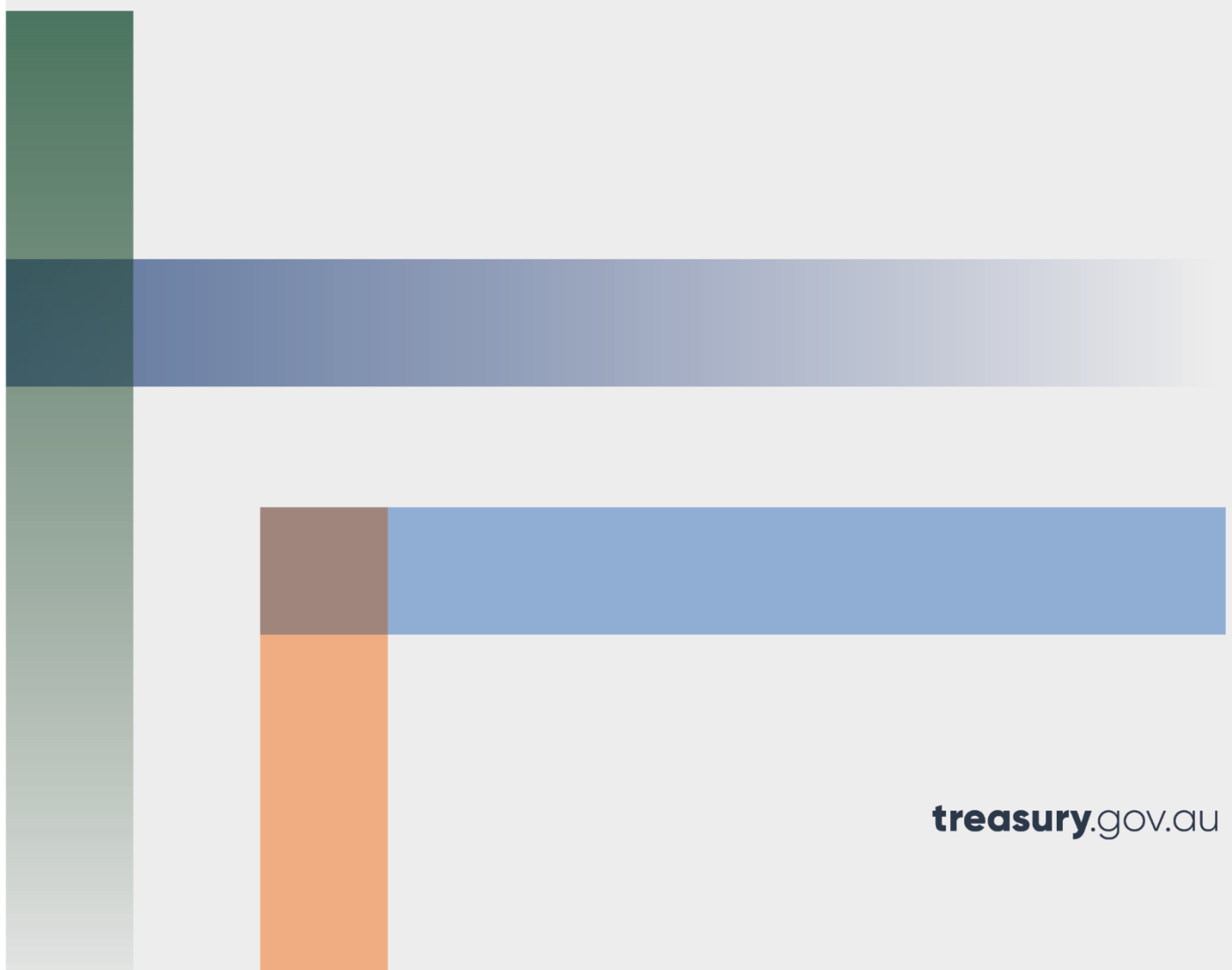




Improving Price Transparency in the Supermarkets Industry

Consultation paper

January 2026



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Request for feedback and comments

Treasury is seeking feedback on proposals to increase supermarket price transparency to help Australian consumers make more informed decisions when buying groceries.

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Introduction

At the direction of the Treasurer, the Australian Competition and Consumer Commission (ACCC) conducted an inquiry into Australia's supermarket sector in 2024 and 2025 (Supermarkets Inquiry).¹

The ACCC highlighted several key issues relating to the adequacy of price transparency in the supermarkets sector. During the Supermarkets Inquiry, the ACCC heard that some supermarkets in remote locations did not display pricing information and the ACCC found that there remain barriers to online price comparisons. These issues make it harder for consumers to judge if they are getting a good deal and make informed decisions about their grocery purchases. Furthermore, the ACCC found that supermarket promotional practices may make it difficult for consumers to assess pricing, discounts and value for money, and that loyalty programs (centred around collecting points) may make it more difficult for consumers to assess how much value they obtain from their memberships.²

In its Final Report of the Supermarkets Inquiry (Final Report), the ACCC made three recommendations focused on improving transparency about prices and price trends, promotions, and loyalty programs (price transparency recommendations) (Box 1 below). The Government agreed in-principle with the recommendations in the Final Report and committed to take forward the price transparency recommendations as part of the Government's suite of reforms to address competition and consumer harms in the supermarkets sector.³

This paper outlines proposals to implement these recommendations to equip consumers with information they need to make better informed grocery purchasing decisions. Questions have been framed to seek feedback on the proposals from all stakeholders (policy questions) and from supermarkets and other industry participants on the compliance and associated costs (data questions). A consolidated list of proposals and questions can be found in Appendix A.

1 Prime Minister of Australia, Treasurer and Assistant Minister for Competition, Charities and Treasury, Media Release: [Government to launch ACCC inquiry into supermarket prices](#), 25 January 2024.

2 ACCC, [Supermarkets Inquiry 2024-25 final report](#), 20 March 2025.

3 Treasurer, Minister for Agriculture and Small Business and Assistant Minister for Competition, Charities and Treasury, [Cracking down on the supermarkets to get a better deal for Australians](#), 21 March 2025 and Australian Labor Party, [Media Release: Labor will ban supermarket price gouging in another move on cost of living](#), 30 March 2025.

Box 1

ACCC Recommendation 2

Supermarkets should be required to publish pricing information. The Australian Government should require:

- 2.1 all supermarkets (including small rural stores and remote community stores) to publish prices on all products in-store
- 2.2 large (i.e. ALDI) and very large supermarket chains (i.e. Coles and Woolworths) (by turnover) to publish prices in-store and online via their websites
- 2.3 very large supermarket chains (by turnover) to make application programming interfaces (APIs) available which provide dynamic price information for third parties.

The ACCC also recommended governments provide support and funding to state and territory fair trading bodies to monitor compliance with the first requirement listed above. Monitoring is particularly important for this requirement as consumers may be reluctant to complain where they have no other choice of grocery store.

ACCC Recommendation 4

Supermarkets should be subject to minimum information requirements for discount price promotions, supported by record keeping obligations.

These minimum information requirements would apply specifically to supermarkets and require them to provide certain information in close proximity to the product (such as the pricing or promotional ticket) both in-store and online. This could include information such as the percentage or total discount being applied, the price on which the discount was calculated and the date range over which that previous price applied.

Supermarkets should also be required to maintain certain pricing, promotional ticketing and sales information which would be made available to the ACCC upon request. This measure would ensure that the ACCC has access to complete and reliable information, including the ability to assess the genuineness of a discount, when performing its investigative and enforcement role in relation to supermarket pricing and promotional practices.

ACCC Recommendation 7

Coles and Woolworths should be required to provide members with periodic loyalty program information disclosure summaries.

These summaries should outline:

- The monetary value of points and other benefits earned by the member over the period
- The monetary value of points and other benefits redeemed by the member over the period
- The amount the consumer has spent over the period.

