



# Better Trading

Issue 26: September 2012

## Sunday Trading for Perth shoppers

The convenience of being able to choose where to shop on Sunday is a benefit all metropolitan West Australians now enjoy following the introduction of uniform retail laws for Sunday shopping.

As of August 26, under the *Retail Trading Hours Act 1987*, all general retail shops in the Perth metropolitan area – including major supermarkets and department stores – can trade between 11am and 5pm on Sundays and most public holidays (except Good Friday, Christmas Day and ANZAC Day).

In other States and Territories, Sunday has proven to be a popular option for shoppers and an important trading day for most retailers. The new laws now provide WA consumers and retailers with the same access as the rest of Australia.

For retailers, the choice of whether or not to open on Sundays will remain their business decision. A landlord cannot force a shop to open and cannot charge operating expenses for that day to any shop that chooses not to open.

The changes provide a fairer and more competitive marketplace for the retail sector, as well as increased job opportunities and tourism benefits.

Whether or not retail staff can be required to work on Sundays will depend on their employer's specific industrial arrangements, as well as their own contract of employment.

### When and where to shop

As of August 26, trading hours for general retail shops in the metropolitan area are:

- Monday to Friday – 8.00am to 9.00pm
- Saturdays – 8.00am to 5.00pm
- Sundays – 11.00am to 5.00pm and most public holidays (closed Christmas Day, Good Friday and ANZAC Day)

Within these hours, individual stores may choose when they open.

All shops are regarded as 'general retail shops', unless they fall under one of the following categories – in which case, their trading hours have not changed:

- small retail shops – still allowed to open 24 hours a day, every day
- special retail shops (e.g. home hardware, pharmacies, newsagencies) – still allowed to open 6am to 11:30pm, every day
- filling (service) stations – able to open 24 hours a day, every day
- motor vehicle shops – able to open 8am to 6pm Monday, Tuesday, Thursday and Friday; 8am to 9pm Wednesday; 8am to 1pm Saturday; closed Sundays and public holidays.

The new arrangement means that the special trading precincts of Armadale, Fremantle, Joondalup, Midland and Perth have been abolished, as they are no longer necessary.

Shopping hours within the holiday resorts of Wanneroo and Rockingham are being aligned with the remainder of the metropolitan area.

For further details, about the changes to metropolitan Sunday shopping, visit [www.commerce.wa.gov.au](http://www.commerce.wa.gov.au) or you can phone Consumer Protection's Retail Trading Hours hotline on 9282 5641.





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Consumer Protection recently began legal action in the Supreme Court against a company, E'Co Australia, which collects used clothing in bins around Perth. Images and signage on the bins gave the impression that the funds from the sale of the clothing went to either helping poor children in Africa or breast cancer victims in WA.

The Department will allege that the company sells the clothes commercially to merchants in Africa and makes a profit from their sale. While they donated funds to a breast cancer charity under an agreement from 2009 to 2011, the price was fixed and not based on the volume of clothing collected.

As a regulator of this industry, we must ensure that claims being made by organisations when raising money or items for charity are valid and that the funds are used for their intended purpose. It is essential that a high level of trust between the donors and the collectors is maintained. These organisations need to be totally transparent and make full disclosures that are neither misleading nor deceptive.

It is an area that will come under increased scrutiny by Consumer Protection, and anyone with concerns should contact us.

The rising cost of fuel is a significant element of the family budget and consumers in WA have the advantage of FuelWatch to obtain the cheapest fuel in their area.

Not only has the basic cost of fuel increased, the gap between the different grades of fuel has also widened, making premium fuels more expensive for motorists. The difference between 98RON and standard unleaded petrol (ULP) is currently 15 cents per litre (cpl), but four years ago the difference was 8 cpl. The difference between 95RON premium unleaded petrol and ULP is currently 9 cpl, but four years ago the difference was less than 6 cpl.

While there is only one grade of diesel, there is a considerable price gap between the most expensive and the cheaper brands. For August 2012, the difference between the cheapest and most expensive brands was more than 5 cpl.

It has been a commonly held belief that using premium grades of fuel will improve performance and fuel efficiency, making it beneficial in the long-term. After studying this issue, FuelWatch has concluded that there appears to be no evidence of

an economic benefit from using a fuel other than that recommended by the vehicle's manufacturer. While some premium fuels may contain additives which might improve engine performance over the long-term, it is questionable if these fuels represent value for money.

