometric Study of Inflation (with Dr Tran)

## **APPENDICES**

Appendix 1 Publications

Appendix 2 Government Publications

Appendix 3 Newspaper articles

Appendix 4 Speeches

## APPENDIX 1

### Publications

#### *Academic*

#### Books

The British Prices and Incomes Board, Occasional Paper 29, Cambridge University Press, Cambridge, UK, 1972, (298pp). This book was widely and generally favourably reviewed in all leading international journals of economics, industrial relations and public administration as well as in The Economist, The Times Education Supplement etc.

#### Book Chapters

‘Reflections of a former regulator on the consumer affairs scene’ in Essays in Australian Consumer Affairs: an occasional series, Consumer Affairs Victoria. Smith, Simon (ed.), Melbourne, May 2005.

‘Understanding how population affects the quality of competition in our economy’ in Australia’s Population Challenge, eds S. Vizard, H.J. Martin & T. Watts, Penguin Books, Australia, 2003, pp.44-48.

‘Competition and globalisation’ in Trade and Cooperation with the EU in the New Millennium, eds C. Saunders & G. Triggs, Kluwer Law International, United Kingdom, 2002, pp.15-26.

‘Governance Issues – what are the alternative structures? Australia’s experience’ in Canadian Competition Policy: Preparing for the Future, Government of Canada and University of Western Ontario, 2002, pp.128-153.

‘Occupational regulation’ (with Parker, D., Comley, B. and Beri, V.) in The Anticompetitive Impact of Regulation, eds G. Amato & L. Laudati, Edward Elgar Publishing Inc, UK, 2001, pp.104-115.

‘Australia’s comprehensive review of anticompetitive laws’ in The Anticompetitive Impact of Regulation, eds G. Amato & L. Laudati, Edward Elgar Publishing Inc, 2001, pp.329-342.

‘The Australian competition policy reforms’ in Competition Policy Analysis, ed E. Hope, Routledge, London, 2000, pp.87-108.

‘Implementation of competition policy reform’ in Reforming the Public Sector Problems and Solutions, eds C. Clark & D. Corbett, Allen & Unwin, Sydney, 1999, pp.151-163.

'Decision making at the centre' in Robert Schumann Centre Annual on European Competition Law, eds C. Diet Erehlermann & L. Laudati, Kluwer Law International, 1996, pp.45-69.

'Competition policy, COAG and the future' in Microeconomic Reform and Federalism, eds P. Carroll & M. Painter, Federalism Research Centre & Australian National University, Canberra, 1995, pp.99-111.

'The Australian system of competition law and its relationship to international harmonisation of competition laws' in International Harmonization of Competition Laws, eds C. Wang, C. Cheng and L. Liu, Kluwer Law International, Taiwan, 1995, pp.351-366.

'The Prices Surveillance Authority' in Government and Business Regulation in Australia, ed R. Stewart, Allen & Unwin, NSW, 1994, pp.130-149.

'Domestic competition: deficiencies and future directions' in A Long Term Economic Strategy for Australia, ed F. Argy, CEDA, Melbourne, 1994, pp.75-93.

'Competition policy and economic rationalism', (with Walker, J.) in Economic Rationalism: Dead end or way forward?, eds S. King and P. Lloyd, Allen & Unwin, Australia, 1993, pp.169-191.

'The next step for competition policy in Australia: universal applicability of Part 1V of the Trade Practices Act' in Governance and Economic Efficiency, Committee for Economic Development of Australia, 1993.

'The role of the PSA in a climate of deregulation' in Deregulation or Better Regulation, eds B. Head and E. McCoy, McMillan, Australia, 1991, pp.80-87.

'Corporate power with public purpose: monitoring the GBE's' (with Xavier, P) in Telecommunications Law: Australian Perspectives, ed M. Armstrong, Media Arm, Australia, 1990, pp.310-335.

'Overall implications for the place of professional incomes in Prices and Incomes Policy' in Professional Incomes, Monograph Series, , Bureau of Labour Market Research, ed W. Merrilees, Australian Government Publishing Service, Canberra, 1986, pp.147-159.

