**DEPARTMENT OF COMMERCE - Consumer Protection**

**PAST PUBLICATIONS – ARCHIVE LIST:- “BETTER TRADING”**

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| **ISSUE / DATE** | **TITLE** | **CONTENT SUMMARY** |

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| Issue 27:December 2012 | 1. **Development of National Occupational Licensing System Continues**
2. **Commissioner’s column**
3. **Smartphone = Smarter Consumer**
4. **New Tenancy Laws are on the way**
5. **Unfair contract terms can be declared void**
6. **Industry advice leads to scam prevention**
7. **Be secure when online shopping**
8. **New rights for seniors in retirement villages**

  | 1. Proposals for COAG NOLS released for consultation in Sept 2012. Limited consultation undertaken with affected occupations in WA by the Commonwealth NOLS Taskforce, but Commerce undertook sessions to ensure WA licensees and small businesses had an opportunity to discuss NOLS.
2. Commissioner’s column
* *Property/rental accommodation, romance and other scams:- CP and WA Police Major Fraud Squad working closely to investigate sophisticated fraudsters that post images on free classified websites usually offering properties at below market rent and exploiting the current tight rental property market. A variety of excuses given as to why the property can’t be inspected, and provide a credible story for why the deal has to be done remotely. Tenants often receive official lease agreements from these bogus landlords giving the impression of authenticity. Police tracked large amounts of money transferred by WA consumers to West African countries which are impossible to recover funds once withdrawn from accounts in other countries.*
* *Romance scams - internet criminals use false profiles on dating websites to make fake affection and false promises. Other scams involve phone calls, letters, emails and texts enticing people to relinquish money*
* *Residential Tenancies Act:- to come into force in early 2013, new Regulations will give tenants greater protection and rights (e.g.:- plain language written lease agreements, making property condition reports compulsory, setting minimum security standards for rental properties and capping option fees asked of that prospective tenants when applying to rent a property).*
1. Use of internet and smartphones is changing the way consumers behave, and bringing new challenges for consumer agencies to address. Recent survey/strategy released by the European Commission (EC) highlights the importance of developing innovative ways to educate consumers.
2. New residential tenancy laws anticipated to commence early in 2013. Changes cover 5 key areas:- mandatory residential tenancy agreements; mandatory property condition reports; capped option fees; security obligations; and urgent repairs considered being essential services.
3. “Always read the fine print” is a key message promoted by CP, but at times, terms and conditions are all in favour of the seller of goods or services, and not presented in a way consumers can understand. Under the ACL, contracts must be written in clear language, be legible and also readily available to anyone affected by the document.
4. Recent attempt by scammers to illegally sell a Perth home was thwarted after the agent followed CP’s new guidelines to combat identity fraud. Codes of Conduct for WA real estate and settlement agents were strengthened following the fraudulent sale of a Karrinyup home in 2010 and a Ballajura home in 2011.
5. Earlier this year, one online shopping report estimated a $16 billion spent by Australian internet shoppers in 2012, with almost half going to overseas retailers. A more recent report said Australians had spent $32 billion online in the last 12 months. Tips given showing how consumers can be sure of what they’re getting, if it’s value for money and if they’ll be protected if something goes wrong ?.
6. New laws passed on 23/10/2012 introducing some significant changes enhancing the rights of WA retirement village residents while maintaining viable arrangements for retirement village providers.
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| **ISSUE / DATE** | **TITLE** | **CONTENT SUMMARY** |
| **Issue 26:** **September 2012** | 1. **Sunday Trading for Perth shoppers**
2. **Commissioner’s column**
3. **Car service and repair businesses tested by secret shoppers**
4. **Dangerous magnets pulled from marketplace to keep kids safe**
5. **Indigenous education campaign launch**
6. **Consumer Protection stalwart retires**
7. **Establishment of the Australian Charities and Not-for-profits**

**Commission** 1. **Thanks for the feedback**
2. **Water claims impure**
3. **Consumer Awards nominations now open**
4. **Strata manager licensing**
5. **Extended warranties may not be warranted**
6. **Boosting rights of seniors in retirement villages**
 | 1. As of 26/8/2012, *Retail Trading Hours Act 1987*, all general retail shops in the Perth metro. area (incl. major supermarkets and dept. stores) can trade between 11am - 5pm on Sundays and most public holidays (except Good Friday, Christmas Day and ANZAC Day).
2. Commissioner’s column
* *CP Supreme Court legal action against E’Co Australia:- Images/signage on clothing bins give the impression that proceeds from clothing sales are donated to poor African children or WA breast cancer victims. Dept. alleged clothes were sold commercially and a profit made from the sale. While a breast cancer charity received donations from 2009 to 2011, the price was fixed and not based on the volume of clothing collected.*
* *Performance/fuel efficiency for car engines:- FuelWatch recommends that motorists consult with the vehicle’s manufacturer / manual to determine whether using premium rather than standard unleaded petrol will produce any advantage (similar to diesel products).*
1. Campaign to test skills and fairness of WA car service and repair businesses. Before each test vehicle is serviced, qualified Automotive Branch technicians check what work is needed and afterward, they look to ensure work is up to scratch / matches what’s been paid for and does not include extra unnecessary work.
2. Small high powered magnets (metal balls - 4-5mm in diameter), that could seriously injure or kill if swallowed, are being removed from Australian marketplace under a product safety ban to protect children. Although marketed at adults, they are attractive to children, and if ingested, can attach in the intestine requiring emergency surgery.
3. CP used NAIDOC Week 2012 to launch an education campaign to combat unfair trading and high pressure sales practices in regional / remote Indigenous communities. Song /video by WA Aboriginal Corporation, and radio advert made by Noongar Radio, to outline key rights when a seller knocks at a consumer’s door.
4. In August 2012, CP Senior Regional Officer in Bunbury, Tresslyn Smith, retired.
5. Australian Charities and Not-for-profits Commission is a new agency proposed by Commonwealth Govt. to regulate the not-for-profit sector. Expected to operate from 1/10/2012, it will initially regulate charities, however it is intended that over time, to be extended to include other types of not-for-profit organisations (e.g. incorporated associations).
6. “Better Trading” was introduced in 2007 to inform of current consumer protection / fair trading issues, events and future trends.
