



Year in review 2009 - 2010



Fair
Trading



Fair Trading - making a difference

Fair Trading operates within the NSW Department of Services, Technology & Administration, which provides a wide range of government services.

The Department provides an annual report to the Minister for Commerce.

Consequently, this additional report focuses exclusively on fair trading activities in NSW.

Compliance and enforcement actions in 2009-2010

Inspections:	15,435*
Investigations:	1,969
Certifications:	3,767
Penalty notices issued:	943
Prosecutions:	428
Civil proceedings:	68
Total compliance related activities:	22,610

* In 2009-2010 Fair Trading refocused on complex investigations rather than inspections of minor matters

Services provided to the public in 2009-2010

Requests for service*:	7,627,226
Website visitor sessions:	3,458,447
REVS checks:	1,840,348
Phone enquiries from general public:	1,193,857
Counter enquiries:	219,060
Rental bond transactions:	530,523
Consumer and trader complaints about marketplace transactions:	40,188 to a value of \$858 million
Public seminars and information sessions:	841
Seminar audiences:	42,786

* Includes all requests for information, services and transactions.

Information on registers as at 30 June 2010

Total occupational licences:	361,980
Total business names:	499,246
Total associations:	34,273
Total co-operatives:	680

Policy development & regulatory review

Acts administered:	42
Bills assented to in Parliament in 2009-2010:	3
Acts and regulations amended in 2009-2010:	18

Agency

Staff:	956
Budget:	\$173 Million
Fair Trading Centres throughout NSW:	24
Other service outlets:*	69

* Selected Fair Trading services are also provided through Government Access Centres and other agency arrangements in rural and isolated areas throughout NSW.

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Executive summary

The NSW Department of Services, Technology and Administration (DSTA) makes doing business in NSW simple, accessible and fair for employees, consumers and industry while providing best value for government. NSW Fair Trading, a division of DSTA, delivers a wide range of services to the public of NSW to safeguard consumer rights and promote fair and ethical practice in business.

Consumers are best served by competitive markets where businesses compete fairly for custom, in compliance with legislation. We believe that most traders want to treat their customers fairly and comply with the consumer protection regulations we enforce. Fair Trading provides information and education programs to consumers and traders to enhance their understanding of what constitutes fair trade.

Compliance and enforcement

Legislation sets minimum standards for traders within regulated industries. Higher standards can be achieved by promoting awareness and education through compliance programs. Where minimum standards are not being reached, enforcement action is a key tool in achieving compliance.

Compliance programs targeted the property industry, home building industry, motor dealers and repairers in 2009-2010. These programs were the direct result of market intelligence relating to complaints, changes in licensing trends and follow up on educational campaigns. Super Regional Access Programs were conducted with an additional focus on compliance activity across NSW. In 2009-2010 Fair Trading conducted 15,435 inspections, 1,969 investigations, issued 943 penalty notices and conducted 428 prosecutions where 90% were successful.

Information and services

Providing information to consumers and traders about their rights and obligations contributes to fairness and equity in the marketplace. A record 42,786 people attended educational seminars in the year; website visitor sessions increased by 22% to 3.46 million and 1.19 million phone calls were answered.

Where consumers and traders could not resolve disputes they lodged 40,188 complaints to a value of \$858 million about home building, real estate and general fair trading issues. Of these, 89% were successfully resolved. In 2009, Fair Trading assumed responsibility for retail tenancy. We provide parties to a retail shop lease with information as well as dispute resolution services.

In partnership with not-for-profit organisations we were able to extend our support to people suffering financial stress, by increasing funding for the Financial Counselling Services Program to \$5.5 million and the No Interest Loans Scheme to \$1.5 million.

Legislation

Work continued with the Commonwealth Government to implement the Council of Australian Governments national reform projects. From 1 July 2010 consistent regulations for trade measurement, consumer credit and finance broking were implemented across Australia.

Significant changes were made to residential tenancy law in NSW with the parliament passing the new *Residential Tenancies Act 2010*. The NSW Government also authorised Fair Trading to be the single regulator for plumbing, complementing the agency's existing role in licensing plumbing, draining and gas fitting.

The results achieved during 2009-2010 reflect the ongoing significance of Fair Trading's role in regulating industries and transactions that affect all NSW residents.

The commitment of the Fair Trading workforce to protect consumer interests, educate and support ethical trader behaviour and help maintain a fair market will continue to benefit the people and economy of NSW in 2010-2011.



Peter Duncan
Director General
NSW Department of Services, Technology & Administration

Summary

NSW Fair Trading

Our objectives and what we do

Fair Trading serves the consumers and traders of NSW. We aim to achieve fairness for all in the marketplace.

Fair Trading objectives

Fair Trading has a set of robust objectives embedded in legislation and in our role as both a regulator and a consumer protection agency.

Fair Trading objectives for 2007-2010 are to ensure:

- compliance with fair trading laws
- the community is aware of and able to access information and services
- fair trading legislation simplifies service provision for consumers and traders
- fair marketplace regulation with minimal red tape.

What we do

We safeguard consumer rights, regulate specific industries and occupations, and advise traders on fair and ethical business practice. Our customers include people renting homes and retail shops and those building or renovating. There are strata scheme owners, people buying or repairing cars or looking for consumer information. A large number are builders and people working in other trades or running a business, but our services go beyond those delivered to individuals. The legislative

framework we administer sets the scene and the rules for fairness in the countless daily transactions between consumers and traders. Often, unfair practices are investigated and prevented behind the scenes.

A system of licensing and the investigation of complaints help ensure unqualified or inappropriate people do not operate in NSW. Our licensing and investigations cover a range of commercial activities including business and retail, residential home building, motor trade, real estate, retirement villages and residential parks, product safety, trade measurement and co-operatives. This encourages the integrity of business and traders and provides protection for consumers.

Information

Providing information is core business for Fair Trading. Consumers, traders and community groups can access the information they need by using our website, contacting our Fair Trading Centres or phoning the Fair Trading Information Centre on 13 32 20.

Consumer help

Consumers of everyday goods and services can obtain information on their rights and responsibilities or seek assistance with resolving disputes. People renting homes, buying or selling property or living in a strata scheme property can turn to us for information and assistance.

“What you said...”

Lee emailed to say that he had spoken with our staff who were exceptionally helpful, professional and listened intently to his issues and concerns. He was directed to relevant information, provided with solutions and found our staff very patient and happy to re-explain any information!

Matthew called the rental bonds information line and was very pleased and thankful for the service he received from our staff. He said it was rare to get such great service from a contact centre or over the phone. He also went on to say that the service he received when calling about his bond was excellent!

Guarantee of Service performance

	05-06	06-07	07-08	08-09	09-10	Target
Percentage of services meeting published GOS standards*	93%	93%	100%	100%	100%	90%

* Fair Trading's published Guarantee of Service (GOS) includes turnaround times for our primary services, including phone and counter enquiries, licence processing times, rental bond refunds and association incorporations. It is published on the Fair Trading website under Customer service standards.

About us

Trade and business services

We register business names and issue licences and certificates that traders need to operate in NSW. Builders and contractors, people in the accommodation and property services industries and others engaged in selling goods or providing services can receive information on their rights and obligations under fair trading laws.

Co-operatives and incorporated associations

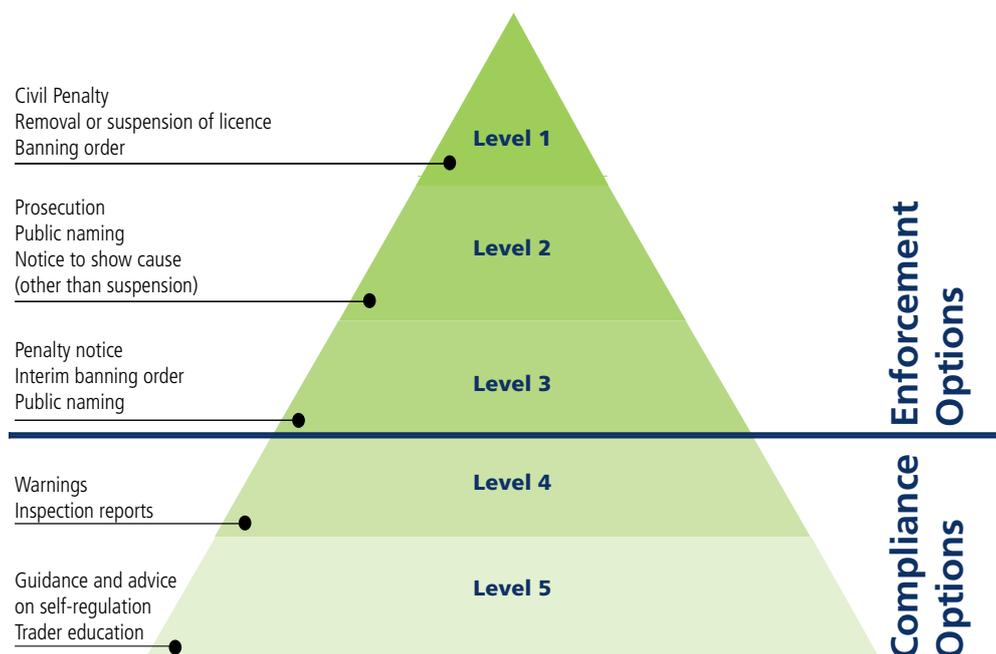
We actively encourage the formation and development of co-operatives and we help community groups establish themselves as incorporated associations.

How we work

Consumers are best served by competitive markets where businesses compete fairly in compliance with the legislation. Consumers and traders need to be aware of their rights and responsibilities and how to obtain redress. Most traders want to treat their customers fairly and comply with the consumer protection regulations that we enforce.

We seek to empower consumers by providing information through our website, Fair Trading Information Centre, network of Fair Trading Centres across NSW and education programs.

The legislation sets the minimum standards for traders within a regulated industry. We use enforcement action as a key tool to address problems where minimum standards are not met.



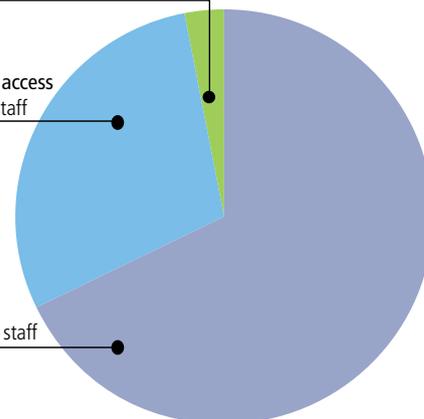
Program allocations

Policy development & regulatory review
\$5.6 million (3%) 31 staff

Community awareness & access
\$49.2 million (29%) 275 staff

Compliance
\$116.4 million (68%) 650 staff

TOTAL
\$173 million 956 staff



In 2009-2010 the policy development and regulatory review and legal services functions were transferred from Fair Trading to other divisions in DSTA, however they are included in this publication to provide a complete picture of Fair Trading-related activities.

By promoting awareness and education to business and industry we aim for higher standards in NSW. Market intelligence gathering improves our knowledge of market conditions and the experiences of consumers and traders.

To be effective, compliance measures must be backed up with a range of escalating enforcement options that can be used if a trader fails to comply or where there is a serious breach of fair trading laws. Fair Trading has a range of civil, administrative and criminal enforcement remedies at its disposal under the various Acts it administers.

The compliance pyramid summarises NSW Fair Trading's approach to compliance and enforcement and demonstrates the range of enforcement remedies used.

“A Sydney woman said...
“After battling an airline for about 7 weeks and getting nowhere I’m just incredibly grateful to you. Fair Trading called me to tell me that the airline is finally going to give me back my money. The whole process of trying to deal with them has been a nightmare so I’m very thankful that you helped me out.”

Compliance and enforcement

Objective: Compliance with fair trading laws

Strategy: Effective enforcement

Fair Trading promotes a fair marketplace for consumers and traders by maximising traders' compliance with regulatory requirements. In doing so, Fair Trading also seeks to educate and engage with both consumers and traders on issues that affect their rights and obligations. Proactive inspection programs are an effective way of doing this.