FuelWatch recommends that motorists consult with the vehicle's manufacturer or read the owner's manual to determine the best fuel for their car's engine. Owners of vehicles which can run on standard unleaded petrol should question whether using premium unleaded petrol will produce any real advantage, and the same applies to diesel products.

Recently I attended the re-launch of a community-based lending organisation, WA No Interest Loans Network Inc (WA NILS) which is a perfect example of the tremendous work being done in our community to provide welcome support to consumers on low incomes.

WA NILS provides short-term, no interest loans of less than \$1,500 to help consumers buy basic household goods and furniture or to pay for medical expenses. They also assist people to increase their income by purchasing tools of trade or getting a driver's licence. Now they are also helping WA households reduce their energy costs by financing solar panels, window tinting and insulation.

Using the principle of "circular community credit", repayments from loan recipients are made available as a loan to others in the community. It's a concept built on supporting low income earners with the aim of improving their lives.

WA NILS is a previous winner of a Consumer Protection Award and nominations for the 2013 awards are now open, giving people the opportunity to nominate those whose work in the area of consumer education and assistance is worthy of reward. If you know of an individual or organisation who you believe deserves recognition, please submit a nomination form before the closing date.

# Car service and repair businesses tested by secret shoppers

Consumer Protection has begun a secret shopper campaign to test the skills and fairness of car service and repair businesses in WA.

Before each test vehicle is serviced, qualified Automotive Branch technicians check what work needs to be carried out and afterward those inspectors look again to ensure the work is up to scratch, matches what's been paid for and does not include extra unnecessary work.

The program focuses on particular types of repair work that Consumer Protection intelligence suggests has the potential to become a problem in the marketplace.

As well as checking on the validity and quality of work undertaken, the quality of advice given and accuracy of repair businesses' invoices will be taken into consideration. The early stages of the secret shopper campaign have so far seen ticks of approval for the repairers.

The campaign was prompted by concerns about over-servicing in the



industry and the Department needed more than just anecdotal evidence to properly assess the situation. Also, in May a Midland company was fined \$3,000 in the Perth Magistrates Court for making false or misleading representations to a consumer.

In this case a consumer had taken his vehicle to the premises for a service and was told that the vehicle required new brake pads and discs. A mechanical inspection of the vehicle by the Department's Automotive Branch found that the brake pads and discs did not need to be replaced. It is an offence under

consumer law for a person, in trade or commerce, to make a false or misleading representation concerning the need for any goods or services.

The secret shopper campaign is now set to continue and Consumer Protection has been working with the Motor Trade Association WA to make vehicle repair businesses aware of the program. The results will be used to develop compliance strategies for the motor vehicle repair industry.

A general message to always use a licensed vehicle repairer is being heavily promoted to Western Australians. This is happening through an animated advert online, a series of radio adverts and mentions in print media too; such as this newspaper column.

A dedicated website will soon be launched so the consumers can log on to check whether a vehicle repair business holds a valid licence. The website is called [www.myautorepairer.com.au](http://www.myautorepairer.com.au)

## Dangerous magnets pulled from marketplace to keep kids safe

Small high powered magnets, which can kill or seriously injure if swallowed, are to be pulled from the Australian marketplace under a product safety ban put in place to protect children.

The little metal balls (4-5mm in diameter) are sold under various names including Bucky balls, Neo cubes and Neodymium sphere magnets. Although they are marketed at adults, they are attractive to children and if ingested the magnets can attach in the intestine, which usually requires emergency surgery and can lead to death.

Tragically, these small novelty magnets killed an 18 month old child in Queensland who swallowed 12 of them last year. More recently a three year old boy in Sydney underwent surgery for a perforated oesophagus after ingesting four of the magnets in May of this year. A seven year old boy and two 12 year old children in the Eastern states have also suffered serious injuries in the last few months.

Here in WA, Princess Margaret Hospital reports there have been 33

cases of children swallowing magnets since 2006 and four were admitted to hospital for treatment. In April 2012, a two year old boy underwent emergency surgery to remove 27 small magnets from his stomach.

These novelty magnets have been on sale in WA for some time and parents and guardians are urged to ensure that toys or novelty items containing magnets are kept out of reach of young children. If a child has swallowed a magnet, urgent medical assistance should be sought.