7. CP and Water Corp. investigating false claims by door to door salespeople to residents in Perth and regional towns, (e.g. Kalgoorlie). Sellers of water filter systems claim that drinking water quality tests carried out locally have shown that tap water is not safe to drink.
8. Nominations for CP Awards 2013 now open. Awards have run since 2004, and recognise outstanding achievement of individuals, organisations, local Govt and businesses that promote consumer rights, provide assistance and educational programs and raise awareness of consumer issues, including child safety.
9. Strata title is an increasingly popular form of ownership in WA. While some strata owners self-manage, many others employ a professional strata manager to oversee maintenance and upkeep of their property. As the volume and amount of strata funds held by managers increases, there has been consideration of whether WA should introduce a licensing system for strata managers.
10. CP recently used the collapse of an extended warranties provider in Australia as an opportunity to highlight questions about the value of extended warranties. ASIC has been taking the lead, however CP has been liaising with ASIC and wished to clarify consumer rights under Australian Consumer Law.
11. Major reform of retirement village laws is a step closer after proposed changes to legislation were introduced into Parliament on 14/8/2012. More than 200 retirement villages in WA, and the *Retirement Villages Amendment Bill 2012* strengthens the rights of seniors who live within them; particularly contracts and charges.
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| **ISSUE / DATE** | **TITLE** | **CONTENT SUMMARY** |
| **Issue 25:** **June 2012** | 1. **Be switched on to battery safety issues**
2. **Commissioner’s column**
3. **Choose a licensed motor vehicle repairer**
4. **Misuse of Ukash by scammers**
5. **Update from Kalgoorlie**
6. **Business names reforms**
7. **National Youth Week 2012**
8. **Making consumers switched on about digital TV**
9. **CP Awards**
10. **Think before you post**
11. **Roundup of Slam Scams week**
12. **Central Wheatbelt visit**
13. **WACOSS Networking and Conference – 2012**
14. **Consumer Protection visits the Indian Ocean Territories**
15. **Incorporated associations online portal**
 | 1. Button battery safety campaign launched by the ACCC, Kidsafe and manufacturer Energizer uses the real life example of an Australian boy who swallowed a coin sized lithium battery. Found in many common electronic devices; from remote controls like garage clickers, to flashing, moving or noise-making toys and the perhaps less obvious musical greeting cards, which can easily be ripped open by a child. Safety tips promoted by CP.
2. Commissioner’s column
* *Abolition of five CP Boards:- resulting in acquisition of new responsibilities / implementation of COAG reforms seeing loss of responsibilities in some areas to the Commonwealth, while continuing to fulfil our core responsibility of enforcing consumer law (e.g.: online shopping blurred boundaries of jurisdiction; aggressive marketing, advertising and greater competition in the retail sector).*
* *Increased sophistication of scams:- CP must keep pace with professionalism of cyber criminals who use the latest technology and techniques to infiltrate the marketplace.*
* *CP strategic planning:- analysis of local, national and global trends (e.g.:- retail trading, national and global economic outlook, impact of Australia’s ageing population, directions in litigation and red tape reduction, among many other issues) to ensure an effective, efficient, and transparent response.*
* *Communications:- inform, educate consumers and traders using social media, blogs and other online platforms, while continuing use of traditional media outlets.*
* *Consumer Protection’s legislative program:-*
* *Retirement Villages Amendment Bill:- soon to be introduced into Parliament with amendments offering retirement village residents greater protection while maintaining the sector’s viability and its ability to attract investment.*
* *Regulating pre-paid funeral industry:- Ten submissions in response to discussion paper, most in favour of setting up a Code of Conduct for the industry to safeguard consumers’ funds.*
* *Residential Tenancies Act 1987:- Consultation regarding the regulations to support changes covering the content of standard lease agreements, a cap on option fees, minimum levels of security for rental properties, content of property condition reports, and also clarifies what urgent repairs should be considered essential services. Expected to be implemented by December 2012.*
* *Sunday trading laws:- allowing 11am-5pm shopping hours in metropolitan Perth and abolishing the special trading precincts will soon go before the Legislative Council.*
1. Campaign to encourage car and truck owners to only use licensed vehicle repairers. A requirement since July 2009 not only for vehicle repair businesses to have a licence but also for individual repairers, or those who supervise others, to be registered. Heavy promotion of the distinctive yellow and black “tick” sign that should be displayed at the premises of any vehicle repair business in WA.
2. Frequent warnings issued about risks associated with wire transfers. Despite being a quick/easy way to send money overseas to people you trust (e.g.: Western Union), tracking those involved in the cash transaction is extremely difficult, and recovering the funds once collected is impossible where the receiver is a con-artist. Several reports (July 2011-March 2012) investigated by WA ScamNet involved a service called Ukash. Like Western Union, it is a legitimate business and provides a service to send cash overseas quickly or buy things online using a voucher bought with cash. Ukash is based in the UK and is regulated by the Financial Services Authority there. Ukash vouchers are available in set denominations up to $500 at small shops, newsagents, delis and video stores across many countries including Australia.
3. From 5-9 March 2012, Ivo da Silva, Senior Regional Officer conducted 43 business name inspections; visited 11 Community Resource Centres (re: Residential Tenancy Act, ACL, Associations and Seniors’ Housing and give out WA ScamNet information packs); 4 scanning audits; visited Bruce Rock Senior High School; 2 police stations (re: itinerant traders); and met with Small Development Centre and Dept. of Housing.
4. New national business names register, now managed by ASIC, went live on 28/5/2012 with all jurisdictions handing over responsibilities. Changes will apply to registration of a new business names, existing business names registered in WA or another State/Territory, and to searches of currently registered businesses.
5. CP attended the KickstART festival, Cultural and Arts Centre, Northbridge, as a part of National Youth Week 2012 around Australia. Festival provides an opportunity for youth aged 12-25 to share ideas, attend live events and have their voices heard on issues of concern. CP display popular incl. the ‘Repair, Replace, Refund’ board game which tested knowledge of consumer rights.