'Rationales for regulation' in Economic Regulation of Aviation in Australia, Bureau of Transport Economics and Department of Aviation, Australian Government Publishing Service, Canberra, 1985, pp.203-213.

'Wages and prices: prospects for the future' in Industrial Relations and the Accord, eds R. Lansbury, J. Ryan and B. Horsfield, Graduate School of Management, Macquarie University, Sydney, 1985, pp.30-34.

'Incomes policy', in The Economy in Operation eds J. Brown, K. Nailon and S. Pinchen, VCTA Publishing, Melbourne, 1985, pp.180-188.

'Theories of economic regulation and their application to Australia' in Government Regulation of Industry, ed C.J. Aislabie, Newcastle, 1981.

'Economics of class actions' (with Brunt. M) in Law and Economics, ed R. Cranston, Australian National University Press, 1981.

'Policies for prices' in Incomes Policy in Australia, ed K. Hancock, Harcourt, Brace and Jovanovich, 1981.

'Prices policies in market economies' in Readings in Economics, Economics and Commercial Teachers' Association of NSW, 1978.

'The regulation of prices and competition', in The Future of Manufacturing Industry in Australia, ed B.L. Johns, Newcastle, 1977.

### **Journal articles**

'Regulating markets: Marketing regulation", Australian Journal of Public Administration, Vol 63, No. 1, pp 29-36, December 2004.

'Past and Future of Competition Law', Economic Papers, Vol. 23 No. pp 3-12, March 2004.

'Foreword' in The Big Picture: How Environment Influences Corporate Profit, The Association of Chartered Accountants, Australia, 2004.

'Corporate philanthropy: new models for the 21<sup>st</sup> century', The Journal of Contemporary Analysis, vol 76, Issue 1, pp 30-34, January – February 2004

With Grimwade, T. 'Authorisation: is it still relevant to Australian competition law', Competition and Consumer Law Journal, December 2003.

'Foreword', Trade Practices Law Journal, vol. 11, no. 1, pp. 6-11 March 2003.

'Looking back on ten years of Australian Competition Law', Competition and Consumer Law Journal, November 2003.

'A Journal of Policy Analysis and Reform – Regulating Access to Essential Facilities', Agenda, vol. 8, no. 3, pp.195-207, 2001.

'Competition Policy: Lessons from International Experience', The Egyptian Center for Economic Studies, paper no.62, 2001.

'The Trade Practices Act – Past, Present and Future', Trade Practices Law Journal, pp.5-18, March 2001.

'Autorita Garante della Concorrenza del Mercato', Administrative/Prospectorial Discretion of Antitrust Authorities, chpt. 27.

'On the Ball with the ACCC', The Sydney Papers, The Sydney Institute, vol. 11, no. 2, Autumn, pp.1-10, 1999.

'Twenty-Five Years of the Trade Practices Act', with R. Jones, Trade Practices Law Journal, Vol. 7, pp127-145 September 1999.

'Repeal of Parallel Import Restrictions: A Step Forward for Copyright in Australia and New Zealand', Journal of The Intellectual Property Society of Australia and New Zealand Inc, Issue 35, December, pp.14-21,1998.

'Economic Globalisation: Creative Government Responses', Committee for Economic Development of Australia, August, p.11.

'Competition Policy Objectives: Objectives of Competition Policy', European Competition Law Journal, Hart Publishing, pp.53-67,1997.

'The Australian Competition and Consumer Commission and the New Regime', Australian Journal of Public Administration, vol. 55, June, pp.74-78, 1996.

'ACCC Law Enforcement Compliance', Australian Banker, vol. 110 (6), no. 6, pp.204-209, 1996.

'Current Issues in Merger Policy and Regulation: A Discussion', Corporate and Business Law Journal, vol. 9, no. 2, pp.173-192, 1996.

