



Northern  
Territory  
Government

DEPARTMENT OF JUSTICE

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**ANNUAL REPORT OF  
THE COMMISSIONER  
OF CONSUMER AFFAIRS  
2010/2011**



**Consumer Affairs**

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**Our Ref:**

The Hon Delia Lawrie  
Minister for Justice and Attorney-General  
Parliament House  
DARWIN NT 0800

Dear Minister

**RE: ANNUAL REPORT 2010-2011**

The Department of Justice 2010/11 Annual Report includes performance reporting on Consumer Affairs in conformity with requirements of the *Public Sector Employment and Management Act* and the *Financial Management Act*.

The Commissioner of Consumer Affairs is a statutory officer and is required to report to the Minister annually pursuant to:

- Section 12 of the *Consumer Affairs and Fair Trading Act*,
- Section 15 of the *Residential Tenancies Act*,
- Section 11 of the *Retirement Villages Act*, and
- Section 14 of the *Business Tenancies (Fair Dealings) Act*.

I have pleasure in submitting to you the Commissioner's report for the year ended 30 June 2011.

Yours sincerely

**Gary Clements**  
Commissioner of Consumer Affairs

30 September 2011

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## **CONSUMER AFFAIRS**

### **OUTPUT STATEMENT**

Provision of a regulatory framework where the community is informed on consumer rights and responsibilities and responsible business conduct is promoted.

### **PROGRAMS**

Promote and regulate responsible business and industry association conduct through administration of a regulatory system that protects community interests.

Inform consumers of their rights whilst assisting conflict situations through dispute resolution processes.

## **LEGISLATIVE RESPONSIBILITIES**

*Accommodation Providers Act*

*Business Tenancies (Fair Dealings) Act*

*Consumer Affairs and Fair Trading Act (including the Australian Consumer Law)*

*Price Exploitation Prevention Act*

*Registration of Interests in Motor Vehicle & Other Goods Act*

*Residential Tenancies Act*

*Retirement Villages Act*

*Sale of Goods Act*

*Uncollected Goods Act*

*Warehousemen's Liens Act*

# **HIGHLIGHTS AND MATTERS OF SIGNIFICANCE**

## **AUSTRALIAN CONSUMER LAW**

The Australian Consumer Law is a cooperative reform of the Australian Government and States and Territories, through the Ministerial Council on Consumer Affairs.

The Australian Consumer Law (ACL) commenced on 1 January 2011.

The ACL includes:

- a new, national unfair contract terms law covering standard form contracts;
- a new, national law guaranteeing consumer rights when buying goods and services, which replaces existing laws on conditions and warranties;
- a new, national product safety law and enforcement system;
- a new, national law for unsolicited consumer agreements, which replaces existing State and Territory laws on door-to-door sales and other direct marketing;
- simple national rules for lay-by agreements; and
- new penalties, enforcement powers and consumer redress options, which currently apply nationally.

The ACL applies nationally and in all States and Territories, and to all Australian businesses. For transactions that occurred up to 31 December 2010, the previous National, State and Territory consumer laws will continue to apply.

## **NATIONAL INDIGENOUS CONSUMER STRATEGY**

Participated in the development of the revision of the new National Indigenous Consumer Strategy – Taking Action, Gaining Trust Action plan 2010 – 2013. The Strategy was agreed to by all Territory, State and Commonwealth Ministers at the Ministerial Council Meeting in Canberra in December 2010.

## **RESIDENTIAL TENANCY DISPUTES**

Applications can be made to the Commissioner of Tenancies that relate to disputes between landlords and tenants. Where conciliation is not successful, the application is heard by a delegate for the Commissioner. A total of 857 applications were received which is a 13 % increase on the previous year.

## **FUEL WATCH**

Fuel prices for ULP, Diesel, PULP, E10 and LPG continue to be collected every week from major and regional areas. A summary of the pricing is loaded on the Consumer Affairs web page under Fuel Watch. Random checks at service stations for water in the fuel storage tanks are also carried out throughout major centres.