6. Making consumers switched on about digital TV
* *Analogue TV will be turned off in WA starting in Perth on 30/6/2013, then regional / remote areas from July through to December. Two options:- buy a Digital Set Top Box, a new TV with a built-in tuner (that says “digital ready”).*
* *Commonwealth Govt. household assistance scheme will offer a rebate to those eligible to upgrade their television (i.e. elderly and people with disabilities in WA). Yet to be announced, Centrelink will write to eligible households directly – (no door knocking / telephone sales can promote the scheme).*
* *Dodgy sellers in the Eastern States have been offering overpriced TV conversion equipment or falsely claiming to represent the Govt. and promoting non-existent grants or rebates.*
* *Official Digital Switchover Taskforce advisor on 1800 20 10 13 or log onto: www.digitalready.gov.au. Postcode search facility will help users find local digital advisors / endorsed antenna installers.*
1. CP Awards 2012 presented by Commerce Minister, Hon. Simon O’Brien during a ceremony at the University Club of WA.
2. CP offers free ‘conciliation’ service to help resolve disputes between buyers/sellers of goods or services, and also, investigation of possible breaches of the ACL. Consumers may achieve an outcome through media attention, but risks the case going to court if the other party withdraws from the ‘conciliation’ process. The consumer could also face in trouble with the law (e.g.: defamatory comments posted on Facebook). Newspapers, TV and social media are useful for spreading consumer rights messages, but may not be the best option for individuals already trying to resolve a dispute through official channels. *(Recommendations made to consumers in article).*
3. National Consumer Fraud Campaign (Week 19-23 March 2012) – “Slam scams” to raise awareness of scams in the community and reduce their financial toll. (An initiative of the Australian Consumer Fraud Taskforce; formed in 2005, comprising of more than 20 govt. and regulatory agencies and departments with responsibility for consumer protection re: frauds and scams). During 2011, WA consumers contacted CP about 38,400 scams and 366 victims reported losing a total of $4.12 million dollars:-
* *Romance scams - $1.2 million in losses reported by 40 consumers.*
* *Bogus buyers and sellers of cars and fake online ads offering rental accommodation.*
* *Advance fee frauds (email or phone call saying they have won a lottery, are beneficiaries of an inheritance or are entitled to a grant but must first pay some fees before they are able to access the fictitious funds).*
1. Perth/Kalgoorlie CP officers visited the Central Wheatbelt (Wagin, Narrogin, Katanning, Dumbleyung, Kojonup, Merredin and other towns) in March 2012 to promote rights of consumers and responsibilities of traders under ACL Team visited retailers, real estate agents, car dealers and residential parks to ensure businesses are complying with the law. CP also had a display at the Wagin Woolarama on 9 &10/3/2012 providing information. Sweep was part of a wider program to strengthen services in regional areas of WA, the next sweep planned for Port Hedland region in late July/early August.
2. WACOS) holds biennial Conference and Networking Day aimed at sharing community ideas and tackling organisational challenges. CP displayed information on resources/services provided to consumers/community agencies. Particular interest shown in ACL, upcoming visits to Port Hedland and Carnarvon regions and the imminent changes to the Residential Tenancies Act.
3. CP visits the Indian Ocean Territories of Cocos/Keeling Islands and Christmas Island to ensure Islanders get the most from their small, local co-operative, clubs and associations, which often make quick and noticeable differences to Island life. In 2011, 8 members of the Cocos Island Co-operative Society Ltd attended a workshop as the Island’s largest employer, with substantial ownership by community members to keep up to date with legislative and other changes that can directly affect its operations. Follow up visits held In May 2012, and similar information sessions held on Christmas Island.
4. A new online portal for incorporated associations has been launched by CP. Once enrolled, incorporated associations are able to:- lodge changes to the rules/constitutions, update contact information and purchase replacement certificates etc.
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| **ISSUE / DATE** | **TITLE** | **CONTENT SUMMARY** |
| **Issue 24:** **March 2012** | 1. **Cooling off proves hot topic in 2011**
2. **Commissioner’s Column**
3. **Big deposits a hefty issue**
4. **Consumer Protection on 100.9 FM Noongar Radio**
5. **Geraldton man loses thousands in Malaysian travel scam**
6. **General Legislative Updates**
7. **Consumers smart thanks to phone app**
8. **Sharing pearls of wisdom at Broome’s North West Expo**
9. **New Face in the North**
10. **Reving on out**
11. **Building industries get more time for new laws**
12. **Don’t be a jackass campaign**
 | 1. 'Cooling off period' allows an out for consumers who enter into contracts to buy goods and services without comparing deals. Cooling off periods, and consumer concerns surrounding them, were one of the main issues identified by CP’s Market Intelligence Unit in 2011 (791 calls), (approx. ½ -motor vehicle purchases.
2. Commissioner’s column
* *Residential tenancy amendments:- Implementation of significant amendments will affect about 195,000 tenancies in WA, and involve a comprehensive education campaign to ensure a fair, equitable and sustainable housing rental market in WA.*
* *Boarder and lodger tenancy - Rising house rental charges and the growth in demand for this type of accommodation from international students and fly-in fly-out workers. Improved clarity about rights and obligations for both boarders and lodgers and those offering rooms for rent will be the subject of consultation during the coming year.*
* *Statutory review of park homes legislation – for completion in 2012 - development of policy recommendations/legislative amendments following extensive consultation.*
* *Support for seniors’ housing - proposed Retirement Villages Act amendments and changes to the Code of Conduct for Retirement Villages. Information about changes seniors housing options, database of all retirement villages and park homes, available through the CP Seniors’ Housing Centre. Once passed by Parliament, community education program will outline the impact of changes.*
* *Review of real estate and motor vehicles industries:- Regulations proposing national licensing of real estate agents, business agents and sales people will be subject of consultation in WA. Licensing of WA strata managers also being examine (significant growth of large high value strata developments in recent years). Motor vehicle dealer and repairer legislation being reviewed to assess their operation in the marketplace.*
* *WA-based Register of Encumbered Vehicles:- COAG reforms see REVS rolled into the new national Personal Properties Security Register which allows access to a wider range of information from one central database from anywhere in Australia.*
* *WA-based Business Names Register:- Later in 2012, all state based business name registers will be transferred to ASIC.*
* *ACL:- high priority focusing this year on misleading representations made by traders in advertising, promotional campaigns and sales and marketing processes.*
1. More than 400 enquiries and 113 complaints in 2011 from consumers who had paid deposits, but the trader then failed to supply the goods or services. Vast majority involved consumers paying a deposit more than $5,000 with one consumer paying $60,000 up front. large amounts to put at risk if the trader fails to deliver goods/services due financial difficulties etc. Generally, consumers should pay no more than 10% deposit, and only if it’s required to secure the sale. Certainly never pay the full amount upfront until the item has been delivered, or the work carried out.
