

CONSUMER
AFFAIRS

2016/17

ANNUAL REPORT



The Hon Natasha Fyles
Attorney-General and Minister for Justice
Parliament House
DARWIN NT 0800

Dear Minister

RE: ANNUAL REPORT 2016-17

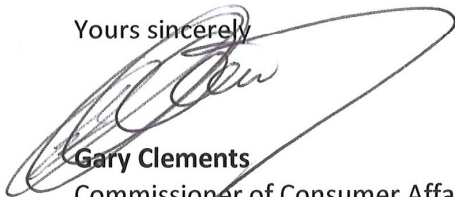
The Department of the Attorney-General and Justice 2016/17 Annual Report includes performance reporting on Northern Territory Consumer Affairs in conformity with the requirements of the *Public Sector Employment and Management Act* and the *Financial Management Act*.

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*;
Section 14 of the *Business Tenancies (Fair Dealings) Act*;
Section 20 of the *Caravan Parks Act*; and
Part 5A of the *Building Act*.

I have the pleasure in submitting to you the Commissioner's report for the year ended 30 June 2017.

Yours sincerely



Gary Clements
Commissioner of Consumer Affairs
Northern Territory Consumer Affairs

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COMMISSIONERS COMMENTS

NT Consumer Affairs has had another successful year promoting and regulating responsible business conduct throughout the Northern Territory.

We have maintained our strong focus on Aboriginal consumer protection, acknowledging that the NT's Aboriginal population can be some of our most vulnerable consumers.

The national campaign 'It's OK to walk away close the door or hang up the phone', was launched in December 2016 by the Attorney-General and Minister for Justice, the Hon Natasha Fyles. The campaign included 'Do Not Knock' stickers, postcards and posters which have been distributed widely, with the message that high pressure sales tactics are not welcome in the Northern Territory. The campaign seeks to educate Territorians about their rights and traders about their responsibilities under the Australian Consumer Law (ACL).

NT Consumer Affairs took this campaign one step further with the development and launch of our indigenous consumer education videos. The videos were creatively developed in conjunction with the Arnhem Land Progress Aboriginal Corporation (ALPA). The videos recorded in both English and Yolngu Matha languages were filmed in remote communities, providing real jobs, for local people.

The MyFuel NT project was announced by the NT Government in January 2017 with NT Consumer Affairs to administer this new legislation. A significant amount of work has already been invested in the development of the MyFuel NT

website with the new fuel price reporting system to commence on 1 November 2017.

NT Consumer Affairs staff continue to engage with the broader community in

a variety of ways, including trader visits, remote community visits, information stands at community expos and events, and connecting through social media (Facebook and YouTube) and our website.

We continue to receive a high number of enquires by phone, email and people attending our offices in person. The proficient staff at NT Consumer Affairs dealt with 16,138 enquires over the past financial year.

Residential Tenancy enquiries continue to be the majority of enquiries (54% of total enquiries) received by our office.

We continue to provide a customer-centric, timely service, and the dedication of my staff ensures that Territorians are provided with high levels of consumer protection no matter where they live throughout the Northern Territory.

NT Consumer Affairs was also strongly involved in the review of the ACL with the final report provided to Ministers in April 2017. Further work to amend the law will ensure it remains a strong and contemporary piece of legislation.



Gary Clements
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 an independent office within The Department of the Attorney-General and Justice and reports to the Chief Executive Officer in regard to compliance with the *Financial Management Act* and the *Public Sector Employment and Management Act*.

The Commissioner reports directly to the Attorney-General and Minister for Justice under statutory appointments pursuant to the following Acts:

- Section 12 of the *Consumer Affairs and Fair Trading Act*;
- Section 15 of the *Residential Tenancies Act*;
- Section 11 of the *Retirement Villages Act*;
- Section 14 of the *Business Tenancies (Fair Dealings) Act*;
- Section 20 of the *Caravans Parks Act*;
- Section 6 of the *Price Exploitation Prevention Act*; and
- Section 54F (3) of the *Building Act*

LEGISLATIVE RESPONSIBILITIES

Accommodation Providers Act

Building Act – Residential Building Dispute Function

Business Tenancies (Fair Dealings) Act

Caravan Parks Act

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

Partnership Act

Price Exploitation Prevention Act

Residential Tenancies Act

Retirement Villages Act

Sale of Goods Act

Uncollected Goods Act

Warehousemen's Liens Act

HIGHLIGHTS AND MATTERS OF SIGNIFICANCE

NATIONAL CAMPAIGN 'IT'S OK TO WALK AWAY'

NT Consumer Affairs is an active member of the National Indigenous Consumer Strategy (NICS) working group who recognise Aboriginal consumers to be one of the most vulnerable consumer groups in Australia. Every year a national project is agreed upon that aims to provide education, assistance and empowerment to Aboriginal consumers throughout Australia.