'Competition Policy and Law Reform: Asia Pacific', Australian Journal of Corporate Law, vol. 6, no. 2, July, pp.143-153, 1996.

'The Australian Competition and Consumer Commission', Sydney Papers, vol. 7, no. 4, Spring, pp.60-69, 1995.

'Competition Law in the Post-Hilmer Era: Some Thoughts', Business Council Bulletin Competition Policy Supplement 1995: Making Hilmer Happen, July, pp.50-52,1995.

'What an Industry Economist Needs to Know', Bureau of Industry Economics Report, University of Melbourne, July, pp.61-66, 1995.

With Walker, J. 1994, 'Merger Policy and Practice', Australian Economic Review, no. 4, pp.96-101, 1994.

'The Trade Practices Act 1974 - Twenty Years On', Competition and Consumer Law Journal, vol. 2, no. 2, November, pp.89-97, 1994.

'The Future of Competition Policy', Deakin Law Review, vol. 1, no.1, pp.5-13, 1994.

'Where do Governments get their Advice?', Canberra Bulletin of Public Administration, no. 75, December, pp.126-127, 1993.

'Trade Practices: Notes on Recent Development - Product Liability', Journal of Corporate Management, vol. 45, no. 6, November/December, pp.253-255, 1993.

'Trade Practices: Notes on Recent Developments', Journal of Corporate Management, vol. 45, no. 5, September/October, pp.212-214, 1993.

'The Future of Competition Policy', The Sydney Papers, no. 4, Autumn, pp.1-10, 1992.

With Walker, J., 'The Market for Books and the Importation Provisions of the Copyright Act', Melbourne University Law Review, vol. 17, December, pp. 566-581, 1990.

'The Political Economy of Regulation', University of New South Wales Law Journal, 1992.

With Tran Van Hoa, 'Causal Relationships in Australian Wage Inflation and Minimum Award Rates', Economic Record, March, 1981.

'The Criteria of the Prices Justification Tribunal', Economic Monograph, Economic Society of Australia and New Zealand (NSW), 1974.

'The Prices Justification Tribunal', Australian Economic Review, December, 1974.

'Politica de Rentas' (Incomes Policy), Revista Espanola de Economia, September, 1972.

## APPENDIX 2

### GOVERNMENT PUBLICATIONS

I have been involved in the publication of numerous official reports since 1973. My involvement has varied. I have totally written some reports and substantial parts of others. Others, particularly more recently, bear my signature or that of the whole Commission or Authority but in a general sense reflect an input from me. A great majority of reports contain significant analytical and empirical material and make significant new contributions to understanding the way in which industry works or the issues involved in various public policy questions.

#### **Prices Justification Tribunal (1974-1981)**

Co-author of some 40 published reports on a range of Australian industries and companies, including steel, petroleum products, cars, cement, newspapers, paper manufacturing, road transport, breweries etc.

#### **Prices Commissioner, Victoria (1982-1991)**

Principal or sole author of various reports including:

Petrol Pricing and Marketing in Victoria, 1982 (250 pp).

Divorcement and Petroleum Marketing, 1984 (270 pp)

Egg Prices, 1986 (86 pp)

Egg Prices, 1988 (60 pp)

#### **Prices Surveillance Authority (1984-1992)**

Co-author of 38 reports on prices and competition concerning prices and competition in relation to petroleum products, LPG, telephones, postal services, credit cards, cigarettes, books, records, retail groceries, tampons, chicken processing, stevedoring, coastal shipping, computer software etc.