2. Promotion of CP’s presence in WA continues with a regular segment on Perth’s Aboriginal station – 100.9 FM Noongar Radio.
3. Geraldton man lost $3,500 after becoming a victim of a Malaysian travel brochure scam targeting Western Australians. Latest of many recent travel scams, this occasion saw almost 2,000 glossy travel brochures containing fake ‘scratchie’ lottery tickets intercepted by Australia Post. However it’s thought hundreds of brochures could have already been delivered to WA homes. The 8-page brochure was sent under the name of four fake Malaysian travel companies – Enjoi Vacation, Phantasi Holiday, Lavender Holiday or Sentosa Traveling Group.
4. *Possible regulation of the prepaid funerals industry*:-Consultation RIS and discussion paper released with options for regulation.

*Competition and Consumer Amendment Regulations (No. 2) 2011 Clth:-*Previously, ACL prohibited supply and payment of goods/services during the 10 business day cooling off period for unsolicited consumer agreements. Amendments to allow dealers and suppliers to supply goods, (but not services) during the 10 day cooling off period when they are purchased through an unsolicited agreement, and are up to the price of $500. The new regulations will not permit dealers or suppliers to accept any payment for goods.1. To help consumers remembering rights when talking with a trader, CP has developed a new smartphone app called iShopWA, which can be downloaded free from the iTunes or the android market place.
2. On 5-6 May, CP will attend the 10th annual North West Expo, providing information/taking questions about fair trading matters. Over 6,500 people attend, and a variety of industry, companies, community groups and government agencies from the Pilbara and Kimberley invited to promote their achievements and contribution to the region.
3. Former Community Education Officer, Luke Eaton will fill in for Broome Senior Regional Officer, Annetta Bellingeri, while on leave.
4. End of an era after 23 years of REVS in WA. Transferred to the new national vehicle checking system, Personal Property Securities Register (PPSR) which became operational on 30/1/2012, and incorporates more than 20 pre-existing registers operated by various Commonwealth, State and Territory agencies.
5. Minister pushed back implementation of the *Building Act 2011* to 2/4/2013. It introduces a new approval process, allows state and local Govt's to issue permits and enforce compliance with building standards, which will modernise WA’s outdated laws. Standards will be improved by setting, making sure contractors have the skills, experience and financial capacity to deliver what they promise, and provide a single place for consumers to get information about building matters and make complaints.
6. CP Commissioner presented a prize to Christopher Byrnes from Stirling, a car enthusiast and member of a four wheel drive club, who was the WA winner of a national product safety competition “Don’t be a jackass”.
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| **ISSUE / DATE**  | **TITLE**  | **CONTENT SUMMARY** |

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| **Issue 23:** **December 2011** | 1. **Consumer Protection in your pocket**
2. **Commissioner’s Column**
3. **‘Don’t be a jackass with jacks’**
4. **Co-operatives a vital part of WA’s economy**
5. **Codes of conduct for real estate and settlement agents**
6. **Associations Online**
7. **Views canvassed on strata manager licensing**
8. **Free business seminars on the Australian Consumer Law**
9. **Jet’s travels**
10. **Consultation on prepaid funerals**
11. **What’s your role at Consumer Protection** - **Conciliation Team?**
12. **Did you know that Consumer Protection licences key consumer industries?**
13. **Seniors’ Housing Centre hits the road for Seniors Week**
 | 1. Minister, Simon O’Brien, launched free smartphone app this month called iShopWA. With ACL in force for its first Christmas, consumers may be unaware of the guarantees that now apply to their purchases and CP has developed the new app to help take information on their consumer rights with them when shopping.
2. Commissioner’s column
* *Retailer’s responsibilities to Christmas shoppers - ACL 1/1/2011 – Guarantees strengthening consumers rights that goods sold in Australian marketplace - must be safe, durable, free from defects and fit for their intended purpose; and services at an acceptable level of skill or technical knowledge, and in a reasonable time where there is no fixed time in a contract. CP taking part in a national campaign to ensure retailers are honouring guarantees (electronics, whitegoods stores and mobile phone sellers in particular).*
* *Paying large deposits for goods and services / never pay full amount upfront - More than 400 enquiries and 113 complaints in 2011 where a deposit had been paid, but trader then failed to provide or faces financial difficulties preventing delivery of services or goods. Large majority paid over $5,000 deposit (one consumer paying $60,000 up front). CP recommends:- pay no more than 10% deposit, and only if it’s req’d to secure the sale.*
* *Nationally co-ordinated campaign - ‘Shut the Door on Travelling Conmen’ - Problem of travelling con artists using high pressure sales tactics taking advantage of consumers by door knocking or approaching without an invitation. Information being shared about itinerant traders selling sub-standard products and services at inflated prices.*
1. ACCC Research:- in less than 10 years, 46 fatalities involving car jacks, vehicle ramps or blocks reported. Every year many Australian men are seriously injured while working under cars. National safety campaign commenced September targeting men aged 18–40, to raise awareness about risks associated with DIY vehicle maintenance and simple steps to minimise these. Online competition / dedicated website about working under a vehicle.
2. Co-operatives and other member-based enterprises to WA’s economy set to be highlighted during the United Nations’ International Year of Co-operatives in 2012. Top 20 WA co-operatives, mutuals and credit unions have a combined annual turnover of $5.8 billion, represent 1.75 million members and employ almost 5,000 people, making this sector an integral part of the State’s business landscape. Overhaul of the Co-operatives Act in 2009 gave WA most modern legislation nationwide Dedicated unit established at Dept. to provide advice and support to co-operatives, highlighting their importance of this vital sector of our economy.
3. After fraudulent sale of a WA properties in Karrinyup and Ballajura, guidelines issued for real estate and settlement agents to strengthen rules when identifying sellers by carrying out a 100-point client identification verification to certify that they are dealing with the true owner/s or their authorised representative (particularly for owner/s living overseas). New requirements for stronger identity verification procedures now in the codes of conduct. Designed to detect scams at the earliest stage, and complementary with measures put in place by Landgate for transactions involving owners living overseas.