On Thursday 23 August 2012 the Minister for Commerce approved an immediate interim ban on magnets of less than one centimetre in size that could be ingested by a child. This is pending a permanent ban being put in place that will apply nationally.

While a ban on magnets in children's toys has been in place for some time, this ban will relate to items used by adults that could potentially be swallowed by children. Magnets used for industrial or scientific purposes are exempt.



The ban means that small dangerous magnets must be removed from the shelves of retail stores and cannot be sold to any Australian consumers. Consumer Protection's product safety officers will be carrying out checks at WA stores and educating retailers.

You can read more about the ban at: [www.commerce.wa.gov.au/consumerprotection](http://www.commerce.wa.gov.au/consumerprotection). If you have any queries about dangerous magnets or any other potentially unsafe products call 1300 30 40 54 or email [productsafety@commerce.wa.gov.au](mailto:productsafety@commerce.wa.gov.au).

# Indigenous education campaign launch

Consumer Protection used NAIDOC Week 2012 to launch an education campaign to combat unfair trading and high pressure sales practices in regional and remote Indigenous communities.

A song written and produced by WA Aboriginal Corporation, Abmusic with a video to accompany it, plus a radio advert made by 100.9fm Noongar Radio, outline key consumer rights when a seller knocks at your door.

Messages being promoted in this initiative apply not only to disadvantaged Aboriginal consumers but also to any Australian engaging in day to day transactions.

However, the focus on Indigenous consumers, particularly in regional and remote communities, is because those communities often face lack of choice or competition and restricted access to services and are therefore more vulnerable.

Consumer Protection wants to stop unscrupulous traders by educating and providing information on how consumers can protect themselves.

Consumers have rights under the Australian Consumer Law during 'unsolicited' sales – anytime a product supplier or tradesperson approaches you uninvited other than at the supplier's business



premises. Door-to-door sales and telemarketing both fall into this category.

A good rule of thumb is that the law applies when approaches a consumer uninvited and sells goods or service valued at over \$100.

Consumer rights include a 10 business day cooling off period and in that time no payment can be taken and services cannot be carried out. Goods up to the value of \$500 can be supplied but no money must be taken in exchange.

Unannounced salespeople have to identify themselves up front and explain the purpose of their approach. Consumers can ask them to leave and the seller has got to go away or stop the conversation and cannot contact the consumer again for at least 30 days.

There are restrictions to times salespeople can call at a consumer's home or phone. **No contact is**

**allowed on Sundays or public holidays. Weekday contact is restricted to between the hours of 9am and 8pm and on Saturdays 9am and 5pm. To make an exception and visit outside of these hours sellers need to have made an appointment with the consumer, either over-the-phone or in writing.**

Read more about consumer rights when salespeople come knocking on the Consumer Protection website [www.commerce.wa.gov.au/consumerprotection](http://www.commerce.wa.gov.au/consumerprotection).

To listen to the song, view the video and hear the radio advert produced for the Indigenous Education Campaign, log on to [www.commerce.wa.gov.au/indigenous](http://www.commerce.wa.gov.au/indigenous).

Indigenous consumers can report instances of unfair trading practices via the National Indigenous Hotline: 1300 303 143. The hotline operates between 8.30am and 8pm Eastern Standard Time (6.30am-6pm in WA).

Early reporting of these matters is seen as critical by consumer protection agencies who want to apply the Australian Consumer Law equally in all communities. The overall aim is to improve equity in the marketplace and drive out dubious operators who traditionally prey on vulnerable communities and individuals.



## Consumer Protection stalwart retires



In August 2012, Consumer Protection's Senior Regional Officer for Bunbury, Tresslyn Smith, retired.

A morning tea held in her honour was attended by dozens of colleagues. Tresslyn gave a speech summarising the highs and lows she has experienced since starting full time at the Bunbury office in 1984.

She recalled helping establish Legal Aid in Bunbury by giving their first regional solicitor a desk in her office.

Tresslyn's most memorable consumer issues centred on the pet complaints she helped to resolve – in particular a horse called George who was sold as 'young' when he was in fact 20, and an \$800 parrot with faulty feet who crash landed when he flew from perch to perch.

The Australian Charities and Not-for-profits Commission (ACNC) is a new agency proposed by the Commonwealth Government for the purpose of regulating the not-for-profit sector. The ACNC is expected to operate from 1 October 2012 and will initially regulate charities, however it is intended that over time this will be extended to include other types of not-for-profit organisations in the future (e.g. incorporated associations).