## **NATIONAL MEETINGS**

During the reporting year, officers of Consumer Affairs attended national forums and participated in teleconferences that included the:

- Ministerial Council on Consumer Affairs (MCCA);
- Standing Committee of Officials of Consumer Affairs (SCOCA);
- Compliance and Dispute Resolution Advisory Committee (CDRAC);
- Education Information Advisory Committee (EIAC);
- Fair Trading Operations Group (FTOG);
- Product Safety Consultative Committee (PSCC);
- National Indigenous Consumer Strategy (NICS); and
- Society of Consumer Affairs Professionals (SOCAP) Annual Conference.

## **EDUCATION AND PROMOTION**

### **AUSTRALIAN CONSUMER LAW (ACL) CAMPAIGN**

A national Australian Consumer Law campaign was conducted prior to the introduction of the new legislation in January 2011. Ongoing education and activities to promote the rights of consumers have been undertaken in 2011 to ensure consumers and traders are aware of their rights and responsibilities under the new legislation.

Consumer Affairs staff were involved with the development and customisation of new national resources such as guides, brochures, newsletter updates, post cards, fact sheets, point of sale signs and media releases in the lead up to the campaign.

The ACL was promoted during trader visits and at a variety of events and venues including:

- Chamber of Commerce Breakfast seminar;
- Tourism NT presentation talk to staff including Executive;
- Rotary presentation talk Darwin;
- Electoral Officers - orientation day - NT wide audience;
- Building organisations NT - local forum;
- Territory Business Centre reception and information kits;
- Government Business Information Network;
- Seniors Forum Palmerston;
- University of Third Age presentation Casuarina;
- Various Indigenous associations and organisations in remote communities - Central Australia and Darwin;
- Money Management forum Department of Families, Housing, Community Services and Indigenous Affairs (FaHCSIA); and
- Trader visits in Alice Springs, Katherine, Darwin and Gove.

### **PRESENTATIONS AND DISPLAYS**

A total of 79 formal presentations, talks and information sessions were undertaken by Consumer Affairs staff this financial year. This is consistent with 77 last year and represents a slight increase of 2.6%. Several presentations were cancelled or deferred in February due to the bad weather conditions during Cyclone Carlos.

A wide range of venues and organisations were visited including:

- Karen Sheldon Catering;
- Chief Ministers Youth Round Table;
- Darwin Correctional Centre;
- Charles Darwin University Community Services Expo;
- High schools;
- Salvation Army Sunrise Centre;
- Seniors groups;
- Territory Business Centres staff meetings, Katherine and Darwin;
- The Council for Aboriginal Alcohol Program Services Inc. (CAAPS); and
- Sommerville Finance Workers Forum.

Target audiences included:

- Future Stars Indigenous pre-employment students;
- Young Territorians;
- Prisoners participating in the reintegration program;
- Migrants and refugee university students;
- Salvation Army rehabilitation clients;
- Indigenous consumers in urban, regional and remote areas; and
- Financial counsellors

Consumer protection issues such as the new Australian Consumer Law, tenancy, scams, warranties, mobile phones, moving out of home, contracts, and handling complaints were highlighted. These information and education sessions assist in raising awareness of consumer rights, responsibilities and the services available from Consumer Affairs.

Consumer Affairs staff participated in events such as:

- The Imparja Cup Indigenous Career Expo (in conjunction with Central Australian Aboriginal Legal Aid (CAALAS));
- Defence Community Organisation's Family Fun Day;
- Law Week; and
- The Garma Festival of Traditional Culture.

## **DISPLAYS AND DISTRIBUTION OF RESOURCES**

Free standing displays were provided in libraries in the greater Darwin region and Alice Springs. The Education and Promotions Officer also took the opportunity to provide resources for display and distribution as part of:

- Cybersecurity Awareness Week;
- National Youth Week;
- October Business Month;
- Seniors Month; and
- National Consumer Fraud Week.

As part of regular networking with other service providers, information and promotional material was distributed to a range of organisations and government departments including:

- Financial Literacy Solutions;
- Casuarina Shopping Square information desk;
- Council of the Ageing;
- New business owners kits;
- Territory Business Centres; and Charles Darwin University.

## **PUBLICATIONS AND POSTERS**

Two issues of 'The Consumer' newsletter were produced this financial year. This year's themes included "The Australian Consumer Law" and "Consumer Protection"; topics covered included extended warranties, tourism accreditation, repairs to rental properties, lay-bys, consumer guarantees and scams plus many more relevant issues.

