

The current review of Australian Consumer Law has to address a fundamental question , is consumer protection , that is industry regulation for the benefit of community/consumer or a vehicle for creating another alternate profit generating center for commercial interests and/or CONSUMER DETRIMENT ? . That is the abolition of the Travel Compensation Fund as of 30/6/14

A more grievous and long running consumer fraud dating back to 2001 as a result of privatisation in 97/98 is Builders Warranty Insurance . The evidence is clear a case of ' market failure since 2001 were the insurance industry and trade associations like the HIA/MBA that clip the ticket are the only beneficiaries and add no consumer value to Builders Warranty Insurance which is a government mandated scam in the States were it masquerades as consumer protection . NSW/Vic

The prevailing view which can be described as a creeping cancer of greed within some sectors of the economy and community is to privatise everything that may have a monetary value and potentially produce not only private profits but ideally the greed results in private wealth gifted by government . Apparently ' Consumer Detriment ' is not a issue if commercial benefits result

The concept of CONSUMER or SOCIAL DETRIMENT being part of the equation when assessing privatisation policy options is for structural reasons , including access to decision makers by consumers overlooked or at worst not even on the policy agenda . The abolition of the Travel Compensation Fund being the latest cab of the rank . A monumental screw up of gigantic policy proportions

CONSUMER DETRIMENT should be the over riding principle of the ACL . The abolition of the Travel Compensation Fund I was officially informed by email by a senior policy executive of CAV was fully in accordance with the principles set out in ACL and there fore kosher as it was in accordance with the principle set out in the legislation .

That senior officer has refused to date to my knowledge to even address the issue of whether CAV is required to consider consumer detriment as an over riding feature of state / federal consumer protection legislation .

That is NOT a satisfactory position from the consumer perspective and if consumer detriment is not the PRIME function and purpose of the ACL , then it should be and the legislation should reflect that over riding PRINCIPLE . Not just be implied or a discretionary option as appears to be the case now

BWI has been a running sore for 15 years plus and now with the TCF it can be argued that when the political class and/or senior bureaucrats stuff up and well documented consumer detriment results then that is not a issue and ACL is irrelevant as long as the vested interests and rent seekers are not complaining about the benefits in cash and kind they may receive from the current arrangements

That is CONSUMER DETRIMENT is IRRELEVANT even in the face of overwhelming evidence that consumer detriment is endemic and a scam . In the case of BWI the gap between the reality and consumer expectations is so vast that if it was not mandated by governments it would qualify as a criminal FRAUD

Even Choice has called it JUNK INSURANCE

The question is who is currently lobbying to privatise for profit other areas of consumer protection for private benefit and public detriment

The abolition of the Travel Compensation Fund in June 2014 is a classic example , consumers were not consulted and the policy wonks at the table did NOT asked the question , will consumer detriment result . The answer already in the public domain is massive consumer detriment and a travel agent industry in denial , with some

arguing a equivalent to the TCF is urgently required to restore the travel agents industry reputation

This problem , the abolition of the TCF was to be avoided as of 1/7/14 with the insurance industry to step in the breach with a voluntary available for purchase insur