The Commonwealth Government committed to the establishment of the ACNC as a result of recommendations made by the Productivity Commission in its report Contribution of the Not-for-profit Sector. Some consultation with peak advisory bodies and other stakeholders has occurred over the past two years. The Western Australian Government has been involved in ongoing discussion with Commonwealth officers in regard to development of the new scheme.

The ACNC is promoted as a 'one-stop shop' for charities that are required to report to the Commonwealth Government. From the 2013/14 financial year, charities

will be required to conduct financial reporting as part of an Annual Information Statement that must be submitted to the ACNC.

While the Commonwealth Government is yet to finalise the reporting requirements, in the first instance it is likely that there will be some duplication between the ACNC requirements and the current reporting requirements under State and Territory legislation. We are working with the Commonwealth to minimise any additional burden that the Commonwealth legislation will create.

Initially at least, charities that currently report using a non-standard reporting period (i.e. a financial year that ends on a date other than 30 June) will continue to be able to report in this manner. These organisations will have six months from the commencement of the ACNC to notify the ACNC Commissioner of their intention to use a substituted accounting period.

The Australian Charities and Not-for-profits Commission Bill 2012 was introduced into the Commonwealth Parliament on 22 August 2012.



Copies of the Bill and accompanying explanatory material can be accessed through the Commonwealth Parliament website at [www.aph.gov.au](http://www.aph.gov.au).

Draft regulations, which will include requirements for financial reporting, are expected to be released during September. We understand the Commonwealth Government is planning further stakeholder consultation in late 2012. Once released, these documents will be available at the website [acnctaskforce.treasury.gov.au](http://acnctaskforce.treasury.gov.au), so look out for updates..

## Thanks for the feedback



Better Trading was introduced by Consumer Protection back in 2007 to provide a simple and effective way to inform everyone with an interest in consumer protection and fair trading matters of current issues, important events and future trends.

As a part of a review of Better Trading all subscribers were recently invited to participate in a short survey.

Some of the key results of the survey include:

- 69% subscribe because it is relevant to their professional area;
- 25% subscribe because they have a general interest in consumer rights;
- 93% prefer 4-5 editions per year; and
- 46% read 5-8 articles per edition.

The topics of main interest are:

- Updates on new consumer laws;
- Scams;
- Consumer news and advice;
- Planned changes to consumer laws;
- Other legislative changes; and
- Updates on events and activities undertaken by the Department of Commerce.

We would like to say a big thank you to all those who took the time to participate in the survey. Your feedback has proven very useful and will help us to shape Better Trading for the future.



Consumer Protection is working with the Water Corporation to pour cold water on false claims allegedly being made by door to door salespeople in Perth and wider Western Australia.

Residents in the metropolitan area and in regional towns, like Kalgoorlie, have reported that sellers of water filter systems have been calling at their homes and telling

them drinking water quality tests carried out locally have shown that their tap water is not safe to drink.

There was one case reported where a salesperson has claimed there was sewage in the householder's water supply which was being covered up by chemicals.

In May the Water Corporation released a public warning regarding these claims describing them as 'totally without foundation, untrue and outrageous'.

Neither Consumer Protection nor the Water Corporation has any issue with people buying and using water filters as a matter of personal preference. However, both agencies are concerned that claims water filters are a necessity could cause undue worry and stress to Western Australian consumers.

That's why the two organisations are working together to investigate the matter and both want to hear from potential witnesses and complainants.

It is an offence under the Australian Consumer Law for a business, or its sales representatives, to make a false or misleading representation concerning the need for any goods or services. The penalties are high; a maximum fine of \$220,000 for an individual and \$1.1 million for a company.

Trying to convince consumers that their safe-to-drink tap water is unfit for drinking, in order to achieve sales, would fall into the category of a false and misleading representation.

Anyone who is approached by a door-to-door salesperson making claims of this nature should note details such as the company name, the identification of the salesman, car registration etc. and then contact Consumer Protection on 1300 30 40 54.

The Water Corporation has a 24 hour assistance line: 13 13 75 which can also take calls in relation to this investigation.

## Consumer Awards nominations now open

Nominations for the 2013 Consumer Protection Awards 2013 have now opened.

The Awards have been run since 2004 and recognise the outstanding achievement of individuals, organisations, local governments and businesses that promote consumer rights, provide assistance and educational programs and raise awareness of consumer issues, including child safety.