#### **Trade Practices Commission and Australian Competition and Consumer Commission (1991-2003)**

This is a sample of major reports of the Commission which include:

- Life Insurance and Superannuation
- Guarantors - Problems and Perspectives
- The Failure of Compass Airlines
- Study of the Professions - Architecture
- Study of the Professions - Accountants

- The Legal Profession, Conveyancing and the Trade Practices Act
- The Legal Profession
- Regulation of the Taxi Industry
- Application of the Trade Practices Act to Intellectual Property
- Market Definition and Competition issues in Commercial Broadcast Radio
- Checkout the price - Review of Supermarket Scanning Code
- Home Building - Consumer Problems and Solutions
- Acquisitions and the Failing Company Argument - a discussion paper of the TPC and the New Zealand Commerce Commission
- Self-regulation of promotion and advertising of therapeutic goods
- Taking Advantage - Sale of life insurance to Aboriginal people in remote communities
- Report to the Minister on the recommendations affecting competition of the Caucus Special Committee of Inquiry into aspects of the Australian Petroleum Industry

A sample of submissions to major Parliamentary or National Inquiries have included:

- The Senate Standing Committee on Legal and Constitutional Affairs, Inquiry into Mergers Policy (the Cooney Inquiry)
- House of Representatives Select Committee Inquiry into the Print Media (the Lee Inquiry)
- House of Representatives Standing Committee on Finance and Public Administration Inquiry into Banking and Deregulation (the Martin Inquiry)
- Independent Review of National Competition Policy (the Hilmer Review).
- Australian Law Reform Commission, Compliance with the Trade Practices Act
- Financial Systems Inquiry (Wallis)
- Cross Media Ownership Law Inquiry
- Retail Dominance Inquiry
- Broadcasting Inquiry (Productivity Commission)

The TPC and ACCC issue numerous authorisation adjudications analysing in detail the benefits to the people of proposed anticompetitive arrangements. A sample of such adjudications taken from one year is set out.

Adjudications under Authorisation provisions of the Trade Practices Act concerning, for example, Conaust Ltd, Howard Smith Industries Pty Ltd/McIlwraith McEacharn Operations Ltd; Computerised reservation systems merger; Sydney Futures Exchange Clearing House Pty Ltd; Australian Transmission Rebuilders' Association; Winegrape indicative price scheme; Furniture flammability code; Exclusive dealing for methanol supply; Agricultural and veterinary chemicals; SAGASCO Resources joint venture; Victorian newsagency system; Melbourne Tug Service; Abbott Australasia Pty Ltd and Nestle Australia Ltd, an arrangement for the marketing of infant formula; Australian Stock Exchange Ltd, dealing rules for Stock Exchange Automated Trading System; Quilted Products Manufacturers' Association of Australia, quality assessment scheme; St George Cabs Co-operative Ltd, conditions placed on drivers; Travel Industries Automated Systems Pty Ltd, code of conduct for computer reservation systems in Australia; TRW Australia Holdings Ltd, proposed acquisition of assets; Wide Bay Capricorn Building Society Ltd, insurance requirements for borrowers; Australian Tobacco Leaf Corporation Pty Ltd, marketing arrangements; Stock and Station Agents' Association of NSW, constitution and accreditation rules; Victorian Stock Agents' Association, constitution and accreditation rules; GIO General Ltd, FAI General Insurance Co Ltd and CE Heath Casualty and General Insurance Ltd, joint venture and related sub-contracting agreements; Robert Fitzgerald & Associates, Kwik-Kopy Australia Pty Ltd and Mozprop Pty Ltd, franchising code of practice; Victorian Road Transport Association Incorporated, rules and code of conduct. (These are a sample covering a one year period.)

## APPENDIX 3

### NEWSPAPER ARTICLES

I have written numerous articles for newspapers. I contributed regularly to Business Review Weekly (a monthly column), the Money Magazine (monthly), the money section of several newspapers including the Daily Telegraph (monthly) and on an ad hoc basis to national daily newspapers.

#### Recent Newspaper articles

“Telstra must be reined in”, with F. Brenchley, Australian Financial Review, 28 June 2005.

“Warning shot on mergers” with F. Brenchley, Australian Financial Review, 14 June 2005.

“Chance to turn a new leaf” with F. Brenchley, Australian Financial Review, 31 May 2005.

“No time to be over a barrel” with F. Brenchley, Australian Financial Review, 5 May 2005.

“Getting touch on greedy cartels” with F. Brenchley, Australian Financial Review, 2 April 2005.

