

Northern Territory Consumer Affairs



Annual Report 2019-2020

BLANK PAGE

The Hon Selena Uibo
Attorney-General and Minister for Justice
Parliament House
DARWIN NT 0800

Dear Minister

Re: ANNUAL REPORT 2019-20

The Department of the Attorney-General and Justice 2019/20 Annual Report includes performance reporting on Consumer Affairs in conformity with requirements of the *Public Sector Employment and Management Act 1993* and the *Financial Management Act 1995*.

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 1981*;
Section 15 of the *Residential Tenancies Act 1999*;
Section 11 of the *Retirement Villages Act 1995*;
Section 14 of the *Business Tenancies (Fair Dealings) Act 2003*;
Section 20 of the *Caravan Parks Act 2012*; and
Part 5A of the *Building Act 1993*.

I have pleasure in submitting to you the Commissioner's report for the year ended 30 June 2020.

Yours sincerely



Sandy Otto

Deputy Commissioner
Northern Territory Consumer Affairs
6 October 2020

TABLE OF CONTENTS	PAGE
Commissioner’s Comments	5
Output Statement	7
Legislative Responsibilities	8
Snapshot of 2019-2020	9
National Forums, Working Groups and Meetings	10
Media	17
Educational Activities	18
Outreach	20
Website	22
Social Media	24
Fair Trading	27
Dispute Resolution	31
Residential Tenancies	33
Residential Building Disputes	35
Business Tenancies	36
Compliance	37
Alice Springs Regional Office	41
Retirement Villages Act	43
Caravan Parks Act	44
Other Statutory Responsibilities	45

COMMISSIONER'S COMMENTS

I would like to acknowledge the dedication and hard work of all the staff of Northern Territory Consumer Affairs. This year has been challenging and staff have continued to provide their high level of support to our many clients and stakeholders.

NT Consumer Affairs plays a vital and meaningful role for Territorians, safeguarding their consumer rights, while also educating businesses on their rights and responsibilities.

Our role in the community is to ensure responsible business conduct occurs by educating and regulating businesses, and conciliating consumer complaints. In cases where a business has an unacceptable level of complaint, our Compliance Unit will engage with traders to seek a speedy resolution. If this is not possible, appropriate enforcement action can be an option.

Regular visitation by our officers to locations outside of Darwin and Alice Springs provides consumer protection and education to Territorians wherever they may live. Our ongoing community education program ensures businesses, consumers, landlords and tenants are aware and understand their rights and responsibilities

This year has been particularly busy because of the Coronavirus (COVID-19) pandemic. Although the health impact of the pandemic was limited in the Northern Territory compared to other jurisdictions, it did result in a series of modifications to the *Residential Tenancies Act 1999* and the *Business Tenancies (Fair Dealings) Act 2003*. These modifications were implemented to help those Territorians who faced financial difficulties resulting from the COVID-19 restrictions, to remain in their rental properties for the duration of the crisis.

As a result, the Fair Trading staff, working in our client call centre in Darwin and Alice Springs, faced a significant increase in their daily call numbers and rose to the challenge to provide complex, individually tailored advice for each of the caller's personal circumstances. The modifications were introduced quickly, which meant the staff needed to understand fully a new set of rights and responsibilities for both landlords and tenants in a short amount of time. I thank them for their efforts.

Our online social media presence on Facebook continues to grow from year to year as more Territorians connect with our Facebook page and YouTube channel. These platforms provide us with an efficient method for reaching out to all Territorians, however remote, by providing a range of information about the latest scams, consumer information and a series of national consumer messaging campaigns.



The Compliance Unit also had a productive year, identifying a series of scam websites fraudulently taking money from people across Australia. The websites were set up by an overseas scam network to sell big ticket items such as caravans, recreational vehicles, farming and construction machinery. The effort to shutdown these websites helped save many consumers from losing their money.

NT Consumer Affairs staff continued their work on a number of national committees and working groups. This ensures Territorians have a voice in relation to nationally targeted activities, education and policy. The committees bring together the Ministers responsible for consumer protection as well as the heads of all Consumer Affairs and Fair Trading agencies to ensure a consistent, national approach to legislative change, education, compliance and dispute resolution, research and policy.

In summary, the 2019–2020 financial year has been one of our busiest and I would like to reiterate my appreciation for the staff and the efforts and challenges they have faced this year.

A handwritten signature in black ink, consisting of a series of loops and a long horizontal stroke extending to the right.

Steve Gelding
Commissioner

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 conduct through administration of a regulatory system that protects community interests.

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

REPORTING STRUCTURE

NT Consumer Affairs is part of the Regulatory Services business unit within the Department of the Attorney-General and Justice and reports on compliance with the *Financial Management Act 1995* and the *Public Sector Employment and Management Act 1993*.

The Commissioner's statutory appointments are pursuant to the following Acts:

Section 12 of the *Consumer Affairs and Fair Trading Act 1981*;

Section 15 of the *Residential Tenancies Act 1999*;

Section 11 of the *Retirement Villages Act 1995*;

Section 14 of the *Business Tenancies (Fair Dealings) Act 2003*;

Section 20 of the *Caravan Parks Act 2012*;

Section 6 of the *Price Exploitation Prevention Act 1949*, and

Section 54F (3) of the *Building Act 1993*.

LEGISLATIVE RESPONSIBILITIES

The following is a full listing of legislation that Northern Territory Consumer Affairs has responsibility for:

Accommodation Providers Act 1981

Building Act 1993 (Residential Building Dispute Function)

Business Tenancies (Fair Dealings) Act 2003

Caravan Parks Act 2012

Consumer Affairs and Fair Trading Act 1990 (inclusive of the Australian Consumer Law)

Partnership Act 1997

Price Exploitation Prevention Act 1949

Residential Tenancies Act 1999

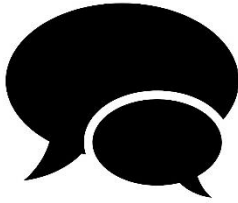
Retirement Villages Act 1995

Sale of Goods Act 1972

Uncollected Goods Act 2004

Warehousemen's Liens Act 1969

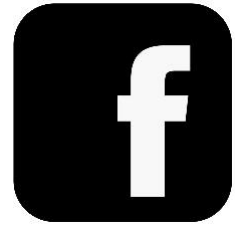
SNAPSHOT OF 2019-2020



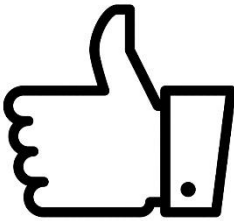
Total enquiries:
15,206



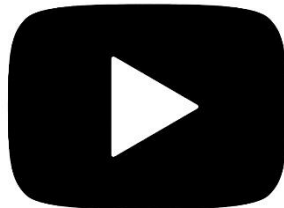
Webpage views:
39,543



Facebook followers:
2,514



Facebook views:
496,047



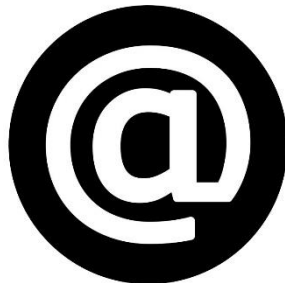
YouTube views:
63,997



**Consumer Conciliation
Requests: 154**



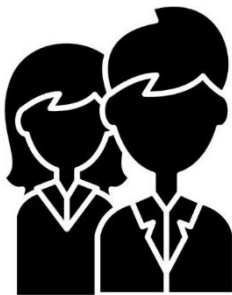
**Residential tenancy
enquiries:**
52% of all calls



Emails:
5,131



Trader visits:
960



Staff: 17



**MyFuel NT web app
users: 59,452**



**Compliance actions
2,278**

NATIONAL FORUMS, WORKING GROUPS AND MEETINGS

The Australian Consumer Law (ACL) is national legislation that is administered throughout Australia by consumer affairs and fair trading agencies as well as the Australian Competition and Consumer Commission (ACCC) and the Australian Securities and Investments Commission (ASIC).

National legislation carries the risk of differing application in the various jurisdictions across Australia. This risk has been mitigated by the formation of a number of national forums, committees and working groups who report to the Legislative and Governance Forum on Consumer Affairs (CAF). These various groups ensure a national focus is maintained with consistent consumer protection, advice and guidance provided to all Australians, whether they be traders, consumers or other stakeholders.

Northern Territory Consumer Affairs (NTCA) officers were active members of a number of these national groups. A number of face-to-face meetings were held during the year including the CAF meeting, as well as general monthly teleconferences. The close collaboration ensures each agency's senior staff are aware of and have an understanding of matters that are affecting consumers in the market place across the nation.

Information discussed and shared with these groups is used to recognise topical consumer-related issues for national education campaigns or business conduct that is flagged as being of a national concern. Where a business such as this is recognised, a lead agency or working group is convened to address the matter. These could be educational matters such as highlighting changes in the ACL or a compliance activity to address serious trader misconduct.