4. In November 2011 Dept. launched Associations Online, a free portal providing convenient online services to almost 17,000 WA incorporated associations and clubs (e.g.:- community activities including sporting, recreational, social, cultural, spiritual and professional interests) and the public.
5. Strata titles approx.. one-third of all forms of ownership registered in WA, and according to Landgate, an average of 10,000 new strata lots are created annually. SCAWA estimates approx. 300 practitioners, ranging from people whose full time occupation is strata management, to others (often lawyers, real estate agents or accountants) who provide occasional strata management services. Discussion paper released 31/10/2011, - options for licensing strata managers, regulation without licensing and maintaining the status quo. Respondent feedback basis of Govt policy.
6. ACL in effect almost 12 months, CP holding free seminars working with ACCC, various chambers of commerce and business associations, and specific industry groups to ensure awareness of obligations and new entitlements under the law.
7. Events attended by ‘Jet’, WA ScamNet mascot throughout WA incl. South West Seniors Expo in Bunbury on 6/11/2011 where CP joined ACCC to educate consumers about scams. Strong interest also in the Seniors’ Housing Centre. In Karratha, Millars Well Primary School on 20/11/2011 where WA ScamNet balloons and scam prevention information was delivered. Finally, Christmas Pageant where scam information was distributed at Langley Park.
8. Consultation paper, *‘Proposals for the Regulation of Prepaid Funerals’* released by WA Govt. for comment. WA is the only jurisdiction with no formal legislation. Vast majority of funeral directors are professional, but Dept. is concerned that some may offer services that expose consumers to risk with concerns for security of money paid in advance and quality of services. Also:- payments invested in funeral director’s name rather than consumer; contracts with insufficient detail about services agreed to; unfair provisions relating to cancellation of contract, no register recording prepaid funeral contracts.
9. CP has a key role in helping consumers obtain a fair result when they have a dispute with a trader and the Retail, Building and Services’ Conciliation Team works to help consumers resolve their complaints with traders or businesses.
10. WA Govt. is committed to reducing red-tape. Five regulatory boards / licensing authorities have now ceased and responsibility transferred to CP Commissioner:- real estate agents and sales representatives, motor vehicle dealerships and sales staff, motor vehicle repair businesses and supervising mechanics, travel agents, debt collectors, land valuers, settlement agents and employment agents.
11. After a few mths, phone, email and counter inquiries to Seniors’ Housing Centre has shown it to be an important reference for people over 55 looking to research their future housing options. Services were also promoted at the Veteran’s Health Day, Rockingham; annual seniors’ week event, Pinjarra; Have a Go Day, and Belrose Care Day in Perth.
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| **ISSUE / DATE**  | **TITLE**  | **CONTENT SUMMARY** |

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| **Issue 22:** **October 2011** | 1. **Extended warranties**
2. **Commissioner’s Column**
3. **Showbag launch for Better Trading**
4. **Seniors’ Housing Centre for Better Trading**
5. **Cocos Island Co-op visits CP in Perth**
6. **Queen acknowledges work of Consumer Protection Director**
7. **New Consumer Protection Advisory Committees**
8. **Commonwealth Moves on Charities and Not-For-Profits**
9. **WA ScamNet Launch**
10. **Geraldton WA ScamNet Launch**
11. **New category added to Consumer Protection Awards**
 | 1. Recent CHOICE survey found a third of Australian shoppers feel pressured into buying an extended warranty when offered one. But with the free protection under the ACL, these paid-for warranties may not be necessary at all. In force since 1/1/2011, ACL requires goods sold commercially anywhere in Australia to be safe, durable and free from defects; fit for the purpose (works as it should or does what it’s supposed to); and acceptable in appearance and finish.
2. Commissioner’s column
* *Exposure of scams*
* *Revamped WA ScamNet website - Total loss - $429,000 reported by WA residents in August 2011. In past 12 mths, most serious involved overseas crime syndicates stealing identities of two WA home owners, successfully selling their properties without permission or knowledge and obtaining proceeds, a total in excess of $800,000.*
* *Codes of Conduct regulating WA real estate and settlement agents - Strengthened regulations particularly covering absentee owners requiring agents to carry out identity checks on all sellers, or people purporting to be authorised to sell their properties.*
* *CP guidelines for real estate and settlement agents - tighten procedures when verifying client’s identities (e.g.: changes of owner’s contact and bank account details, and the checking of documents and signatures), ensure that any changes in contact particulars are also sent to original email and postal addresses already on file and known to be genuine.*
* *Landgate procedures - new process whereby overseas property owners can place a caveat over their property stopping transfer of title.*
* *Sale and transfer of land process - CP, Property Industry and Landgate to enshrine a more vigilant standard practice so that property fraud can be avoided..*
* *WA home buyers and sellers - growth in ‘rent to buy’ property schemes - Promoters target sellers, and buyers finding it difficult to get the finance to enter the property market. CP urges buyers and sellers to carefully research the contracts, and get legal and financial advice from reputable licensed professionals.*
* *Abolition of REBASB, SASB, LVLB - new Property Industries Directorate was formed on 1 July this year and will investigate complaints and conduct regular compliance visits to licensed agents, and also be responsible for retirement villages, residential tenancies and park homes. Role and functions of the Motor Vehicle Dealers Board was also transferred to CP’s Retail and Services*
1. CP product safety officers had inspected 249 showbags at the 2011 Perth Royal Show and found that all contents had passed stringent safety tests and met national guidelines. Visual inspections focussed on toys and novelty items for children under three years of age to make sure they didn’t pose a choking or strangulation hazard, or have sharp edges. Specialised metal scanning equipment was used to detect if toys and novelties in the bags had high levels of lead and other dangerous elements such as cadmium, chromium, mercury or arsenic.
2. CP has set up a dedicated free service, The Seniors’ Housing Centre offers independent information on housing options for people aged over 55. It aims to reduce the risks and remove the guesswork by helping them make informed choices when considering life-changing property decisions such as buying an existing home, building, strata titles, a reverse mortgage, retirement villages, residential parks, renting, lifestyle villages and aged care considerations.