A simple, plain-English explanation of how the monetary value of points and other benefits was calculated should also be provided.

Interactions with other government work on supermarkets

This consultation interacts with other government work to improve competition and address consumer harms in the supermarkets sector, including:

- On 11 December 2025, the Government amended the Food and Grocery Code of Conduct (Food and Grocery Code) to **prohibit supermarket excessive pricing from 1 July 2026**. The excessive price prohibition is designed to deter Australia’s largest supermarkets from charging excessive prices on grocery products.⁴
- The Government **replaced the voluntary Food and Grocery Code with a mandatory code** and introduced substantial penalties for breaches. The mandatory code came into effect on 1 April 2025.
- On 1 October 2024, the Government provided the ACCC with additional resourcing of \$30.4 million over four years from 2024–25 to **increase investigation and enforcement activity on harmful or misleading conduct in the supermarket and retail sectors**.⁵
- Treasury consulted on options to **Strengthen the Unit Pricing Code and a shrinkflation notification** from 1 September to 19 September 2025.⁶ The Unit Pricing Code is a mandatory industry code of conduct, made under Part IVB of the *Competition and Consumer Act 2010* (CCA), which requires certain grocery retailers to display unit pricing when selling groceries to consumers – based on price per weight, volume or unit – alongside the total sale price. In its Final Report, the ACCC supported the Government’s proposal to consult in relation to proposed changes to improve readability of unit pricing and address inconsistent units of measurement, both within stores and between competing retailers (recommendation 5). The ACCC also recommended that supermarkets be required to publish notifications when package size changes occur in a manner adverse to consumers (otherwise known as ‘shrinkflation’) (recommendation 6). Treasury will examine the interaction between the issues in this paper and unit pricing work when considering stakeholder feedback.
- On 10 November 2025, the Government launched the ***Supporting Fresh Produce Suppliers – Food and Grocery Code Education Program***, providing \$2 million in grants designed to help fresh produce suppliers build their understanding of their rights under the Food and Grocery Code.⁷
- The Government funded **CHOICE to publish price comparison reports** on a quarterly basis for three years. CHOICE compares the costs of a basket of groceries at different major retailers to give shoppers more information on supermarket prices and help consumers make more informed decisions.⁸
- The Government is **reducing the costs of around 30 essential items in stores in remote First Nations communities** through the Low-Cost Essentials Subsidy Scheme. Stores enrolled to the Scheme must also be enrolled to the National Code of Practice for Remote Store Operations, a non-prescribed, voluntary code that sets out governance, operations and health standards for remote stores.⁹ Further information is outlined under Proposal 1.1 of this consultation paper.

4 Prime Minister of Australia, Treasurer and Assistant Minister for Competition, Charities and Treasury, Media Release: [Banning supermarket price gouging to protect Australian shoppers](#), 14 December 2025.


5 [Mid-Year Economic and Fiscal Outlook 2024–25](#).

6 Department of the Treasury, [Strengthening the Unit Pricing Code](#) consultation paper, September 2025.

7 The Hon Dr Anne Aly MP, [Standing up for farmers: New grants help suppliers take on the supermarket giants](#), 10 November 2025.

8 The Hon Dr Andrew Leigh MP, [Supermarket price monitoring to help Australians make informed choices at the checkout](#), 20 June 2024.

9 National Indigenous Australians Agency, [Remote community stores now selling lower-cost essentials](#), 3 October 2025.



The Government has also progressed or is progressing other competition and consumer work relevant to the supermarkets sector, including commercial planning and zoning reforms; merger reforms that ensure the ACCC is notified of every supermarket business acquisition by very large supermarkets, as well as certain land acquisitions; and progressing work to consult on extending unfair trading practices protections to small businesses, including the agriculture sector.

The importance of price transparency

If consumers have clear, timely and accurate pricing information, they can more easily and quickly compare prices, determine which grocery product is best for them and switch to better-value alternatives.¹⁰ For consumers to make informed choices, a well-functioning market relies on them being able to:

- *access* relevant information about the various offers available in the market – for example, on the price of two different grocery products or the same grocery product at two different supermarkets. It is important that information is accessible at a point when consumers can take action, either prior to or during shopping.
- *assess* these offers relative to each other
- *act* on this information and analysis by purchasing the product that best meets their needs.¹¹

Price transparency underpins effective participation from consumers in the market.

Improving price transparency can reduce information asymmetry (where one party in a transaction has more information than another) between supermarkets and consumers, and can reduce search costs (the time, effort and resources to compare products). This can help consumers to better budget their spending, particularly those with limited options for supermarket retailers. Enhanced price transparency can also improve a consumer's ability to shop around and lead to customers adjusting their short-term purchasing decisions and/or long-term shopping habits, by switching supermarkets or grocery products.

More informed customers changing their shopping decisions (by switching supermarkets or by the threat of switching) can create pressure on supermarket retailers to compete more vigorously on price and other non-price aspects that consumers value to sustain or increase their market share. As such, increasing price transparency contributes to enhancing competition outcomes in the supermarkets sector.

10 UK Competition and Markets Authority, [Price transparency is important, it affects everyone](#), 3 July 2025.

11 UK Office of Fair Trading, [What Does Behavioral Economics Mean for Competition Policy?](#), 2010.

Policy proposals

Scope of supermarkets

Some of the proposals outlined in this paper relate to certain sub-sets of supermarkets, as proposed by the ACCC in its Final Report.¹² In designing policy interventions, it is important to consider whether proposed regulatory obligations are proportionate to the benefit they provide to consumers and the costs they impose on businesses. Stakeholder feedback on the application of the price transparency recommendations, including appropriate thresholds, is sought throughout the paper. The subset of supermarkets is based on existing thresholds and definitions as outlined in Table 1.

Table 1 – Scope of supermarkets

Scope	Definition	Supermarkets
Very large supermarkets	The Final Report refers to ‘very large supermarkets.’ This consultation paper defines these as supermarkets with over \$30 billion revenue for the previous financial year.	Currently captures Coles and Woolworths.
Large supermarkets	The Final Report refers to ‘large supermarkets.’ This consultation paper defines these as supermarkets with over \$5 billion revenue for the previous financial year.	Currently captures ALDI, Coles, and Woolworths.
All supermarkets	Supermarkets sell a range of foods and household goods to consumers. The ACCC Supermarkets Inquiry defined supermarkets as firms which sell to consumers bread, breakfast cereal, butter, eggs, flour, fresh fruit and vegetables, fresh milk, meat, rice, sugar and other packaged food, or most of those groceries. ¹³	All supermarkets, including small rural stores and remote community stores .
Remote community stores	Businesses that service food, drink and/or grocery items to a remote or very remote Aboriginal and Torres Strait Islander community, as defined in the National Code of Practice for Remote Store Operations. ^{14,15}	Community stores such as those managed by Outback Stores and Arnhem Land Progress Aboriginal Corporation, among others. ¹⁶

12 ACCC, [Supermarkets Inquiry 2024-25 final report](#), March 2025, p 112.

13 Section 3 of the [Unit Pricing Code](#) refers to ‘prescribed grocery retailers’ that sell all 11 of these grocery items at a minimum.

Section 5 of the [Food and Grocery Code](#) defines a ‘supermarket business’ as a business if:

- (a) the main purpose of the business is the retail sale of grocery products to consumers; and
- (b) a substantial proportion of those grocery products is food that is not for in-store consumption.

14 National Indigenous Australians Agency, [National Code of Practice for Remote Store Operations](#), p 2.

15 Remote Aboriginal and Torres Strait Islander community is defined as a discrete community included in the National Agreement on Closing the Gap (Targets 9a and 9b). The National Agreement uses the Australian Bureau of Statistics definition of ‘a discrete community is a geographic location, bounded by physical or legal boundaries, which is inhabited or intended to be inhabited predominantly (greater than 50 per cent of usual residents) by Aboriginal or Torres Strait Islander people’.