The 2013 awards have four categories:

The Rona Okely Award acknowledges an individual who has influenced and inspired the advancement, development and promotion of consumer protection in their community.

The Richard (Dick) Fletcher Award acknowledges a local government, non-government organisation or group of individuals operating in

Western Australia that has, through their particular field of endeavour, made a significant contribution to the advancement of consumer protection.

The Kidsafe WA Award acknowledges those who have made a significant contribution to the advancement of injury prevention for children.

The Media Award acknowledges an individual journalist or news media outlet that has made a recent and significant contribution to the advancement of consumer protection.

Award winners in 2012 were founder and CEO of the Jacaranda Community Centre in Belmont, Lyndsey Fitzgerald, the City of Greater Geraldton, Parents for Window Blind Safety and Jake Sturmer of ABC Television. Winners receive a cash prize of up to \$2,500.



More information on the Consumer Protection Awards can be found on [www.commerce.wa.gov.au/cpawards](http://www.commerce.wa.gov.au/cpawards). Nominations close on 30 November.



Consumer Protection recognises that strata title is an increasingly popular form of ownership, with more than one-third of all titles registered in Western Australia being strata properties.

While some strata owners self-manage, many others employ the services of a professional strata manager to oversee the maintenance and upkeep of their property. Strata owners have a reasonable expectation that their property will be managed properly and in a transparent manner.

As the volume and amount of strata funds held by managers increases, there has been consideration of whether Western Australia should introduce a licensing system for strata managers.

Currently only New South Wales and the Northern Territory require strata managers to be licensed. In WA, two Parliamentary inquiries and an independent review on the subject recommended greater regulation in this area.

It is a State Government requirement prior to the introduction of any new regulation in Western Australia, that a case for regulation be firmly established. This process requires an impact assessment which involves consideration of a range of regulatory and non-regulatory options, assessing their cost and benefits, and adopting the option that generates the greatest net benefit to the community.

In October 2011, Consumer Protection published a consultation regulatory impact statement and a discussion paper inviting public comment on options in respect of the future of strata management in Western Australia.

The paper canvassed three options:

- licensing strata managers under the National Occupational Licensing Scheme (NOLS);
- regulating the conduct of strata managers without licensing; and
- maintaining the status quo.

The submissions received, over a four month consultation period, can be viewed at: [www.commerce.wa.gov.au/consultations](http://www.commerce.wa.gov.au/consultations).

Further consultation sessions were undertaken in April 2012 focussing particularly on the views of resident and non-resident strata owners.

The feedback received from the public in response to the consultation paper and the focus groups is being used to inform a final report making recommendations to Government on whether strata managers should be regulated and, if so, the nature of that regulation. This report is currently being drafted.

The Government will await the recommendations of this report before deciding policy on this issue. Consumer Protection aims to finalise this report by the end of the year.

The NOLS Intergovernmental Agreement would not require the State to introduce licensing of strata managers, but any licensing of this occupation after the commencement of the NOLS would need to be consistent with the NOLS framework.

More information on the National Occupational Licensing Scheme can be found at [www.nola.gov.au](http://www.nola.gov.au).

## Extended warranties may not be warranted

Consumer Protection recently used the collapse of an extended warranties provider in Australia as an opportunity to highlight questions about the value of extended warranties.

U-nited Warranties Pty Ltd appointed liquidators – the majority of its extended warranty products were offered at the point of sale through major retail chains, including Big W and Myer and a number of independent retailers.

The Australian Securities and Investments Commission (ASIC) has been taking the lead in relation to this matter, however Consumer Protection has been liaising with ASIC and wished to clarify consumer rights.

The Australian Consumer Law (ACL) provides mandatory consumer guarantees for goods and services and that means that if there's a problem, consumers are entitled to specific remedies which can include replacement goods or a full refund.

The type of situations where a remedy must be provided include when a product is not of acceptable quality, not fit for the intended purpose or does not match the description given. These rights cannot be limited by timeframes specified by the manufacturer or retailer in warranty documents provided with the goods.

It is not uncommon for retailers to offer extended warranties at the point of sale, particularly for



electrical items; however in the majority of cases, Consumer Protection finds that the extra money paid is not justified because the consumer has the same protections for free under the ACL.

Retailers who wrongly convince customers of the need to purchase extended warranties could be breaking the law.