3. Introduction of new legislation regulated by CP (scheduled for late 2011), the *Co-operatives Act*, to apply to the Indian Ocean Territories of Cocos and Christmas Islands. Cocos Island has a total land area of approx. 14 sq km (spread over 27 coral islands) and a multicultural population located 2,950 km north-west of CP’s HQ in Perth. Co-operative Unit from CP’s Associations and Charities Branch conducted a workshop on 24/7 & 25/7/2011 in Perth, for the Islands largest employer, the Cocos Island Co-operative with a range of guest speakers to explain the new legislation.
4. CP Director, Retail and Services, Mr David Hillyard awarded a public service medal in the 2011 Queen’s Birthday Honours List on 23/9/2011 for outstanding public service in the areas of consumer protection and fair trading. Presented as acknowledgement of 39 years with the WA Govt.by WA Governor Mr Malcolm McCusker at the Investiture Ceremony in the Government House Ballroom.
5. By 31/10/2011, 3 new statutory advisory committees will be operating in the CP portfolio, giving a new source of advice to the Commerce Minister and Commissioner for Consumer Protection, Ms Anne Driscoll. The Govt’s legislative reform package resulted in the abolition of CP licensing boards with effect from 1/7/2011. Licensing functions of the REBASB, SASB, LVLB, and MVIB were transferred to the Commissioner for Consumer Protection. MVIAC will advise on the WA motor vehicle dealers and repair industry, and comprise representatives from MTAWA (5), IAME (1) and RAC (1). PIAC will advise on matters relating to the WA land valuation, real estate and settlement industries, and include 2 representatives from each of AICWA, APIWA, and REIWA; and 1 from AIBB(WA) and SCA(WA), Both committees are chaired by the Director General of the Department of Commerce, Mr Brian Bradley, with the Commissioner also an *ex officio* member. The Govt. also established a 9 member CAC to advise the Minister and Commissioner on CP activities and policies, and current/emerging consumer issues.
6. Initiatives announced by the Commonwealth Govt will impact on the charity and broader not-for-profit sector. Funding provided to establish an Australian Charities and Not-for-profits Commission expected to commence operations on 1/7/2012, with an Implementation Taskforce tasked with setting up the Commission having been established. Its primary role will be to determine the legal status of groups seeking charitable, public benevolent institution and other not-for-profit benefits from the Commonwealth Govt. In this respect, the Commission will take over the role of the ATO in deciding whether a group will qualify for tax concessions for charities. Govt announced in its 2011/12 budget it will move to develop a single, statutory definition of “charity” replacing the existing common law definition. It will consult with the States and Territories on that definition and then to undertake public consultation. In May 2011, Treasury released a consultation paper on the issue of better targeting of not-for-profit taxation concessions. In addition to these actions, COAG’s Business Regulation and Competition Working Group is examining the harmonisation of fundraising regulation in Australia. Given the wide ranging nature of reforms being considered, it is likely there will be extensive consultation with the charities and not-for-profit sector in the next 12 months.
7. New interactive website replete with helpful information, 1,000 promotional balloons and the support of the Commerce Minister, Simon O’Brien, and you’ve got the formula for a thoroughly successful WA ScamNet relaunch. On 4/9/2011, the redeveloped website – the first significant revamp since its original launch in 2002 – was unveiled to shoppers in the Perth CBD. Thousands of people sought further information from community education officers, and scam prevention advice and promotional materials were widely distributed over the course of the day. Katie Stuart, a victim of an online romance scam who was fleeced out of $100,000, was also present at the launch and spoke candidly to the media about her devastating experience. WA ScamNet website is a critical resource in identifying / preventing scams, and the redevelopment has resulted in a website which is easier to use and full of valuable advice. Jet, The ScamNet dog, representing CP sniffing out scams on behalf of the public, was also on hand to assist with the launch.
8. On 5/10/2011, Jet joined Commerce Minister, Simon O’Brien to launch the WA ScamNet site, and help CPs Geraldton officers during a visit to Northgate Shopping Centre. More than 150 shoppers, mainly seniors and young people, stopped by the stand to take a balloon, other branded merchandise, sign up for free scam alerts and try out the new website on a laptop. Minister was interviewed by GWN7, the Geraldton Guardian and Yamaji News.
9. Nominations are now open for the WA CP Awards 2012, and a Media Award category has been added to the competition. Run since 2004, awards recognise outstanding achievements of individuals, organisations, local Govt's and businesses in the fields of consumer protection and injury prevention for children. Finalists in each award category will be invited to attend a gala luncheon in March 2012, with the winners receiving $2,500 each for their contribution to consumer advocacy in WA. All nominations must be received by 2/12/2011.
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| **ISSUE / DATE**  | **TITLE**  | **CONTENT SUMMARY** |
| **Issue 21:** **July / August 2011** | 1. **Reform and restructure revitalises**
2. **National Occupational Licensing System**
3. **Commissioner’s column**
4. **Wheatbelt visit**
5. **ACL seminars - free event**
6. **CSI: MasterChef Professor John Watling**
7. **Kalgoorlie Senior Regional Officer appointed**
8. **Skimmer box safety**
9. **Expo helps keep kids safe and sound at home**
10. **Web shows safe testing**
11. **New MCCA governance arrangements**
12. **Meet our Indigenous education team**
13. **Keeping up to date with NICS**
14. **WA consumers warned not to get burnt by solar power**
15. **The Australian consumer survey report**
16. **Fuel your savings – buy on the cheapest day**
17. **Minister visits North West**
 | 1. Recent changes to national laws will have a significant impact on the management of licensing by CP. Two major developments are the abolishment of WA industry regulatory boards (settlement, real estate, land valuation and motor vehicle dealer and repairer industry boards), and creation of two new directorates. Licensing functions transferred to the Commissioner for Consumer Protection and Director General of the Dept. of Commerce. Incorporation of licensing into CP will clarify and make the administrative application and transfer over to the NOLS program more efficient. As part of the reforms are being created.
2. CP Boards’ reform is a commitment to the Council Of Australian Government’s intended introduction of a single, national licence for people in various occupations (e.g.: settlement agents/conveyancers, real estate agents and sales representatives, business agents and sales representatives, strata managers and land valuers; also electricians, plumbers and air-conditioning and refrigeration mechanics). NOLS will help traders better understand licensing laws, and provide additional security to consumers dealing with legitimate businesses, particularly based interstate. NOLS introduced of 1st wave - real estate, electricians and plumbers on 1/7/2012. conveyancers and land valuers the 2nd wave commencing after 1/7/2013.