16 Centre of Research Excellence in Food Retail Environments for Health, [Remote Community Store Directory](#)

1. Provision of pricing information for consumers

1.1 Displaying prices in-store

The Final Report outlined feedback from the Indigenous Consumer Assistance Network (ICAN) and consumer advocacy group CHOICE that some supermarkets in remote locations do not provide any price labels in-store. In these circumstances, it can be difficult for consumers to make informed purchasing decisions, compare product prices and determine if their total shopping basket is within their budget.¹⁷

During the Supermarkets Inquiry, ICAN highlighted remote store operators sometimes attributed freight cost variability as a justification for not providing pricing information in their stores. Some remote store operators argue that given retail prices change so frequently due to freight price increases, there is no point in displaying pricing information on products as it will quickly become out of date. ICAN also indicated that consumers in remote communities may be hesitant to question explanations for higher food prices due to potential repercussions if they do so, given they have nowhere else to shop. It appears that this issue primarily relates to remote community stores. Following the Final Report, Master Grocers Association Independent Businesses Australia, the peak body for independent grocers, advised Treasury that its members display prices in-store. Large supermarkets also already display prices in-store.

Since the Final Report, the Government has progressed work to encourage remote community stores to display prices. In July 2025, the Government launched the National Code of Practice for Remote Store Operations (the Code) and the Low-Cost Essentials Subsidy Scheme (the Scheme), supporting remote community stores to build their capability to meet the needs of their communities and supporting remote First Nations households to have access to affordable essential items. The National Indigenous Australians Agency (NIAA) administers both the Code and the Scheme.¹⁸

- The Code is a non-prescribed voluntary code that sets out the governance, operations and health standards for remote community stores. The Code includes the requirement that ‘stores must have clearly displayed and accurate prices.’
- Through the Scheme, the Government is reducing the costs of 30 essential items in remote community stores. Remote community stores that participate in the Scheme can purchase a range of essential items with freight and logistics costs subsidised. To participate in the Scheme, remote community stores must be fully or conditionally registered as a participant in the Code.

Furthermore, the Northern Territory Government has implemented a food security standard for remote stores under *Part 7A of the Food Act 2004* – the Remote Stores Program Standards – which has taken effect since November 2025 and has penalties that apply for non-compliance. This requires Declared Community Stores to ‘display clear and accurate prices on all goods being offered for sale’. These standards align with the voluntary national Code of Practice for Remote Store Operations.¹⁹

17 ACCC, [Supermarkets Inquiry 2024-25 final report](#), March 2025, p 265.

18 National Indigenous Australians Agency, [Sign up to the National Code and Low-Cost Essentials Subsidy Scheme now](#)
National Indigenous Australians Agency, [National Code of Practice for Remote Store Operations](#), p 2.

19 Northern Territory Government, Section 4.1.4. Displaying prices, [Remote Stores Program Standards](#), 18 September 2025.

Northern Territory Government, Media release: [Remote Stores Program Standards commence in Northern Territory](#), 5 November 2025.

Relatedly, for all stores, there are existing laws that require businesses be accurate in any prices communicated to consumers. In the Australian Consumer Law (ACL), section 18 prohibits misleading or deceptive conduct, and section 29(1)(i) prohibits making false or misleading representations about the price of goods or services.

Proposal

Proposal 1.1

Require all supermarkets (including small rural stores and remote community stores) to display prices on all products in-store.

Since the Final Report, there has been progress with the Northern Territory Government requiring remote community stores to display prices and the Australian Government encouraging remote community stores to display prices through the Code and the Scheme.

This consultation aims to gather more information on how many remote community and small rural stores are still not displaying prices (or would still be unlikely to display prices in the future without new legal requirements). For these stores, we are interested to hear more about:

- barriers to displaying prices now or in the future
- expected compliance costs if they were to be legally required to display prices
- other impacts of any new legal requirements to display prices, including impacts of any new penalty regime.

More evidence about these experiences will help inform the most appropriate approach to the final policy to support objectives for consumers and remote community stores and small rural stores, in consideration of existing Government initiatives.

Displaying prices in-store – policy question

1. What are the implications of this requirement for smaller supermarkets, including those in remote areas?

Displaying prices in-store – data questions

2. How many supermarkets do not display prices and are unlikely to display prices in the future without new legislation?
3. What would be the costs for these stores to comply with the proposed requirement to publish prices on all products in-store?

1.2 Publishing prices online

Increasing the availability of online pricing information supports consumers to make price comparisons before shopping to save money and determine which supermarkets or products give them the best value. The Final Report suggested that given consumers' tendency to do 'main shops' (a regular shop for the bulk of their goods on a weekly or other periodic basis) at one grocery store, pre-shopping price comparisons can play a role in influencing where consumers choose to shop first, which in turn, would increase incentives for supermarkets to compete vigorously on price.²⁰ However, supermarkets have been unlikely to put their prices online purely for the purpose of pre-comparison shopping. Instead, the stores that display prices online tend to be those that sell groceries online.

At the time of the Final Report, consumers did not have access to online pricing information from all large supermarkets. With Coles and Woolworths selling groceries online and stating that they maintain consistent prices online and in-store (with very limited exceptions), all their pricing information was available.

ALDI was not selling products online and was not publishing prices online for all its products. ALDI stated an ambition to provide online pricing information, but cited technical limitations that it was working to resolve.²¹ Following the Final Report, ALDI launched a new website in April 2025 and now publishes prices online for all products.

The Final Report noted that pricing information is only available online for some IGA-bannered stores. Metcash developed an 'IGA Shop Online' platform that allows IGA-bannered stores to upload their specific product range and pricing, with 426 stores participating in the platform. However, online sales do not appear to be a significant source of sales for IGA stores – in the 12 months preceding Metcash's submission to the Supermarkets Inquiry, online sales represented less than one per cent of total retail sales.²²

Other small and independent supermarket chains offer online prices for grocery products, but vary in their degree of offering, from publishing a full-range with delivery and click-and-collect, to a smaller select range promoted through catalogues, and there may be variance in the number of stores within a retailer network which offer online pricing. For example, Drakes Supermarkets display prices online for 17 store branches that offer a delivery service, while the remaining stores offer a select range of products through their catalogue.²³ Ritchies, a large independent chain of supermarkets under the IGA banner, displays prices online for a select range.²⁴

The Final Report also noted the growing role of non-traditional supermarket retailers (such as Amazon as an online retailer, and subscription warehouses such as Costco) which sell certain packaged grocery foods online. These have an impact in facilitating competition in the offering of grocery products. The Final Report did not include smaller supermarkets in its recommendation to publish prices online due to concerns about the regulatory burden for smaller supermarkets, which comparatively have fewer resources to implement online prices.²⁵

20 ACCC, [Supermarkets Inquiry 2024-25 final report](#), March 2025, pp 106-107.

21 ACCC, [Supermarkets Inquiry 2024-25 final report](#), March 2025, pp 108.

22 ACCC, [Supermarkets Inquiry 2024-25 final report](#), March 2025, p 118.

23 Drakes, [Drakes Online Shopping](#), accessed December 2025.

24 Ritchies, [Ritchies Supermarkets & Liquor Stores Australia](#), accessed December 2025.

25 ACCC, [Supermarkets Inquiry 2024-25 final report](#), March 2025, p 113.

Proposal 1.2

Require large supermarkets to publish prices online via their websites.

Given the large supermarkets (ALDI, Coles and Woolworths) already publish all their prices online, introducing this as a requirement for these supermarkets could act as a safeguard for consumers and creates a minimum standard for these supermarkets and any other supermarkets that reach the proposed revenue threshold in coming years. Having the three largest supermarkets provide their prices online could also facilitate dynamic price competition in the grocery sector more broadly – with other retailers who can provide lower prices also incentivised to publish their prices online.

