

## Treatment of confidential information

The *Competition and Consumer Act 2010* allows interested parties that provide feedback to the [Digital Platform Services Inquiry](#) (the Inquiry) to make claims for confidentiality if the disclosure of information would damage their competitive position.

The ACCC invites interested parties, where appropriate, to discuss confidentiality concerns with the ACCC in advance of providing written material. The Inquiry is a public process and feedback (written and oral) will generally be posted on the ACCC website.

The ACCC can accept a claim of confidentiality from a party if:

- it is satisfied that disclosure would damage the party's competitive position, and
- it is not of the opinion that disclosure of the information is necessary in the public interest. The ACCC will consult with a party where possible and appropriate prior to publishing any information over which that party has claimed confidentiality.

### Making a claim of confidentiality

1. Please provide reasons why the information is confidential and why disclosure of the information would damage your competitive position, including identifying the damage that would occur should information be disclosed. This will assist the ACCC to consider whether the confidentiality claim is justified.
2. If you are claiming confidentiality over all of the information in your submission, you must provide reasons why all of the information in your submission is confidential and set out reasons why specific items of information would damage your competitive position. As the Inquiry is a public process, please consider whether there are any parts of your submission that may be published without damaging your competitive position.
3. If you are claiming confidentiality over a part of the information in your submission, the information over which you claim confidentiality should be provided in a separate document and should be clearly marked as 'confidential' on every relevant page. Alternatively, you may wish to provide:
  - a **public version** for publication on the ACCC website with the confidential information redacted, and
  - a **confidential version** with all of the confidential information clearly marked.
4. Contact the ACCC at [digitalmonitoring@acc.gov.au](mailto:digitalmonitoring@acc.gov.au) if you have any questions regarding making a submission containing confidential information. More information is also available on the ACCC's [website](#).