Whilst the ACL is national legislation, other legislation such as that governing residential tenancies, is similar across Australia but separate and unique to each jurisdiction. The close collaboration through the ACL networks has engendered similar working engagements with other regulators to share information and ideas. A good example of this was the creation of the National Tenancy Forum. The close working relationships with this group was particularly evident through the recent changes in residential tenancy legislation across Australia resulting from the Coronavirus (COVID-19) pandemic.

During the year, face-to-face meetings, teleconferences and working groups were held with the following groups:

- Legislative and Governance Forum on Consumer Affairs (CAF). The Deputy Commissioner attended the face-to-face meeting on behalf of the Minister.

- Consumer Affairs Australia and New Zealand (CAANZ). The Commissioner and Deputy Commissioner attended face-to-face meetings and teleconferences respectively.
- Compliance and Dispute Resolution Advisory Committee (CDRAC); face-to-face meeting and teleconferences and a number of working groups.
- Education and Information Advisory Committee (EIAC); face-to-face meeting and teleconferences and a number of working groups.
- Fair Trading Operations Group (FTOG); teleconferences.
- National Indigenous Consumer Strategy (NICS); face-to-face meetings, teleconferences and a number of working groups.
- National Tenancy Forum; teleconferences occur when there are matters of national interest identified.
- Scam Awareness Network; bi-monthly teleconferences.

NATIONAL COMMITTEES

LEGISLATIVE AND GOVERNANCE FORUM ON CONSUMER AFFAIRS (CAF)

Ministers from the Commonwealth, states and territories and New Zealand who are responsible for consumer protection and fair trading laws, comprise the membership of the Legislative and Governance Forum on Consumer Affairs (CAF).



A meeting of all CAF members was held in Queenstown, New Zealand in August 2019. The Deputy Commissioner, NT Consumer Affairs attended on behalf the Northern Territory Minister. The New Zealand Minister for Commerce and Consumer Affairs, the Hon Kris Faafoi MP, chaired this CAF meeting.

CAF's role is to consider consumer affairs and fair trading matters of national significance and where possible, develop a consistent approach to those issues. This year New Zealand chaired CAF and held the face-to-face meeting in Queenstown, New Zealand. The Ministers discussed matters of mutual interest concerning consumer policy, services and programs. The Deputy Commissioner attended to represent the Northern Territory Minister who was unable to attend.

CONSUMER AFFAIRS AUSTRALIA AND NEW ZEALAND (CAANZ)

Consumer Affairs Australia and New Zealand (CAANZ) supports CAF and is comprised of senior officials from all states and territories, the Commonwealth and New Zealand. The Commonwealth agencies are the ACCC and ASIC. A face-to-face meeting was held during the year as well as a number of teleconferences.

A revised Memorandum of Understanding (MOU) that sets out the framework of cooperation between the regulators of the ACL and facilitates effective communication, cooperation and coordination of consumer laws in Australia and New Zealand was agreed to and signed by all agencies. This MOU ensures the 'one law multiple regulator model' works to share the responsibility of consumer protection and fair trading laws effectively by each agency regardless of their specific roles and responsibilities.

The emergence of COVID-19 in early 2020 raised the possibility that travel plans for consumers could be impacted severely if the situation worsened. The situation did worsen quickly and in March 2020. CAANZ members formed an Urgent Response Group which met twice weekly by teleconference to ensure nationally consistent guidance and advice was provided for consumers and businesses impacted by the various international and national border closures and the resulting cancellation of travel arrangements.

NATIONAL INDIGENOUS CONSUMER STRATEGY (NICS)

The members of the National Indigenous Consumer Strategy (NICS) include members from ASIC, the ACCC and all state and territory consumer protection and fair trading agencies. The membership also includes independent members from the Indigenous Consumer Assistance Network (ICAN). NICS is committed to protecting and educating Indigenous consumers and works under an action plan that is agreed to by all Commonwealth and consumer protection and fair trading Ministers. The current action plan for 2017 -2019 is "taking action, gaining trust". Work has commenced on the new NICS Action Plan but final sign off has been delayed by COVID-19.

The members meet via teleconference bi-monthly to provide updates of matters of national interest that may be occurring in their jurisdiction. This network is particularly important to overcome the activities of rogue traders who target those who are potentially vulnerable.

EDUCATION AND INFORMATION ADVISORY COMMITTEE (EIAC)

The Education and Information Advisory Committee (EIAC), provides a platform for agreed consistent ACL messaging through national campaigns, social media and other educational material. The membership of this committee is similar to CDRAC, with senior officials from all state, territory and Commonwealth consumer protection and fair trading agencies. The NTCA Deputy Commissioner and the Education and Information Officer are both members of this committee and attend monthly teleconferences.

This committee benefits the smaller jurisdictions such as NTCA, which generally have limited resources, by providing educational information, such as videos and guidance materials. This year a number of educational campaigns were delivered. The "Safe Summer" campaign encouraged people to be safe and careful through the summer months by reminding them to be mindful to close pool gates and provided advice on quad bike safety and trampoline safety. The January Sales and Gym Membership campaign included reminders to be careful when signing up to new gym memberships, to be wary of "no refund" signs, and when shopping online.

On 1 November 2019, new gift card laws were introduced under the ACL to provide more protection and certainty for consumers when they purchase gift cards. The new law provides a minimum expiry period of three years which must be displayed prominently on the gift card as the full date or as a period of time. EIAC initiated a two phase educational campaign which commenced on 17 September through to the end of December 2019.



Some of the national consumer education campaigns that were promoted by NT Consumer Affairs this year.



COMPLIANCE AND DISPUTE RESOLUTION ADVISORY COMMITTEE (CDRAC)

The Compliance and Dispute Resolution Advisory Committee (CDRAC) reports directly to CAANZ. CDRAC consists of representatives from Commonwealth, state and territory agencies that regulate consumer protection and fair trading. This committee meets every month by way of teleconference and aims to ensure that compliance and dispute resolution across Australia is coordinated, efficient, responsive and consistently applied. Matters of national significance are highlighted at these meetings.

This year the ACL Dispute Resolution and Compliance and Enforcement Protocol was amended and endorsed in August 2019. This protocol sets out the agreed principals and mechanisms by which all jurisdictions work together under the single law, multi-regulator model and supports the ACL Memorandum of Understanding (MOU) signed by all Commonwealth, state and territory ministers responsible for consumer protection and fair trading in Australia and New Zealand.

NTCA senior staff participated in of a number of CDRAC working groups during the year. These included:

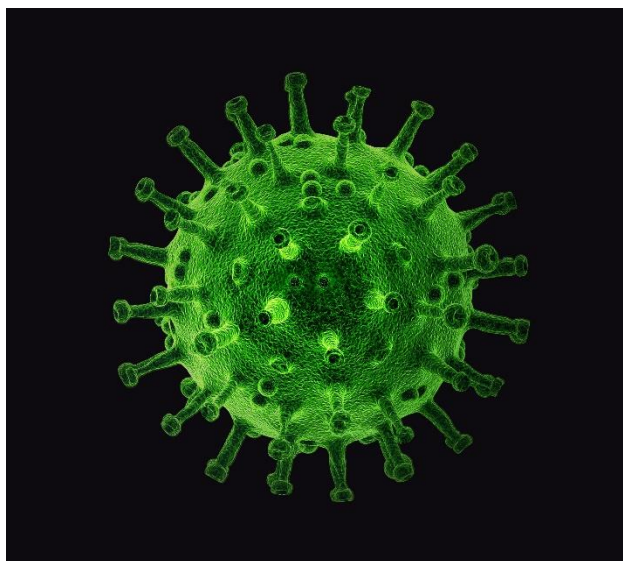
- The ACL Memorandum of Understanding working group that worked to modernise and update the MOU.
- The National Database of Consumer Complaints working group was formed resultant of a recommendation by the Productivity Commission to consider a range of options to determine how ACL regulators can have access to data and intelligence on complaints at a national level, to better inform decision-making by regulators and ultimately contribute towards modifying business behaviour to protect consumers.
- The Alternative Dispute Resolution Schemes working group which aims to gain a better understanding of the services provided by alternative dispute resolution schemes offered in the states and territories, as well as the existing interactions and referral processes between ACL regulators and these schemes. In turn, it is envisaged that this insight will aid in consideration of how these interactions with the schemes could be enhanced.

FAIR TRADING OPERATIONS GROUP (FTOG)

As a member of the Fair Trading Operations Group (FTOG), NT Consumer Affairs participated in collaborative and cooperative activities undertaken by consumer protection agencies to encourage fair trading by businesses nationally. FTOG directly supports the work of the Compliance and Dispute Resolution Advisory Committee (CDRAC), which coordinates national cooperation on compliance, dispute resolution and enforcement activities relating to the Australian Consumer Law.

COVID-19 IMPACT

In late January 2020 the emerging Coronavirus (COVID-19) was followed with great interest as the ramifications of possible travel restrictions were considered. Concerns around the negative impact on the travel sector were quickly founded as the virus spread rapidly and countries started closing their borders. The effect on the cruise industry was swift and with the restrictions on international travel and later, interstate border closures, left travel plans for many in tatters. The considerable reduction in demand saw the closure or reduced



operations of many tourism businesses which also affected commercial property leases. The knock-on effect of the pandemic saw many people suffer employment loss or reduced work hours. The sudden loss of income also led to unexpected hardship for many residential tenants and landlords.