Snapshot: service-level statistics 2009-2010

Inspections	15,435
Investigations	1,969
Penalty notices issued	943
Prosecutions	428

Highlights 2009-2010

- 91 people were prosecuted for breaches of fair trading laws
- 103 types of dangerous toys and 22 types of unsafe baby dummies were removed from sale
- 1,297 home building inspections were conducted across the State



Result indicator

	05-06	06-07	07-08	08-09	09-10	Target
Percentage of consumers confident in fair operation of the marketplace*	69%	73%	79%	74%	75%	68%

* Survey results accurate to $\pm 5\%$

Comment/interpretation: The survey is an indirect measure of consumer confidence. Factors that affect consumers' confidence may include the effectiveness of fair trading laws in NSW, but may also include personal, national and global factors. Levels vary but mostly fall within the target range.

Performance measure

	05-06	06-07	07-08	08-09	09-10	Target
Proportion of prosecutions successful	86%	95%	92%	96%	90%	$\geq 90\%$

Compliance

Compliance programs

Through 2009-2010 we carried out a total of 15,435 inspections across NSW. We refocused our efforts on more complex investigations rather than inspections of minor matters. These targeted real estate agents, the home building industry, motor dealers and repairers, product safety and trade measurement.

Property

Fair Trading received 51 complaints in 2009-2010, including allegations of dummy bidding, underquoting, collusive practices, harassment or an agent's conduct in relation to property auctions. To ensure consumers can be confident in the integrity of the property auction process Fair Trading carried out a series of covert inspections at real estate auctions across inner Sydney, on the lookout for underquoting and dummy bidding. Investigators attended 20 auctions on Saturday, 10 April 2010. Penalty notices were issued to five agents and auctioneers for failing to comply with legal requirements relating to auctions.

As a result of 2 blitzes on western Sydney real estate agents, Fair Trading issued 27 penalty notices and 39 warning letters for unlicensed activities and trust account breaches. Disciplinary action is currently being considered against another agent for similar offences.

Following a surge in the number of real estate corporation licences issued in the Parramatta area over the past 18 months, Fair Trading looked into the compliance of newly licensed real estate agents. As a result, two agents were given fourteen days to rectify issues, while 12 agents were given written warnings for minor licensing and trust account breaches. One agent is under further investigation, with the licensee in charge suspended and a manager appointed.

Fair Trading inspected 30 residential parks in the Hunter region and 34 parks in the Illawarra region in September 2009. The inspections focused on legislative obligations, including the use of prescribed written agreements for permanent residents of residential parks to ensure park owners are not engaging in misleading or deceptive conduct. Fourteen penalty notices and 24 warning letters were issued.

Home building

The *Home Building Act* protects consumers by requiring builders and tradespeople to be licensed for the residential building work that they do. The licensing regime establishes standards in relation to matters including competence, probity, contracts, statutory warranties and home warranty insurance to protect people against faulty or incomplete work.

In 2009-2010 Fair Trading:

- undertook 564 investigations
- conducted 1,965 mediations
- finalised 60 notices to show cause to the value of \$62,000

- issued penalty notices for 464 offences to the value of \$398,150
- undertook successful prosecutions for 125 offences, totalling \$220,588 in penalties
- conducted 1,297 field audit inspections.

Fair Trading Home Building Service targeted offences under the Home Building Act and the Electricity (Consumer Safety) Act in the following operations:

- Operation Table Saw - August 2009 in the South-East NSW (Gerringong – Bega) areas where investigators visited 127 sites and spoke to 270 people, as a result, 19 penalty notices were issued
- Operation Wingnut - September 2009 in the Sydney metropolitan area, where investigators visited 207 sites and spoke to 399 people, as a result, 9 penalty notices were issued
- Operation Central Coast - November 2009 in the central coast area where Investigators visited 82 sites and spoke to 207 people, as a result, 7 penalty notices were issued
- Operation Clamp - March 2010 in the Sydney metropolitan area, where investigators visited 35 sites and spoke to 88 people, as a result, 5 penalty notices were issued
- Operation Iron - April 2010 in the Illawarra area where investigators visited 221 sites and spoke to 356 people, as a result, 9 penalty notices were issued
- Operation Slab - May 2010 in the outer suburbs of Sydney where investigators visited 278 sites and spoke to 475 people, as a result, 15 penalty notices were issued
- Operation Bevel - June 2010 in the Sydney metropolitan area, where investigators visited 138 sites and spoke to 241 people, as a result, 13 penalty notices were issued.

As part of the wider Super Regional Access Programs we conducted operations in:

- Queanbeyan in July 2009 where investigators visited 72 sites and spoke to 89 people, as a result, 3 penalty notices were issued
- Maitland in July 2009 where investigators visited 131 sites and spoke to 215 people, as a result, 7 penalty notices were issued
- Orange in September 2009 where investigators visited 88 sites and spoke to 109 people, as a result, 7 penalty notices were issued.

Motor vehicles

Educational campaigns for motor vehicle repairers were conducted at Campbelltown and Liverpool during September 2009 by Fair Trading and the Motor Traders' Association. These were followed in January 2010 with 193 inspections of repairers in the Liverpool and Macarthur regions, which identified 126 breaches of legislation at 73 premises. Fines to the value of

\$36,550 and formal warnings were issued. An improvement in the level of compliance in the Liverpool region was noted.

Electrical certifications

The *Electricity (Consumer Safety) Act* requires declared electrical appliances to be approved by a state or territory electrical regulator or an approved external approval scheme before they can be sold in NSW. Declared appliances include televisions, refrigerators and room heaters. In 2009-2010, applications for 1,933 new, modified or renewed articles were processed.

Product safety

In a comprehensive survey, 32 samples of babies' dummies were purchased from discount variety stores and pharmacies across Sydney and taken to an accredited laboratory to test compliance with product safety laws. Only ten of the dummies complied fully with the law. Of the remaining 22 non-compliant dummies, 15 were clearly dangerous and seven failed for minor technical reasons. All 22 types of dummies were immediately withdrawn from sale and Fair Trading negotiated the recall of 15 types of dummies which failed dimensional and performance requirements.



In the largest state-wide sweep of toy retailers and markets by Fair Trading 103 types of dangerous toys were removed from sale in NSW. Fair Trading inspectors visited 661 retail outlets in 163 towns and inspected more than half a million toys. Toys included rubber yo-yo balls, rattles, musical instruments, battery operated animals and squeaky toys. Rigorous testing revealed these toys present a potentially fatal inhalation or choking hazard due to small parts. There were projectile toys that could become wedged in a child's throat and also have the potential to cause significant eye injuries.

The vast majority of these products were found in metropolitan discount variety stores and markets. Suppliers who supply or sell unsafe products face stiff penalties with maximum fines of \$22,000 for individuals and \$110,000 for corporations.

Show bags on sale at this year's Sydney Easter Show were given the all-clear after product safety inspectors checked the contents of 302 show bags to ensure the toys and novelties in them complied with relevant safety and information standards.

Graffiti

Provisions in the *Graffiti Control Act 2008* aim to reduce the amount of graffiti in the community by allowing Fair Trading officers to issue infringement notices to traders who are found displaying spray paint cans in shops that not properly secured and/or selling spray paint cans to persons under 18 years of age. Various types of retail outlets that displayed and offered for sale spray paint cans were visited to ensure traders were aware of the requirements of the Act. The majority of traders were compliant and welcomed the Act.

Trade measurement

Our trade measurement compliance and enforcement program ensured that weighing and volumetric measuring instruments are accurate and pre-packed articles contain the amount stated on the package. During the year we:

- conducted 846 inspections
- examined or tested 6,109 measuring instruments, including LPG, petrol & diesel dispensers for compliance and accuracy. Of these, 5,890 were correct at the time of testing and the remainder were not allowed to be used for trade until they were corrected
- inspected 17,243 packages for accuracy of weight statements, with 99% correct at the time of inspection
- conducted 45 licensee audits with 44 satisfactory results, and
- certified 1,834 instruments under Regulation 13 of the *National Measurement Act 1960*.

We ceased to have responsibility for trade measurement on 30 June 2010, and the function was transferred to the Commonwealth Government as part of the Council of Australian Governments' national reforms.



Enforcement action

Offences against fair trading legislation are detected through inspections, intelligence gathering and as a consequence of formal investigations of complaints. During the year, 637 traders were issued with penalty notices in relation to 943 offences, resulting in financial penalties of \$1,145,550. Ninety per cent of formal prosecutions were successful, resulted in \$728,352 in fines and penalties involving 91 people.

Property management

Fair Trading foils cattle rustlers

A Rylestone farmer hired property manager, Mr Frank Loneragan, who also leased an adjacent property, to assist the farmer's cattle. Mr Loneragan was also responsible for organising the sale of the farmer's cattle. He advised the farmer that he sold 34 head of cattle at Bathurst Sale Yards in June 2005, but not that he had also sold a further 21. He was then employed by a local real estate agent as a stock and station sales representative, despite the fact that he was not licensed to perform such duties. Fair Trading interviewed Mr Loneragan, who admitted to working as an unlicensed stock and station sales representative for two years. During that time, over 1,000 head of the farmer's cattle were lost due to Mr Loneragan's conduct.

Result: The farmer is able to claim compensation through the real estate compensation fund. Both Mr Loneragan and the real estate agency that employed him as an unlicensed sales representative received penalty notices. Fair Trading passed the details to the NSW Police and assisted in the resulting police investigation under the *Crimes Act 1900*. This investigation resulted in Mr Loneragan being sentenced to 3 years and 8 months imprisonment. No fixed term of parole was set at the time of sentencing.

Real estate

Father and daughter banned for ten years

Fair Trading investigated allegations that Ms Cheryl Newton, a licensed real estate agent, and her father Mr Max Brealey, had over a number of years misappropriated rent monies from a property they had been managing. Ms Newton's company, Cheryl Newton Real Estate Pty Ltd trading as Cheryl Newton First National at Salamander Bay, had been collecting rent from tenants living in the Stockton property since July 2005 and had failed to properly account for that money either to the landlord (who has never been identified or located) or by sending it to Fair Trading as unclaimed money.

Result: On 25 March 2010 the Director General cancelled Ms Newton's real estate agent's licence and disqualified her from holding a licence or having any involvement in the real estate industry for 10 years. Ms Newton's company was fined \$11,000 over its dealings with the property. The real estate

business conducted by the company was subsequently sold and is no longer trading.

Mr Brealey had been managing the property for about 25 years before he handed the management over to Ms Newton when he closed his agency down. He was also disqualified from holding a licence or having any involvement in the real estate industry for 10 years.



The house at Stockton where a real estate agent had been collecting rent from tenants living in the property since July 2005 and failed to account for that money either to the landlord (who has never been identified or located) or by sending it to Fair Trading as unclaimed money.

Home building

Peter Todd Garay

Mr Garay was known by Fair Trading to be persistently carrying out unlicensed residential building work. In 2003, he was ordered to stop carrying out building-related activities, including residential building, after he was caught operating without a licence. He repeatedly ignored the court order, and continued to tout for residential building work in the Hunter region including Singleton, Toronto and Wattle Ponds. In 2005, he was convicted of four charges of contempt for breaching the 2003 court order and was sentenced to a non-parole period of eight months, served by periodic detention. Three years later, in 2008, further court action was commenced after investigations revealed Mr Garay was still flouting the law.

Result: On 25 March 2010 in the Supreme Court Mr Garay was sentenced to 18 months imprisonment, with a non-parole period of 6 months.

Dowco Pty Ltd trading as ABC Insulation

This Newcastle company became the first installer in Australia to be fined for shoddy work that is believed to have caused a house fire in western Sydney. Last October, ABC Insulation was contracted by a Dean Park homeowner to remove existing ceiling insulation and install new roofing batts. Two days later, the residents woke to find their house on fire. Luckily no one

was injured in this fire, but there was substantial damage to the home. The NSW Fire Brigades determined the fire was caused by overheating of electrical wiring and downlights that had been covered by insulation batts.

Result: On 5 March 2010 in the Parramatta Local Court, Dowco Pty Ltd was fined \$10,000 for breaching the Fair Trading Act for falsely representing a service. The Director of the company was fined \$2,000 plus costs for the same offence.

Active Spark Electrical Services

Mr Ferras Aridah, trading as Active Spark Electrical Services, carried out unlicensed electrical wiring work on 19 residential and commercial units in a building in Rozelle between September 2006 and May 2008. He also falsely claimed to be a licensed contractor, citing another tradesperson's licence number. Mr Aridah never held a contractor licence or certificate for any class of work regulated by Fair Trading.