“Distorted telco market must be tackled, with F. Brenchley, Australian Financial Review, 21 March 2005.

“Rau is only an extreme example – our prisons are full of mentally ill people”, Sydney Morning Herald, 9 February 2005.

“Media barons call the tune”, with F. Brenchley, Australian Financial Review, 29 December 2004.

“Governments must grasp nettle of lasting reform”, Australian Financial Review, 11 November 2004.

‘Fully privatised Telstra more of a bully’, Australian Financial Review, 13 October 2004.

‘Let’s dump anti-dumping’, Australian Financial Review, 24 September 2004.

‘Make our own luck’, The Australian, 22 September 2004.

‘Chance missed to give regulators more teeth’, Australian Financial Review, 16 August 2004.

‘How to bring knowledge to the entire planet’, The Age, 7 August 2004.

‘High price of ignorance’, The Herald Sun, 20 July 2004.

'First comes debt, then investment', The Age, 10 July 2004.

'Competition can lead a Tasman market', Australian Financial Review, with F. Brenchley, 3 July 2004.

'The high price of those terrific deals', Sydney Morning Herald, 2 July 2004

'CEO as politician', Financial Review, 27 May 2004.

'Shape up big business, or beware Labor's Reform Plans', The Sydney Morning Herald, 16 April 2004.

'Dispense some competition to pharmacies', The Sydney Morning Herald, with F. Brenchley, 8 April 2004,

'Smoke free signals for power industry', Australian Financial Review, 1 April 2004.

'The very poor need homes', The Age, 22 March 2004.

'Shareholders on warpath', Australian Financial Review, 16 March 2004.

'The case that broke the cartel', Business Review Weekly, 12 February 2004.

'CEO's pay out of whack', Australian Financial Review, 10 February 2004.

'A waste of foreign aid', Business Review Weekly, 22 January 2004.

'Supporting the consumer', Australian Financial Review, 19 January 2004.

'Now is the time to raise retirement age', The Age, 27 December 2003.

'It pays well to give wisely', Australian Financial Review, 20 November, 2003.

'Health competition a cure for medicine', The Australian, 3 November, 2003.

'The rival no politician can defeat', Sydney Morning Herald, 30 October, 2003.

'Ethical from top to bottom', Australian Financial Review, 10 October, 2003.

'Clear Benefit', Business Review Weekly, 9 October, 2003.

'US model for policy academy', The Australian, 15 January, 2003.

With Andrew Leigh 'Fresh thinking on public policy', Sydney Morning Herald, December 2002.

## APPENDIX 4

### SPEECHES

In the last thirty years I have given numerous speeches to many different kind of audiences averaging about 75 speeches per year. Audiences have included the Business Council of Australia, Australian Chamber of Commerce and Industry (ACCI), Council of Small Business Organisations of Australia (COSBOA), Metal Trades Industry Association, Victorian Employers Chamber of Commerce and Industry (VECCI), NSW Chamber of Manufactures, Confederation of Australian Industry, Electricity Supply Association of Australia, Australian Gas Association and a very large number of industry specific trade associations in such areas as the building industry (I recently delivered the Sir Albert Jennings memorial lecture in the Great Hall, Parliament House, Canberra).

I speak very often at commercially organised conferences on banking, merger law, the Hilmer Report, Pay TV, telecommunications, the energy sector, petrol, real estate and many, many others.

I have given seminars to the central agencies of most State governments as well as several seminars at Commonwealth level.

I also speak to various learned and professional societies such as the Economic Society, various accounting societies, universities, the American Bar Association Annual Conference, the International Bar Association and the Executive of the Royal Australian College of Surgeons, the Heads of Colleges of Medical Specialists.

I have given presentations to the Directorate General for Competition of the European Union and the OECD, the US Federal Trade Commission and may other international agencies.

I have had a particularly close relationship with CEDA over the years and have spoken at least 50 times to CEDA meetings in most States of Australia.