As the significant financial implications for consumers became apparent, the CAANZ members formed an Urgent Response Group to ensure a consistent national response to business and consumer enquiries. This group met twice per week to discuss and decide on matters such as the collapse of Virgin Australia and other travel organisations. Securing refunds or credits for cancelled travel was found to be a major problem for consumers with many businesses attempting to change their terms and conditions after the consumers had purchased travel. Travel booked by agencies with third parties was also problematic as the agencies often did not receive refunds for cancelled travel and therefore were finding it financially difficult to provide refunds to their customers. Guidance material was developed and made available for both businesses and consumers.

On 29 March 2020, Prime Minister Scott Morrison announced a six month moratorium on residential and commercial tenancy evictions. He stated that communication between tenants, landlords and banks was key and that all parties needed to work cooperatively. Resultant from this announcement, all states and territories made the necessary adjustments to specific legislation to accommodate this.

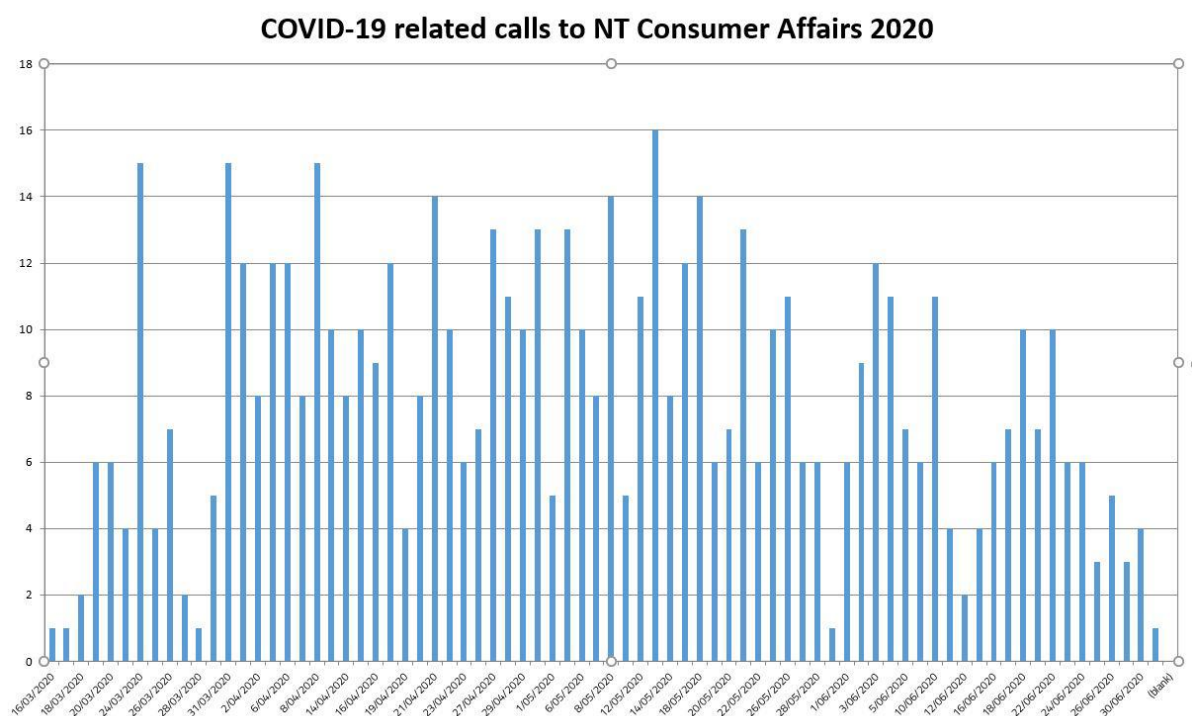
The legislation for self-government in the Northern Territory restricted rent relief that other states were able to provide for their tenants as it would have been considered an acquisition of property.

With this in mind, the modifications to both the *Residential Tenancies Act 1999* and the *Business Tenancies (Fair Dealings) Act 2003* were enacted on 28 April 2020. All modification notices were aligned with the COVID-19 health emergency period.

The modifications to the *Business Tenancies (Fair Dealings) Act 2003* required commercial landlords and tenants to negotiate in good faith for a period of at least 30 days, based on the National Cabinet Code of Conduct. Other changes related to re-possession and the need for compulsory mediation by the Northern Territory Civil and Administrative Tribunal (NTCAT).

The changes to the *Residential Tenancies Act 1999* were more complex and involved hardship clauses for situations where the rent of the property was more than 30% of the total gross household income. Restrictions were imposed on entry to the premises and notice times were extended to 60 days for evictions and rent default with the NTCAT process for evictions to allow for COVID-19 hardship provisions.

NTCA’s key customer service staff were greatly impacted by the effect that COVID-19 had on consumers, businesses, landlords and tenants. The call centre staff had to understand quickly and apply the modifications to the legislation to enable advice to be provided to often distressed callers. Our first COVID-19 related call occurred on 16 March 2020. The rate of calls to our call centre rose dramatically with the staff taking up to 60 calls per day with 2,316 calls received for the period 1 April to 30 June 2020.



Graph illustrating the surge of COVID-19 related calls to the NTCA call centre 16/3/2020 – 30/6/2020

MEDIA

Raising public awareness of issues affecting consumer protection is one of the most important functions of NTCA. It is critical that both consumers and businesses alike have a good understanding of their rights and responsibilities under Australian Consumer Law (ACL). Another important function is to educate and provide advice on the *Residential Tenancies Act 1999* to ensure all landlords and tenants understand their residential tenancy rights and obligations. This increased knowledge often helps to circumvent disputes and assists in protecting both landlords and tenants. The media plays a critical role in communicating these messages across the Northern Territory.

The Deputy Commissioner works closely with a range of media organisations in both a proactive and reactive way to ensure Territorians are alerted of current consumer affairs issues.



The NT Consumer Affairs Deputy Commissioner Sandy Otto conducting a 30-minute radio talk back monthly segment with ABC Darwin 105.7.

Over the reporting year, the Deputy Commissioner undertook 37 media interviews for radio, television and print media.

Monthly morning talkback sessions with the local ABC radio in Darwin were conducted. These provide an opportunity for the general public to have their queries answered live on air and to efficiently distribute information and advice on the latest scams, general consumer and residential tenancy information. In this way NT Consumer Affairs remains accountable and engaged with local communities.

EDUCATIONAL ACTIVITIES

As part of its ongoing commitment to consumer education, NT Consumer Affairs' staff conducted training and information sessions to a range of business and community groups. Our staff also attended expos and other community events to inform and educate the community about the legislation we administer.

Community groups, businesses, real estate agencies and non-government organisations regularly contact us to provide information sessions to their members. Many of these requests are now regular annual commitments. These opportunities give NT Consumer Affairs the opportunity to provide targeted advice for young, elderly and Aboriginal Territorians on a range of consumer protection issues including the Australian Consumer Law (ACL), lodging consumer complaints, vehicle sales and servicing, scams, travelling con men, door-to-door sales and residential and business tenancies.

The impact of COVID-19 put a hold on our regular community and educational activities for the 2020 portion of this year.

DARWIN DEFENCE DAY EXPO

Every year, the Department of Defence Community Organisation, holds "Welcome Expo" events in the main cities across Australia that host large numbers of Australian Defence Force personnel. These events assist Defence families to engage with local agencies and community groups to know where to seek help and support and to connect with the local community.



The Australian Defence Force coat of arms.

This year, the event was held at the Darwin Convention Centre on Saturday 8 February 2020 from 8:00am to 1:30pm and attracted about 1,000 newly arrived defence personnel, along with their families. Approximately 200 people attended the NTCA stand for advice and information material. The expo is a cost effective way to engage with newly arrived Territorians and to familiarise them with our services including information about residential tenancies. Many defence families were surprised to learn that their rental arrangements were covered by the *Residential Tenancies Act 1999* if they lived off the base.

Defence families remain an important and significant component of the local community and this expo gives NTCA a valuable opportunity to connect with them.



NT Consumer Affairs staff at the Defence Community Organisation Darwin Expo.

OUTREACH

Our community outreach program was significantly affected this year due to the COVID-19 pandemic. The key focus of this program is to share and increase access to our services with those living in remote and regional parts of the Northern Territory.

The Northern Territory population consists of approximately 30% Aboriginal people, many of which live in remote communities, scattered across the Territory, far from Darwin and Alice Springs. Aboriginal Territorians are often multilingual and may not use English as their first or even second language. This makes them particularly susceptible to unscrupulous traders, who sometimes target them deliberately. NT Consumer Affairs is very aware of its responsibility to offer all Territorians, irrespective of where they live, the same opportunities to become informed consumers.

Our website, social media platforms, YouTube and Facebook page, offer a means of engagement beyond Darwin but consumer advice is often complex and involves interpretation for each specific situation.