Result: On 27 January 2010 in the Downing Centre Local Court Mr Aridah was ordered to pay more than \$42,000 in fines and costs for carrying out unlicensed electrical work and for using a licence number that did not belong to him.

Lynden Projects Pty Ltd

Mr Glenn Andrew Ryeland, sole director of Lynden Projects Pty Ltd, held a carpenter and joiner licence until 1 March 1992. Since then, neither Mr Ryeland or his company has held any type of licence for residential building work. Between 2005 and 2008, Mr Ryeland was contracted to do residential building work at premises in South Coogee, Austinmer and Jannali. On each occasion, he presented a fraudulent certificate for home warranty insurance and a false home building licence number.

Result: On 15 January 2010 in the Parramatta Local Court Glenn Andrew Ryeland was convicted of six offences under the Home Building Act and two offences under the Crimes Act. He was ordered to pay \$14,400 in fines and complete 150 hours of community service.



Motor dealing

www.newcarsaustralia.com.au

The company's motor vehicle consultant licence did not permit engaging in buying, selling, or exchanging motor vehicles, including accepting money for deposits or part payments. The company was found to be trading outside the scope of its licence in accepting payments and deposits from consumers who were seeking to purchase motor vehicles while also advertising that it held a motor dealers licence.

Result: Director Bill Fountas and the unofficial manager Steven Kourgialis were disqualified from holding any licence under the *Motor Dealers Act* or from being involved in the direction, management or conduct of a business that required such a licence for two and five years respectively. The company's licence was immediately cancelled and it was permanently disqualified from holding any licence under the Act.

Liverpool City Motors

In the last two years Fair Trading received over 40 complaints from consumers regarding their dealings with About Car Wholesale Pty Ltd trading as Liverpool City Motors. Many of these complaints identified that existing loans on consigned vehicles were not being settled prior to resale and that the consignees of sold vehicles were not receiving their money within the prescribed 14 day period.

Result: Fair Trading successfully applied to the Supreme Court to have an administrator appointed over the dealership to manage outstanding consumer claims and pay creditors. Fair Trading investigations revealed numerous breaches of the Motor Dealers Act. The company's licence was cancelled, and the manager, George Nemaz, was disqualified for 8 years. Of particular concern was the company's conduct of engaging in consignment sales without holding a trust account.

Unlicensed motor dealing

Fair Trading investigators identified Phillip Duncan Ferguson as the operator of a website ruraltraders.com.au that was advertising 19 used vehicles for sale. Mr Ferguson had never held a motor dealer's licence in NSW. Fair Trading advised Mr Ferguson he was acting illegally in April 2008 and issued him with a formal caution notice. However, Mr Ferguson was observed selling two motor vehicles on his property less than four weeks later and was charged with breaching the *Motor Dealers Act*.

Result: On 24 September 2009 Mr Ferguson was found guilty of operating as an unlicensed motor dealer and ordered to pay \$6,576.

Abdel Rahman Hachem Kassem and his wife Amira purchased and sold 12 motor vehicles without holding a motor dealer's licence. Mrs Kassem also wound back the odometer of a motor vehicle, to show only half the kilometres travelled.

Result: The couple was ordered to pay \$81,603 by Bankstown Local Court for unlicensed motor dealing and interfering with the odometer of a motor vehicle. Mr Kassem appealed the severity of the sentence and on 10 September 2009 his fine was reduced from \$9,000 to \$6,000 with all other orders of the lower court confirmed. He was ordered to pay fines, costs, witness expenses and forfeiture of \$37,583.50. Mrs Kassem lodged an appeal on conviction severity which was dismissed when she failed to attend court. Amira Kassem lodged an annulment application, the matter was finalised in the Sydney District Court where she was ordered to pay fines of \$9,267 and forfeiture of \$10,000.

John Hanna, formerly a licensed motor dealer, was investigated by Fair Trading for selling numerous cars from a residential address at Huntingwood in Sydney's west. Mr Hanna sold the cars by advertising them in various print and online media using his own name and that of a friend. In October 2007 he was issued with a \$5,500 penalty notice for unlicensed motor dealing. Mr Hanna took the matter to court.

Result: On 5 May 2010, after a lengthy legal battle, he was convicted of unlicensed motor dealing in breach of the Motor Dealers Act and was ordered to pay a total of \$22,970 which included fines, forfeiture of profits, legal and court costs.

False and misleading representations

Ben Hao Wu (also known as Peter Wu) and his sister, Ben Xia Wu, better known as Maria Dardaneliotis, operated a Chinese therapy and herbal medicine clinic under the name of 'Maria and Aris Chinese Pressure Point Therapy' in Fairfield NSW. Mr Wu and Ms Dardaneliotis falsely diagnosed consumers claiming they had serious medical conditions including cancer, and then prescribed expensive courses of herbal remedies to cure the consumers.

Result: In October 2009, Mr Wu was convicted and fined \$6,276. Ms Dardaneliotis appealed the local court conviction and, in the Sydney District Court on 23 February 2010, was fined \$16,000 and ordered to pay an additional sum of \$4,042 in costs and compensation.

Dangerous toys

Fair Trading is vigilant in catching traders who sell dangerous children's toys. Examples of the results we achieved include:

- Mainleading Pty Ltd trading as Rockdale Shopping Paradise was ordered to pay almost \$3,000 by Parramatta Local Court for supplying dangerous children's toys that pose a serious choking hazard. This is the second time this company has been convicted for supplying dangerous toys
- Wei Dong Gu trading as Hot Dollar in Rhodes was ordered to pay \$7,500 by Parramatta Local Court for supplying dangerous children's toys that pose a serious choking hazard
- Roy Norbury and Hiu Zhou were fined more than \$11,000 in the Downing Centre Local Court for selling dangerous

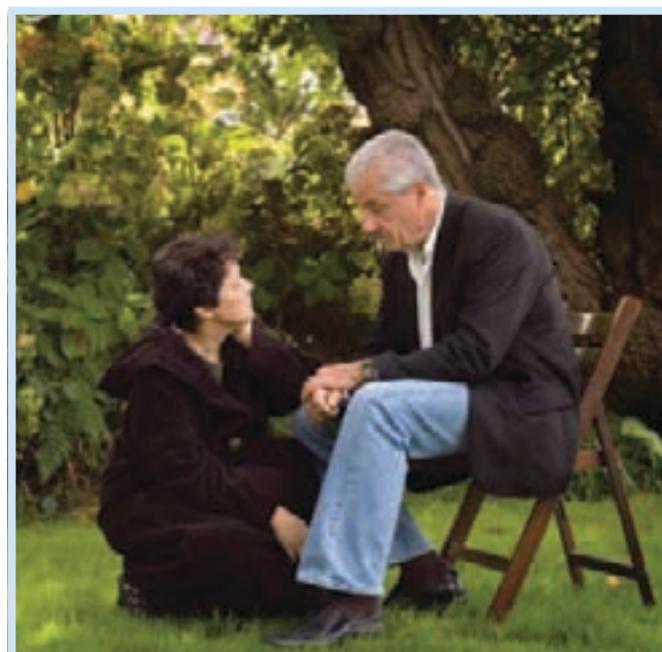


toys at Paddy's Market in Haymarket. Mr Norbury and Mr Zhou first came to Fair Trading's attention in October 2008 when Fair Trading inspectors asked them to remove dangerous toys from their market stall.

Co-operatives, associations and funeral funds

During 2009-2010 the Registry of Co-operatives & Associations took action in relation to the working and financial affairs of several co-operatives, associations and funeral funds, including:

- appointing administrators where ongoing concerns about the management of a co-operative exist
- appointing administrators where an association was likely to be insolvent
- negotiation of a full return of contributions by consumers to a funeral fund that was not registered.



Penalty notices and disciplinary actions

Act/Regulation	Penalty notices			Disciplinary actions	
	Defendants	Offences	Penalties	Licence Suspensions	Licence Disqualification/cancellations
Business Names Act	38	38	\$14,800	-	-
Electricity (Consumer Safety) Act	27	38	\$15,100	-	-
Fair Trading Act	40	41	\$22,550	-	-
Home Building Act	253	426	\$383,050	6	5
Landlord and Tenant (Rental Bonds) Act	5	8	\$4,400	-	-
Motor Dealers Act	137	226	\$521,840	1	16
Motor Vehicle Repairs Act	27	30	\$46,090	7	7
Pawnbrokers & Second-hand Dealers Act	10	14	\$7,590	-	-
Property Stock & Business Agents Act	83	99	\$122,100	15	34
Residential Parks Act	5	5	\$1,650	-	-
Trade Measurement Act	12	18	\$6,380	-	-
Travel Agents Act	-	-	-	-	4
TOTAL	637	943	\$1,145,550	29	66

Offences under an Act include offences under a regulation made pursuant to that Act.

Successful prosecutions

Act	Defendants	Offences	Penalties
Business Names Act	6	6	\$4,476.00
Consumer Credit Administration Act	1	136	\$183,600.00
Crimes Act	6	15	\$17,112.00
Electricity (Consumer Safety) Act	5	10	\$26,705.98
Fair Trading Act	18	42	\$83,304.00
Home Building Act	27	106	\$171,882.75
Motor Dealers Act	21	44	\$207,816.25
Motor Vehicle Repairs Act	2	4	\$18,660.50
Property, Stock & Business Agents Act	2	2	\$2,252.00
Trade Measurement Act	3	22	\$12,543.00
TOTAL	91	387	\$728,352.48
Total Prosecutions:	428		
Total Successful Prosecutions:	387		
% Successful:	90		

Offences under an Act include offences under a regulation made pursuant to that Act.

Comment/interpretation: Total Prosecutions refers to offences subject of prosecutions commenced by Fair Trading.

Successful prosecutions means prosecutions resulting in conviction as well as prosecutions where the offender is found guilty of an offence but a conviction is not recorded.

Civil litigation

Court/Tribunal	Act	No. of matters under Act	LEGEND
High Court	PSHD Act		ADT Act – Administrative Decisions Tribunal Act B Act – Bankruptcy Act BN Act – Business Names Act CL Act – Conveyancers Licensing Act, CTTT Act – Consumer Trader & Tenancy Tribunal Act FT Act – Fair Trading Act HB Act – Home Building Act MD Act – Motor Dealers Act PSBA – Property, Stock & Business Agents Act PSHD Act – Pawnbroker & Second hand Dealers Act RIG Act – Registration of Interests in Goods Act SC – Supreme Court
Federal Court	B Act		
Court of Appeal	ADT Act	1	
Supreme Court			
Injunction	FT Act	1	
Other	Other	11	
Contempt	SC Rules	1	
Local Court	HB Act		
	MD Act		
	Other	1	
Administrative Decisions Appeals Tribunal	ADT Act	2	
Administrative Decisions Tribunal	BN Act	1	
	CL Act		
	FT Act		
	HB Act	30	
	MD Act	1	
	PSBA Act	12	
	PSHD Act	1	
	RIG Act		
	Other	1	
Administrative Appeals Tribunal	Other	3	
Consumer Trader & Tenancy Tribunal			
Insurance Appeals	HB Act	1	
	Other	1	
Court of Appeal		1	
Supreme Court		13	
Local Court		1	
Administrative Decisions Appeals Tribunal		2	
Administrative Decisions Tribunal		46	
Administrative Appeals Tribunal		3	
Consumer Trader & Tenancy Tribunal		2	
TOTAL		68	



How we made a difference...

A consumer purchased a second hand motor vehicle from a licensed motor dealer for \$35,840 with just over 80,000 kilometres on the odometer. The new owner arranged to have the vehicle serviced, revealing that the odometer reading at the time of sale was some 230,000 kilometres under the actual distance the vehicle had travelled. A Fair Trading automotive inspector intervened and had the sale rescinded and negotiated a full refund of the purchase price, cost of registration transfer and the vehicle service.

The fact that the vehicle was purchased from a licensed motor dealer assisted in gaining the refund.

Further investigation of the matter by the Fair Trading Motor Vehicle Services Unit detected the vehicle's previous owner, who consigned the vehicle for sale, was dealing in motor vehicles without a licence and had altered the odometer of the vehicle. A \$5,500 penalty notice and warning letter were issued.

Information and services

Objective: Community aware of and able to access information and services

Strategy: Effective education, information and services

A range of Fair Trading services contribute to fairness and equity for individuals and growing prosperity across NSW. Information for consumers and traders allows individuals and businesses to understand their rights and obligations and to function effectively in the marketplace. Business licensing and registration services protect consumers and assist traders by maintaining and improving the integrity of industries vital to the NSW marketplace. Rental bond custodial services provide tenants, landlords and property owners with confidence that bonds are used for their rightful purpose and are quickly available when required.