Given the breadth of the supermarket sector, the paper seeks feedback on whether the proposed scope is appropriate and whether other smaller supermarkets (particularly mid-sized retailers) should be captured by this requirement. Treasury is interested in feedback on the compliance costs for smaller supermarkets if they were required to provide online pricing, including associated online platform development, integration and maintenance costs.

The intended outcome is to ensure that the supermarkets where many consumers choose to shop consistently display prices online. This would reduce the barrier for consumers to effectively compare online prices for groceries before shopping physically in-store. It would also expand the amount of pricing information available to price comparison tools, further discussed under Proposal 1.3.

Publishing prices online – policy questions

4. How do consumers use online price information and in what circumstances – for example, before going shopping to choose where they will go, or while shopping in-store to decide whether to purchase an item or visit a different store to purchase a similar item?
5. Is the proposed scope covering large supermarkets (i.e. ALDI, Coles, Woolworths) appropriate? Should other supermarkets or non-supermarket grocery retailers be required to publish prices online? What are the barriers for smaller supermarkets to publishing prices online?
6. Should there be any carve-outs to the requirement to publish prices online? Are any products sold by supermarkets not suitable for online pricing requirements?

Publishing prices online – data question

7. What are the compliance costs if the requirement to display online prices were to apply to other supermarkets?

1.3 Ensuring price data can be used by third parties

Price comparison tools

The Final Report determined some consumers are comparing prices and shopping around more than in the past, however, these consumers reported it is currently time-consuming and challenging to do so. The increase in availability of online pricing and growth in online shopping, along with price comparison tools, have allowed consumers to make price comparisons more easily than before.²⁶

Price comparison tools convert large volumes of pricing information into a format that makes it easier for consumers to compare prices of products in their grocery basket before they shop. This can help consumers reduce their search costs (their time and effort spent) to find the best deals, encouraging consumers to better access, assess and act on pricing information.²⁷ This can reduce consumer inertia in the choice of supermarket brands, encourage consumers to switch to a better deal and thereby promote competition among supermarkets.

Grocery price comparison tools mentioned in the Final Report that are currently available in Australia include mobile apps and/or websites such as Frugl, Grocerize, Half Price, Save on Groceries and Wiselist.²⁸

Web scraping

Web scraping is technology that collects publicly available and displayed data to be used for a specific purpose, such as to obtain pricing information displayed on supermarket websites. Price comparison tools currently access supermarket data through web scraping. Additionally, during the Supermarkets Inquiry, ALDI, Coles, Metcash and Woolworths each stated that they closely monitor their competitors' pricing via web scraping.²⁹

Changes to a supermarket's website or IT platform may require price comparison tools to re-write their scripts to re-establish a connection that allows them to web scrape. This can make web scraping a less stable data-sharing option than APIs.

The Final Report found that supermarkets can seek to limit web scraping of online prices, for example with restrictions outlined in their website term and conditions.³⁰ The presence of these restrictions may deter or cause uncertainty for third-party price comparison tools. The ACCC noted that Price Hipster, a price comparison website, published on its website concerns regarding technical changes made by Woolworths to block certain traffic, including Price Hipster's web crawler, and that it had difficulties scraping from Coles' website.³¹ However, the ACCC recognised this issue does not appear to have been raised by other price comparison tool providers.

Application Programming Interfaces (APIs)

An API is a set of rules, protocols, and tools that allow different software applications to communicate with each other, acting as an intermediary layer that allows the transfer of data between different systems, services, and libraries.³²

26 ACCC, [Supermarkets Inquiry 2024-25 final report](#), March 2025, pp 104-105.

27 Matthew Elias, e61 institute, [From aisles to oligopolies: new insights on supermarket competition in Australia](#), 30 September 2024.

28 Price Hipster was mentioned in the Supermarkets Inquiry but does not appear to display grocery price comparisons. UpUp was noted in the Supermarkets Inquiry but no longer appears to be available.

29 ACCC, [Supermarkets Inquiry 2024-25 final report](#), March 2025, p 110.

30 ACCC, [Supermarkets Inquiry 2024-25 final report](#), March 2025, p 110.

31 Since the ACCC Supermarkets Inquiry final report, the Price Hipster website no longer appears to include this web page.

32 Digital Transformation Agency, [Application programming interfaces \(APIs\)](#)

APIs can present advantages compared to web scraping, offering consistency and standardisation in access to data sharing between entities. Supermarket product pricing in the form of APIs could provide price information that is more consistently structured and more efficient for third parties.

Supermarkets are currently not legally required to share data about their product prices through APIs to facilitate third party tools, but some other sectors are required to do so. For example, under the Consumer Data Right, certain sectors are legally required to share product data in a standardised format through APIs. Currently, the banking and energy sectors are required to share product data through APIs, which are publicly available and can be accessed by anyone. The Government has amended legislation to expand these requirements to non-bank lenders from mid-2026.³³ These requirements aim to facilitate consistent and standardised product data transfers to support various third-party websites, apps and other tools that help consumers make better-informed purchasing decisions.

In its Supermarkets Inquiry Interim Report, the ACCC considered two potential recommendations:

- require large supermarkets to ensure that publicly-available pricing information can be accessed and used by price comparison tools – by ensuring web scraping technologies are not blocked as well as removing technical and legal impediments
- require large supermarkets to make pricing information available to price comparison tools, via a mechanism such as application programming interfaces.³⁴

The Final Report recommended the Government require very large supermarket chains (by turnover) – currently Coles and Woolworths – to make APIs available to support price comparison tools. The ACCC suggested other supermarket chains may voluntarily opt in to the API requirements.³⁵

The ACCC noted there are benefits of online price comparison tools in reducing the time and effort spent by consumers on comparing prices. However, the ACCC acknowledged the requirement for very large supermarkets to publish prices via APIs will also likely present technical challenges and a degree of compliance burden. The ACCC considered this burden is reasonable for very large supermarkets given their existing technical capabilities and significance in supermarket retailing, and the anticipated competition and consumer benefits arising from more effective price comparison services.

Proposal

Proposal 1.3

Require large supermarkets to ensure web scraping technologies can be used by third parties (such as price comparison tools and researchers) through, at a minimum:

- website terms and conditions that do not prohibit web scraping of pricing information
- website functionality that enables effective and reliable web scraping of pricing information.

Ensuring price comparison tools can access grocery product pricing data in a machine-readable format is important so that consumers can more easily compare grocery price information to make better-informed purchasing decisions. Supermarket price information can also be used by other third parties such as researchers to help advance consumer outcomes.

33 Assistant Treasurer media release, [‘Consumer Data Right expansion to deliver a better deal for consumers’](#), 3 March 2025.

34 ACCC, [ACCC Supermarkets Inquiry Interim Report](#), September 2024, p 86-87.

35 ACCC, [Supermarkets Inquiry 2024-25 final report](#), March 2025, p 112.

This proposal differs from the recommendation in the Final Report based on an assessment of expected regulatory costs balanced with expected benefits:

- Following the Final Report, very large supermarkets indicated to Treasury that there would be complexity and regulatory burden if the Government were to require them to make dynamic price information available through APIs. Very large supermarkets sell tens of thousands of products, with some products priced differently across different locations. Supermarkets may pass on additional compliance costs to consumers through higher grocery prices.
 - In this consultation, Treasury seeks detailed cost estimates from very large supermarkets about the expected regulatory burden of making price information available through APIs compared to introducing a requirement for large supermarkets to ensure web scraping technologies can be used by third parties.
- Regarding benefits, the Final Report noted that most price comparison tools do not appear to have difficulties with web scraping supermarket price information. The only price comparison tool provider to make a written submission to the Supermarkets Inquiry did not bring up the need for data to be made available through APIs.³⁶
 - In this consultation, Treasury is seeking feedback about benefits and costs from those who currently web scrape supermarket price information or those who would like to use supermarket price information in the future.