It is the role of our Outreach Officer to travel across the Territory and attend regional and remote community events. In a normal year this would also include a schedule of remote trips to the larger Aboriginal communities in the Darwin and Katherine regions during the dry season. Our staff in Alice Springs also contribute to our outreach program by visiting communities in Central Australia. However, the COVID-19 pandemic and the biosecurity travel restrictions imposed meant that the outreach program was significantly downscaled this financial year. Our efforts subsequently concentrated on local community events, trader visits and internal and external residential tenancy training.

Prior to the onset of COVID-19, one major trip was conducted by our Outreach Officer to the remote township of Borroloola, nestled near the western coast of the Gulf of Carpentaria. Borroloola is an almost 1,000km drive from Darwin and is a relatively large Aboriginal community of about 1,000 people.

In Borroloola a display table was set up near the entrance to the Malandari Superstore, the best location for engaging with locals when there is no community event happening. The Malandari Superstore is managed by the Arnhem Land Progress Aboriginal Corporation (ALPA), an organisation that is very supportive of the consumer work we conduct. Over the two day period our Outreach Officer engaged with 125 locals about their consumer related concerns.

The concerns varied greatly and included food pricing, purchasing second hand vehicles, transportation costs associated with vehicle purchases, conditions around mobile phone warranties and various scams.

COMMUNITY ENGAGEMENT

NT Consumer Affairs staff visited the University of the Third Age (U3A) seniors group at the Casuarina Library and presented information and advice regarding common scams and general internet and personal information security.

The Sunrise Centre, managed by the Salvation Army in Darwin, is an important stakeholder group which helps the homeless re-connect with their community by introducing them to friendship and activity groups. The program helps them find long-term accommodation, assists with financial concerns, arranges government income entitlements and other things such as advocacy and referrals. NT Consumer Affairs' information sessions provided an ideal platform to aid their re-introduction to the community by informing the participants of their rights and responsibilities when renting and providing valuable Australian Consumer Law advice. The Sunrise Centre program involved three sessions, with 28 people attending.

Other community engagement consisted of attending various not-for-profit agencies in and around the greater Darwin and Katherine regions, prior to the limitations resulting from the COVID-19 pandemic.



Information materials and merchandise provided by NT Consumer Affairs in its outreach program. The material is produced by NT Consumer Affairs, other consumer agencies and national consumer campaigns.

RESIDENTIAL TENANCIES INFORMATION SESSIONS

The Outreach Officer does considerable work informing and educating people about the *Residential Tenancies Act 1999* and offers support to our Fair Trading Officers with the more complex enquiries as well as conducting regular staff training sessions.

Another important aspect of this role is to connect with local real estate agencies and provide regular workshops. During the year 15 agencies were visited, with 188 agents attending the presentations. These workshops help reduce the chances of conflict between landlords and tenants and allows local real estate agents to see NT Consumer Affairs as an impartial source for information and advice.

WEBSITE

The NT Consumer Affairs website was moved from its original SharePoint platform to a new Squiz platform during the previous year. The website remains an important source of detailed consumer information for Territorians, especially for new and evolving consumer issues.

The website played an important role this year during the COVID-19 pandemic. The *Residential Tenancies Act 1999* and the *Business Tenancies (Fair Dealings) Act 2003* were modified to ensure a higher level of tenancy surety during this period. A new section of the website was dedicated to this comprehensive advice and guidance, including detailed, downloadable fact sheets.

The website provides consumers and traders, landlords and tenants, with a series of resource documents and information across the wide range of legislation that we administer. It is a source of detailed material to which our call centre staff can refer callers and for the public to access independently at any time.

The website also provides important information for local businesses with a comprehensive business section that includes ten broad topics including information on the Australian Consumer Law (ACL), business tenancies, gift card information, product labelling, conducting good business and resolving complaints and managing disputes.

Our website attracted 26,315 users during the reporting year which included 81,670 page views. In priority order, visitors connected with webpages covering Residential Tenancies (16%), complaints and disputes (3.7%), rental changes due to COVID-19 (2.9%), and our contacts page (2.8%).

In Australia, consumer law continues to change and evolve. The news section allows us to quickly alert the community of any changes and provide updated information. Data from our call centre also drives changes in our website as we become aware of emerging consumer issues in the community.

An important aspect of our website is the provision of information in simple, clear English. This assists all Territorians, including those where English is not their first language, to gain an understanding of consumer protection matters.

Our website is only one platform that we use to connect with Territorians. It works in conjunction with our social media platforms, our education programs and our outreach visits.



The main page of the NT Consumer Affairs website: <http://www.consumeraffairs.nt.gov.au> with the COVID-19 information links.

SOCIAL MEDIA

NT Consumer Affairs has two social media platforms, Facebook and YouTube, with Facebook being the most active. Over the past year our followers reached 2,550, progressively building on previous years.

Many Territorians live outside of Darwin in regional and remote areas where the only opportunity to engage widely is via social media platforms. With our Facebook page and YouTube channel, we can reach many Territorians well beyond the range of any possible outreach face-to-face program. Management of our social media platforms are also cost effective without requiring budgetary commitment beyond the usual staff resources.

Our YouTube channel has now had a total of 63,997 views up to the end of this financial year. The range of Aboriginal educational consumer videos remain the most popular. These videos were produced in both English and Yolngu Matha language in conjunction with the Arnhem Land Progress Aboriginal Corporation (ALPA). The video, "How did you break it" in Yolngu Matha recorded the highest number of views at 17,307.



An example of a national campaign Facebook graphic designed to warn Aboriginal Australians about door-to-door salespeople.

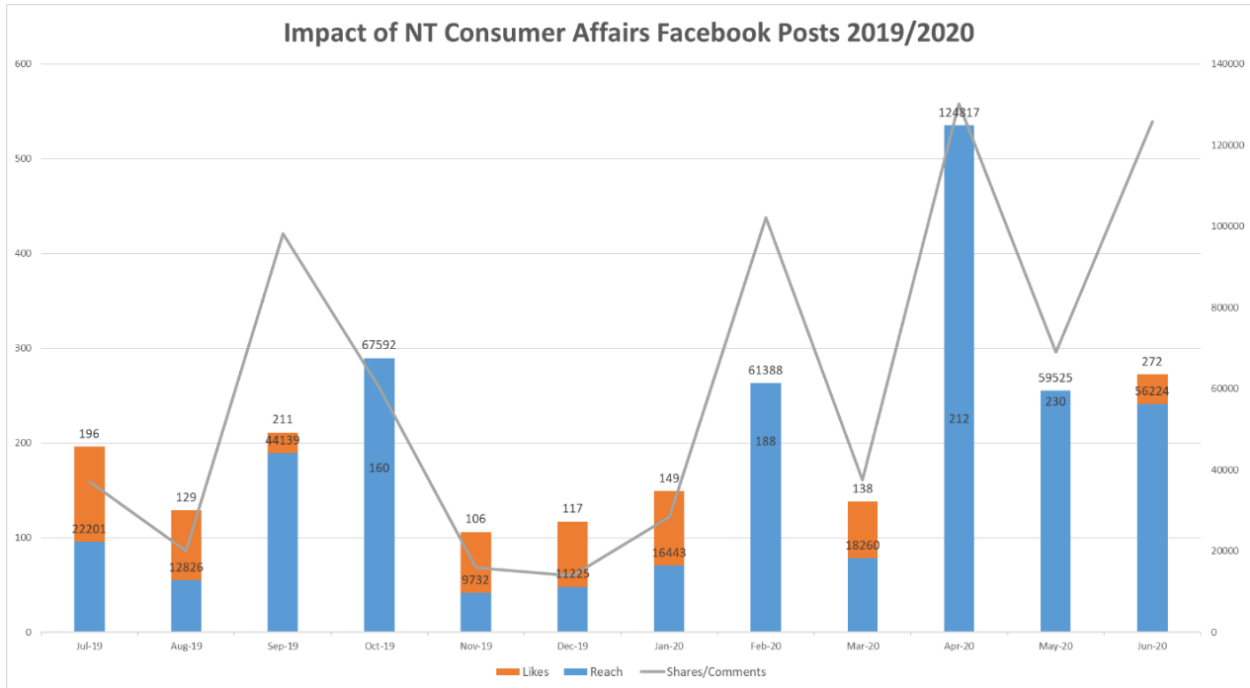
NT Consumer Affairs posts frequently via its Facebook page, covering a range of consumer protection issues facing Territorians. During 2019-2020 there were 306 individual posts, an average of 25 per month. Many of the posts are created from issues that arise during calls into our call centre, keeping Facebook posts current and relevant.