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# Boosting rights of seniors in retirement villages

A major reform of retirement village laws is a step closer after proposed changes to legislation were introduced into Parliament (14 August 2012).

There are more than 200 retirement villages in Western Australia and the *Retirement Villages Amendment Bill 2012* strengthens the rights of seniors who live within them; particularly in regard to contracts and charges.

The proposed changes will give residents:

- more time to consider contract information and a longer cooling off period;
- the right to appeal against excessive or unwarranted increases in charges; and
- allow for a time limit on the payment of recurrent charges by non-owner residents who leave a village (six months on current contracts and three months on future contracts)

The suggested alterations to the current law should also improve regulation of the retirement village industry. They will do this by creating the power for Consumer Protection to apply to the State Administrative Tribunal (SAT) to appoint a manager to a village which is at risk; we're talking about extreme cases where the well-being or financial interests of residents are in jeopardy. In



addition to this, certain people will be prohibited from operating or managing a retirement village.

The SAT will be able to make specific orders relating to the completion of works and the fulfillment of contract requirements relating to village amenities. Payments to village operators will be allowed to be released from trust once a resident is entitled to occupy the village unit, rather than when a resident actually takes up residency.

The proposed amendments to the legislation are the result of a comprehensive review which involved extensive research and widespread consultation with both residents and industry operators

and resulted in more than 100 recommendations for change.

Some recommendations from the review of the legislation have already been implemented, such as the establishment of the Seniors' Housing Centre. The Seniors' Housing Centre is now operating from two locations (Consumer Protection HQ and COTA WA's premises). Both are providing free information to consumers making important decisions about the best housing options for their retirement.

To speak to the Seniors' Housing Centre call 1300 367 057 or log on to [www.commerce.wa.gov.au/seniorshousing](http://www.commerce.wa.gov.au/seniorshousing) to find out more.

## Extended warranties may not be warranted (*continued*)

It's an offence for a business, or its sales representatives, to make a false or misleading representation concerning the need for any goods or services. The penalties are high; a maximum fine of \$220,000 for an individual and \$1.1 million for a company.

Trying to convince consumers that they should buy an extended warranty, when it only offers the same protections provided for free under consumer law, would fall into the category of a false and misleading representation.

Consumers who have purchased goods from a retailer and an extended warranty from U-nited and who have a problem with the product should return the goods to the place of purchase. The retailer has legal obligations and cannot avoid these responsibilities by claiming the consumer rights would only have been available through the extended warranty.

WA consumers requiring more information about their warranty/guarantee rights under the Australian Consumer Law should

log on to [www.commerce.wa.gov.au/consumerprotection](http://www.commerce.wa.gov.au/consumerprotection), call 1300 30 40 54 or email [consumer@commerce.wa.gov.au](mailto:consumer@commerce.wa.gov.au).

For information and advice relating to the U-nited Warranties liquidation consumers should refer to the Australian Securities and Investments Commission media statement which can be viewed at [www.asic.gov.au](http://www.asic.gov.au).





## Retirement Villages Amendment Bill

The *Retirement Villages Amendment Bill 2012* was introduced to Parliament on 14 August. This Bill introduces some key recommendations from the 2010 statutory review to improve protections for residents. It is expected that debate will begin next week. The associated Retirement Villages Code is due to lapse on 30 September but will be extended for six months to allow consultation to occur on changes required by the legislation and otherwise recommended by the 2010 review.

## Retail Hours Amendment Act

On 17 August the *Retail Trading Hours Amendment Act 2012* was proclaimed and on 26 August Sunday trading between 11am and 5pm was introduced for general retail shops in the metropolitan area, special trading precincts were abolished and the Minister made orders that metropolitan public holiday trading hours would

be between 11am and 5pm other than for ANZAC Day, good Friday and Christmas Day when general retail shops will remain closed. The Minister also made orders aligning the general retail shops trading hours for the Rockingham and Wanneroo holiday resorts with those of the rest of the metropolitan area.

## Motor Vehicle Dealers and Repairers Acts

In July a review of the *Motor Vehicle Dealers Act 1973* and the *Motor Vehicle Repairers Act 2003* began. Preliminary consultation is occurring with stakeholders and a discussion paper will be released later in the year seeking comment on how the legislation can be improved.