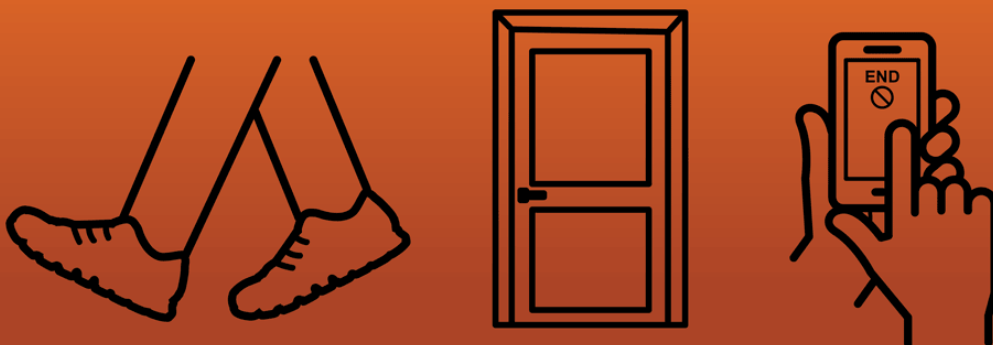
This year's project, 'It's Ok to Walk Away' was chosen as there is recognition that Aboriginal people are very reluctant to say no to people who come door knocking or call them on the telephone or simply approach them on the street in a bid to sell them something. Often they will say "yes" and agree to what is offered to get them to go away. This can result in the consumer agreeing to purchase something they really don't need or want.

More often than not, the price is also inflated and unknowingly they sign agreements to have money automatically withdrawn from their account. While it is a national project, each jurisdiction promoted the project using their own timelines and resources.

The campaign was launched by the Attorney-General and Minister for Justice, the Hon Natasha Fyles along with the Commissioner of Consumer Affairs, on 8 December 2016. NT Consumer Affairs and the Arnhem Land Progress Aboriginal Corporation (ALPA) worked together to produce a video in both English and Yolngu Matha languages using local media trained community members for the 'It's Ok to Walk Away' campaign which was provided to the NICS group to use nationally as part of this campaign.

The campaign's aim is to empower Aboriginal consumers to have the ability to say "no", to walk away or hang up the telephone without feeling embarrassed.

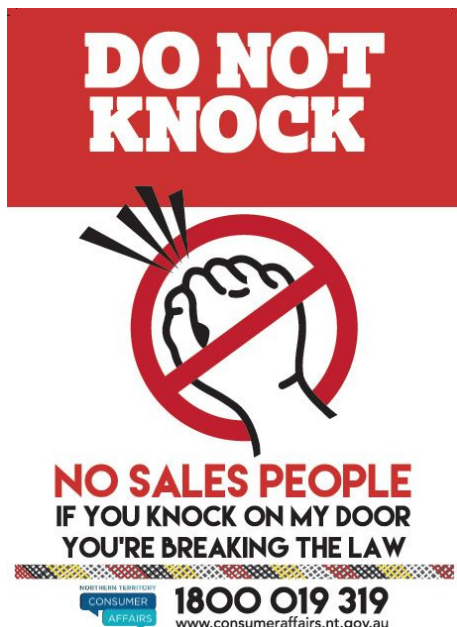
Don't be pressured or tricked by salespeople



The project encourages Aboriginal consumers to know there is no shame in saying “no” and encourages them to “tell us their story”.

The ‘Do Not Knock’ video in Yolngu Matha and English has been viewed predominately by the target Aboriginal audience. A total of 11,246 people viewed the videos, with the Yolngu Matha version on the ALPA and NT Consumer Affairs YouTube pages viewed 8,823 times. This has resulted in the call centre receiving increasing numbers of calls from Aboriginal consumers seeking advice and often indicating that they have seen our contact number on the television at the local shops.

A postcard and poster were also produced outlining the key messages of the campaign. NT Consumer Affairs has also developed a ‘Do Not Knock’ sticker that can be put near the front door of homes that warns travelling sales people not to knock. If a trader does knock on a property with this sticker, then they are breaking the law. A pecuniary penalty of \$50,000 if the person is a body corporate; or \$10,000 for an individual applies to breaches. A total of 3,885 stickers, 1,352 postcards and 259 posters have been distributed throughout the Territory.