#### **Speeches (From July 2003)**

July 2003	'Regulation, Industry Structure and Market Power' ACCC Regulator Conference (Gold Coast – 31 July)
	'Whistleblowing: opportunity or threat? Understanding the corporate governance and public sector reforms' at Transparency International – Whistleblowing Conference (Melbourne – 31 July)
August 2003	'Competition policy: the last decade and the next decade' at Australian Graduate School of Management Alumni Association Melbourne Chapter (Melbourne – 19 August)

Response to Presentation to Professor Fels for significant contribution to consumer affairs at SOCAP Annual Conference  
(Sydney – 28 August)

'What the value of ANZSOG will be to senior managers' at Australian Public Service Commission – Leadership Lunchtime Seminar  
(Sydney – 28 August)

September 2003 'Criminal sanctions and collusion under the Trade Practices Act' at ANZ Society of Criminology Conference  
(Sydney – 1 September)

Keynote Speech at Australian Compliance Institute - National Conference  
(Sydney – 4 September)

'The past and future of competition law' at Giblin Lecture, University of Tasmania  
(Hobart – 6 September)

'Competition law and policy – the wider lessons for Government' at Institute of Public Administration Australia 2003 Spann Oration to NSW Division  
(Sydney – 9 September)

'The future of competition law' at 1<sup>st</sup> Economic and Social Policy Public Lecture Series - University of Wollongong  
(Wollongong - 10 September)

'The privacy regulator's role in an era of transparency' at International Conference on Data Protection and Privacy  
(Sydney – 10 September)

'Reflections of a competition Czar' at University of NSW – Tribute to Chairmanship  
(Sydney – 17 September)

Debate – 'Can biological and psychological interventions be integrated in the treatment of psychosis?' at International Symposium for the Treatment of Psychoses  
(Melbourne – 24 September)

Presentation about ANZSOG at Monash University  
(Melbourne – 25 September)

- 'Stories of competition law' at 12<sup>th</sup> Annual Business Forum,  
MGI Merrick Webster  
(Melbourne – 30 September)
- November 2003 Presentation about ANZSOG to SA Government (Jane  
Lomax-Smith MP, Warren McCann, Professor Andrew  
Parkin)  
(Adelaide – 3 November)
- 'Responding to the environment – the future of the public  
service' to PSSM – State Services Commission  
Conference  
(Wellington - 6 November)
- 'The strategy of a regulator' for NECG Consulting  
(Melbourne - 7 November)
- 'What we need to do to achieve the balance between  
commercial and social goals of infrastructure' (via video  
conference) at Wellington Utilities and Infrastructure  
Conference  
(Wellington - 10 November)
- Talk about ANZSOG at Harvard Club's Leader Forum  
(Melbourne – 11 November)
- 'The future of competition policy' at Pursuing Opportunity  
and Prosperity Conference  
(Melbourne - 14 November)
- 'Regulating strategy' at the Office of Fair Trading  
(London - 18 November)
- 'Global competition policy' Keynote speech at Global  
Standards Conference (Oxford University and ESRC  
sponsored)  
(Oxford – 20 November)
- 'Regulating markets, marketing regulation' keynote speech  
at Public Sector Management Conference – Toward Public  
Value? Management and Employment Outcomes (Monash  
University)  
(Melbourne - 25 November)
- 'Engage. Practice. Reflect' keynote speech at IPAA &  
Griffith University National Conference (Academic Day)  
(Brisbane – 28 November)
- 'Corporate philanthropy – new models for the 21<sup>st</sup> century'  
at UNIFEM Australia Conference  
(Melbourne - 8 November)