Web scraping is a relatively low-cost way of allowing third parties to access product pricing information to help consumers compare prices without imposing additional compliance costs on supermarkets.

It is proposed that large supermarkets be required to ensure web scraping technologies can be used by third parties on pricing information, through:

- website terms and conditions not prohibiting web scraping of pricing information
- website functionality that enables effective and reliable web scraping of pricing information. Practical examples may include: the supermarket website not implementing anti-scraping technologies, having stable webpages that can handle the technical load of web scraping, and ensuring grocery product price information is machine-readable.

It is proposed that the scope of supermarkets captured aligns with Proposal 1.2, which requires large supermarkets to publish prices online. The same supermarkets would need to ensure they ensure web scraping can be used by third parties to facilitate informed consumer decision-making.

36 UpUp, [submission to ACCC Supermarkets Inquiry Issues Paper](#). No other price comparison tool providers made submissions to the ACCC Supermarkets Inquiry Issues Paper or Interim Report.

Ensuring pricing data can be used by third parties – policy questions

8. What are the benefits and risks of requiring supermarket price information to be available in the form of APIs compared to requiring supermarkets to ensure web scraping can be used by third parties?
 - a. Does web scraping raise any technical issues for the performance of supermarket websites?
9. Is the scope of supermarkets appropriate, mandating that only large supermarkets ensure that web scraping technologies can be used by third parties?

Ensuring pricing data can be used by third parties – data questions

10. What is the implementation process for supermarkets to make dynamic price information available through APIs, and the associated timelines and costs (both upfront costs and ongoing costs)?
11. What are the current processes and costs for third parties, such as price comparison tool providers and researchers, to web scrape supermarket price information?
12. What would be the cost for third parties, such as price comparison tool providers and researchers, of transitioning from using web scraping technologies to receiving data through APIs, including upfront and ongoing costs?

2. Minimum information requirements for discount price promotions, supported by record-keeping

Minimum information requirements for discount price promotions

Supermarkets offer several different types of promotions. The ACCC Supermarkets Inquiry Interim Report placed these into 3 categories: 'Everyday Low Pricing', discount price promotions, and non-price promotions.³⁷

1. Everyday Low Pricing – whereby a supermarket marks its products as being priced at a consistently low price.
2. Discount price promotions – where a price is marked as discounted or lowered from another price. These may be:
 - i. specials, short-term price reductions of typically one to two weeks in length that can include multi-buy promotions (such as '2 for \$5' or 'Buy 1 get 1 free')
 - ii. longer-term promotions that last for a longer period, such as a season, and are marketed as more sustained discounts. For example, Coles' 'Down Down' and Woolworths' 'Prices Dropped' or 'Lower Shelf Price' programs
 - iii. member-only pricing exclusively for supermarkets' loyalty program members
 - iv. clearances where prices are reduced to clear stock, and markdowns where prices are discounted for products such as fresh produce approaching their expiry date.

³⁷ ACCC, [Supermarkets Inquiry 2024-25 interim report](#), September 2025, pp 73-75.

3. Non-price promotions – these involve a benefit or reward for the consumer if they purchase a certain product or products, but do not involve a price discount. Examples include loyalty program promotions offering bonus points, redemption campaigns where consumers receive free items (typically collectible items) if they satisfy certain purchase criteria, seasonal, event-specific or time-limited promotions offering limited or exclusive items, and items marketed as ‘limited time only’ or ‘while stocks last’ where the items are not discounted in any way.’

The Final Report also discussed supermarkets’ high-low pricing strategies, which are categorised by frequent use of short-term discount price promotions (primarily specials, as discussed above).³⁸ The ACCC stated that high-low pricing is temporary and tends to be cyclical, with products coming on and off periodic (often weekly or fortnightly) specials regularly.³⁹ The regularity of these cycles can, however, result in products being on promotion a large portion of the time (on average).

Pricing representations for these short-term promotions, as well as for some longer-term discount price promotions, clearances, and markdowns may involve making a 2-price comparison between a product’s previous price (the ‘reference’ or ‘comparator’ price) and its current price. Examples of 2-price comparisons include ‘was/now’ or ‘strike through’ pricing (such as ‘was \$15/now \$10’ or ‘\$15 now \$10’ or ‘~~\$15~~ \$10’) or by specifying a particular dollar amount or percentage saving.

The Final Report found that while supermarket promotions can benefit consumers at times, promotional practices can be confusing, or lack important contextual information, making it difficult for consumers to assess prices and discounts.⁴⁰ The ACCC describes the impact on the consumer as below:

Promotional practices may enable supermarkets to take advantage of information asymmetries and the decision-making limits of consumers, potentially leading some consumers to purchase products that they would otherwise not have purchased, purchase more of the product, or not seek out better prices at another retailer. These practices, particularly high-low pricing strategies, also make it more difficult for consumers to compare prices across supermarkets.⁴¹

Stakeholders and consumers raised several concerns in relation to supermarkets’ representations of prices and promotions during the ACCC Supermarkets Inquiry:

- Lack of important contextual information, for instance, the history of an item’s price or the total amount of the discount offered on promotional labelling or tickets. Given the dynamic nature of high-low pricing strategies and the frequency with which promotions are advertised, consumers are unable to consistently and accurately compare with historical prices.
 - For instance, CHOICE raised specific concerns about ‘was/now’ pricing practices where, when referencing the ‘was’ price, supermarkets may select a point in time many years ago when the price of the product was artificially high for only a short period of time and ignore other fluctuations in price since then – including potentially ignoring points in time when the product was cheaper than the current ‘now’ price.⁴²
- Supermarket promotional strategies, particularly cyclical high-low pricing strategies, can create confusion about what is the ‘real’ or ‘standard’ price of groceries.
 - Responses to the ACCC’s consumer survey suggested that some consumers find the constantly fluctuating prices confusing – making it harder to discern the ‘true’ price of an item and reducing trust in both the standard prices and specials. Several respondents also raised

38 ACCC, [Supermarkets Inquiry 2024-25 final report](#), March 2025, p 402.

39 ACCC, [Supermarkets Inquiry 2024-25 final report](#), March 2025, p 180.

40 ACCC, [Supermarkets Inquiry 2024-25 final report](#), March 2025, p 188.

41 ACCC, [Supermarkets Inquiry 2024-25 final report](#), March 2025, p 189.

42 ACCC, [Supermarkets Inquiry 2024-25 interim report](#), September 2025, p 77.

concerns about prices for some products being raised and then being promoted with a price reduction (often at a price higher than the price prior to the price increase).

- The ACCC’s analysis found that some products are on promotion for a large portion of the time, and for some products promotional sales make up a very high proportion of the total volumes sold compared to the proportion of sales at the ‘standard’ price. In both scenarios, the ACCC considered that the value of the ‘standard’ price as a reliable benchmark for a product’s value is reduced.
- The display of promotional materials can be inconsistent, challenging to interpret and often compete with other information displays, particularly in-store. For instance,
 - use of longer-term promotions where the ‘price down’ or ‘price dropped’ stickers can resemble ‘specials’ stickers and encourage consumers to purchase the item (or purchase in bulk) even though they are not time-limited promotions in the way that regular specials are.
 - use of confusing or ambiguous signage such as yellow label tickets (that are commonly used for short-term specials) in instances where there is no price promotion, such as for ‘limited time only’ or ‘while stocks last’ representations.
 - several reports by consumers to CHOICE where various promotional tickets displayed a discounted price that was the same as the standard price displayed on the original ticket.⁴³ In the public hearings to the Supermarkets Inquiry, Woolworths identified some of these instances as a result of human errors by their staff.⁴⁴