INDIGENOUS EDUCATIONAL VIDEOS



Image: Buyman on the set of the ALPA film shoot

NT Consumer Affairs in conjunction with the Arnhem Land Progress Aboriginal Corporation (ALPA) developed a range of Indigenous consumer education videos in both English and Yolngu Matha, all of which were filmed in remote communities, providing employment for local actors, film and sound crews.

The videos are available on YouTube, and copies can be provided on DVD and flash drives for distribution. Posters were also produced to help promote these videos.

The statistics from YouTube alone has provided encouraging feedback that these videos have been popular with the target audience, particularly those recorded in Yolngu Matha.

A total of 10 videos were developed with five released during this reporting period.

The titles and topics of these videos are:

- Broken Car - what can go wrong if you don't get a written quote for repairs
- Buyman and The New Car - did you take it for a test drive, do you understand what you are signing?
- Family Photos, Family Money - photos of the kids would be great but at what cost?
- Your PIN Your Money – you give someone else your PIN and now you have no money
- How Did it Break - it will only get replaced if it is a manufacturer's fault



Image: local actors filming consumer education videos.

- 'Do Not Knock'—tell travelling conmen to go away and
- Bring Back the Boombox- don't expect to get warranty if you break your goods
- TV Return - keep your receipt and if something goes wrong, you can get a replacement or your money back
- Facebook Hunters- don't believe everything you read, scammers are hunting to get your money

- Phone Hunters— if you get a call and they say you have won some money but you have to pay them first, it is a scam, they are hunting for your money



Image: local actors filming Phone Hunters

The Indigenous consumer education videos have been well received on the NT Consumer Affairs and the ALPA YouTube channels. There were 35,741 total views of the five videos released in this period, with the 'Do Not Knock' videos being the most popular with 11,246 views.

Video Title	ENGLISH	YOLNGU MATHA	TOTAL VIEWS
Bring Back the Boombox	4197	1900	6,097
Do Not Knock	2423	8823	11,246
Facebook Scams	4017	2518	6,535
Phone Scams	4201	4,546	8,747
TV Return	156	2,960	3,116
TOTAL	14994	20747	35,741

AUSTRALIAN CONSUMER LAW (ACL) REVIEW

The Commissioner of NT Consumer Affairs is a member of the Consumer Affairs Australia and New Zealand (CAANZ) steering committee for the review of the Australian Consumer Law (ACL).

CAANZ delivered its final report on the ACL review to Commonwealth, state and territory consumer affairs Ministers in April 2017.

The final report followed a year-long public review process, with more than 260 submissions, 130 face-to-face consultations, and research including

CAANZ proposes a package of 19 legislative reforms to strengthen and clarify the ACL, in order to improve consumer wellbeing.

The proposals include:

- Aligning the penalty regime under the competition provisions of the *Competition and Consumer Act 2010* by increasing the financial penalties of ACL breaches,
- Making it easier for consumers to get a refund for a faulty product,
- Adding new requirements for extended warranties, including a 10-working-day cooling-off period,

“The CAANZ review of the ACL has found that the ACL introduced in 2011 has both empowered consumers and reduced compliance costs for business”

the Australian Consumer Survey 2016, which involved more than 5,000 consumers and more than 1,200 businesses.

The CAANZ review has found that the ACL introduced in 2011, has both empowered consumers and reduced compliance costs for business.

The report also sets out a forward program of research and policy work for consumer affairs agencies over the next four years.

Commonwealth, state and territory consumer affairs Ministers will consider the CAANZ review of the ACL and proposals for reform at a meeting of the Legislative and Governance Forum on Consumer Affairs to be held in Melbourne in the second half of 2017.

- Introducing a general safety law so that traders are required to ensure their products are safe before they enter the market,
- Making online shopping fairer by ensuring any charges associated with pre-selected options are included in the headline price,
- Extending the protections against unfair contract terms to insurance contracts, and
- Making it clear that the protections available in the ACL for unsolicited sales can apply to public places.

NATIONAL FORUMS, WORKING GROUPS AND MEETINGS

The Australian Consumer Law (ACL) is national law that is administered and enforced jointly throughout Australia by Consumer Affairs and Fair Trading agencies, the Australian Competition and Consumer Commission with the involvement of the Australian Securities and Investments Commission on relevant matters.

As the ACL is national law, it is vitally important that when traders and consumers contact fair trading agencies throughout Australia, the advice provided is consistent. NT Consumer Affairs officers and representatives from other state, territory and Commonwealth agencies participate in a range of national committees, forums, teleconferences and working groups to ensure that consistency in messaging, compliance and enforcement is maintained. This close collaboration ensures that regardless of where in Australia you call home, you will receive a consistent level of advice, guidance and protection.