- December 2003 'Competition, trade and regulation – towards a competition checklist' at APEC – OECD Cooperative Initiative on Regulatory Reform  
(Paris - 2 December)
- 'Effective regulatory management' at CEDA Copland Program  
(Melbourne - 12 December)
- 'How to become an effective watchdog without overstepping the boundary and alienating Government' at Auditor General's Office  
(Melbourne - 15 December)
- Presentation about ANZSOG to Western Australian Government (WA Strategic Management Council) – Geoff Gallop, Mal Wachope, John Kobelke.  
(Perth - 18 December)
- January 2004 Panellist at the Annual Professional Development Seminar – Parliamentary Scrutiny and regulatory bodies, Parliament House  
(Sydney – 30 January)
- February 2004 'Competition Regulator – an introductory framework' at the OECD Global Forum on Competition  
(Paris – 12 February)
- 'The Changing Public Sector: The Australia and New Zealand School of Government and the Australian Competition and Consumer Commission' at the Monash Alumni Association Breakfast briefing  
(Melbourne – 24 February)
- 'Skills required to be a successful public sector leader' at 2004 Government Business Conference  
(Terrigal – 26 February)
- March 2004 'The role of regulators in monitoring policy' at The Policy Train Seminar – Department of Finance and Administration  
(Canberra – 1 March)
- 'Living with mental illness' at the 7th Annual Psychiatry Symposium  
(Gold Coast – 6 March)
- 'Analysing public sector strategy' at the Government Thought Leadership Briefing - PeopleSoft  
(Sydney – 9 March)
- 'Can Australian-domiciled banks become a more active, competitive force in an increasingly globalised market?' at

the Financial Markets Association's Inaugural Conference  
(Sydney – 10 March)

'Reflections of a former regulator on the consumer affairs scene' at Consumer, Business and Government: A National Consumer Congress, Consumer Affairs Victoria  
(Melbourne – 16 March)

'Strategic management in the public sector' at the Municipal of Victoria CEOs Forum dinner  
(Melbourne – 18 March)

'Changing role of regulators and direction of government' at Challenges and Opportunities – Changing with the Times conference held by the Australian Corporate Lawyers Association  
(Sydney – 26 March)

April 2004                      Opening remarks and chairing plenary session - Antitrust Enforcement In Regulated Sectors Working Group at the 3rd International Competition Network Conference  
(Seoul, Korea - 22 April)

'A comprehensive national competition policy' at the Fair Trade Commission, Taiwan)  
(Taipei, Taiwan – 23 April)

'Administrative law and the regulatory state: new challenges for regulators' at the Australian Institute of Administrative Law Seminar  
(Canberra, 28 April)

May 2004                      Presentation (as Patron) at opening ceremony of Psychology Centre at Swinburne University  
(Melbourne, 5 May)

Address at the launch of new Centre for Credit and Consumer Law, Griffith University  
(Brisbane, 18 May)

June 2004                      'The Australian experience concerning law and the professions' at the Ninth EU Competition Law and Policy Workshop: the Relationship Between Competition Law and (Liberal) Professions.  
(Florence, 12 June)

'Analysing competition regulation strategy' for the Competition Directorate, European Commission.

(Brussels, June 14)

Presentation about ANZSOG to the Director and staff of United Kingdom's Centre for Management and Policy Studies (CMPS)  
(Sunningdale, UK, 15 June)

Presentation about ANZSOG to Cabinet Office, UK  
(London, 16 June)

Presentation about ANZSOG to the Canadian Centre for Management Development (CCMD)  
(Ottawa, 17 June)

Keynote speech at Australia - New Zealand Leadership Forum Debrief.  
(Auckland, 29 June)

July 2004      Talk to Heads of Department at Secretaries Retreat  
(Sydney, 23 July)

August 2004      Keynote talk 'The Trade Practices Act and retail property',  
at conference hosted by Raj Lawyers.  
(Sydney, 19 August)

'The strategy of economic regulation' at the Colin Clark Memorial Lecture  
(Brisbane, 20 August)

September 2004      Talk at Mental Health Services Conference –  
Achievements Awards.  
(Gold Coast, 1 September)

Keynote talk 'ANZSOG and Leadership' at Execnet Function  
(Brisbane, 1 September)

Talk about ANZSOG at CEO Forum - Invigorating the NSW Public Sector for Success.  
(Sydney, 10 September)

