

# Our Regulatory Priorities 2023

## Introduction

NSW Fair Trading is part of the Better Regulation Division (BRD) within the Department of Customer Service. BRD brings together a range of regulators in NSW.

BRD's vision is to be Australia's most trusted and customer-centric regulators.

Its purpose is to make NSW safer, fairer and more productive for consumers, workers and businesses.

This document sets out the regulatory priorities for NSW Fair Trading in 2023. Another set of regulatory priorities has been developed for Safework NSW. Both have been informed by stakeholder feedback and data analysis.

The NSW Fair Trading and SafeWork NSW regulatory priorities will be targeted as joint initiatives where appropriate.

## Where we will focus for 2023

We have identified regulatory priorities in four focus areas. For each area, we will deliver on three strategic outcomes for consumers, businesses and regulation.

We will focus on priority/vulnerable groups of consumers:

- older people
- people from culturally and linguistically diverse backgrounds
- people escaping domestic and family violence
- Aboriginal people.

Focus areas	Our strategic outcomes
Consumer goods and services	<ul style="list-style-type: none"><li>• Consumers are empowered and protected</li><li>• Businesses are supported to trade fairly, with no advantage for unfair behaviour</li><li>• Regulation is efficient and fair</li></ul>
Automotive	
Building and construction	
Property	

## How did we choose these priorities?

We chose the regulatory priorities based on the following factors:

- consumer health and safety
- major lifetime decisions
- potential for large financial loss
- power imbalance between supplier and consumer
- new or emerging issues
- increases in frequency of an issue.

## How will we measure progress?

Reaching the strategic outcomes will take more than a year. Over time, we will measure our progress using high-level indicators, including:

- reduction in consumer harms
- increase in consumer confidence to buy from NSW businesses
- reduction in non-compliance by businesses in targeted areas
- better regulatory outcomes for businesses and consumers
- increased satisfaction with and trust in NSW Fair Trading.

NSW Fair Trading will establish baseline and measurements to monitor performance over time.

## Our priorities for 2023 are:



### Consumer goods and services

- **Solar energy:** reduce consumer issues relating to the installation, ongoing warranty, sales practices, and finance practices in the solar energy industry.
- **Children's safety:** reduce consumer issues associated with the safety of products designed for children (clothes, toys, furniture) and other products that pose risks to children (for example button batteries, magnets).
- **Online products and services:** reduce consumer issues in relation to the failure of traders to meet consumer guarantees in the provision and delivery of products and services purchased online in the digital economy.



### Automotive

- **Online automotive sales:** reduce consumer issues when purchasing automotive vehicles in the digital economy.
- **Second-hand car market:** reduce consumer risks when purchasing second-hand motor vehicles, including odometer reversing, at a time of heightened market activity.



### Building and construction

- **Failures to meet contract and statutory obligations:** reduce consumer risks associated within the building industry including insolvency, unlicensed work and supervision of work.
- **Building work:** increase compliance of specialist licence holders in building and construction with a particular focus on certifiers and engineers.
- **Residential property:** reduce the incidence of serious defects in class 1 and 2 buildings.



### Property

- **Improved integrity in service provision:** improved trust accounting and reduce misleading representations by real estate agents, particularly on price.
- **Strata maintenance:** increase compliance of strata buildings with requirements to maintain the safety and amenity of common property.
- **Strata committees:** increase compliance of strata services when contracting with strata corporations, particularly in relation to new buildings and embedded networks.
- **Conditions of rental premises:** increase responsiveness of landlords to reasonable tenant requests for repairs and maintenance and reasonable standards of habitability.