The Final Report described that requiring consistent minimum information requirements for products on discount price promotions would improve transparency about the level of discounting being applied to products to allow consumers to more quickly and effectively assess the deal they are getting on promoted products, and ensure consumers have the information they need to compare and choose products, and product quantities, that are suitable for their needs.⁴⁵

Relatedly, there are existing laws under the ACL and the CCA that capture misconduct related to discount price promotions – for example, section 29(1)(i) of the ACL in relation to false or misleading representations about the price of goods or services – and are likely best placed to address some of the concerns discussed above. For instance, in relation to 2-price comparison advertising (which includes ‘was/now’ pricing practices), the ACCC Advertising and Selling Guide outlines a number of considerations for businesses to ensure consumers are not misled about the savings that may be achieved, such as whether consumers would have paid the ‘was’ price for a reasonable period before the sale commenced.⁴⁶ The ACCC Advertising and Selling Guide also considers other price comparison practices that may be misleading or deceptive, such as using a ‘sale’ or ‘discount’ price for more than a limited period (for instance, continuing to call a price a ‘sale’ or ‘discount’ price in circumstances where a reasonable amount of time has elapsed, such that the discounted price effectively becomes the new selling price). The Final Report notes that while its Advertising and Selling Guide currently provides some guidance to businesses in relation to 2-price comparisons, in light of the concerns raised during the Supermarkets Inquiry, the ACCC will update the Guide to include further principles-based guidance regarding the application of existing legal principles to such advertising.

On 23 September 2024, the ACCC announced that it had commenced separate proceedings in the Federal Court against Coles and Woolworths for allegedly breaching the ACL by misleading consumers

43 CHOICE, [Submission to the ACCC Supermarkets Inquiry issues paper](#), April 2024, pp 52-53.

44 ACCC, [public hearing transcript](#), 18 November 2024, p 547.

45 ACCC, [Supermarkets Inquiry 2024-25 final report](#), March 2025, p 197.

46 ACCC, [Advertising and selling guide – A guide for business](#), July 2021, pp 25-26.

through discount pricing claims on hundreds of common supermarket products.⁴⁷ These legal proceedings are ongoing at the time of the publication of this consultation paper.

Recent changes in the industry are also likely to address some of the concerns outlined above. For instance, following concerns raised by consumers and CHOICE, Coles has changed its 'while stocks last' promotional ticket from yellow to green to reflect that the product is not discounted.⁴⁸ In addition, the use of electronic shelf labels by Coles and Woolworths instead of paper tickets could reduce human errors associated with the placement of promotional information.

Work is also progressing on amending the ACL to address Unfair Trading Practices, as outlined in Box 2.1.

Box 2.1: Addressing Unfair Trading Practices

The Government is progressing amendments to the ACL to introduce unfair trading practices protections for consumers, following agreement by the states and territories in November 2025.⁴⁹

Unfair trading practices are particular types of commercial conduct which may not be adequately addressed by existing provisions of Australia's consumer laws (such as misleading, deceptive or unconscionable conduct), but which can nevertheless cause harm. Reforms will include introducing a general prohibition on practices that manipulate consumer decision making and cause consumer harm.

The Supermarkets Inquiry Final Report considered that an unfair trading practices prohibition could be potentially used to address some concerns relating to supermarket promotional practices that are unlikely to be addressed by existing provisions of the ACL or the *Competition and Consumer Act 2010*. For example, the use of promotional labels by supermarkets that resemble labels commonly used for price discount offers, including using particular colours and design elements, in circumstances where a price discount is not being offered.⁵⁰

The ACL applies economy-wide and following commencement of any amending legislation, supermarkets will have to ensure compliance with the new law.

Some countries have direct requirements on price promotions in addition to regulation by similar principles-based consumer law. Box 2.2 outlines European Union requirements designed to improve transparency of price promotions, in particular for 2-price comparisons.

47 ACCC, [media release: ACCC takes Woolworths and Coles to court over alleged misleading 'Prices Dropped' and 'Down Down' claims](#), 23 September 2024.

48 ACCC, [public hearing transcript](#), 21 November 2024, pp 746, 750.

49 Media release from the Assistant Minister for Productivity, Competition, Charities and Treasury, [Stopping unfair trading: subscription traps and hidden fees targeted](#), November 2025.

50 ACCC, [Supermarkets Inquiry 2024-25 final report](#), March 2025, p 197.

Box 2.2: European Union requirements for price promotions

In 2019, the European Union adopted the Price Indication Directive (PID) to ensure that the selling price and the price per unit of measurement (unit price) are indicated for all products offered by traders to consumers to facilitate the comparison of prices for consumers.⁵¹

Article 6a of the PID adds specific rules on price reduction announcements to improve transparency of price reductions and ensure that they are genuine. Under these rules, the represented 'prior' price must be the lowest price that the trader has charged for a minimum of 30 days prior to the application of the price reduction.

The European Commission's guidance on the PID further states that:

- the lowest price shall include any previously 'reduced' price during that period, and
- the trader cannot use any increases in the price in the last 30 days as the 'prior' price.⁵²

There are some exemptions to the rule:

1. goods that deteriorate or expire rapidly may indicate the lowest 'prior' price over a shorter period of time than the last 30 days. In the case of grocery retailers, this is likely to apply to perishable goods or goods with a limited shelf life such as fresh produce
2. goods that have been on the market for less than 30 days; and
3. in the case of progressive (that is, uninterrupted) price reductions, the 'prior' price is the price without the price reduction before the first application of the price reduction. The European Commission's guidance further explains:

For example, the lowest price of the good for the last 30 days before the sales campaign started was EUR 100. The seller indicates EUR 100 as its 'prior' price when it announces the first price reduction (e.g. 10 % off) and can then keep the same 'prior' price also when announcing the following 20 % and 30 % reductions.

These changes effectively mean that businesses will not be able to temporarily raise prices for a very short period of time, only to subsequently reduce the price and represent this as a discount.

Record keeping obligations

The Final Report recommended that supermarkets be required to maintain minimum information relating to pricing, promotional ticketing and sales information for a minimum period, such as three years. This is to enable the ACCC to access relevant information to facilitate investigation of pricing claims – particularly in determining whether comparator price claims are genuine. This includes information about the prices that were published on in-store pricing tickets and the dates they were published. Record-keeping would assist the ACCC to perform its investigative and enforcement role in the future.

51 European Union, [Directive \(EU\) 2019/2161 of the European Parliament and of the Council of 27 November 2019 amending Council Directive 93/13/EEC and Directives 98/6/EC, 2005/29/EC and 2011/83/EU of the European Parliament and of the Council as regards the better enforcement and modernisation of Union consumer protection rules](#), 2019.

52 European Commission, [Commission Notice – Guidance on the interpretation and application of Article 6a of Directive 98/6/EC of the European Parliament and of the Council on consumer protection in the indication of the prices of products offered to consumers](#), 2021.

Proposal 2

Minimum information requirements for discount price promotions

Large supermarkets would be required to provide the following information in close proximity to the product in-store (on pricing or promotional tickets) and online (where applicable, on the product webpage) for short-term and longer-term discount price promotions:

- the percentage (%) discount and/or total discount (\$) applied
- the price against which the discount was calculated (i.e. the 'reference' price)
- the new price of the product under the promotion
- the new unit price of the product under the promotion
- for multi-buy promotions, the price of the individual product if it was not purchased on a multi-buy promotion
- the date range over which the 'reference' price applied

Record keeping obligations

Large supermarkets would be required to maintain pricing, promotional ticketing, and sales information for three years.

Introducing minimum information requirements for discount price promotions could help consumers more effectively assess prices and discounts. This proposal is aimed at reducing information asymmetry for consumers by providing important contextual information on promotional labelling or tickets (for instance, to more easily assess the extent of the discount being applied, or to enable more effective comparison between products), resulting in better-informed decision-making.