As a member of the national Education and Information Advisory Committee (EIAC), we shared a series of annual consumer campaigns across our social media platforms and website. This year's EIAC campaigns included the following:

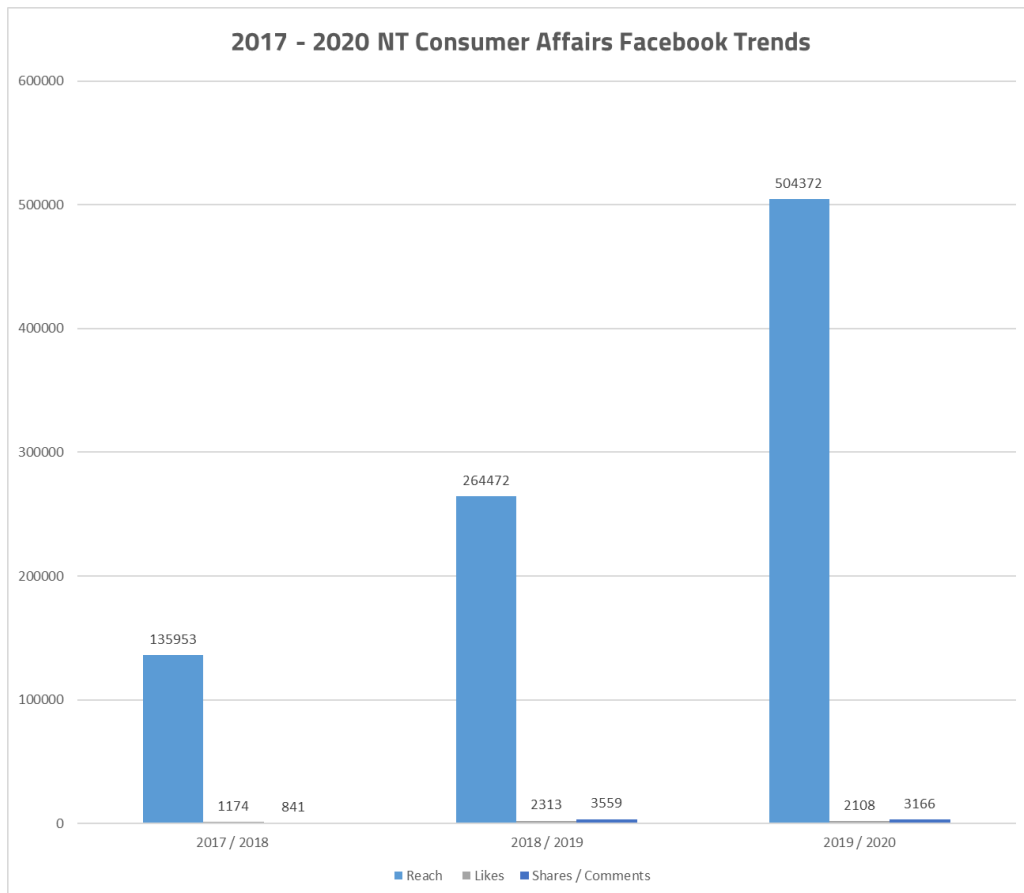
- Paper Billing – encouraging Territorians to apply for exemption from paper billing fees.
- Scams Awareness Week 2019 – a series of posts about different scams.
- Gift Cards – posts detailing the new changes to Australian gift card laws.
- Takata Airbags – posts encouraging the public to check their vehicle for faulty airbags.
- Stay Smart Online Week – an annual week long campaign detailing online safety information.
- Safe Summer – campaign focused on product safety for items commonly used during the summer months.
- Romance Scams – a targeted campaign to educate the public about the dangers of online romance scams.
- Well Winter - campaign focused on product safety for items commonly used during the winter months.

Most of our Facebook posts were created internally. They covered a wide range of consumer issues including the following:

- Residential tenancy advice;
- Scams, particularly new and emerging scams;
- Vehicle purchasing and repairs advice;
- Online safety advice;
- Travelling con men warnings;
- Personal information protection and computer security advice;
- Door- to- door sales , especially in Aboriginal communities;
- MyFuel NT – information about the website and the web app.



Graph showing the monthly impacts of the NT Consumer Affairs Facebook page.



Graph showing the three year trend in engagement of the NT Consumer Affairs Facebook page.

FAIR TRADING

It's been an eventful year for the team at Northern Territory Consumer Affairs with a new Commissioner coming on board, a number of changes to the legislation administered as well as disruptions to regular work schedules and increased workloads due to the COVID-19 pandemic.

The onset of COVID-19 resulted in a large number of cancellations, suspensions and delays by service providers, particularly in the tourism sector which generated an increase in the number of consumer enquiries to our office.

Fair Trading staff were required to keep up to date with all the best practice guidance collated by the CAANZ Urgent Response Group and the ACCC in order to provide consistent and accurate advice to consumers in response to COVID-19 related matters.

In response to the pandemic, in mid-March a decision was made to temporarily suspend all in person visits, trader visits and remote community trips to ensure the safety of clients and staff, with these services resuming in mid-June 2020 when it was determined safe to do so.

At risk staff were also encouraged to work from home during this time and measures were put in place for this to be facilitated with minimal disruption to the service of our clients.

Throughout this time, Fair Trading staff continued to provide formal conciliation to parties in dispute as well as a timely email and telephone enquiry service to consumers and businesses to ensure they were well informed of their rights and responsibilities under the Australian Consumer Law.

Trader visits = 960

Telephone calls = 8,729

Emails = 5,131

Walk-ins = 388

Consumer Conciliation Requests = 154

AN EXAMPLE OF A SUCCESSFUL CONCILIATION

A consumer had booked accommodation at a popular city hotel at a cost of almost \$5,000. The terms and conditions of the consumer's booking allowed cancellation and a refund within a certain time frame with a \$100 cancellation fee. The consumer opted to cancel their booking within the period specified due to uncertainty surrounding COVID-19, however, the hotel responded to the consumer's request by advising they could only issue a credit voucher valid for 12 months. Conciliation was undertaken by Fair Trading staff and a successful outcome was reached with consumer receiving their entitlement of a full cash refund less the stipulated cancellation fee.

TRADER VISITS

Although there were travel and community restrictions during 2020 due to COVID-19, NTCA staff managed to visit a large number of traders across the Territory.

Unless there is a specific cause of concern with a business, most face-to-face visits are cold calls with particular areas targeted at any one time. For example, it may be a case that all businesses in the Darwin CBD receive a visit from one of our staff members. Generally, we try to visit most businesses annually. We use these visits to encourage businesses to like us on Facebook to keep up with the latest consumer and business information as well as scams that can target small businesses.

During these trader visits, we provide information on the role NT Consumer Affairs plays in the community and provide informative guides that will assist businesses in their interactions with their customers. Some businesses are surprised to hear that we are here as much for the business as the consumer, particularly when the consumer is not always right. Advice is provided about our processes in relation to conciliation and complaint handling.

The visits give the business a clear avenue to contact NTCA if they are in need of advice.

This year 960 trader visits were conducted across the Territory, including 181 trader visits in the Alice Springs region.



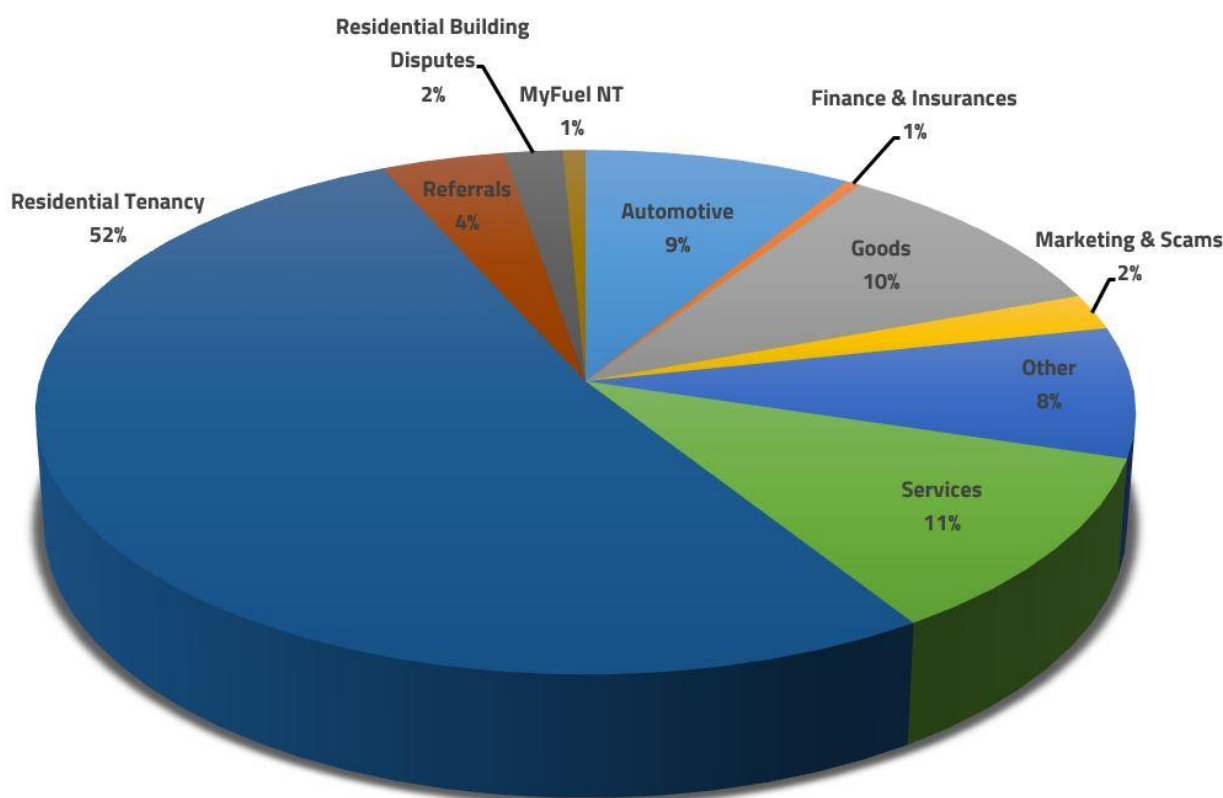
Fair Trading Officers regularly conduct trader visits to businesses across the Territory.