A newsletter targeting consumers aged 12-25, "The Young Consumer", was also produced. It was distributed to a wide range of organisations in time for placement at events as part of National Youth Week.

These newsletters are an effective way to communicate with Territory consumers in urban, rural and remote areas, keeping them informed of emerging consumer and trader issues in the market place. Circulation is 5,000-6,000 copies per edition. The newsletter is also available electronically on the Consumer Affairs website at [www.consumeraffairs.nt.gov.au](http://www.consumeraffairs.nt.gov.au). Email copies are also sent to a large number of interested readers.

Our residential tenancies booklet 'A Guide to Renting in the NT' was reviewed and reprinted. It continues to be distributed widely via the Real Estate Institute of the NT, Sommerville Community Services, Centrecare, Territory Housing and other local agencies. More than 15,000 copies were distributed this financial year.

Promotional information brochures, continually reviewed to meet the needs of the target audience, are produced to offer consumer advice on emerging and current issues especially in light of the developments with the ACL. These are distributed throughout the Territory for display at various libraries, shopping centre information booths, schools and as part of displays and presentations attended by staff.

Several posters were designed and distributed. One with shopping tips in the lead up to Christmas was included with a "Shop Local" campaign undertaken by the Minister for Business. A poster outlining important features of the new Australian Consumer Law was also produced and widely distributed.

Both of the above posters were placed on the Consumer Affairs internet site and displayed on table tops in the Eatery at the Casuarina Shopping Square. They were also distributed to a range of organisations and government bodies throughout the Northern Territory, including:

- The Traditional Credit Union;
- Charles Darwin University;
- Banks;
- Libraries;
- Electorate offices;
- Sommerville Community Services;
- Central Australian Remote Health Development Services; and
- Schools

## **MEDIA**

Eight media releases were issued in the reporting year and more than 40 media interviews with radio, TV and print media were undertaken by the Commissioner.

Topics covered included:

- Benefits for business and shoppers under the new Australian Consumer Law;
- Commissioner's warning Mathew Bradley Williams;
- A variety of online and postal scams;
- Show bag safety inspections; and
- Caravan buyers scam.

In addition, Consumer Affairs received media coverage on topical issues on a variety of subject matters including:

- Residential Tenancy issues;
- Warranty rights;
- Accuracy of Odometers in second hand motor vehicle sales;
- Hire cars;
- Magna mail scratchies;
- Email scams; and
- Rogue traders selling stereos from the back of a van.

Media outlets included the following newspapers, TV and radio stations:

- Centralian Advocate;
- NT News and Sunday Territorian;
- ABC Darwin radio 105.7 FM;
- 783 ABC Alice Springs radio;
- Mix 104.9 radio news;
- TOP FM radio 104.1;
- Radio Larrakia;
- Channel 9 News; and
- ABC Television News.

## **COLLABORATIVE ACTIVITIES**

The Education and Promotions Officer participated in regular meetings, teleconferences and campaigns to keep abreast of developments in consumer protection, both nationally and locally, to ensure the Northern Territory perspective was represented and to network with other service providers. There was a strong focus on the role out of the new Australian Consumer Law. Committee representation included the Education and Information Committee (EAIC) and Australian Consumer Fraud Taskforce (ACFT).

The Education and Promotions Officer attended the Public Relations Institute of Australia (PRIA) National Conference 2010 and the 3rd Annual National Public Sector Communications Officers Conference 2011.

## **PROMOTIONAL MATERIAL**

Bags, key rings, and magnets continue to be produced and distributed and are very popular at presentations and events. These valuable resources ensure that Consumer Affairs contact details and messages continue to be present after staff have made face-to-face contact.

## **CA WEBSITE**

The Consumer Affairs website continues to be a popular place for consumers to gather information for consumer related information, tenancy information, complaint application forms and statistical fuel pricing information.

The website is updated regularly with items of interest under Hot Topics. Our popular "The Consumer", the "Young Consumer" and "A Guide to Renting" publications can be found on the website.

Consumers and traders are able to download fact sheets that provide information on a variety of matters that deal with anything from purchasing a car to renting out a property.

During the past year the website was viewed by 10, 554 visitors evidencing the importance of maintaining this essential resource.