These requirements would apply to short-term and longer-term discount price promotions. Decisions on these promotions are generally made in advance at a central level by supermarkets as part of a business strategy to maximise sales revenue, which subsequently apply to a range of their stores.

Conversely, decisions to undertake clearances and markdowns for products approaching their expiry date are generally made at a store-level in response to short-term circumstances. It is not proposed to affect capacity or willingness of supermarkets to undertake these clearances by requiring additional display obligations. The ACCC's Final Report similarly proposed consideration of exclusions for certain types of discounts such as markdowns.⁵³ Further, member-only pricing representations typically involve making a price comparison against the price offered to non-members, rather than against a historical or 'was' price. For this reason, it is proposed the minimum information requirements will not apply to member-only prices.

In recommending minimum information requirements, the ACCC acknowledged that not all the information points suggested in the Final Report are necessarily required, and that consideration would need to be given during consultation to striking the right balance between providing transparency while reducing the risks of cognitive overload for consumers.⁵⁴ Adding multiple promotional displays (for example, stacking prices for loyalty program members-only pricing, multi-buy prices and 'reference' prices) together was found in some research to increase suboptimal

53 ACCC, [Supermarkets Inquiry 2024-25 final report](#), March 2025, p 198.

54 ACCC, [Supermarkets Inquiry 2024-25 final report](#), March 2025, pp 197-198.

purchase decisions and consumer overload.⁵⁵ For this reason, the proposal does not include the requirement for the previous unit price of the product to be displayed.

This consultation paper seeks feedback on a set of proposed minimum information requirements. This includes:

- how minimum information requirements could be implemented in a way that provides useful consumer information, minimises cognitive overload for consumers, and considers practical supermarket limitations, such as the size of shelf labels (including electronic shelf labels).⁵⁶
- whether there should be certain circumstances under which a date range for a reference price should not have to be displayed, with feedback welcomed on what those circumstances may be.

Relatedly, large supermarkets would also be required to maintain certain pricing, promotional ticketing and sales information for three years to facilitate ACCC investigations of pricing claims. Information would include prices published on pricing labels and the dates they were published. Existing record-keeping requirements in the Food and Grocery Code and other economy-wide laws would be considered when designing further record-keeping requirements. One example is the excessive price prohibition in the Food and Grocery Code, which includes record-keeping provisions and applies to very large supermarkets (currently Coles and Woolworths). Any record keeping requirements will need to balance good consumer outcomes with the additional regulatory burden on supermarkets that may be passed on to consumers in the form of higher prices.

The proposal is limited to large supermarkets due to the expected regulatory burden of record-keeping for small supermarkets. However, there is a question about whether more supermarkets should also adhere to these requirements if the benefit to consumers could exceed the regulatory costs.

⁵⁵ [Behavioural Insights Team \(BIT\): Applying Behavioural Insights to the Supermarkets Inquiry](#), December 2024; Flaherty K, [Communicating eCommerce discount and promotions](#), Nielsen Norman Group, 2019; Xin W, Chunqu X and Hong Z (2020), *A discount added is an obstacle created: The impact of multiple discounts on consumer decisions*, Foreign Economics & Management

⁵⁶ Treasury will consider this proposal together with the feedback received from the public consultation to strengthen the Unit Pricing Code.

Minimum information requirements on promotions, supported by record-keeping – policy questions

13. Is there a current gap in the law or does the law currently sufficiently address the information asymmetry issues which means that consumers may find it difficult to assess the value of advertised discounts?
14. How do Australian consumers use a reference price, such as a 'was' price? How should this be displayed?
15. Are the proposed minimum information requirements appropriate? How can the risks of cognitive information overload be mitigated in a way that balances both consumer interests and the needs of supermarkets, including the size of shelf labels (paper and electronic)?
16. Should there be an exemption from the requirements to include a date range if the 'reference' price meets certain criteria, and what would an appropriate exemption be?
17. Should the requirements be limited to only the large supermarkets? Should the requirement be extended to non-supermarket grocery retailers?
18. Is three years an appropriate period for record-keeping requirements?

Minimum information requirements on promotions, supported by record-keeping – data questions

19. What are the expected compliance costs to display minimum information requirements for discount price promotions?
20. What are the expected compliance costs to adhere to record-keeping requirements for three years?

3. Loyalty program information disclosure summaries

Supermarkets offer a range of loyalty programs, offering members points, discounts (member-only pricing) and other incentives for eligible purchases. Loyalty programs can achieve many objectives to gain a competitive advantage over rivals, including as a marketing or promotional tool to incentivise repeat transactions, attract and retain customers and to differentiate themselves, or as an information tool to gain commercially valuable consumer and transaction data for related consumer insights.⁵⁷

The Supermarkets Inquiry Final Report found that loyalty programs may benefit consumers but that some practices – such as a points-based rewards system (and the associated 'gamification' element) in particular, as well as member-only pricing, and personalisation – can inappropriately impact and distort consumer behaviour and decision making. The ACCC identified that loyalty programs centred around points may make it harder for consumers to assess the value obtained from participating in these loyalty programs.⁵⁸

The Final Report identified that Coles (Flybuys) and Woolworths (Everyday Rewards) operate significant and sophisticated loyalty programs. Other supermarkets offer loyalty or rewards programs, such as Metcash's store-specific IGA Rewards, Ritchies' independently operated Ritchies Card program, Harris Farm Markets' Friend of the Farm program, and Drakes' Unlimited Delivery program.

57 ACCC, [Customer Loyalty Schemes Final Report](#), December 2019, p 13.

58 ACCC, [Supermarkets Inquiry 2024-25 final report](#), March 2025, p 224.

However, these are neither at the same scale nor sophistication as Coles and Woolworths. For example, the Final Report found that in 2023 only a very small proportion of transactions at IGA stores were linked to the IGA Rewards program, whereas around half the transactions at Coles' and Woolworths' stores were linked to their respective loyalty programs. It noted that overall, the IGA Rewards program is much less impactful in scale, scope and sophistication compared to the loyalty programs of Coles and Woolworths.⁵⁹ ALDI does not offer a loyalty program.

The Final Report found that Coles' and Woolworths' loyalty programs can impact consumer behaviour and decision making. This may include increasing member spend or purchasing frequency (or both) and increasing member stickiness to a particular retailer. Members tend to spend more on average in each transaction than non-members and may shop more frequently than non-members.⁶⁰

Consumers may have difficulty accurately assessing the value obtained from points-based loyalty programs compared with other options such as shopping around or the savings from generally available sales promotions. This is particularly the case given Coles' and Woolworths' loyalty programs currently utilise reward structures based primarily on points, which can make value less clear.

The Final Report noted additional disclosure for loyalty program information would act as a prompt for the consumer to actively consider whether to continue participating in the program, particularly in the case of premium loyalty programs and paid subscription programs involving recurring automatic payments.⁶¹ This could reduce long-term consumer inertia and stickiness between choice of supermarkets.

Proposal

Proposal 3

Very large supermarkets be required to provide members with periodic loyalty program information disclosure summaries.

Information disclosure summaries must outline:

- the monetary value of points and other benefits earned by the member over the period
- the monetary value of points and other benefits redeemed by the member over the period
- the amount the consumer has spent over the period

These should include a simple, plain-English explanation of how the monetary value of points and other benefits was calculated.

Information disclosure summaries should be:

- sent to members every six months
- in an easy-to-read and simple format separate to marketing communications
- sent to all members with the option to opt-out. This should be separate from preferences to opt-out of marketing communications.

59 ACCC, [Customer Loyalty Schemes Final Report](#), December 2019, p 216.

60 ACCC, [Supermarkets Inquiry 2024-25 final report](#), March 2025, p 219.

61 ACCC, [Supermarkets Inquiry 2024-25 final report](#), March 2025, p 244.

Providing periodic information to consumers about the value of points and the amount spent to accrue those points could provide consumers with a better understanding of the relative value of points. This would allow consumers to have more information to determine the value of loyalty programs relative to other options to find value, such as utilising discount price promotions or shopping at other retailers.