ENQUIRY SERVICE

The NT Consumer Affairs' call centre is operated by four dedicated Fair Trading Officers between 8:30 am and 4:00 pm during business days. This is the most utilised service we offer, with staff taking anywhere up to 50 calls per day.

Timely and professional responses were maintained and they were successful in keeping the abandoned call rate under the 6% target for the year.

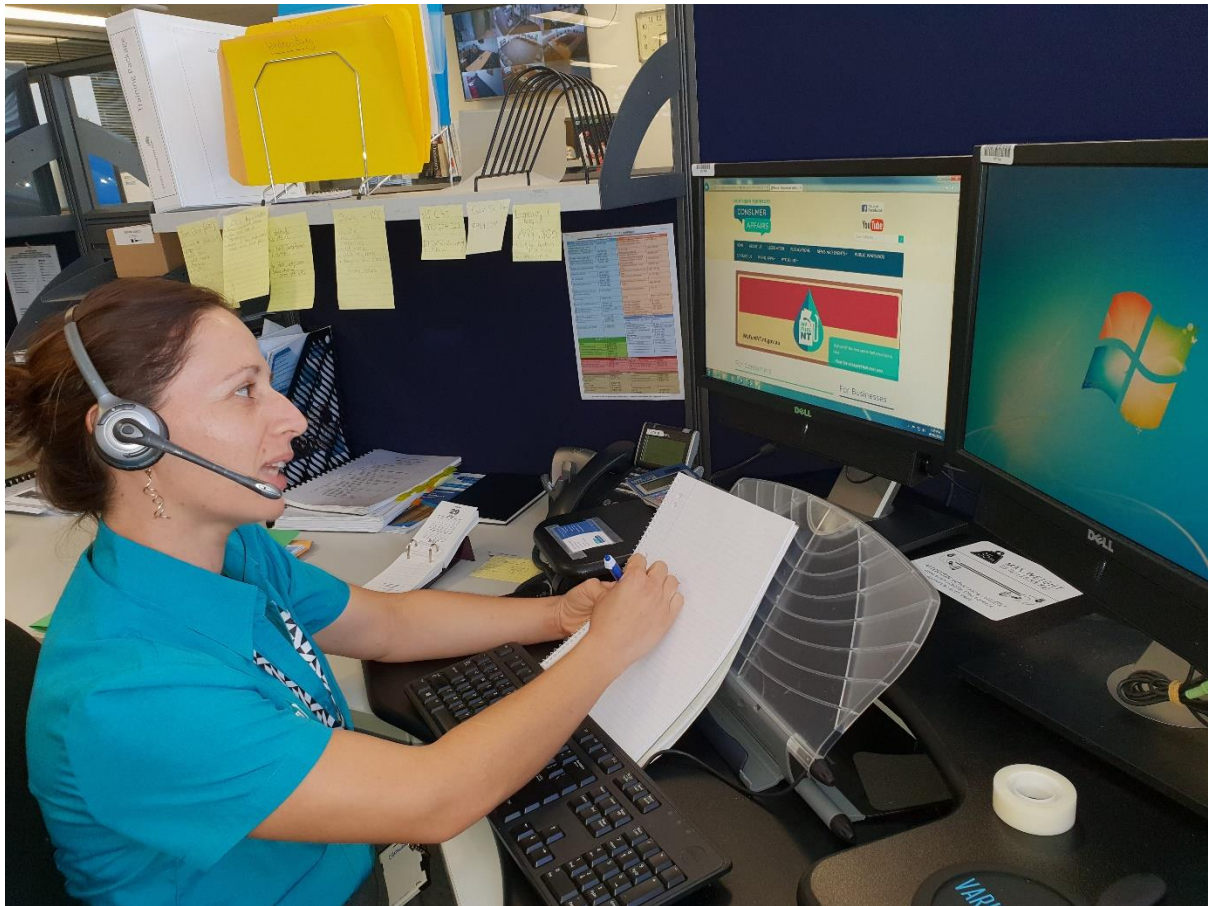
2019 - 2020 Telephone Enquiries by Type



Our email is a popular contact method for those consumers who cannot contact us during our business hours. We received a total of 5,131 emails throughout the year.

During the 2019-2020 financial year, a combined number of 15,206 enquiries across all mediums were received and a total number of 1,495 business actions were taken.

Although the figures are slightly down on the previous financial year, NT Consumer Affairs still maintained a steady workflow for much of the year. The COVID-19 legislative modifications resulted in more complex calls and corresponding advice. All staff managed the COVID-19 changes extremely well and worked hard to absorb and fully understand the complexity they involved.



NT Consumer Affairs operates a call centre each business day between 8:30am and 4:00pm.

DISPUTE RESOLUTION

An important role of NT Consumer Affairs is to offer advice and support when Territory consumers have experienced a failure with goods or services supplied by a business. Under the Australian Consumer Law (ACL) there are a series of consumer guarantees that all Australians are entitled to. After consumers have tried to resolve their issue with a business in writing, they are encouraged to seek assistance from NT Consumer Affairs by lodging a Consumer Conciliation Request (CCR).

Our Fair Trading Officers provide a dispute resolution service between the consumer and the business to help them come to a mutually agreeable resolution. During this process, businesses are informed as to whether their actions when dealing with the consumer may have been in contravention of the ACL and what they should do to remedy the situation. Our staff remain impartial and encourage both parties to explain their positions and offer solutions for consideration. Sometimes the two parties are unable to reach a resolution and when this occurs the parties are advised of further options available to them. Depending on the circumstances of the issue this may include progressing the matter to a Court or Tribunal of competent jurisdiction.

In the past financial year, 154 Consumer Conciliation Requests were received.

EXAMPLES OF SUCCESSFUL CONSUMER CONCILIATION REQUESTS

Conciliations can take place between a consumer and a trader or a consumer and a manufacturer. Consumer Affairs will liaise directly with a manufacturer where the situation requires it, and there have been several successful conciliations resulting from direct negotiations with a manufacturer in the past year.

On two occasions, a Fair Trading Officer successfully negotiated with technology manufacturers on behalf of the consumer with the consumers receiving either a new phone to replace the faulty one, or a full refund. Both phones were valued at more than \$1000 and the consumers suffered no loss or detriment due to the failure. On another occasion, a consumer received a full refund of \$699 from the manufacturer, as repairs to the faulty dishwasher were going to cost more than to refund the consumer.

On occasion, Consumer Affairs are able to achieve large refunds for consumers where there has been a failure of Consumer Guarantees or a breach of Australian Consumer Law.

During this year, a successful outcome was achieved for a consumer following the purchase of a vehicle for \$38,305 after it suffered a major failure. Over the course of the conciliation, the Fair Trading Officer was able to successfully negotiate a full refund of the loan payment amount, plus the cost of the accessories that had been added to the vehicle by the consumer after purchase.

The final amount paid to the consumer was undisclosed, however the consumer was extremely satisfied with the outcome.

A successful conciliation outcome does not always take the form of a refund or replacement. Sometimes extensive repairs on a product can be the result of a successful conciliation. These are often for motor vehicles, however can be for any type of product. Conciliations that involve negotiation of extensive repairs can often be a lengthy process, with the Fair Trading Officer liaising between the consumer and business, often for months at a time. Conciliations are often undertaken with interstate traders, as the conciliation service provided by Consumer Affairs is not limited to NT businesses only. When purchasing motor vehicles from interstate, it is strongly advised that consumers have the vehicle thoroughly assessed by a reputable mechanic prior to purchase to avoid suffering a loss or detriment in the future.

Two separate conciliations took place during 2019-2020 which involved major repairs on two vehicles. In both situations the vehicles required extensive repairs to remedy numerous faults, as the traders were unwilling to provide the consumers with a refund. One of the traders was a West Australian business from whom the consumer purchased a vehicle sight unseen. Both consumers accepted the remedy of full repairs to be conducted, and the repairs on the vehicles took seven and eight months respectively. Both consumers were very satisfied with the outcome received from the conciliation, and the commitment and attention to detail by the Fair Trading Officers involved during the process was highly commendable on both occasions.



Automotive enquiries, including sales and servicing, accounted for 9% of all calls into the NT Consumer Affairs telephone enquiry centre.

RESIDENTIAL TENANCIES

In response to the Prime Minister's address announcing a moratorium on rents, the Northern Territory Government introduced the Tenancies Legislation Amendment Bill 2020 which allowed Modification Notices to be implemented in the Territory, affecting both residential and commercial tenancies.