Highlights 2009-2010

- 89% of the 40,188 complaints about marketplace transactions worth up to \$858 million were successfully resolved without recourse to a tribunal or court.
- Website visitor sessions continue to grow, increasing by 22% to 3.46 million
- Over 42,000 people attended Fair Trading information sessions
- Increased funding for the Financial Counselling Program to \$5.5 million and the No Interest Loans Scheme to \$1.5 million
- 648,141 residential rental bonds to the value of \$839.8 million are held in trust

Result indicator

	05-06	06-07	07-08	08-09	09-10	Target
Percentage of public who know where to go to get help on consumer protection issues *	70%	66%	63%	62%	61%	65%

* Survey results accurate to $\pm 5\%$

Comment: The results from 2005/06 to 2009/10 are within the survey tolerance range. Cost-effective education and information strategies to raise awareness about Fair Trading services are constantly being developed and implemented to increase public awareness.

Performance measures

	05-06	06-07	07-08	08-09	09-10	Target
Customer satisfaction meets or exceeds the benchmark*	90%	90%	85%	85%	91%	$\geq 90\%$
Community take-up rate: average number of services requested per 1000 people in NSW	653	734	797	784	856	Est. ≥ 700
% of accuracy of information provided**	93%	89%	90%	93%	96%	$\geq 95\%$ **
% of consumer & trader complaints finalised within 30 days	95%	96%	96%	93%	92%	$\geq 85\%$
% of consumer & trader complaints resolved	81%	85%	87%	88%	89%	$\geq 70\%$
% of telephone enquiries answered where published standards met	79%	83%	90%	99%	98%	$\geq 85\%$
% of licensing and registration services where published standards are met	100%	100%	100%	100%	100%	100%
% of bond refunds where published standards met	100%	100%	100%	100%	100%	100%

* Survey results accurate to $\pm 5\%$.

** The target for this indicator was increased from 90% in 2008.

Information

Snapshot: service-level statistics 2009-2010

Total customer enquiries (includes web, phone, counter, email and other)	5,054,056
REVS checks	1,840,348
Rental bond transactions	530,523
Consumer and trader complaints about marketplace transactions	40,188

“What you said...”

“Andrew was hesitant in calling the Government Contact Centre to get information as he had not used this service before and thought he would be speaking to a ‘human robot’, not someone with feelings and a personality. He was extremely pleased that he used this service.”

“Lionel wrote in an email: ...you are the first person to take the time and consideration to clearly point out what needs to be done... thank you.”

Information

Fair Trading answered 1,193,857 telephone calls on general fair trading matters, bonds, strata, tenancy, REVS, business registration, business licensing, home building and accredited service providers. Of the calls received, 98% were answered within Fair Trading’s Guarantee of Service. The Government Contact Centre received 15,501 calls, with 98.7% of calls answered within its Guarantee of Service. The Government Contact Centre also undertook 6,787 outbound survey calls.

Fair Trading Information Centre

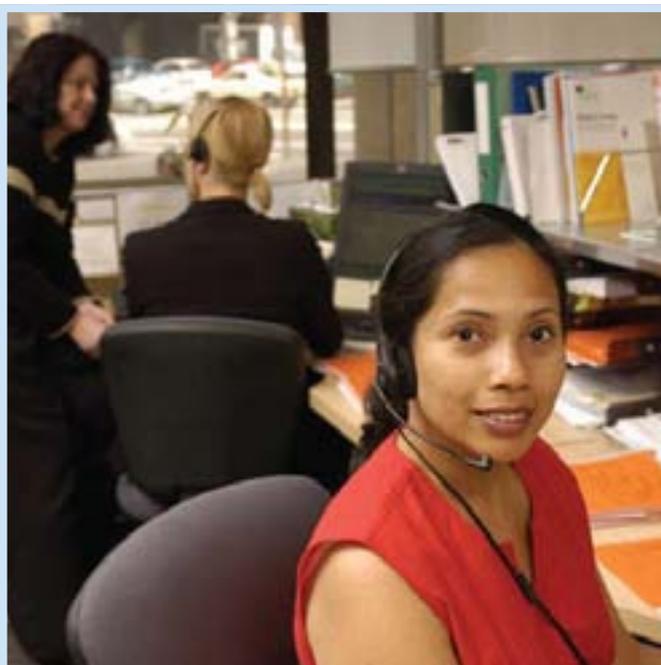
The Fair Trading Information Centre (FTIC) provides education, information and alternative dispute resolution services to consumers and traders on all aspects of Fair Trading. FTIC incorporates the NSW Government Contact Centre that provides services across the NSW public sector. Through a process of continuous improvement in service delivery the Contact Centre developed and implemented a service delivery model which enabled staff to more quickly identify customers’ needs and offer appropriate solutions. This has resulted in ‘first call resolution’ of 85% this year which is comparable to leading commercial practice.

Fair Trading Customer Profile

	2006	2007	2008	2009	2010	Target*
Aboriginal & Torres Strait Islanders (ATSI)	2.7%	2.3%	2.6%	2.6%	2.2%	≥ 2.1%
Culturally & Linguistically Diverse (CALD)	31%	32.1%	27.8%	29.4%	32.4%	≥ 26%

* Based on 2006 Census population representation

Comment: A service take-up rate which matches or exceeds population representation indicates both an ongoing need for the service, and that CALD and ATSI customers are not experiencing systemic barriers in accessing these services.



Residential rental bonds, strata and tenancy
32,194 enquiries (32.7%)

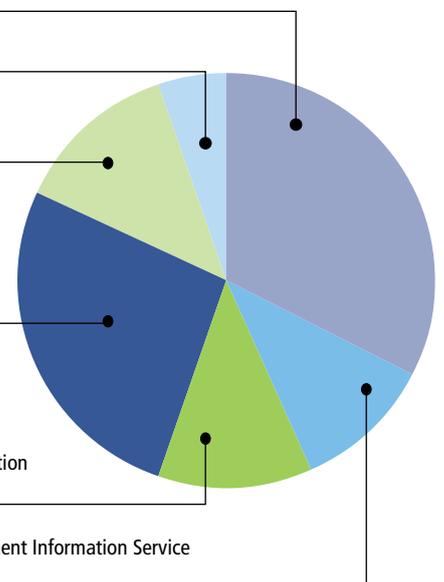
REVS
104,784 enquiries (10.6%)

Home building
119,028 enquiries (12.1%)

General Fair Trading
260,869 enquiries (26.5%)

BLIS and business registration
126,236 enquiries (12.8%)

Retail bonds and Government Information Service
51,186 enquiries (5.2%)



Information programs

During 2009-2010, Fair Trading delivered 841 information sessions, talks and seminars attended by 42,786 people throughout NSW. These covered a range of topics for real estate and property agents, residential landlords and tenants, retail landlords and tenants, licensed builders, strata owners, members of incorporated associations, juvenile justice groups and adult prisoners, senior citizens, high school and TAFE students, motor dealers and motor vehicle repairers, business people and consumers, including culturally and linguistically diverse and indigenous communities.

Know Your Rights

"Know Your Rights" is a new workshop designed for community development workers, providing them with information on services and programs of agencies in their area and the opportunity to network with each other. Twenty community workers attended the first workshop in Bankstown. They listened to a panel of speakers from the Energy and Water Ombudsman NSW, Law Access, Health Care Complaints Commission, Centrepay, Centrelink and Fair Trading. Due to the success of this workshop five more are planned for 2010-2011.

Community and Regional Access Programs

Community Access Programs (CAPs) in metropolitan areas and Regional Access Programs (RAPs) in remote regional areas highlight and provide greater access to Fair Trading's services for consumers and traders. These programs are run on a regular basis throughout the year. Fair Trading staff deliver a range of information sessions for seniors, youth, community and disability groups, indigenous communities, local business and tradespeople. Fair Trading inspectors carry out compliance checks on business to educate traders on their rights and responsibilities under fair trading laws. In 2009-2010 a total of nine RAPs and two CAPs were held.

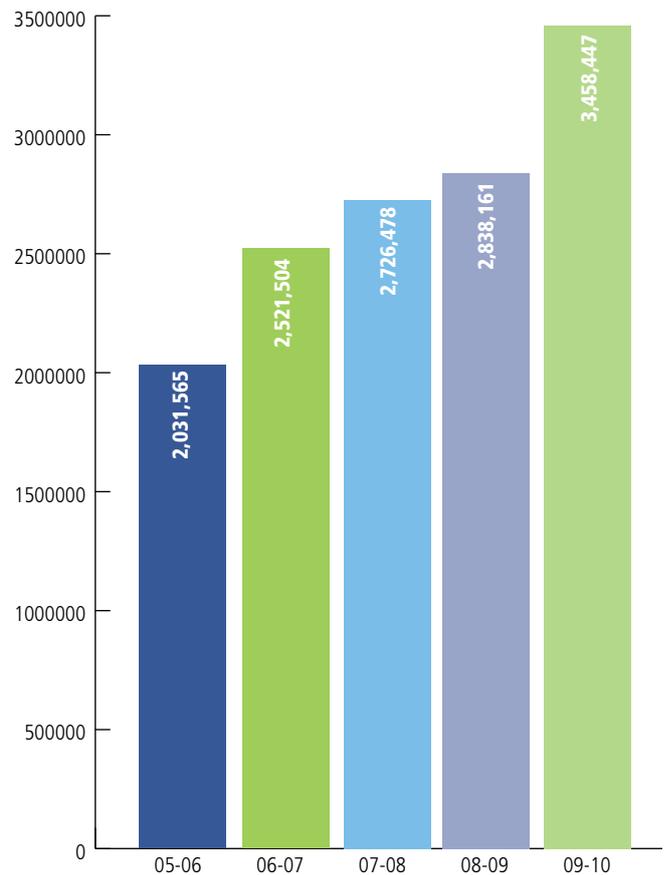
Super RAPs are conducted with an additional focus on compliance activity that include retirement villages, travel agents, associations, real estate agents, co-operatives, home building sites, motor dealers and motor vehicle repairers. Five Super RAPs were conducted in 2009-2010.

“What you said...”

Geoff wrote "your staff were friendly and provided accurate, confident and straightforward advice and they are an asset to the contact centre!"

"The session was excellent – lots of information in a short period. We will be changing the way we run our business."

Website visitor sessions



Fair Trading Week

2009 marked the tenth anniversary of Fair Trading Week, a week long event to raise community awareness of topical consumer issues. More than 80 activities took place around the State, attracting more than 2,500 participants. The activities ranged from formal information seminars and compliance inspections, to open days, library displays and shopping centre information stands. The theme for 2009 was "Are you a Smart consumer?" which unashamedly aimed at the hip-pocket with the slogan "Smart consumers pay less and save more". Based on the notion that knowledge is power, this theme covered a broad range of consumer topics and consolidated them in a new publication filled with more than 50 consumer hints entitled: "Smart Consumer Survival Tips".

enewslatters

Fair Trading's email newsletter services continued to be popular with an increased number of subscribers for all enewslatters:

- Foundations – 32% increase to 36,227
- Fair Comment – 37% increase to 5,318
- What's new – 52% increase to 5,738
- Property industry news – 13% increase to 7,370

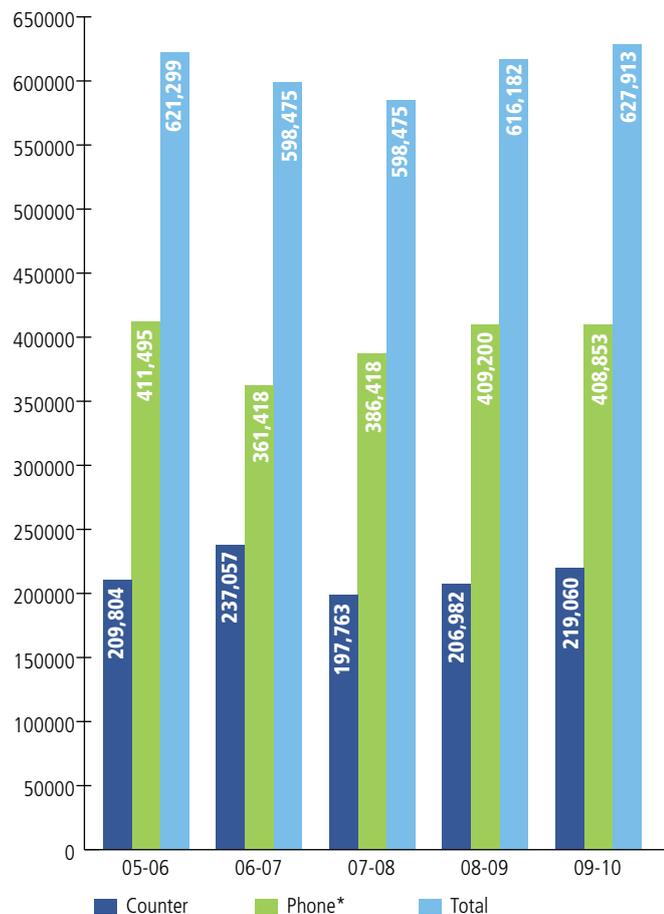
A new enewslatter Auto Torque was developed for the motor vehicle industry and has attracted 306 subscribers in its first 8 months.

