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|  | **A non-profit, volunteer organisation, advocating to advance the interests of consumers in Queensland**  *Secretary:*  *Max Howard*  *PO Box 261*  *Corinda Q 4075* |

25 November 2016

**SUBMISSION ON AUSTRALIAN CONSUMER LAW REVIEW Interim report**

**BACKGROUND**

The Queensland Consumers’ Association (the Association) is a non-profit organisation which exists to advance the interests of Queensland consumers.

The Association’s members work in a voluntary capacity and specialise in particular policy areas.

The Association is a member of the Consumers’ Federation of Australia, the peak body for Australian consumer groups.

The Association welcomes the opportunity to make this submission which, due to resource constraints, is brief.

***The contact person for this submission is: Ian Jarratt, email ijarratt@australiamail.com***

**GENERAL COMMENTS**

The final report should:

* Recognise and take more account of the results of relevant behavioural economics research
* Take into greater account the Harper Review’s Recommendation 21 –Informed Choice regarding the effective provision of, and access to, information for consumers (including information about themselves).
* Take greater account of relevant provisions in sectors/industries with specific legislation eg energy, telecommunications, food, and health.
* Recognise the important links between safety matters and other consumer problems/protections such fit for purpose, acceptable quality, no faults, manufacturer warrantees.
* Include providing greater help for consumers before they try themselves to resolve problems with suppliers (eg easier access to relevant information about other complaints about the same problem).

**SPECIFIC COMMENTS**

The final report should include:

**1. Issues not addressed in the interim report**

**Inadequate price transparency**

* non display of price for all or some products/offers eg some convenience stores in CBDs, drinks in hotels and bars, and price of one item with supermarket multi buy offers.
* advertising prices lower then regular prices permanently or for much longer than the product/service is on offer at the regular price.

**Misleading/deceptive packaging** **of products**

* for example excessive amounts of slack fill in pre-packaged products in opaque packaging, such as vitamins, supplements and breakfast cereals.

**2. Issues addressed in the interim report**

**Unfair contract terms**

We consider that the following examples should be added to the “grey list” of examples of contact terms that may be unfair:

* Requiring customers with unresolved disputes to use a mediation service nominated by the business
* Not allowing the customer to participate in a class action against the business.
* Not allowing the customer to make any public adverse comments about the business.
* Not allowing the customer to use a credit/debit card’s chargeback facility.
* Requiring the customer to compensate the business for loss of earnings while equipment damaged during a hire is being repaired or replaced.