## **FAIR TRADING OVERVIEW**

Enquiries are taken by Fair Trading Officers in Darwin and in Alice Springs. The Darwin Office has a dedicated call centre. These enquiries can be either by telephone, facsimile, e-mail or as a visitor to the office. Where enquiries require follow up or are of a more serious nature, the contact is recorded in a dedicated database. People that contact Consumer Affairs are from all walks of life and are not necessarily consumers. Consumer Affairs provides education and advice to traders and business owners so that they are aware of their responsibilities and rights.

Where there is a justified grievance and the consumer has not been able to successfully deal with the trader, a formal complaint form can be lodged. A Fair Trading Officer will investigate the claims and a conciliation process will ensue. Our role at this point is to assess the complaint to ensure that it is justified, get both sides of the story and to try and negotiate an outcome that is agreeable to both parties. At times this is not possible due to a number of factors which can include conflicting information, unreasonable requests and traders refusing to offer redress. Most traders are willing to participate in the conciliation process.

Fair Trading Officers were very active in educating businesses throughout the Northern Territory about the new *Australian Consumer Law* which was introduced on the 1<sup>st</sup> January 2011.

Information and fact sheets were provided to 524 traders visited by Consumer Affairs staff during this year.

## ENQUIRY SERVICE AND DISPUTE RESOLUTION

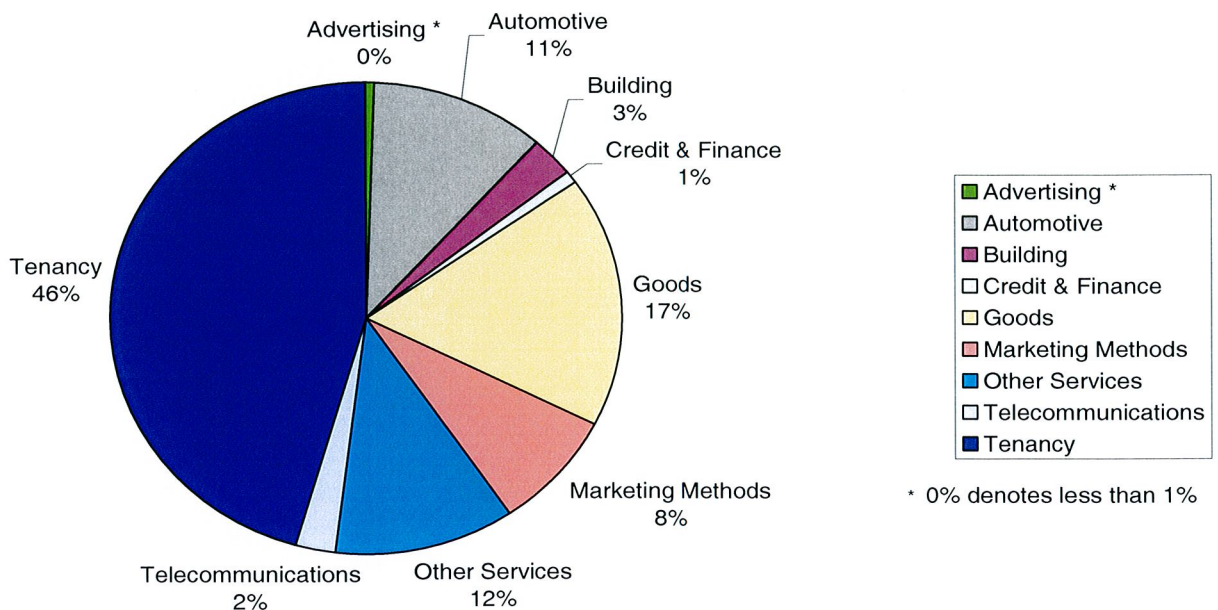
Contact with Consumer Affairs continues to rise with a total of 17, 570 enquiries recorded for this year. This is a rise of 10% or 1,645 enquiries on the previous reporting period. This is continuing the previous trend of ever increasing contact with this Office.

### ENQUIRIES

Enquiries that require follow up or are of a more serious nature are recorded on the Client Enquiry Record System. Of the enquires received, a total of 2,712 were recorded. These enquiries have been listed in major categories as shown below. Tenancy (46%), goods (17%) and automotive (11%) continue to be the cause of most enquiries.