## Residential Parks (Long-stay tenants) Act review

A review of the *Residential Parks (Long-stay Tenants) Act 2006* is underway and a discussion paper was released on 23 August. Copies are available from the Department's website and comment is sought by 30 November.

## Travel Industry Regulation reforms

A draft plan to reform travel industry regulation in Australia is available for public comment until 1 October 2012. Released by Australian Ministers for Consumer Affairs, the draft Plan includes specific questions about the planned transition from the existing regulation framework. For more information, visit [www.consumerlaw.gov.au/travelreform.aspx](http://www.consumerlaw.gov.au/travelreform.aspx)

## Also under development

Regulations are being developed to support recent amendments to the Commercial Tenancies and Residential Tenancies Acts and feedback from stakeholders has been incorporated.

## Prosecutions



### August

- 28/08/2012 – Latest prosecution for illegal car dealing.
- 28/08/2012 – Backyard dog breeder ordered to pay compensation.
- 23/08/2012 – \$3,000 fine and two year suspension for property sales rep.
- 20/08/2012 – \$5,500 fine for backyard car dealer in Rockingham.
- 14/08/2012 – \$18,000 in fines for Victoria Park car yard.

### July

- 17/07/2012 – \$500,000 settlement for members of Fremantle RSL Club.
- 16/07/2012 – Settlement agent fined for mishandling trust money.

### June

- 18/06/2012 – Unlicensed car dealer fined.
- 15/06/2012 – Fine for unlicensed car dealer.

## September

04/09/2012 – Hamilton Hill vehicle repairer fined for being unlicensed

## August

30/08/2012 – Deceptive claims by charity clothing collector alleged

29/08/2012 – Fuel price advice for Perth drivers

28/08/2012 – Latest prosecution for illegal car dealing

28/08/2012 – Backyard dog breeder ordered to pay compensation

27/08/2012 – Spray painter fined for operating without a licence

26/08/2012 – Minister O'Brien: Sunday shopping an injection for WA economy

23/08/2012 – Minister O'Brien: Consultation begins for park homes' law review

23/08/2012 – \$3,000 fine and two year suspension for property sales rep

23/08/2012 – Dangerous magnets banned after child death and injuries

22/08/2012 – Fuel price advice for Perth drivers

20/08/2012 – \$5,500 fine for backyard car dealer in Rockingham

15/08/2012 – Perth fuel prices at their highest since end of May

14/08/2012 – Minister O'Brien: Boosting rights of seniors in retirement villa

14/08/2012 – \$18,000 in fines for Victoria Park car yard

08/08/2012 – Fuel price advice for Perth drivers

02/08/2012 – Flooring chain closure puts consumer funds at risk

01/08/2012 – Fuel price advice for Perth drivers

01/08/2012 – Extended warranties may not be warranted



## July

25/07/2012 – Fuel price advice for Perth drivers

17/07/2012 – Start of Perth's weekly fuel price cycle

17/07/2012 – \$500,000 settlement for members of Fremantle RSL Club

16/07/2012 – Settlement agent fined for mishandling trust money

11/07/2012 – Fuel price advice for Perth drivers

04/07/2012 – Fuel price advice for Perth drivers

04/07/2012 – Indigenous education campaign launched

## June

27/06/2012 – Fuel price advice for Perth drivers

20/06/2012 – Fuel price advice for Perth drivers

18/06/2012 – Unlicensed car dealer fined

15/06/2012 – Fine for unlicensed car dealer

13/06/2012 – Fuel price advice for Perth drivers

05/06/2012 – Fuel

## Upcoming events

There is a radio advertising campaign to promote using licensed vehicle repairers commencing in Perth and regional areas on 23 September. More information can be found on [www.myautorepairer.com.au](http://www.myautorepairer.com.au)

Seminars on National Occupational Licensing will be run by the Department of Commerce in Bunbury, Perth, Joondalup, Fremantle, Geraldton and Karratha commencing 27 September. Book online at [www.commerce.wa.gov.au/consultations](http://www.commerce.wa.gov.au/consultations).

The Department of Commerce is visiting the Port Hedland region for a compliance sweep in early November.

## Contact us

If you need information or advice on any consumer protection issue:

- contact our Consumer Protection Advice Line on 1300 30 40 54 from anywhere in Western Australia for the cost of a local call; or
- visit our website at: [www.commerce.wa.gov.au/consumerprotection](http://www.commerce.wa.gov.au/consumerprotection)

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