As Northern Territory Consumer Affairs administers the *Residential Tenancies Act 1999* and the *Business Tenancies (Fair Dealings) Act 2003*, staff were quick to familiarise themselves with the changes and to competently relay this information to tenants and landlords alike. Significant work was undertaken to update our website with information and fact sheets and to provide amended notices relevant to the changes.

Our call centre was inundated following the announcement of legislative change with enquiries from agents, landlords and tenants with regard to residential and commercial tenancies and their rights and responsibilities in these uncertain times.

A number of question and answer sessions were held in relation to the legislative changes with the Real Estate Institute of the Northern Territory and additional training sessions were provided to individual real estate agencies to ensure they were aware of their responsibilities under the new legislation.



Over thirty thousand dwellings in the Northern Territory are rented, amounting to a little over 50% of the population. The Australian average is a little over 30%. [Australian Bureau of Statistics 2016].

In addition to the Tenancies Legislation Amendment Bill 2020, the Residential Tenancies Amendment Bill 2019 was passed outlining a number of legislative changes to the *Residential Tenancies Act 1999*. The new bill was originally due to commence in April 2020, however the changes were not enacted due to uncertainty surrounding COVID-19.

As well as providing education and advice to agents, landlords and tenants, NTCA continues to maintain the Tenancy Trust Account, holding in trust security deposits of former tenants who were unable to be located by their landlord or agent after a six month period.

The screenshot shows the Northern Territory Consumer Affairs website. The header includes the logo, contact information (1800 019 319, consumer@nt.gov.au), and navigation links (About us, For consumers, For businesses, Legislation, Publications, Contact us, More). The main content area is titled 'Rental changes due to COVID-19' and contains the following text:

The COVID-19 pandemic and the resulting restrictions have put some Territorians into financial difficulties. This has resulted in the NT Government examining the Residential Tenancies Act 1999 and the Business Tenancies (Fair Dealings) Act 2003 to assist renters remaining in their rental properties for the duration of this crisis.

Currently all parties have a responsibility to work together to sustain tenancies to keep people in their homes/businesses. NT Consumer Affairs strongly encourages any renters who are experiencing financial distress due to the pandemic and cannot pay their rent, to contact their property owner or manager to negotiate a solution as soon as possible.

You should:

- talk to your property owner or manager to negotiate a suitable outcome
- try to be understanding and reasonable in your dealings with each other
- consider each situation individually
- document any decisions made
- follow any government and/or health agency requirements.

Below the text are several links to Government Gazette notices, each with a PDF icon and file size:

- [Government Gazette No. 548 - Extension of Operation of Declaration of Public Health Emergency](#) PDF (168.3 KB)
- [Government Gazette No. 536 - Extension of Operation of Declaration of Public Health Emergency](#) PDF (148.3 KB)
- [Government Gazette No. 532 - Residential Tenancies Act 1999 - Amendment \(No. 2\) 2020](#) PDF (159.3 KB)
- [Government Gazette No. 529 - Residential Tenancies Act 1999 - Amendment of Modification Notice](#) PDF (160.4 KB)
- [Government Gazette No. 528 - Residential Tenancies Act 1999 - Modification Notice](#) PDF (253.0 KB)
- [Government Gazette No 527 - Business Tenancies \(Fair Dealings\) Act 2003](#) PDF (159.4 KB)

Further information and fact sheets can be found by following the navigation links on this page.

On the right side of the page, there is a sidebar titled 'Rental changes due to COVID-19' with a list of links:

- [COVID-19 Tenancy Amendments overview](#)
- [Commercial leases affected by COVID-19](#)
- [Residential landlords affected by COVID-19](#)
- [Residential tenants affected by COVID-19](#)
- [Overview of modifications to processes](#)
- [Modified notice timeframes](#)
- [Modified entry and inspection process](#)
- [Modified NTCAT process for termination](#)

The COVID-19 pandemic legislative changes resulted in a new section being created on the NT Consumer Affairs website to facilitate public enquiries.

RESIDENTIAL BUILDING DISPUTES

The functions of the Commissioner of Residential Building Disputes under the *Building Act 1993* and the associated Building (Resolution of Residential Building Work Disputes) Regulations, include facilitating mediation and conciliation conferences, hearing and deciding applications relating to contraventions of consumer guarantees and arranging technical inspections of buildings.

Our office continues to receive a steady number of enquiries and applications with regard to building disputes. In the past financial year, staff received 107 calls from home owners requesting information and assistance with their building matter. The Commissioner received a total of nine applications relating to alleged defective building works.



BUSINESS TENANCIES

The Commissioner of Consumer Affairs holds statutory responsibility for the *Business Tenancies (Fair Dealings) Act 2003* (the Act). The Act provides a regulatory framework for landlords and tenants who hold leases, mostly relating to retail tenancies. Our office facilitates conciliation and mediation and conducts inquiries in relation to retail tenancy disputes under this Act.

Both the landlords and tenants have certain rights and responsibilities under this Act that include:

- Landlords having to provide prospective tenants a Tenant Disclosure Statement at least seven days before a lease is entered into;
- Contributions by the tenant for any outgoings must be specified and agreed to in the lease, and
- Prohibitions on unconscionable behaviour by both parties.

If a dispute arises between the landlord and the tenant, we encourage both parties to contact us for advice. We provide a voluntary conciliation process if the two parties cannot come to an agreement between themselves. If this conciliation process is unsuccessful, the Commissioner of Business Tenancies has the authority to issue a Certificate of Failure to Resolve a Tenancy Claim. This then allows both parties to settle the matter through a court of competent jurisdiction. The Commissioner of Business Tenancies received 10 Applications for Determination of Retail Tenancy Claim during 2019-2020.

COMPLIANCE

As a regulator, our compliance work acts to safeguard consumer rights and investigate alleged contraventions of the legislation we administer. In taking a risk-based approach, we focus our compliance efforts to prevent business practices that are unfair, to minimise detriment to consumers from businesses that fail to comply with the law, and adopt proportionate enforcement action when necessary.

Management of the MyFuel NT scheme is one of a range of functions undertaken by the compliance team. This role includes the provision of support and education to fuel retailers to assist understanding of their obligations and promote voluntary compliance. Proactive engagement, inspection and monitoring programs are an effective means to achieve that important goal, to maximise the scheme and ensure accuracy of the fuel price data.

This section provides an overview of some key activities undertaken in 2019-2020.

MYFUEL NT

The Northern Territory Government fuel price reporting scheme requires the publication of accurate and comprehensive fuel price information by fuel retailers throughout the Northern Territory. This information is made easily accessible by the public via the MyFuel NT website application. The scheme takes into account the different circumstances of each of the fuel retailers as it allows them to report fuel price data in multiple ways including by web portal login, bulk data upload or by phone. The regulation of the scheme and all aspects of the MyFuel NT on-line system are managed by NT Consumer Affairs compliance unit.

As at 30 June 2020, there were 205 operating fuel outlets registered under the scheme across the Northern Territory.

The total number of users of the MyFuel NT website rose to 59,452 with 589,964 hits to the site. The Consumer Affairs regulatory regime initially involved an education-focused approach to compliance while fuel retailers adapted to reporting requirements. However, to ensure quality of the published data, penalties are available to ensure fuel retailer compliance.

The number of Price Mismatch Reports lodged by consumers directly through the website application dropped to four over the past year. Of those instances where consumers found that the fuel price at the outlet was different to the website reported price, three were browser price errors associated with price updates to the website. Investigation of each report revealed one report was lodged in error while the remaining three resulted in satisfactory resolution following contact with the fuel retailer.

The compliance and enforcement strategy implements activities including on-site compliance audits at fuel outlets across the Northern Territory. NT Consumer Affairs officers have conducted 1,160 on-site fuel outlet visits in the past year. In addition, the compliance program included desktop monitoring of remote outlets with 361 contacts conducted.

Enforcement action was taken during 2019-2020 with the issuance of ten Infringement Notices against fuel retailers for offences including failing to report a fuel price and displaying an incorrect fuel price on a price board. Penalties to the value of \$4,011 were invoked for these breaches of the scheme which were identified during on-site compliance activities.



The MyFuel NT web app is promoted on our Facebook page, YouTube channel, and a variety of promotional materials distributed during community engagement events.

SCAM ONLINE-SELLING WEBSITES

The wonders of the internet have made on-line trading easy and accessible. However, since almost anyone can purchase a domain name and create a website, the internet has also become a breeding ground for cyber criminals looking to exploit the unsuspecting.

From September 2019, an investigation commenced following reports from consumers regarding a caravan sales website which claimed to have a showroom in the Darwin area. Under the guise of a legitimate Australian business selling on-line, the website was found to be a cleverly executed scam.

It was to become a continuing area of focus over the remainder of the year as a series of some 32 websites were uncovered. Using increasingly creative techniques, the scammers managed to make the offer of a range of caravans, boats, farming and construction machinery look like a deal too good to pass up.

The websites appeared convincing. The domain names were similar to the legitimate registered Australian Business Names and Numbers used. The inventory of vehicles and machinery looked impressive and was hugely discounted. The basic pages, such as "About Us", "Meet the Team" and "Contact Us" that one would expect of a trustworthy site, were there.