Consumer Affairs Enquiries 2010 -11	
Industries	Total
Advertising *	13
Automotive	303
Building	72
Credit & Finance	24
Goods	468
Marketing Methods	218
Other Services	314
Telecommunications	66
Tenancy	1234
<b>Total</b>	<b>2712</b>

Consumer Affairs Enquiries 2010 -11 Total



## **ENQUIRY TRENDS**

The number of enquiries continues to rise every year. However it could be claimed that the increase this year might be contributed to the current financial climate where more and more people are demanding to receive value for money for goods and services purchased. With the increasing popularity of social media, consumers are likely to be better informed of their consumer rights as information is more readily available and easily sourced. The challenge however remains to ensure that the Territory's large Indigenous population is aware of their right to seek assistance in protecting their consumer rights.

Tenancy enquiries have also increased; again this is likely to be attributed to the economic climate where tenants and landlords are more sensitive to monetary loss.

## **COMPLAINTS**

Formal complaints submitted are usually a result of the consumer unsuccessfully trying to resolve a dispute with a trader. Consumers are advised that prior to lodging a formal complaint they should have written to the trader requesting they respond to their complaint. If, at this point the response is not satisfactory to the consumer a formal complaint can be lodged.

Once the Complaint Form is received, it is assessed by staff to ensure that it is a complaint that can be handled within the role of Consumer Affairs. On confirmation, information is gathered from both parties and a conciliation/negotiation process is initiated. On occasion, investigation of the complaint may involve gathering information from third parties to ensure that the relevant evidence is correct. This can also result in on site visits to traders. Fair Trading Officers endeavour to negotiate an outcome that is agreeable to both parties. As legal advice cannot be issued, the complainant can be directed to seek legal advice if the conciliation process is not successful. Most traders are reasonable during the conciliation process and a high level of success for both parties is often achieved.

Many successful outcomes have occurred this year with one in particular, resulting in a major retail company withdrawing a product from sale due to it being unfit for its designed purpose.

A total of 203 complaints were investigated this year. This is slightly down on the previous year. With the increase in general enquiries, this may be attributed to the consumer having a successful negotiation with the trader that resulted from advice provided by our Fair Trading Officers. A small number of these complaints result in a referral to the Compliance Unit for investigation of possible breaches of legislation administered.

## **TRADER VISITS**

This year saw the introduction of the *Australian Consumer Law (ACL)*. To ensure that businesses were aware of this new national law, Fair Trading Officers were very active in educating and providing information to traders throughout the Northern Territory. All major centres and regional areas including Elliot, Tennant Creek, Yulara, Nhulunbuy and Jabiru were included in these visits. During the year 524 traders were visited and were provided with advice and educational items regarding the change in legislation.

## LICENSING DATA

A number of business are licensed under the *Consumer Affairs and Fair Trading Act*, however the regulatory role under the Act is administered under delegation by the Licensing Regulation and Alcohol Strategy Division of the Department of Justice.

The following licenced businesses and regulatory activities were undertaken by that Division as at 30 June 2010:

Licensed Business type	No	Investigations	Inspections
Motor Vehicle Dealers	106	7	0
Dealer Managers	93	0	0
Travel Agents	87	0	0
Second-hand Dealers	21	0	0
Pawnbrokers/Second-hand Dealers	9	0	0
Commercial and Private Agents	147	2	0

## INDIGENOUS CONSUMER PROTECTION

Initiatives in pursuing greater Indigenous awareness of consumer rights and improved consumer protection included:

- Membership of the National Indigenous Consumer Strategy (NICS) Reference Group, responsible for reporting to the Standing Committee of Officials of Consumer Affairs heads of consumer protection agencies;
- Presentations and fair trading workshops to local communities and groups including:
  - Garma festival at Gapuwiak;
  - Legal rights road show to Maningrida and Ramingining;
  - Consumer expo at Nhulunbuy;
  - Community education visits to Garuwiak, Yirrkala, Marngarr, Mataranka, Binjari, Kalano, Waruwi, Minjilang, Jilkminggan, Minyeri, Katherine, Beswick, Barunga, Kalkarindi and Dagaragu;
- Future stars project run by Karen Sheldon – presentations relating to consumer rights and responsibilities; and
- Provision of a point of contact to assist Indigenous consumers with disputes and provide advice about fair trading.