3. Commissioner’s column
* *Increase in scam victims - Western Australians have reported losses in excess of $5 million in the 2010/2011 financial year.*
* *Proposed changes to the Residential Tenancies Act - now before State Parliament. Introduces plain language lease agreements, makes property condition reports mandatory at commencement and conclusion of a tenancy, provides greater security and transparency for tenants over handling of bond money, seeks to improve the quality of information available on tenancy databases.*
* *Seniors Housing Centre – Will be a vital resource in providing free information for seniors making important decisions on various housing options in retirement (e.g.: pros and cons of a park home, building a granny flat, sub-dividing their block, modifying their existing home or entering a retirement home or lifestyle village). Also provide advice on complex contracts for retirement living. Establishment follows feedback from industry/residents, and review of retirement village legislation.*
* *Dept. Restructure - Roles/responsibilities of four previous Boards for licensing of real estate and settlement agents, land valuers, business brokers and motor vehicle dealers and repairers transferred to Dept. on 1/7/2011.*
1. CP officers visited schools, libraries, shire offices and Community Resource Centres in the Wheatbelt to raise awareness about the new ACL, and take questions (e.g.: product safety, online scams, getting refunds on purchased products).
2. Free seminars in Joondalup, East Perth and Fremantle will be held in Aug and Sept, when Consumer Protection Directors will be explain the new legislation in plain terms to audiences interested in how it affects businesses in WA. These will cover how the law has changed regarding consumer guarantees, sales practices and laybys, and also extra rights when purchasing goods and services.
3. Australian Food and Grocery Council called for an overhaul of “Country of Origin” labelling for food/beverages. Phrases:- “made in…” and “grown in…” are confusing and can easily be misunderstood. It wants clearer definitions and tighter regulation – calling for country of origin labelling provisions to come under a single authority, such as the ACCC, rather than various agencies. “… Australia is a country with strict laws/agricultural practices, with exported food and products recognised as top quality..” “… Use of databases for various major Australian products will allow identification within the shortest time possible minimising any potential damage to our image”.
4. Ivo DaSilva has been officially appointed as the Senior Regional Officer, Kalgoorlie for CP looking after the Goldfields, Eucla, Esperance, Wheatbelt & Avon Valley Districts.
5. CP brochure on swimming pool skimmer boxes updated to show what an unsafe skimmer box looks like and how to fix it, giving homeowners the opportunity to make necessary modifications preventing serious injuries/deaths this summer.
6. Expo held 12/8 – 14/8/2011 at Claremont Showgrounds provided parenting advice/early childhood parenting tips, and the latest product innovations related to pregnancy, babies and children. CP Communications Promotions team, Product Safety team and Community Relations teams coordinated a booth recreating a child’s bedroom, highlighting the potential hazards related to cots, bunk beds, window blind cords, furniture, hot water bottles and nursery products.
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| **ISSUE / DATE**  | **TITLE**  | **CONTENT SUMMARY** |
| **Issue 20:** **April/May 2011** | 1. **Australian Consumer Law: New rules for retail sales**
2. **Commissioner’s column**
3. **Consumer protection champions awarded**
4. **Major consumer issues for 2010 and trends compared with 2009**
5. **Buying a pet and the Australian Consumer Law**
6. **Business Names Project**
7. **Young consumer rights promoted during Youth Week**
8. **Consultation on licensing of strata managers**
9. **Green-washing – are companies clean when it comes to environmental claims?**
10. **New website helps you make MoneySmart choices**
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| **ISSUE / DATE**  | **TITLE**  | **CONTENT SUMMARY** |

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| **Issue 19:** **Jan/Feb 2011** | 1. **New life for WA consumer law**
2. **Commissioner’s column**
3. **Avoiding unfair business practices**
4. **Sales practices**
5. **Consumer guarantees**
6. **Unfair Contract Terms information session**
7. **Licensing reform**
8. **WA media awards**
9. **Products removed from sale in Christmas safety blitz**
10. **Kimberley businesswoman loses $7,000 in online scam**
11. **Consumer Protection visits Harvey and Murray Shires**
12. **ASIC's Credit Outreach Team**
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| **ISSUE / DATE**  | **TITLE**  | **CONTENT SUMMARY** |
| **Issue 18:** **October 2010** | 1. **Public consultation on Sunday sales**
2. **Illegal ‘no refund’ signs exchanged**
3. **Commissioner’s Column**
4. **COAG Update**
5. **Consumer watchdog comes to the Pearl Coast**
6. **Consumer Protection Awards**
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| **ISSUE / DATE**  | **TITLE**  | **CONTENT SUMMARY** |
| **Issue 17:** **August 2010** | 1. **Retail Trading Hours – what’s changed?**
2. **New Minister for Commerce visits Consumer Protection**
3. **Director’s 30 years of consumer protection**
4. **Trade Measurement**
5. **Schools competition winners announced**
6. **Commissioner’s Column**
7. **COAG Update**
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| **ISSUE / DATE**  | **TITLE**  | **CONTENT SUMMARY** |
| **Issue 16:** **June 2010** | 1. **Commissioner’s Column**
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| **ISSUE / DATE**  | **TITLE**  | **CONTENT SUMMARY** |

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| **Issue 15:** **March-April 2010** | 1. **Commissioner’s Column**
2. **WA ScamNet**
3. **Advocating for tenant’s rights**
4. **2010 Consumer Protection Awards**
5. **Buy My Duck 2010**
6. **COAG update**
7. **Renting and leasing made easy**
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| **ISSUE / DATE**  | **TITLE**  | **CONTENT SUMMARY** |
| **Issue 14:** **Jan-Feb 2010** | 1. **Commissioner’s Column**
2. **Australian Consumer Law**
3. **A new focus for successful national strategy**
4. **Warranty guarantee for consumers**
5. **New trading hours for tourism precinct**
6. **Renting and leasing made easy**