Online surveys

Fair Trading uses online surveys to gather the views of consumers and traders. During the year feedback was sought via online surveys on.

- residential gutters
- hanging washing strata by-law
- funeral services
- child safety and treadmills
- co-operatives national law
- draft Residential Tenancies Bill
- home building dispute resolution service.

Enquiries about general fair trading matters



* Includes enquiries received by internet, email and facsimile

Home building

Close to 3,000 people visited Fair Trading exhibits at the 2009 Wollongong Home Show, the 2009 Sydney Home Buyers Show and the 2010 Sydney Home Show. People looking to buy, sell or build a home, or to renovate their existing homes requested information on a wide range of topics including owner builder permits, home building contracts, property sale contracts, fees for buying or selling a home, how to get building defects rectified, and where and how to begin to get building work done on a home.

“What you said...”

“Thank you – very timely, informative, engaging and concise.”

“Very informative, particularly as my husband (licence holder) prefers to leave all areas of office work to me.”

Campaigns, initiatives and community outreach

Building partners information sessions

We identified a need for information and support for those working behind the scenes in home building businesses. Partners, wives and family members often handle the administration of the business with little assistance. In November 2009 we launched the Building Partners information sessions, an initiative to provide practical information about running a business within the building industry.

Five sessions were held across NSW in 2009-2010, covering a broad range of topics including contract management, asset protection, compliance and dispute resolution. Attendees also took advantage of the opportunity to talk with independent legal and financial experts, as well as staff from key operational areas within Fair Trading such as compliance and licensing. The program will continue in 2011.

The dangers of blind and curtain cords

In February 2010 we participated in a national blind and curtain cord safety campaign. There have been 15 deaths in Australia since the early 1990s, with two fatalities as recently as August and October of 2009 involving loose blind and curtain cords. Loose blind and curtain cords or chains, particularly those with loops, are dangerous, especially to young children. The education campaign targeted suppliers, retailers and installers of blinds and curtains, as well as real estate agents, property managers, housing providers and consumers.

Aboriginal and Torres Strait Islander People

Since 1998, we have implemented a number of strategies to protect the interests of the Aboriginal community in NSW through an Aboriginal Action Plan. Fourteen dedicated Aboriginal staff provide culturally appropriate services to Aboriginal communities, particularly in areas of tenancy, with an emphasis on face-to-face contact. These communities are widely distributed across NSW. Aboriginal and non-Aboriginal officers provide education to Aboriginal communities on their consumer rights.

Fair Trading's financial literacy strategy for Aboriginal communities was developed to include a resource manual and training for Aboriginal community workers. "Deadly Dollars – Let's Talk Money" is an interactive and educational Aboriginal theatre performance about money management. After three seasons feedback from the community has been extremely positive. A further 32 performances were delivered throughout NSW during June 2010 in partnership with the Commonwealth Department of Families, Community Services and Indigenous Affairs.

Fair Trading provided a \$10,000 sponsorship to the 2010 Vibe Alive activities in Moree, a new national two-day youth festival in which students represent their schools, competing in singing, dancing, painting and Indigenous sporting activities. We distributed more than 1,000 information packs at the festival. It is an opportunity to celebrate Aboriginal and Torres Strait Islander culture while learning about healthy living, exploring career options and boosting literacy skills. Fair Trading's participation was highly valued by event organisers and the community.

Fair Trading was also involved in a range of other programs and events for Aboriginal and Torres Strait Islander communities, including being the lead agency for the National Partnerships Project which developed the National Indigenous Consumer Strategy. Other activities included involvement in the Indigenous Family Fun Day in Dubbo during Fair Trading Week, sponsorship of the Reconciliation Aboriginal Art Competition in Gosford and sponsorship of, and information broadcast on, the Aboriginal-owned radio station at Bourke, 2CUZ FM.



What young people said...

"Mum told me she had called Fair Trading about what our rights were...I think if something like that happened again, I'd just call them to see what to do." (Female, 16 years)

"I mean who reads the fine print on anything? Let alone a lease...it was about five pages long! We just wanted to move in." (Male, 20 years)

"I tried to download a ringtone...it didn't even work! And then we kept getting these weird text messages and there was \$95 on Mum's bill at the end of the month!" (Female, 13 years)

Youth consumer survey

The findings of the youth consumer survey – 'Confident and connected' – were released during Fair Trading Week in 2009. An online survey of 1,212 young people across NSW aged between 12 and 20 canvassed views on a range of consumer and related topic areas. Working collaboratively with the Telecommunications Industry Ombudsman, key areas of concern relating to mobile phone usage were identified. Research outcomes will inform future development of educational resources and communication strategies.

Money Stuff

Fair Trading's annual competition for high school students, the Money Stuff Challenge, attracted 1,200 entries from across NSW, 50% more than the previous year. The competition asked students to research consumer issues and develop creative messages for young people. Winners were announced at the Money Stuff Youth Forum, held at Parliament House on 16 November.

What teachers said...

"This was one of the most satisfying, enthusiastically completed and handed in on-time assessment task that I have been involved with in my teaching career. It also got me involved in technology and most importantly, the students really enjoyed it. (High school teacher, Woy Woy)"

"I believe that at every step of the competition, I was given adequate paperwork, guidance and resources. From my end, I was thrilled to offer this to students. (High school teacher, Ryde)"

"I want to say THANK YOU from all the competitors in the Money Stuff Challenge. All the students had a wonderful day and we found the Youth Forum very enjoyable, entertaining and informative ... WELL DONE!!!!!! (High school teacher, Goulburn)"

The Forum was well attended with more than 120 guests and showcased Fair Trading's youth initiatives to youth stakeholders, educators, advisory groups, service providers and young people. The Minister for Fair Trading awarded a number of prizes and trophies to winners of the 2009 Money Stuff competition. The Money Stuff website received 398,718 visits in 2009-2010, 43% more than in the same period last year.



Seniors

To inform village residents and operators about changes to retirement village laws, Fair Trading delivered an education campaign during February 2010 including email alerts, editorial and advertisements, online educational resources, revisions of all current seniors print publications, plus free information sessions. Sessions were held in Sydney, Wollongong, Tamworth, Dubbo, Ballina, Port Macquarie, Newcastle, Gosford, Wagga Wagga, Penrith and Goulburn. They were very well received, with more than 1,000 attendees.

One of our most popular publications, the *Seniors guide*, was revised and reformatted in a larger font size to improve readability. The guide contains valuable information on a wide range of consumer topics relevant to seniors such as selling, buying or renting a home, strata and community schemes, moving to a retirement village, shopping, warranties and refunds, credit and debt issues, scams to look out for, preparing a will and more. It also includes helpful consumer tips, case studies and useful contacts.

“What seniors said...

“I found the session very informative and I am very pleased that I had the opportunity to attend. I would like to congratulate the person who took the session. I thought she did an excellent job. (Resident, Sydney)”

“Thank you for your explicit explanation that you gave us... The resident from our village that attended found it very informative. (Carer, Gosford)”

“All very interesting information, a very good information booklet to keep for reference. Thank you.”

“What a wonderful guide of useful information for seniors!”

Think Smart

Since 2002, we have operated the Think Smart education program for culturally and linguistically diverse (CALD) communities. This program delivers information and education directly to CALD groups through a network of community organisations and multilingual media partners. The Think Smart program raises awareness of fair trading issues and services using a variety of information resources, public relations events and grass roots community activities. Currently there are 38 Think Smart partners – 30 community organisations and eight multilingual media outlets. Selected information for traders and consumers is now available in 28 community languages including languages for new and emerging communities.

We continued to run seminars and workshops for Think Smart partners, community workers and service providers to bring them up to date on consumer issues and legislation changes. These seminars and workshops are conducted twice a year and hosted by Think Smart community partners. In November 2009 the Hills Holroyd Parramatta Migrant Resource Centre hosted one of these seminars, while the Nepean Migrant Access in St Marys hosted the other in May 2010.

Renting – what you need to know

In 2009 we produced an audio resource called *Renting – what you need to know*. This resource was designed to help community workers and educators, service providers and multilingual radio program presenters address the renting issues faced by newly-arrived migrants and refugees. The pilot initiative was produced in Juba Arabic, Dinka, Karen, Kirundi, Somali, Swahili, Tetum and Tongan. Providing information to refugees in their own language in an audio format is an important tool for removing barriers raised by a lack of, or no English language proficiency. The audio content has also been translated into 30 other community languages available on the Fair Trading website.

Korean small business seminar

In November 2009, we conducted a small business seminar in collaboration with the Strathfield Korean Business Association for the Korean small business community in Sydney. Fair Trading and other government agencies promoted their services and educated businesses on their rights and responsibilities. The seminar was supported by Industry & Investment NSW and NSW WorkCover.

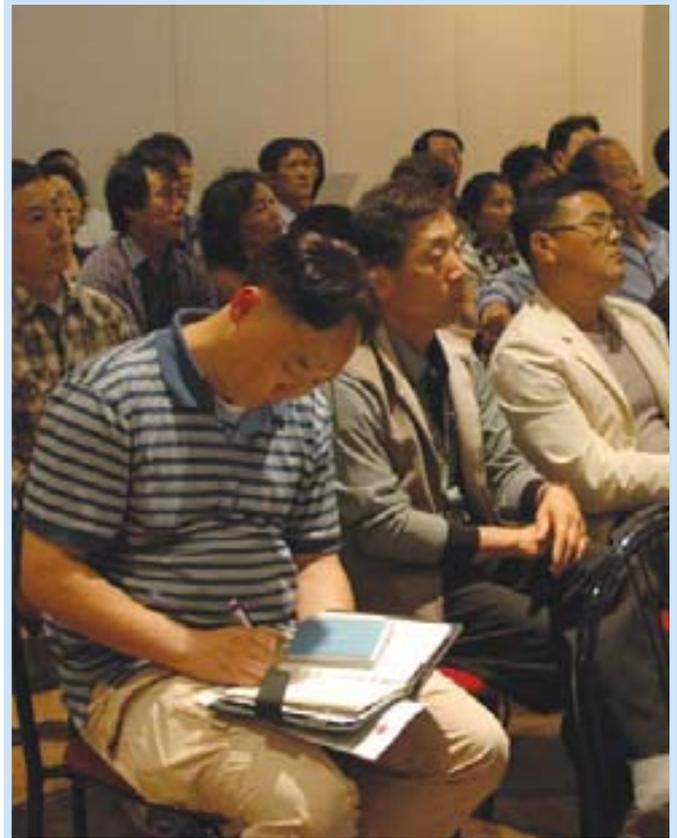
Reaching Out program for people with a disability

Fair Trading works with regional carers and community workers to deliver consumer protection messages to people with a disability. Fair Trading participated in information seminars for disability groups in Newcastle, Orange, Bathurst, Maitland, Liverpool and Queanbeyan and expos in Gosford, Coffs Harbour and Port Macquarie as part of the Reaching Out program.

Services

Complaint resolution

Information is provided to consumers and traders on their rights and responsibilities under fair trading legislation through a network of 24 Fair Trading Centres and the Fair Trading Information Centre. The information assists both parties to resolve marketplace issues. Where parties cannot agree between themselves, a complaint can be lodged with us and we will negotiate between the parties to attempt to resolve the matter. During 2009-2010, 40,188 consumer complaints were received, made up of 29,616 relating to general fair trading issues, 8,008 to home building issues and 2,564 to real estate issues. Of these, 89% were successfully resolved.