### PRESENTATIONS TO COMMUNITY ORGANISATIONS INCLUDED:

North Australian Aboriginal Family Violence Legal service (NAAFVLS);  
The Council for Aboriginal Alcohol Program Services (CAAPS);  
Aboriginal Hostels x 11;  
Yothu Yindi Foundation;  
Miwatj Health Service;  
North Australian Aboriginal Justice Agency (NAAJA) – Nhulunbuy;  
Wirly Wurlanjung Health Service;  
Jawoyn Association;  
Top End Aboriginal Bush Broadcasting Association (TEABBA);  
Radio Larrakia;  
Kalano Association;  
MoneyBusiness (Katherine);  
Anglicare, Red Cross; and  
Foundation of Rehabilitation with Aboriginal Alcohol Related Difficulties (FORWAARD)

## RESIDENTIAL TENANCIES AND BUSINESS TENANCIES

The Commissioner of Consumer Affairs' role also includes the functions of the Commissioner of Tenancies and that of the Commissioner of Business Tenancies.

### RESIDENTIAL TENANCIES

Applications to the Commissioner of Tenancies increased by 13% on the previous year. A total of 857 applications were received. These applications are the result of a dispute between landlords and tenants. When the application is received it is assessed to ensure that the correct information is presented and compliant with the requirements of the *Residential Tenancies Act*. Once the application is accepted the other party receives a copy of the application to ensure natural justice is served. In cases this may result in a successful conciliation and the application is then withdrawn prior to Inquiry.

Of the 857 applications, 714 went to Inquiry. Inquiries are conducted by a Delegate of the Commissioner of Tenancies. At Inquiry evidence is presented to the Delegate, who may make court enforceable Orders for certain actions to be taken by either the tenant or landlord. At times the application may be withdrawn prior or at Inquiry due to a number of reasons that may include incorrect information provided.

### BUSINESS TENANCIES

The *Business Tenancies and (Fair Dealing) Act* deals with commercial leases that fall within the requirements of the Act. The Fair Trading Officers handled 31 enquires relating to business tenancies, which represents a 13% drop from the last financial year.

From these enquiries, two formal applications to the Commissioner of Business Tenancies were lodged. One of these applications was successfully conciliated and the other resulted in a Failure to Resolve Retail Tenancy Claim Certificate being issued.

## COMPLIANCE

### STATISTICS

Investigations conducted	45
Investigations concluded	42
Complaints withdrawn, resolved to the satisfaction of the complainant or where no breach was disclosed	18
Complaints referred to other organisations	7
Traders placed on notice	4
Investigations referred for prosecution	0
Trader visits	69
Compliance education provided	86
Contracts annulled or varied	62
Investigations involving or leading to banned products	1
Investigations involving or leading to recalled products	0
Investigations involving or leading to mandatory standards	14
Investigations involving or leading to warning labels on products	4

## **ACHIEVEMENTS**

### **Door to Door Trading**

In October 2010 Consumer Affairs was alerted to the activities of a sales team operating in the Alice Springs area. The team, selling water filtration systems, targeted Indigenous consumers in remote communities.

Compliance action resulted in the company agreeing to cancel approximately 60 sales contracts which had been made in breach of the door-to-door trading provisions of the *Consumer and Fair Trading Act*, and to cease trading in the Northern Territory.

### **Misleading Advertising**

The issue of misleading advertising has been the basis of a number of compliance investigations involving traders in the fitness industry, the travel industry, the solar power industry, and also a case of the promotion of a medical service. Through close liaison, compliance officers achieved positive outcomes whereby traders took immediate steps to withdraw and amend promotional materials to conform to legislative requirements.

### **COMPLIANCE & DISPUTE RESOLUTION ADVISORY COMMITTEE (CDRAC)**

Consumer Affairs remains an active member of CDRAC and is represented on a number of key working groups. Officers continued to work in partnership with State and Territory counterparts and the ACCC in a range of national projects to deliver consistent guidance to business and consumers about their rights and obligations and maintain a coordinated approach to the implementation of the Australian Consumer Law.

### **PRODUCT SAFETY CONSULTATIVE COMMITTEE (PSCC)**

Participation in the Product Safety Consultative Committee forums, the national product safety survey program and associated activities was conducted in conjunction with State and Territory regulators and the ACCC.