The level of deception used by the scammers was aimed to reassure even those savvy consumers doing their own scam spotting checks. The methods evolved over time to include the COVID-19 pandemic as a reason for closed showrooms to deny the ability to inspect the goods and to avoid personal interaction with buyers.

However, deeper investigation confirmed that the websites were the work of scammers. Every aspect of the websites were fake, the business name information was stolen and used to register the domain names, and the images of the sales team and the goods for sale were plagiarised from other world-wide sites.

The victims were directed to pay via bank transfer to Australian bank accounts and unfortunately, as scams, these transactions are largely irretrievable and tracking the scammers an impossible task.

Identity theft was another typical focus of the scammers, who also took the opportunity to harvest personal and sensitive information and documents when dealing with victims. Identity crime is a key means to perpetuate further fraud and facilitates other offences including money laundering.

Of the 32 fake sites detected by us, 29 were successfully shut down. We will continue our efforts to disrupt this area of cybercrime by sharing intelligence about scam reports with co-regulators, the Northern Territory Police Cybercrime Unit and the Australian Cyber Security Centre.

The financial loss suffered by victims that reported to NT Consumer Affairs amounted to \$535,625. It is known that these figures vastly understate the actual losses, due to the number of people who do not come forward to report their experience when scammed.

We have had many positive comments from the public about our Facebook posts that warn about these types of scams. These comments have shown the warnings work. The comments indicate that we have saved people from losing many thousands of dollars after reading these warnings.

By continuing to raise awareness among the public about these types of scams and what to look out for, we can hopefully save at least some people from the impact of these crimes which leave victims financially and emotionally devastated.

CGB Machinery
 DUE TO COVID-19 PANDEMIC WE HAVE IMPLEMENTED FOR OUR CUSTOMERS THE CRYPTO CURRENCY PAYMENT METHOD! PAY NOW WITH BTC OR ETH GET EXTRA DISCOUNTS

30% Off Storewide

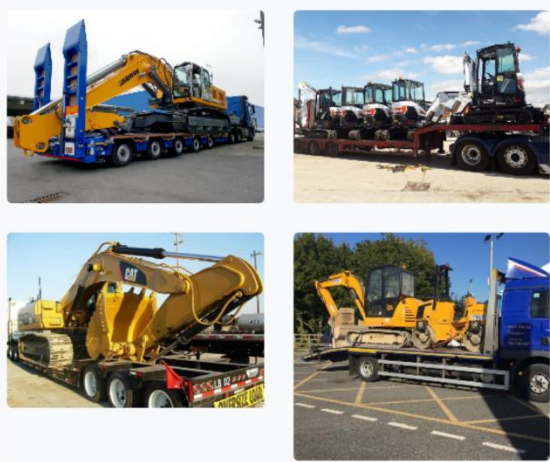
HOME ABOUT CGB CONSTRUCTION EQUIPMENT FARM TRACTORS SERVICE REVIEWS CONTACT US

ABOUT CGB Machinery

CGB Machinery is very much a family run business, dealing with many of its customers on a personal level.

Here at CGB Machinery we have grown a reputation for high standards and attention to detail. As the company has transformed and diversified over the past 13 years, we now specialise in delivering high quality second hand machinery and equipment to the market. Whether that be a compact tractor for your home or business, to a JCB Telehandler to work on a construction site or on farm, or a 200hp Tractor. We have the machinery solution to meet your requirements, whether through our own stock or the extensive network of suppliers and contacts we have built up in the industry over the years of trading.

We are very much a personal, hands on family company, you will more



One of the scam websites that was identified and removed by the Compliance unit of NT Consumer Affairs.

2019/20 COMPLIANCE STATISTICS

Investigations conducted	49
Investigations concluded	47
Traders placed on notice/cautioned	25
Infringement Notices issued	10
Compliance education provided	264

ALICE SPRINGS REGIONAL OFFICE



Alice Springs is the third-largest population centre in the Northern Territory with an urban population of 26,534. It is located 1500kms south of Darwin, in the heart of Central Australia.

The Alice Springs office, with two staff members, oversees all functions of NT Consumer Affairs throughout the southern region of the Northern Territory.

Over the reporting year, the staff were kept busy and were able to refocus priorities into areas that were unaffected by the COVID-19 restrictions. Some of these activities included the following:

COMMUNITY ENGAGEMENT

As in previous years, staff set up consumer advice stalls in the two main shopping centres, Alice Springs Plaza and Yeperenye Shopping Centre. These community engagement opportunities occur in the weeks leading up to the Christmas season when the centres are particularly busy.

The staff found that this time of year gives them a great opportunity to remind consumers of their shopping rights and Australian Consumer Law (ACL), including, layby, gift cards, purchasing online and scams. We also distributed a range of information pamphlets and booklets about the legislation we administer. A total of 35 members of the local community were given advice during these events.

Staff also connected with visitors during the Seniors Health and Wellness Day at Yeperenye Shopping Centre and assisted with a number of issues including scams, the MyFuel NT web app, "Do Not Knock" signage, residential tenancy information and provided general ACL advice. Fourteen visitors were directly engaged during this event.

Regional officers also conducted regular on-site compliance audits at fuel outlets, in support of the MyFuel NT Scheme.

Annual tenancy information sessions were conducted again in October and November 2019 to real estate agencies in Alice Springs. This also included an information session for private landlords.

A total of 33 people attended and learnt about their rights and responsibilities under the *Residential Tenancies Act 1999*.

ALICE SPRINGS HEADS OUT TO THE REMOTE REGIONS

Due to COVID-19 restrictions, the Alice Springs staff had to defer a trip into the Barkly Region and other remote areas of Central Australia.

However, prior to COVID-19 we were able to visit the community at Hermannsburg, where local businesses were informed about their rights and obligations under the Australian Consumer Law (ACL).

TRADER VISITS

A total of 140 businesses were contacted leading up to the national gift card law changes.

By meeting with these traders and fully explaining the changes, it helped to avoid any future disputes between the businesses and their customers.

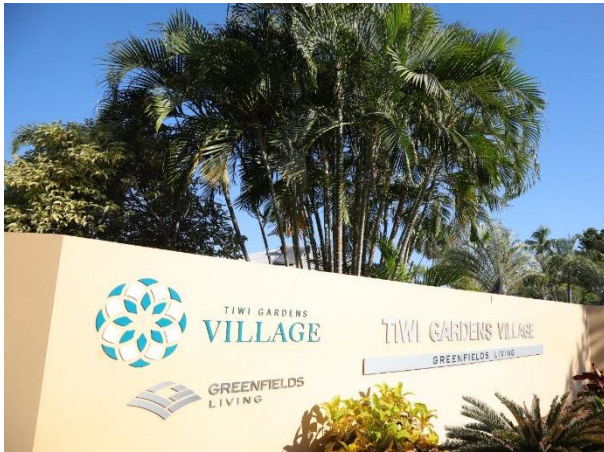
A further 41 businesses were visited during the reporting year in relation to their obligations under the Australian Consumer Law (ACL).

The Alice Springs Office continues to receive high volumes of enquiries, with the majority of these relating to residential tenancies. Having staff based in Alice Springs ensures we effectively service Territorians living in Central Australia.

RETIREMENT VILLAGES ACT

NT Consumer Affairs administers the *Retirement Villages Act 1995* and its associated regulations in the Northern Territory. Greenfields Living has two retirement villages, Tiwi Gardens Village in Tiwi and a newer village, Durack Gardens in Palmerston. Southern Cross Care has the Pearl Retirement Village, located in Fannie Bay with villa style units, as well as supported care facilities.

Due to the introduction of COVID-19 restrictions in early 2020, engagement with all retirement villages was conducted by telephone in lieu of face-to-face meetings. No issues were reported at the time. During the year we had four contacts from the villages. These involved questions relating to the lease of some units under the *Residential Tenancies Act 1999* provisions.



Tiwi Gardens Village and Durack Gardens, managed by Greenfields Living.

CARAVAN PARKS ACT

In the Northern Territory, caravan parks are regulated by the *Caravan Parks Act 2012* (the Act) and administered by NTCA. The Act is similar to the requirements of the *Residential Tenancies Act 1999* for residents and operators. The Act has provisions for fixed-term residents as well as long-term residents who have resided in the park for more than five years.

During this reporting period we received calls from operators clarifying their compliance with the Act. These calls related to rent increases and lease clauses. Other calls were from caravan park residents for general advice about their rights.

During this year we received seven contacts in relation to caravan parks.



KOA & Malak Caravan Park, McMillans Road, Malak, Darwin.

OTHER STATUTORY RESPONSIBILITIES

Due to the restructure in the regulatory services division, some of the consumer protection legislation that was delegated to the former Director General of Licensing, became the responsibility of the Commissioner of Consumer Affairs and are listed as follows:

Associations Act 2003

Commercial and Private Agents Licensing Act 1979

Consumer Affairs and Fair Trading Act 1990 – Parts 10 and 14

Consumer Affairs and Fair Trading (Tow Truck Operators Code of Practice) Regulations 1996