How we made a difference...

A local resident came to the Penrith Fair Trading Centre and advised that her husband had died a few months ago and she was still waiting for his memorial plot to be finished. She came into the FTC on his birthday very upset as she had nowhere to grieve. The cemetery had assured her that his plot would be ready before his birthday. A call was made to the cemetery by Fair Trading and arrangements were made for a temporary headstone to be put in place, with the ashes, so she could attend the cemetery to pay her respects. We received an undertaking that the plot would be finished the next day – which it was. The following day she called us and advised that all was as it should be and she was satisfied with the way in which the matter had been treated.

How we made a difference...

A consumer had seen a 2006 four-wheel-drive with 63,000 km and priced at \$22,800 in the online classifieds as a private sale. The built date and model type of the car were misrepresented and the car was in a trader's car yard. The consumer bought the car for \$22,500 and the trader confirmed at the time of sale that it was a private sale. However, the paperwork supplied included a form 8, with the dealer's details and a licence number. A few days later, the consumer was advised by a mechanic that he was familiar with this vehicle and that he would not issue an inspection certificate due to the corrosion underneath. The corrosion faults were then pointed out to the trader, who offered \$2,000 off the original price if the car was accepted in its present condition. After intervention by Fair Trading, the trader agreed to pick up the vehicle from the consumer's address and refund the full amount. The consumer was very happy with the outcome.

How we made a difference...

We received a complaint from a consumer about brickwork in an almost completed new home being constructed by a well known quality builder for \$230,000. Our building inspector visited the site and conducted an on-site mediation between the parties. It resulted in a rectification order to demolish the brick walls of the new house and rebuild them. The builder agreed and rebuilt the walls. A second complaint was later received about the rebuilt house. Another site inspection and mediation was arranged resulting in another rectification order to rebuild them again as they were again defective. The builder agreed and complied with the rectification order. A final inspection revealed that it was right the third time and the consumer was very happy with the outcome.

How we made a difference...

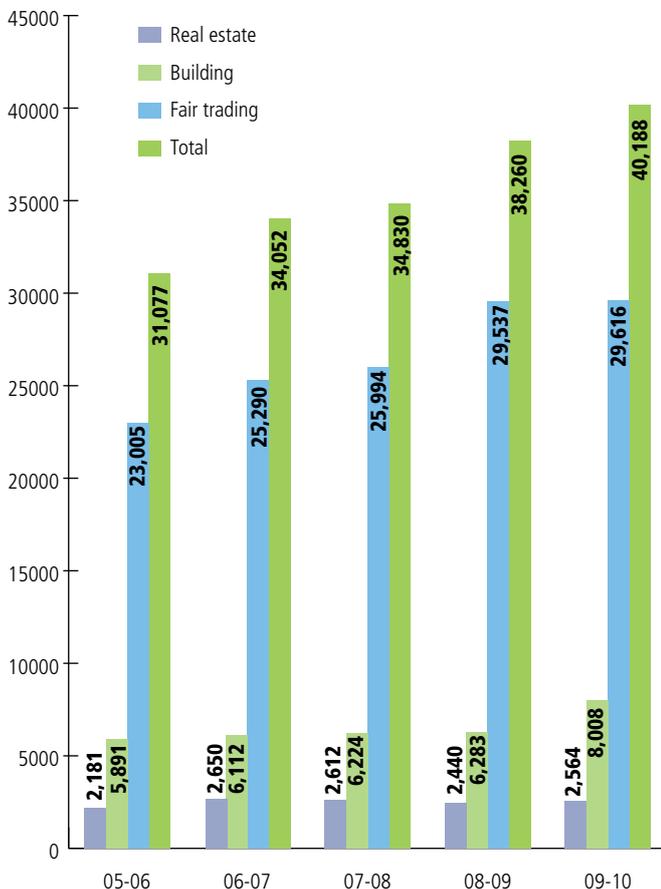
A trader lodged a complaint about a consumer refusing to pay for a completed plasterboard ceiling installation to a bedroom in an existing apartment. The consumer claimed that the ceiling was out of level compared to an existing window head and curtain rail. Our building inspector proved that both the existing window and curtain rail were in fact out of level and not the ceiling. The inspector brokered an agreement whereby the consumer paid \$1200 to the trader to settle the matter. Both parties were satisfied with the outcome.

Consumer complaints

Top ten consumer complaints in 2009-2010

- 1 Household electrical and whitegoods
- 2 Residential construction including additions
- 3 Used car or motorcycle
- 4 Furniture, furnishings or manchester
- 5 Automotive repairs or servicing
- 6 Clothing, footwear or accessories
- 7 Travel and tourism
- 8 Computer hardware
- 9 Professional services
- 10 Roof insulation or ceiling insulation

Consumer and trader complaints about marketplace transactions



Strata mediations

The use of mediation to settle strata and community scheme disputes continues to be a success. Fair Trading has helped many parties resolve their disputes without the need for formal adjudication. The mediation process often restores relationships and allows many side issues to be resolved along with the main dispute. In 2009-2010, we received 1,284 applications for mediation with 70% successfully resolved.

The use of customer service officers during the mediation process to provide information on strata legislation to the parties is adding to the quality of our service. This information often clarifies complex legislative issues during the heat of a mediation.

Rental bonds custody

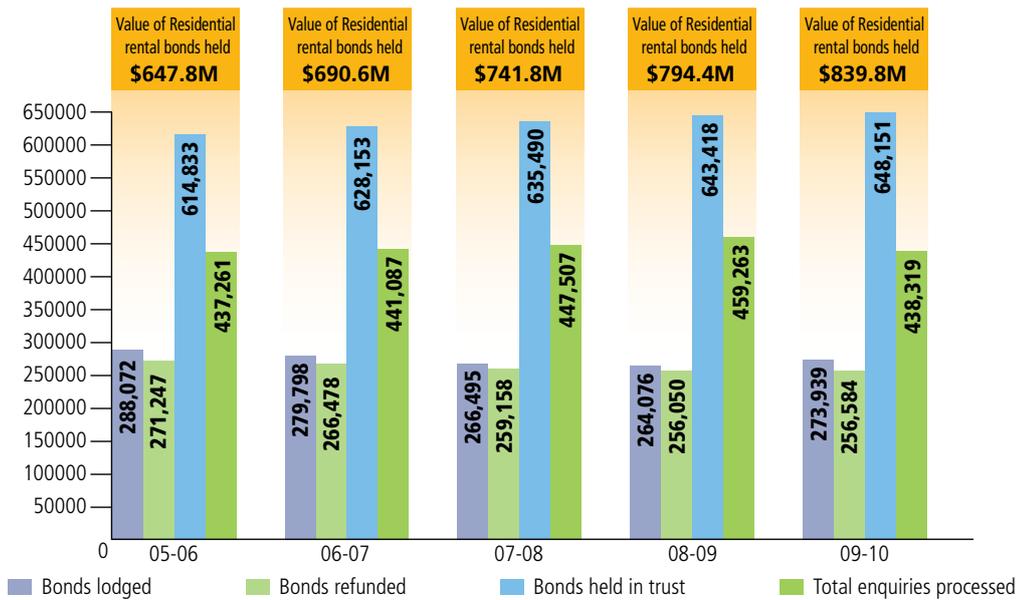
According to Fair Trading's Guarantee of Service, provided both parties to a bond have agreed, refunds are usually deposited to a bank account within 2 working days or issued by postal cheque within 4 working days of receiving the claim form. This standard was met in 100% of rental bond refunds. At 30 June 2010, 648,141 residential rental bonds to the value of \$839.8 million were held in trust.

Residential rental bonds

“What you said...

“Tom said how impressed he was with the professionalism of our service. He was particularly impressed with the way we asked certain questions to ensure he was party to a bond.”

”



“What you said...

“Recently I had to acquire an additional Motor Dealers Licence for a new venture involving the importation of classic sports cars. I completed the application however I had neglected to answer several questions. On phoning Fair Trading to check on the licence, I was advised that I had not replied to their requests and was promptly forwarded a copy of a fax which had obviously been mislaid in my office. This delay, which was obviously my fault, caused me concern. I congratulate Fair Trading on their courtesy and efficient handling of this matter. I received a phone call to advise me that the licence had been approved. This attention to detail and service should not go without recognition. (Licensed Car Dealer, Sydney)”

”

Retail tenancy

Retail tenancy became part of Fair Trading’s responsibilities in 2009. Fair Trading now provides information to callers and conducts dispute resolution between parties to a retail lease, who may include tenants, landlords, shopping centre managers, agents and guarantors. The Retail Tenancy Unit received 5,831 telephone requests for assistance, managed 375 disputes by informal mediation, and received 241 formal applications for mediation.

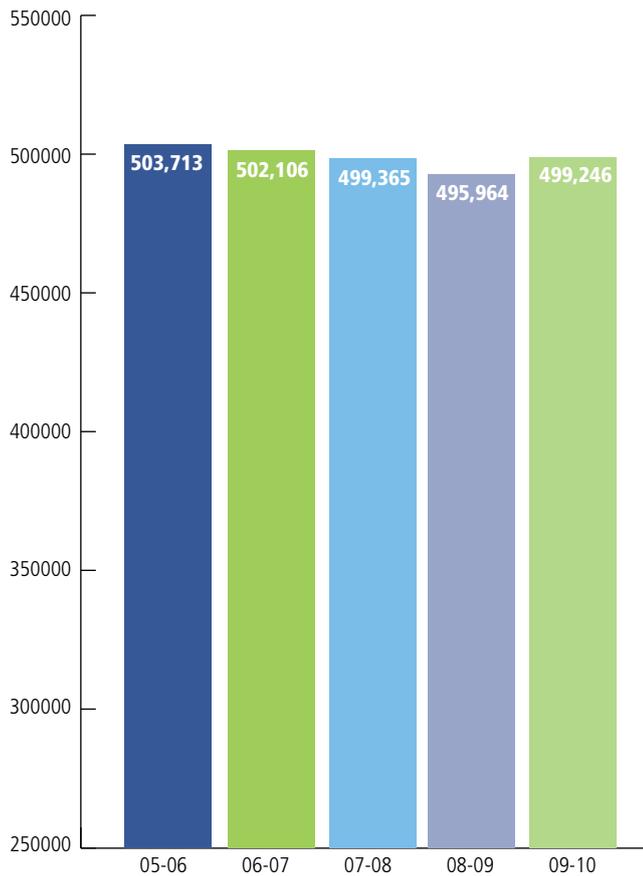
Licensing and registration

Fair Trading is committed to a high standard of quality customer services, including a guarantee of service promising that new business licence applications that include all the required information will be processed within 30 days of receipt. Business licence renewals are issued within 14 working days provided they are not affected by a disclosure statement relating to an applicant’s fitness to continue the business. This year the standard was met for 97% of the 13,743 new business licences issued and for 99% of the 36,966 business licence renewals.

Licensing activity

Licence type	2008-09		2009-10	
	New	Register total	New	Currently registered
Builders	12,607	171,079	13,822	173,900
Motor Dealers	426	3,698	472	3,792
Motor Vehicle Repairers & Tradespeople certificates	3,774	128,315	3,534	130,590
Travel Agents	110	1,449	92	1,406
Pawnbrokers & Second-hand Dealers	130	823	176	835
Public Weighbridge	9	79	12	85
Trade Measurement Services	18	213	20	209
Property, Stock & Business Agents	2,705	27,367	3,323	28,577
Real Estate Certificates	4,637	17,223	5,718	18,360
Valuers	250	3,103	271	3,279
Conveyancers	104	871	125	947
Total	24,770	354,220	27,565	361,980

Business names register total



REVS

REVS	05-06	06-07	07-08	08-09	09-10
REVS checks	1,525,000	1,637,800	1,918,481	1,795,081	1,840,348
Finance industry commitments registered on REVS	\$8.18B	\$8.45B	\$9.47B	\$9.15B	\$9.04B
Total encumbrances held	3.30M	3.45M	3.79M	3.66M	3.61M

Incorporated associations and co-operatives

Incorporating as an association provides a simple, inexpensive mechanism for small non-profit/non-commercial bodies to gain an independent legal identity and limit members' liability. During the year we worked to ensure all associations made a smooth transition to new laws governing incorporated associations across NSW from 1 July 2010.