### **FAIR TRADING OPERATIONS GROUP (FTOG)**

The Fair Trading Operations Group provides a national forum for regulators to discuss operational and emerging fair trading issues. Consumer Affairs officers contributed to the coordinated activities and investigations undertaken by this group.

### **INTERNATIONAL CONSUMER PROTECTION AND ENFORCEMENT NETWORK (ICPEN)**

Consumer Affairs joined forces with interstate consumer protection agencies and the ACCC in the yearly global exercise, the International Consumer Protection and Enforcement Network (ICPEN) Internet Sweep. The Sweep's focus in 2010 was on Australian e-commerce websites that targeted youth or the younger consumer. The internet sweep was developed to combat the growth in online scams and misleading marketing and advertising. The results indicate that close to 1400 websites were swept with 316 flagged for follow-up action.

## **PRODUCT SAFETY ACTIVITIES**

### **Show Circuit**

Consumer Affairs staff undertook show-bag inspections prior to and during the 2010 Alice Springs Show and the Royal Darwin Show in July. The contents of 231 show bags were checked to ensure compliance with mandatory toy safety and labelling standards. Whilst the majority of the products were found to comply with the relevant standards, inspectors identified 8 items of concern in Alice Springs and 4 in Darwin. These 12 products were voluntarily removed from sale for reasons including small parts ingestion hazards, strangulation hazards, insufficient safety warning, age appropriateness labelling and cosmetic ingredients labelling.

### **NATIONAL PRODUCT SAFETY SURVEY PROGRAM**

As a member of the Product Safety Consultative Committee, Consumer Affairs participated in the 2010-12 National product safety survey program, the fourth successive joint surveillance activity conducted by the ACCC and State and Territories fair trading / consumer affairs agencies.

Product safety regulators across Australia, including the NT, surveyed a range of high risk consumer products lines covered by mandatory safety standards. Consumer Affairs targeted the standard for vehicle trolley jacks as these products may cause a vehicle to collapse onto the person working under a car and cause serious injury or death. A total of 2,358 trolley jacks were recalled nationally as a result of the survey.

In November 2010, officers surveyed a relatively new mandatory standard for treadmills (introduced in June 2009). The combined results of the surveillance program saw a total of 54 retail outlets and 315 products surveyed. The majority of non-compliance identified in the survey related to labelling issues on second-hand and ex-hire treadmills being offered for sale. Retailers agreed to withdraw from sale and re-label products in accordance with the mandatory standard before re-offering them for sale.

## **RETIREMENT VILLAGES**

There were no complaints against aged care accommodation providers relating to the *Retirement Villages Act* over the past year. Consumer Affairs continues to maintain a close relationship with those organisations that provide this specialist accommodation. Earlier this year a new retirement village complex opened in Fannie Bay.

## **TOW TRUCK OPERATORS CODE OF PRACTICE ADMINISTERING AUTHORITY**

The Consumer Affairs and Fair Trading (Tow Truck Operators Code of Practice) Regulations establish an Administering Authority to provide a roster system and service at Police controlled accident scenes. These functions are managed by the Licensing Regulation and Alcohol Strategy division of the Department of Justice.

## FUEL WATCH

The physical monitoring of retail fuel pricing continued to be carried out in major urban centres; these include Darwin, Palmerston, Katherine, Tennant Creek, Alice Springs and Nhulunbuy. Kings Canyon and Yulara fuel prices are also recorded weekly. Due to their remoteness these prices are taken over the telephone.

NT Fuel Watch which can be found at the Consumer Affairs website, [www.consumeraffairs.nt.gov.au](http://www.consumeraffairs.nt.gov.au), is updated every Friday with summary pricing for ULP, Diesel, PULP, E10 and LPG. A graph shows the monthly ULP pricing for the Northern Territory historically over a number of years. The website has a link to the International Market Watch site and the Australian Competition and Consumer Commission (ACCC) website relating to Petrol, Diesel and LPG prices.

To ensure that consumers are protected from contaminated fuel, random fuel dip and cap seal audits were carried out on the underground fuel tanks at 25 service stations in the Northern Territory. Resulting from these audits, one service station was asked to close a pump as the dip test showed an unacceptable level of water in the tank. Two service stations had missing seals on the tank caps. In these cases the service station is requested to have the caps replaced and once Consumer Affairs has been advised that this has taken place a further visit to the service station occurs to ensure that this is indeed the case.