7. **Updates— Council of Australian Governments**
8. **Updates— Product safety**
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| **ISSUE / DATE**  | **TITLE**  | **CONTENT SUMMARY** |
| **Issue 13:** **Nov-Dec 2009** | 1. **Commissioner’s Column**
2. **Consumer advocates to be honoured for sixth year**
3. **Consumer complaints heat up**
4. **New legislation for co-operatives**
5. **Action against unregistered vehicle repairers**
6. **New smoke alarm laws to save lives**
7. **Council of Australian Governments - update**
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| **ISSUE / DATE**  | **TITLE**  | **CONTENT SUMMARY** |

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| **Issue 12:** **September 2009** | 1. **Retirement villages review**
2. **Commissioner’s Column**
3. **Consumer credit reforms – update**
4. **Rights and responsibilities in private rental**
5. **Product bans ensure consumer safety**
6. **2009 Buy My Duck**
7. **Hairdressing industry to be deregulated**
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| **ISSUE / DATE**  | **TITLE**  | **CONTENT SUMMARY** |
| **Issue 11:** **July/August 2009** | 1. **Vehicle repairers urged to get on board or face fines**
2. **Commissioner’s Column**
3. **Warranties and refunds under the spotlight**
4. **Deposits lost with the collapse of business**
5. **Speedy bill benefits WA health insurance consumers**
6. **Electrical devices to save lives**
7. **Building regulator joins Commerce**
8. **“Full house” for landlords’ seminars**
9. **Council of Australian Governments (COAG) update**
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| **ISSUE / DATE**  | **TITLE**  | **CONTENT SUMMARY** |
| **Issue 10:** **May 2009** | 1. **The cash back trap**
2. **Commissioner’s Column**
3. **Working with children is worth a check**
4. **National Consumer Congress**
5. **Retirement check up**
6. **Advocates Awards**
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| **ISSUE / DATE**  | **TITLE**  | **CONTENT SUMMARY** |
| **Issue 9:** **March 2009** | 1. **Isolation no barrier to managing Indian Ocean Territories**
2. **National Consumer Fraud Week 2-8 March 2009**
3. **2009 National Consumer Congress**
4. **Credit and finance broking reforms pick up pace**
5. **Consumer Protection Awards: 2009 Finalists**
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| **ISSUE / DATE**  | **TITLE**  | **CONTENT SUMMARY** |
| **Issue 8:** **December 2008** | 1. **Consumer reform surging on**
2. **Unit pricing adds up to savings**
3. **The Commissioner’s Column**
4. **Meet the Minister … Troy Buswell MLA**
5. **Popular store and gift cards: new opportunities for money laundering**
6. **Fair trading in the classroom**
7. **Buy My Duck winners**
8. **It’s as easy as INC**
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| **ISSUE / DATE**  | **TITLE**  | **CONTENT SUMMARY** |
| **Issue 7:**  | ***(Not on Website)*** |  |

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| **ISSUE / DATE**  | **TITLE**  | **CONTENT SUMMARY** |
| **Issue 6:** **May/June 2008** | 1. **Reversing the global wave of childhood obesity / What’s happening closer to home to curb the obesity epidemic?**
2. **The Commissioner’s Column**
3. **Fair Trade products set to reduce third world poverty**
4. **Influx of international visitors prompts targeted consumer education**
5. **Award winning oven guard keeping kids safer in the kitchen**
6. **Consumer advocate adopts mentoring model for local level knowledge transfer**
7. **Alzheimers Australia WA launches new Scam Education Kit**
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| **ISSUE / DATE**  | **TITLE**  | **CONTENT SUMMARY** |
| **Issue 5:** **March 2008** | 1. **Calls for greater scrutiny of green product claims**
2. **The Commissioner’s Column**
3. **FuelWatch hits national headlines**
4. **Kimberley traders welcome Consumer Protection support**
5. **Consumer Protection Awards winners to be announced 14 March 2008**
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| **ISSUE / DATE**  | **TITLE**  | **CONTENT SUMMARY** |
| **Issue 4:** **January 2008** | 1. **National Consumer Congress tackles the big issues / Key speakers debate controversial world trends**
2. **The Commissioner’s Column**
3. **New forces drive poverty**
4. **A Benetton world of debtors**
5. **New regulation for pre-paid funeral industry / Motor vehicle advertising standards / New safeguards for funeral and vehicle consumers**
6. **Informal credit a mixed blessing in remote towns**
7. **Hidden cost of book-up convenience**
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| **ISSUE / DATE**  | **TITLE**  | **CONTENT SUMMARY** |
| **Issue 3:** **November 2007** | 1. **National concerns about credit laws**
2. **The Commissioner’s Column**
3. **Indigenous Art Cover**
4. **Co-operatives a Sustainable Solution**
5. **Responsible Credit Card Lending**
6. **Renting Top 5 List for Indigenous Consumers**
7. **Demands for Consumer Advice Increasing**
8. **Greater Protection for Commercial Tenants**
9. **New Award for Children’s Product Safety**
10. **Know Your Rights - Tips and safety checks for smart consumers**
11. **NCCO8 - 18th Consumers International World Congress**
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| **ISSUE / DATE**  | **TITLE**  | **CONTENT SUMMARY** |
| **Issue 2:** **September 2007** | 1. **The Future of Consumer Protection - The Productivity Commission Inquiry into Consumer Protection**
2. **Shopping for Information - Mystery shopping initiatives for WA.**
3. **Generational Change for Consumer Law By Maureen de la Harpe, University of Western Australia**
4. **Kimberley Consumers on the Map - Housing shortages and lack of accommodation still huge problem**
5. **Volunteer Feedback Shapes Bill**
6. **Trade Measurement Goes Commonwealth**
7. **Faster, Simpler Lending**
8. **New Laws for Residential Parks**
9. **Buy My Duck**
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| **ISSUE / DATE**  | **TITLE**  | **CONTENT SUMMARY** |
| **Issue 1:** **June 2007** | 1. **Seniors and Reverse Mortgages**
2. **The Commissioner’s Column**
3. **Letting Fees Abolished**
4. **Boom Times Challenge Customer Service**
5. **Standards Rise For Motor Vehicle Repairers**
6. **New Code For Finance Brokers**
7. **False Advertising Under Scrutiny**
8. **Unwanted Telemarketers Face New Laws**
9. **FuelWatch Benefiting Customers**
10. **Consumer Protection Awards - Food Additives Campaigner Recognised**
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