Co-operatives are people-centred organisations, owned, controlled and used by their members. A co-operatives main purpose is to benefit its members. We are leading a national project to establish uniform laws for co-operatives across Australia. This new national legislation will enable co-operatives to more easily engage in interstate transactions.

	07-08	08-09	09-10
Associations	39,801	34,817	34,273
Co-operatives	728	699	680
Funeral funds	25	26	29
Co-operative housing societies	16	10	7
Associations of co-operative housing societies	11	10	6
Starr-Bowkett societies	17	17	16

“What you said...”

“I found the staff helpful, efficient and cheerful. I was impressed with the service and support provided especially since I was lodging several business names at the same time.”

Home building

Significant changes include the introduction of 'lifetime' licences designed to improve efficiency and provide continuity for builders and other tradespeople, as well as improve consumer protection and awareness. Fair Trading introduced 'lifetime' licences in May 2010, enabling applicants whose previous home building authority had lapsed to be re-issued with the same licence or certificate number.

Following a detailed review of the regulation of the gas industry in 2009, the Government developed significant amendments to the Gas Supply Act 1996. The legislation aims to minimise the risk of harm from gas installations and make understanding the laws and regulations simpler for industry and consumers. Fair Trading licenses gas fitters under the *Home Building Act 1989*. Through a system of on-site regulation, gas installations in NSW will be monitored and inspected to ensure compliance with technical standards and regulations. NSW Fair Trading will take over on-site gas regulation in the second half of 2010.

The Government also authorised Fair Trading to be the new single plumbing regulator, complementing Fair Trading's existing role in licensing plumbing, draining and gasfitting. This follows a comprehensive review of more than 100 separate plumbing regulators in NSW, each able to impose its own technical and regulatory requirements. As the single regulator, Fair Trading will have responsibility for the consistent interpretation of standards, on-site regulation and licensing.

Consumer, Trader and Tenancy Tribunal

Fair Trading provides registry services for the Consumer, Trader and Tenancy Tribunal (CTTT). The CTTT is an independent body providing an accessible, efficient and affordable avenue for the resolution of disputes about the supply of goods and services and issues relating to residential property.

For more information about the CTTT including the annual report, visit www.cttt.nsw.gov.au.

How we made a difference...

A tenant from the Blue Mountains was taken to the Consumer, Trader and Tenancy Tribunal over the condition of the premises at the end of a tenancy. The real estate agent was claiming costs to restore a number of things that were clearly noted as defective in the ingoing condition report. The tenant could not speak English, and no interpreter was present. The matter came to the attention of the local Tenants' Advice and Advocacy Service during a duty advocacy session. The Tribunal member, in dismissing the claim, suggested that the real estate agent should adopt a policy of using interpreters when dealing with tenants who are not proficient in English.

Community and industry grants

Community and Industry Grants are provided to not-for-profit organisations for the provision of community education, advice and advocacy services for tenants, retirement village residents and consumers who need assistance with dealing with personal financial difficulties. In line with the NSW Government's social justice role, these grants promote the principles of access, equity and diversity.

Our partnership with funded not-for-profit groups ensures complementary service provision – we provide information, regulation and remedy, while the community sector specialises in the provision of consumer advice and advocacy services.

Tenants advice and advocacy

In 2009-2010, 26 community organisations were funded under the Tenants Advice and Advocacy Program (TAAP) to provide advice and advocacy on tenancy matters, with over 35,278 client contacts. Of these around 15% required assistance at the Consumer, Trader and Tenancy Tribunal.

TAAP services report that repairs and maintenance, lease terminations and dealing with rent arrears continue to be the major issues dealt with. Government reforms to the social housing sector – including the transfer of management and title from Housing NSW to community housing providers – has led to an increase in work and interest in this area.

In addition, tenancy services provided extensive feedback on the new *Residential Tenancies Act 2010*, which received assent on 17 June 2010, drawing on their in-depth knowledge of tenancy law matters. One in four people in NSW rent residential premises.

Financial counselling

The Financial Counselling Services Program funds organisations to provide free financial counselling services by accredited counsellors, legal casework and public education programs to assist consumers who are encountering financial hardship. Fair Trading continued to provide record levels of funding for financial counselling in NSW. Funding for the Financial Counselling Services Program increased from \$3.8 million to \$5.5 million a year to enhance the provision of information and advice to families struggling with the ever higher cost of living. This included a statewide training program for financial counsellors.

It has been a very busy year, with increasing demand and increasingly complex cases. The effects of the global financial crisis, on top of the already high demand, have presented a challenge to the sector. The client base has also extended to include people from former professional backgrounds. The issues reported by funded services revealed a significant increase in the number of people seeking advice about bankruptcy due to credit over commitment. The main issues presented to financial counsellors were: home mortgages,

How we made a difference...

A client borrowed money to purchase her home. She was diagnosed with cancer two years ago. She obtained a hardship variation from her lender and undertook successful treatment. After she recovered she was notified that her home loan had been "reviewed" and was being called up, despite the fact that she was not in default. This meant that she had to refinance or sell the home. She was not in a very strong position to refinance because of her recent illness,

but she was up-to-date with all her repayments. A solicitor from a Fair Trading-funded Legal Service made a complaint to the Financial Ombudsman Service on the basis that the loan, which turned out to be an "on-demand" facility, was not a suitable product for an ordinary home borrower trying to pay off a home. After many months of negotiations the bank agreed to rewrite the loan as an ordinary home loan with principal and interest repayments over a suitable term.

credit card debt, bankruptcies, significant falls in the value of superannuation funds, personal loans and motor vehicle loans, leases, guarantees, pawn broking contracts and small business finance.

This year, 40,419 people sought assistance from the 49 financial counselling services, 10 outreach services and 6 CALD/ATSI-specific services that receive funding under the program. In addition, 534 community education sessions were conducted benefiting 30,523 participants.

No Interest Loans Schemes

NILS® is a community managed microcredit program developed by the Good Shepherd Youth and Family Service to provide interest free loans to low income earners for the purchase of essential household or medical goods and services such as washing machines and refrigerators, as well as medical or dental services. An additional \$900,000 was provided for the NILS® program from 1 July 2009, bringing total funding to \$1.78 million per year. As a result, there has been unprecedented growth in NILS® over the past 12 months, with Fair Trading now providing funding for 58 NILS® services across NSW.

This funding included administration costs to deliver NILS® to disadvantaged communities and also to employ a State Coordinator to support and assist in the expansion of NILS®. A further grant was made to upgrade the NILS® NSW website and to employ a 1800 Free-call telephone service operator. Statistics are proving that this service has been used by many low income earners to assist in locating their closest NILS® provider.

Property services

The Property Services Grants Program provides funding or loans to eligible organisations for educational, training or research projects relating to the property services industry. The program funds organisations to raise consumer awareness and also to raise industry standards. This year ten projects were funded, including a telephone support line for the property industry, information and education for the strata sector, and continuing professional development and training projects.

Home building

The Home Building Grants Program provides funds for one-off projects to undertake research or provide consumer education or industry training to enhance the professionalism of industry members and, in turn, enhance outcomes for their consumers. Ten projects were funded in 2009-2010 under the Program, including an apprenticeships scheme, information regarding home building contracts, home building construction, environmentally friendly skills for the building industry, small business skills and continuing professional development.

Home building advocacy

The Home Building Advisory Service (HoBAS) provides free legal advice, home building and dispute resolution expertise to assist consumers who might otherwise be disadvantaged by a dispute with a home building contractor in NSW. The service reported a 6% increase in demand in its last biannual report and has seen a 94% increase in demand since the end of its pilot program in 2007-2008. It provided free legal advice to over 500 clients in 2009-2010.



Motor vehicle industry

Fair Trading provides funding under the Motor Vehicle Industry Grants Program for education, research and other programs or projects which will assist in maintaining skilled tradespeople, improve industry standards and raise consumer awareness in the motor vehicle industry.

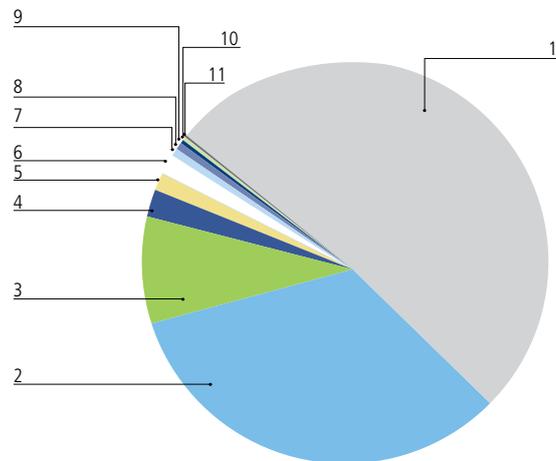
A grant was made to the Automotive Training Board of NSW to encourage best practice and innovation through training and education in the industry, including apprentices. In addition, funding was provided for a program educating refugees as first car buyers.

Co-operatives development

The Co-operatives Development Grants Program provides funding for research projects, education and feasibility studies that assist the NSW co-operative sector to grow and remain a viable sector of our economy. In 2009-2010, the Co-operative Opportunities Conference was funded under the program, providing an important information, support and networking opportunity for the co-operative sector in NSW.

Website

The Fair Trading website is regularly updated to provide practical and useful information on our Community and Industry Grant Programs. This resource provides the public and business sector access to information on the projects or services that receive funding and the organisations contact details. Information includes application forms, program guidelines and key dates for programs.



Community and industry grants funding allocation

	2009-2010
1 Tenants Advice and Advocacy Program	\$8,777,338
2 Financial Counselling Services Program	\$5,497,686
3 No Interest Loans Scheme	\$1,496,588
4 Aged Care Supported Accommodation Service	\$397,059
5 Property Services Grants Program	\$300,000
6 Home Building Grants Program	\$283,500
7 Home Building Advocacy Service	\$220,375
8 Rental Bond Board Grants Program	\$81,785
9 Building Contractor Advocacy Service	\$80,000
10 Motor Vehicle Industry Grants Program	\$61,550
11 Co-operatives Development Grants Program	\$11,000
TOTAL	\$17,206,881

All figures exclude GST, which is paid on all grants.

Legislation

Objective: Fair trading legislation simplifies service provision for consumers and traders

Objective: Fair marketplace regulation with minimal red tape

Strategy: Strive for best practice regulation

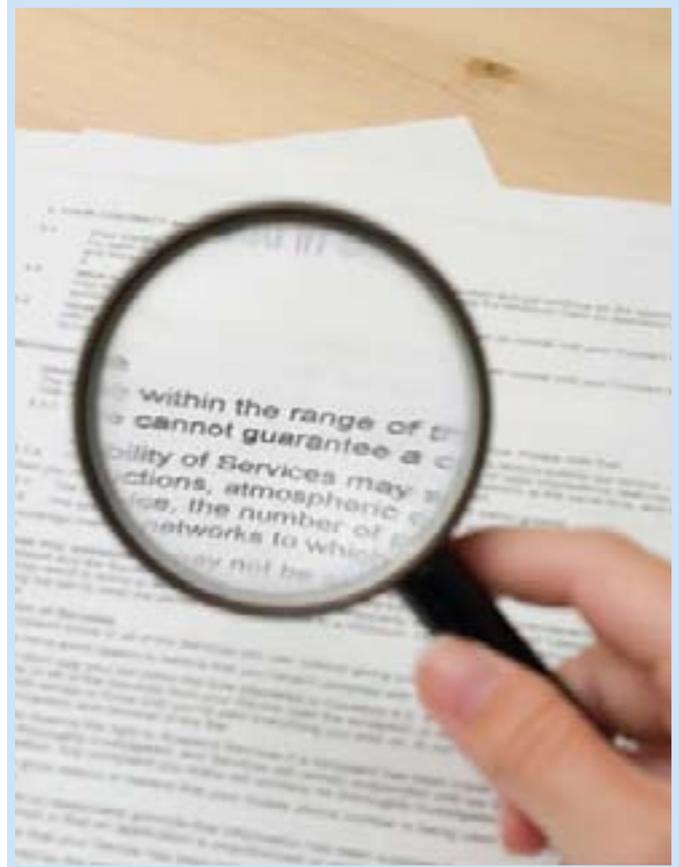
Fair Trading reviews and develops the regulatory framework in NSW for consumer goods and services, accommodation and property services, and home building. It co-ordinates community consultation and prepares options for Government decision-making. It plays a leading role in negotiations with other jurisdictions in the quest for nationally consistent fair trading regulation. The foremost priority is that NSW marketplace regulation, currently involving 42 different pieces of legislation, provides for simple, uncomplicated services for customers and that traders are not unduly burdened by compliance requirements.