Panellist on Business Economics Forum – Reforming Australia  
(Melbourne, 9 September)

'Analysing competition policy globally' at the Federal Trade Commission Conference  
(Washington, 23 September)

- October 2004      Talk at 'Where to Now – CSR in the New Political Term',  
Green Capital Forum.  
(Melbourne, 13 October)
- Keynote speech at Customer Charter X Conference -  
'Celebrating the Past – Creating the future', AAMI.  
(Melbourne, 17 October)
- Talk at Mental Illness Fellowship Victoria Communications  
Launch – 'Five in Five Campaign', Open Mind Day.  
(Melbourne, 17 October)
- November 2004    Chair for Enforcement session at 2<sup>nd</sup> National Conference –  
Consumer Affairs Victoria – 'Australian Credit at the  
Crossroads: Looking for Landmarks'.  
(Melbourne, 9 November)
- 'Competition and Regulatory Strategy' talk at Australian  
Centre for Regulatory Economics and RegNet seminar.  
(Canberra, 23 November)
- Panellist at 'Whistleblowing and Policing: whistleblowing:  
courage without mateship' conference, Whistleblowers  
Australia.  
(Melbourne, 28 November)
- 'Telstra Privatisation – and Cross Media Laws' talk at  
Melbourne Institute Public Economics Forum -Some Post-  
Election Issues: the Economic Outlook, Industrial Relations  
Reform and Telstra Privatisation.  
(Canberra, 30 November)
- December 2004    'A Model of Regulatory Strategy', at Treasury Seminar.  
(Canberra, 1 December)
- 'Living with Mental Illness' keynote speech at Parliamentary  
Friends of Schizophrenia dinner.  
(Canberra, 1 December)
- 'Telstra Privatisation – and Cross Media Laws' talk at  
Melbourne Institute Public Economics Forum -Some Post-  
Election Issues: the Economic Outlook, Industrial Relations  
Reform and Telstra Privatisation.  
(Melbourne, 2 December)
- 'The Strategy of an Independent Regulator' at the  
Infrastructure Development and Financing: Strategies for  
the region conference.  
(Melbourne, 2 December)

## 2005

- February 2005 'The Relationship Between Competition Authorities and Sectoral Regulators', at the OECD Global Competition Forum.  
(Paris, 17 February)
- March 2005 'Lessons Learned in the Consumer and Competition Reform Process' at VISA International Australia and New Zealand 2005 Members' Forum.  
(Werribee, 3 March)
- 'ANZSOG', at Seminar for New Zealand agency heads, State Services Commission.  
(Wellington, New Zealand, 31 March)
- April 2005 'The Executive Master of Public Administration Degree Program of the Australia and New Zealand School of Government' at the Globalizing Public Policy Education and Research Spring meeting, Association of Public Policy Analysis and Management.  
(Washington, United States, 9 April)
- May 2005 'Managing Compliance through standards ' at SAI Global Breakfast.  
(Sydney, 6 May and Melbourne, 13 May)
- 'ANZSOG" to Queensland Government CEO Forum.  
(Brisbane, 17 May)
- 'Competition Policy and Industrial Relations Policies' at Arnold Bloch Leibler lunchtime presentation.  
(Melbourne, 25 May)
- 'Analysing Regulatory Strategy' at Arnold Bloch Leibler lunchtime presentation.  
(Melbourne, 26 May)
- June 2005 'Australian Intellectual Property Law, Competition and Collecting Societies: Efficiency, Monopoly, Competition and Regulation' at the 10th Annual EU Competition Law And Policy Workshop: The Interaction Between Competition Law And Intellectual Property Law, European University Institute.  
(Florence, Italy, 3 June)
- 'Building and Maintaining Relationships with Government and Regulators' at the Centre for Corporate Public Affairs Annual Corporate Public Affairs Institute.  
(Melbourne, 21 June)

'The Role of the Modern State: Private Good, Public Good' at  
Spotlight on Spring Street Seminar, IPAA.  
(Melbourne, 22 June)