The monetary value of loyalty points earned can vary depending on whether a consumer earns the points through regular spending or bonus offers. Similarly, the monetary value of loyalty points redeemed can vary depending on how the consumer redeems their loyalty points, such as whether they use them on grocery spend or convert them into frequent flyer points or other rewards.

For instance, Flybuys points can be earned and redeemed at not only Coles supermarkets, but also at Coles Group's other brands such as Coles Insurance, Coles Credit Cards, Liquorland, and First Choice, as well as at other businesses such as Velocity Frequent Flyer (Virgin Airlines' loyalty program), Bunnings, Officeworks, Kmart, and Target. Similarly, Woolworths' Everyday Rewards points can be earned and redeemed at Woolworths supermarkets as well as at Woolworths Group's other brands (such as EG Ampol, Big W, and BWS) and at other businesses, for instance, Qantas Frequent Flyer, Bupa, Petstock, Westpac, and ANZ.

Recognising this complexity, it still stands that clear and factual communication can benefit consumers in better assessing the value of their loyalty points in relation to their supermarket purchases, even if a consumer ultimately decides to redeem their loyalty points at another business. Such communication would make it clear that the monetary value is only in relation to consumers' supermarket purchases, for instance 'You have 2,567 points, which is equivalent to \$10 if spent at the supermarket, with 567 points remaining.'

This proposal is aimed at very large supermarkets, given the significant scale and sophistication of their loyalty program practices. As noted above, ALDI does not have a loyalty program. Given the evolving landscape and growth in loyalty program practices, this paper seeks views on whether these minimum requirements should also be applied to any other supermarkets that offer loyalty programs.

Flybuys and Everyday Rewards already provide some of the information proposed to be required through their mobile apps, as well as in emails to members who opt-into promotional emails. However, there is no obligation for this information to be provided on a regular basis to all members as an information summary.

Under the proposal, information summaries should cover the required content in an easy-to-read and simple way. The proposal is intended to be principles-based and technology neutral.

The Final Report outlined that periodic loyalty program information disclosure summaries could be provided every six months or annually.⁶² The proposed frequency of disclosures every six months aims to strike a balance between ensuring consumers are well-informed without sending excessive correspondence that may contribute to cognitive overload and risk being overlooked or ignored.

It is proposed that loyalty program information disclosure summaries would be required to be sent to all members by default in the first instance, allowing members the choice to opt out.

62 ACCC, [Supermarkets Inquiry 2024-25 final report](#), March 2025, p 243.

Loyalty program information disclosure summaries – policy questions

21. Are there risks or unintended consequences from this requirement only applying to very large supermarkets?
22. Is every six months an appropriate period of time for members to receive loyalty program information summaries?
23. Are there challenges to providing the monetary value of points and other benefits redeemed by the member over the period, or the amount of consumer spend?

Loyalty program information disclosure summaries – data question

24. What are the compliance costs of providing six-monthly loyalty program information disclosure summaries?

Appendix A: List of proposals and consultation questions

Proposal 1.1

Require all supermarkets (including small rural stores and remote community stores) to display prices on all products in-store.

Policy question

1. What are the implications of this requirement for smaller supermarkets, including those in remote areas?

Data questions

2. How many supermarkets do not display prices and are unlikely to display prices in the future without new legislation?
3. What would be the costs for these stores to comply with the proposed requirement to publish prices on all products in-store?

Proposal 1.2

Require large supermarkets to publish prices online via their websites.

Policy questions

4. How do consumers use online price information and in what circumstances – for example, before going shopping to choose where they will go, or while shopping in-store to decide whether to purchase an item or visit a different store to purchase a similar item?
5. Is the proposed scope covering large supermarkets (i.e. ALDI, Coles, Woolworths) appropriate? Should other supermarkets or non-supermarket grocery retailers be required to publish prices online? What are the barriers for smaller supermarkets to publishing prices online?
6. Should there be any carve-outs to the requirement to publish prices online? Are any products sold by supermarkets not suitable for online pricing requirements?

Data question

7. What are the compliance costs if the requirement to display online prices were to apply to other supermarkets?

Proposal 1.3

Require large supermarkets to ensure web scraping technologies can be used by third parties (such as price comparison tools and researchers) through, at a minimum:

- website terms and conditions that do not prohibit web scraping of pricing information
- website functionality that enables effective and reliable web scraping of pricing information.

Policy questions

8. What are the benefits and risks of requiring supermarket price information to be available in the form of APIs compared to requiring supermarkets to ensure web scraping can be used by third parties?
 - a. Does web scraping raise any technical issues for the performance of supermarket websites?
9. Is the scope of supermarkets appropriate, mandating that only large supermarkets ensure that web scraping technologies can be used by third parties?

Data questions

10. What is the implementation process for supermarkets to make dynamic price information available through APIs, and the associated timelines and costs (both upfront costs and ongoing costs)?
11. What are the current processes and costs for third parties, such as price comparison tool providers and researchers, to web scrape supermarket price information?
12. What would be the cost for third parties, such as price comparison tool providers and researchers, of transitioning from using web scraping technologies to receiving data through APIs, including upfront and ongoing costs?

Proposal 2

Minimum information requirements for discount price promotions

Large supermarkets would be required to provide the following information in close proximity to the product in-store (on pricing or promotional tickets) and online (where applicable, on the product webpage) for short-term and longer-term discount price promotions:

- the percentage (%) discount and/or total discount (\$) applied
- the price against which the discount was calculated (i.e. the 'reference' price)
- the new price of the product under the promotion
- the new unit price of the product under the promotion
- for multi-buy promotions, the price of the individual product if it was not purchased on a multi-buy promotion
- the date range over which the 'reference' price applied

Record keeping obligations

Large supermarkets would be required to maintain pricing, promotional ticketing, and sales information for three years.

Policy questions

13. Is there a current gap in the law or does the law currently sufficiently address the information asymmetry issues which means that consumers may find it difficult to assess the value of advertised discounts?
14. How do Australian consumers use a reference price, such as a 'was' price? How should this be displayed?
15. Are the proposed minimum information requirements appropriate? How can the risks of cognitive information overload be mitigated in a way that balances both consumer interests and the needs of supermarkets, including the size of shelf labels (paper and electronic)?
16. Should there be an exemption from the requirements to include a date range if the 'reference' price meets certain criteria, and what would an appropriate exemption be?
17. Should the requirements be limited to only the large supermarkets? Should the requirement be extended to non-supermarket grocery retailers?
18. Is three years an appropriate period for record-keeping requirements?

Data questions

19. What are the expected compliance costs to display minimum information requirements for discount price promotions?
20. What are the expected compliance costs to adhere to record-keeping requirements for three years?

Proposal 3

Very large supermarkets be required to provide members with periodic loyalty program information disclosure summaries.

Information disclosure summaries must outline:

- the monetary value of points and other benefits earned by the member over the period
- the monetary value of points and other benefits redeemed by the member over the period
- the amount the consumer has spent over the period

These should include a simple, plain-English explanation of how the monetary value of points and other benefits was calculated.

Information disclosure summaries should be:

- sent to members every six months
- in an easy-to-read and simple format separate to marketing communications
- sent to all members with the option to opt-out. This should be separate from preferences to opt-out of marketing communications.

Policy questions

21. Are there risks or unintended consequences from this requirement only applying to very large supermarkets?
22. Is every six months an appropriate period of time for members to receive loyalty program information summaries?
23. Are there challenges to providing the monetary value of points and other benefits redeemed by the member over the period, or the amount of consumer spend?

Data question

24. What are the compliance costs of providing six-monthly loyalty program information disclosure summaries?