Snapshot: service-level statistics 2009-2010

Number of pieces of principal legislation in force:	42
Bills assented to in Parliament:	3
Acts amended under Statute Law Revision Program:	15
Regulations remade under Subordinate Legislation Review Program:	3

Highlights 2009-2010

- A consistent regulatory system for trade measurement throughout Australia from 1 July 2010
- A national regulation for consumer credit and finance broking to protect consumers across Australia from 1 July 2010
- Historic reforms to the residential tenancy laws were passed by Parliament on 10 June 2010
- Reforms to the retirement village laws to improve protection for residents came into effect on 1 March 2010.



Result indicators

	05-06	06-07	07-08	08-09	09-10	Target
Percentage of customers who agree Fair Trading services are simple and uncomplicated*	-	87%	82%	82%	89%	85%
Percentage of traders who believe they are unduly burdened by fair trading laws**	-	34%	29%	26%	30%	≤35%

Survey results accurate to ± 5%

* Fair Trading continues to examine internal processes and legislative requirements to try and simplify dealing with Fair Trading and meeting requirements under fair trading laws

** A low result is a good result for this indicator. It is an encouraging sign the majority of traders don't believe they are unduly burdened by fair trading laws.

Legislation

Legislation changes

Gas reform

Regulatory responsibility for gas installation safety has been shared between Industry and Investment NSW and WorkCover. However, following a review of gas safety regulation by the Better Regulation Office, major regulatory reforms will be adopted in 2010.

Fair Trading already has responsibility for licensing gas tradespeople and regulating the safety of natural gas appliances. The commencement in the second half of 2010 of changes to the *Gas Supply Act 1996*, passed by NSW Parliament in March 2010, and a new the Gas (Consumer Safety) Regulation will make us responsible for regulating the safety of most domestic and commercial gas installations and appliances, including LPG and non-network gas appliances.

Retirement villages law reforms

Reforms to the retirement village laws came into effect on 1 March 2010, introducing a number of significant reforms, including a new 90 day settling-in period, reduced ongoing recurrent charges for former residents, improved communication between operators and residents, making operators liable for budget deficits, new safety and emergency procedures and reducing red tape for small village operators.

Incorporated associations

The new *Associations Incorporation Act 2009*, proclaimed to commence on 1 July 2010, modernises the law, reduces red tape and allows more flexibility for associations, while providing better protection of association finances. The *Associations Incorporation Act 1984* will simultaneously be repealed.

Residential tenancy law reforms

Following a comprehensive review of the tenancy and rental bond laws, the *Residential Tenancies Act 2010* was passed by Parliament on 10 June 2010. Key reforms in the new Act include giving tenants fee-free options to pay rent, speeding up the



eviction process for non-payment of rent, making it easier for tenants who need to move to a nursing home or public housing, removing red tape around disposing of a former tenant's goods, ensuring that tenancy databases operate fairly and many more. The new Act is planned to commence later in 2010 after the development of supporting regulations and further community consultation.

Safety standards

Changes were made to fair trading regulations to harmonise with national standards and improve safety standards in NSW for bunk beds, children's toys, aquatic toys, flotation aids, child restraints, exercise cycles and magnetic toys.

Co-operatives national law

Fair Trading is leading a national project to establish uniform laws for co-operatives across Australia in consultation with other States and Territories. This new national legislation will enable co-operatives to more easily engage in interstate transactions. Template national legislation was released for public comment in December 2009.

National reform

COAG national reform projects

The Council of Australian Governments (COAG) is implementing 27 national reform projects to promote greater consistency in Australia's business and consumer protection framework. Seven of these projects have direct impacts on the operations of NSW Fair Trading's activities.

Australian consumer law

The aim is to develop one national consumer law by the end of 2010. The new law will be based on the consumer protection provisions of the *Trade Practices Act* and include best practice from existing state and territory legislation.

How we made a difference...

In January 2006, a retirement village resident vacated her unit in order to live closer to her daughter. The village was strata titled and the resident had purchased the unit in 2003. Under the terms of her village contract, the resident was responsible for paying recurrent charges after moving out, until another resident signed a contract for the unit and took over responsibility. The unit was put up for sale after the former resident moved out, but did not sell for more than two years. By that time the village charges had added up to more than \$43,000, which had to be paid to the village operator from the proceeds of the sale.

How we made a difference...

A retirement village resident moved out of the village in December 2005 to transfer to a nursing home. The former resident's unit was put on the market, but did not sell until October 2009, nearly four years later. During this time, the former resident had to keep paying charges of \$360 per month.

Reforms to the retirement village laws in March 2010 introduced a new 42-day limit to reduce ongoing costs for former residents in these situations. For residents who are owners, after 42 days the operator shares the liability for

recurrent charges with the former resident in the same proportion as they are to share any capital gains under the residence contract. For example, if the operator and resident are to share the capital gains 50:50, then the operator must pay for half of the recurrent charges until the next resident takes over.

As well as reducing costs for former residents, this gives operators an incentive to find a new resident as quickly as possible.

The law will be jointly enforced by the Australian Competition and Consumer Commission (ACCC) and state and territory fair trading/consumer affairs agencies. The Australian Consumer Law will reduce regulatory complexity for businesses and encourage the development of a seamless national economy, while consumers will benefit through consistent national approaches to consumer problems and enforcement.

The first phase begins on 1 July 2010 when the unfair contract terms provisions will be enforced nationally by the ACCC and ASIC. NSW and Victoria will also commence these provisions on this date.

National product safety system

This project involves the development of a single national system for the management of product safety in Australia. Under the reforms, the Commonwealth Government will be responsible for all permanent product bans and standards by the end of 2010. The States and Territories will retain the power to issue interim product safety bans, and the ACCC, States and Territories will share responsibility for enforcing the product safety law. The laws will form part of the new Australian Consumer Law.

National regulation of financial services and consumer credit

This project will transfer responsibility for regulating consumer credit and finance broking to the Commonwealth Government, with the National Credit Code commencing on 1 July 2010. Fair Trading will have no on-going role in the regulation of consumer credit once this project is fully implemented. In the meantime, NSW will continue to apply a maximum annual percentage rate to consumer credit contracts for a year after the transfer and to retain finance broking laws until 1 January 2011. At a national level, the Commonwealth has established the Financial Services and Credit Implementation Taskforce to oversee the development and implementation of the national system of regulation for this industry.

The work carried out by Fair Trading on projects such as responsible lending in relation to credit cards has been provided to the Taskforce.

Personal property securities system

This project was established to implement a single national system for the registration of security interests in all types of property other than real estate. This will incorporate the services currently provided by the NSW Register of Encumbered Vehicles (REVS) system, as well as the register of co-operatives charges. Fair Trading will have no on-going role in the registration of security interests over motor vehicles or boats once the national system is implemented. The Personal Property & Securities Register is scheduled to commence in May 2011.

National occupational licensing system

This project aims to develop and implement a single licensing system across Australia for specified occupations, commencing in July 2012. This will also lead to consistent skill requirements for specified licensed occupations across Australia. The national occupational licensing system will apply to property agents, electrical, plumbing and gasfitting, air-conditioning and refrigeration, building and building-related occupations, conveyancers and valuers. Once the system is implemented Fair Trading will continue to process licence applications and renewals as a delegated agency of the new National Occupational Licensing Authority.

Single registration system for business names and ABNs

This project has been established to develop and implement a single seamless business name registration/Australian Business Number system administered by the Commonwealth Government. It will also incorporate a national Business Licensing Information System (BLIS) and will enable businesses to register their business and company name in one online process, as well as access information on other government regulatory requirements. The target commencement date is March 2011.

National trade measurement system

This project will deliver a national system of trade measurement to be funded and administered by the Commonwealth Government through the National Measurement Institute. Fair Trading's involvement in the regulation of trade measurement ceased on 30 June 2010.

Legislation administered

During 2009-2010, the Minister for Fair Trading had joint administration of the following Acts with the Minister for Commerce:

- Associations Incorporation Act 1984 No 143
- Associations Incorporation Act 2009 No 7
- Business Names Act 2002 No 97
- Community Land Management Act 1989 No 202
- Consumer Claims Act 1998 No 162
- Consumer Credit Administration Act 1995 No 69
- Consumer Credit (New South Wales) Act 1995 No 7
- Consumer, Trader and Tenancy Tribunal Act 2001 No 82
- Contracts Review Act 1980 No 16
- Conveyancers Licensing Act 2003 No 3
- Co-operative Housing and Starr-Bowkett Societies Act 1998 No 11
- Co-operatives Act 1992 No 18
- Credit Act 1984 No 94
- Credit (Home Finance Contracts) Act 1984 No 97
- Electricity (Consumer Safety) Act 2004 No 4
- Fair Trading Act 1987 No 68
- Fitness Services (Pre-paid Fees) Act 2000 No 95
- Funeral Funds Act 1979 No 106
- Gas Supply Act 1996 No 38, section 83A (remainder, the Minister for Energy)
- Holiday Parks (Long-term Casual Occupation) Act 2002 No 88
- Home Building Act 1989 No 147
- HomeFund Commissioner Act 1993 No 9
- HomeFund Restructuring Act 1993 No 112, sections 14, 15, 16 and Schedule 2 (remainder, the Minister for Housing)
- Landlord and Tenant Act 1899 No 18
- Landlord and Tenant (Amendment) Act 1948 No 25
- Landlord and Tenant (Rental Bonds) Act 1977 No 44
- Motor Dealers Act 1974 No 52
- Motor Vehicle Repairs Act 1980 No 71
- Partnership Act 1892 55 Vic No 12 in so far as it relates to the functions of the Registrar of the register of limited partnerships and incorporated limited partnerships and to the setting of fees to be charged for maintaining that register, jointly with the Attorney General and the Minister for Commerce (remainder, the Attorney General)
- Pawnbrokers and Second-hand Dealers Act 1996 No 13
- Price Exploitation Code (New South Wales) Act 1999 No 55
- Prices Regulation Act 1948 No 26
- Property, Stock and Business Agents Act 2002 No 66
- Registration of Interests in Goods Act 1986 No 37
- Residential Parks Act 1998 No 142
- Residential Tenancies Act 1987 No 26
- Retirement Villages Act 1999 No 81
- Strata Schemes Management Act 1996 No 138
- Trade Measurement Act 1989 No 233
- Trade Measurement Administration Act 1989 No 234
- Trade Measurement (Repeal) Act 2009 No 108
- Travel Agents Act 1986 No 5
- Valuers Act 2003 No 4
- Warehousemen's Liens Act 1935 No 19

Fair Trading Centres

We operate Fair Trading Centres at the 24 locations below. These Centres provide information and assistance on consumer issues, motor vehicles, home building and renovation, credit, property and tenancy issues, plus co-operatives and business name registration.

Call 13 32 20 to reach your nearest Fair Trading Centre Monday to Friday between 8:30 am and 5:00 pm.

Other locations

Selected Fair Trading services are also available via Government Access Centres (GACs) and other agency arrangements throughout regional New South Wales.

Call 13 32 20 for information on the services available in these towns: Ashford, Balranald, Barham, Bega, Boggabilla, Bombala, Bourke, Brewarrina, Cobar, Condobolin, Cooma, Coonabarabran, Coonamble, Crookwell, Culcairn, Deniliquin, Dorrigo, Dunedoo, Eden, Finley, Forbes, Forster, Gilgandra, Glen Innes, Grenfell, Griffith, Gundagai, Hay, Hillston, Holbrook, Inverell, Kyogle, Lake Cargelligo, Leeton, Lightning Ridge, Lockhart, Maclean, Moama, Moree, Moruya, Moulamein, Mt Druitt (urban GAC), Mudgee, Mungindi, Murrumbidgee, Nambucca Heads, Narooma, Narrabri, Narrandera, Nowra, Nyngan, Oberon, Peak Hill, Quirindi, Rylstone, Scone, Temora, Tenterfield, Tumbarumba, Ulladulla, Walcha, Walgett, Wyallda, Warren, Wentworth, West Wyalong, Wilcannia, Woodenbong.





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