This national cooperation also ensures that staff are kept abreast of matters affecting consumers throughout Australia as well as their own local matters.

Meetings and teleconferences undertaken this year included:

- Consumer Affairs Australia and New Zealand (CAANZ); membership comprises the heads of Consumer Affairs and or Fair Trading Agencies nationally, the Australian Competition and Consumer Commission, Australian Securities and Investments Commission and the Commonwealth Treasury as well as a representative from New Zealand;
- Compliance and Dispute Resolution Advisory Committee (CDRAC);
- Education and Information Advisory Committee (EIAC);



Image: CAF conference 2017

- Fair Trading Operations Group (FTOG);
- National Indigenous Consumer Strategy (NICS);
- Society of Consumer Affairs Professionals (SOCAP) Annual Symposium; and
- Australasian Consumer Fraud Taskforce (ACFT).

LEGISLATIVE AND GOVERNANCE FORUM ON CONSUMER AFFAIRS (CAF)

The Legislative and Governance Forum on Consumer Affairs (CAF) consists of all Commonwealth, state, territory and New Zealand Ministers responsible for fair trading and consumer protection laws.

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.

Victoria is the chair of CAF this year, a formal meeting was not held this reporting year as it was delayed to later in 2017 to ensure the review of the Australian Consumer Law could be finalised and presented to Ministers.

CONSUMER AFFAIRS AUSTRALIA AND NEW ZEALAND (CAANZ)

CAANZ membership comprises of the heads of state and territory Fair Trading/Consumer Affairs agencies, Commonwealth Treasury, the Australian Competition and Consumer Commission, the Australian Investments and Securities Commission and New Zealand.

CAANZ met face to face twice this year with a prime focus of each meeting being the review of the Australian Consumer Law. The NT Commissioner also participated in numerous teleconferences as a member of the ACL review steering committee.

NATIONAL INDIGENOUS CONSUMER STRATEGY (NICS)

National Indigenous Consumer Strategy



Members from all state and territory consumer affairs and fair trading agencies as well as the Australian Securities and Investments Commission (ASIC), the Australian Competition and Consumer Commission (ACCC) and a number of independent members form the National Indigenous Consumer Strategy (NICS). NICS' main focus is to work in a collaborative manner to improve outcomes for Aboriginal consumers. This is achieved by the promotion of consumer rights, building awareness, knowledge and confidence in Aboriginal consumers and improving access to consumer protections. The NICS current three year Action Plan identifies a range of issues for Aboriginal consumers and provides the base to assist this vulnerable demographic.

The ACCC is the current chair of the NICS committee. The group meets regularly via teleconference and also meets face to face at least once a year. Every year a priority issue is recognised. This year it was identified that many Aboriginal consumers were being taken advantage of by conmen knocking on their doors, scam phone calls or being approached in shopping centres. To tackle this issue, a national project was developed titled, 'It's OK to Walk Away'.

Members of the Strategy Group worked together to develop posters, postcards and a social media strategy with each jurisdiction promoting the project to suit their demographic. Details of this project are outlined further in this annual report.

The close working relationship between the members provides a platform to highlight warnings of potential travelling conmen that may be targeting Aboriginal communities to prey on these vulnerable consumers. Where it is identified that there is repeated behaviour of a trader targeting this vulnerable demographic, action can be taken in regard to educating the trader of their responsibilities under the ACL. Dependent on the level of detriment to the consumers, in some cases, compliance actions can be undertaken

EDUCATION AND INFORMATION ADVISORY COMMITTEE (EIAC)

The Education and Information Advisory Committee (EIAC) has representatives from all state and territory Governments, the Australian Competition and Consumer Commission, the Australian Securities and Investments Commission and Commonwealth Treasury. As the ACL is national law, it is important that this committee develops educational resources and material that can be used nationally in a consistent manner.

As well as developing educational material for consumers and traders, EIAC has created informative material for small businesses to help them understand their rights and responsibilities under the ACL. An example of this is the Small Business Checklist that has a series of questions that helps businesses fully understand their responsibilities under the ACL.

NT Consumer Affairs' participation on this

committee ensures that the Northern Territory's unique demographics and multicultural characteristics are highlighted and considered in the development of educational materials.



Every year cyclical campaign topics are agreed upon by the committee and are highlighted throughout the year. These campaigns target matters that are of national consumer interest and aim to enhance awareness of

consumers of their rights under the ACL. Some of the topics covered in this reporting period included property spruiking, the ACL Review, summer sales and romance scams.

NT Consumer Affairs took part in a number of national working group projects throughout the year. These projects are drawn from areas where it is recognised that there is considerable consumer detriment or there may be the potential for detriment for consumers nationally. EIAC working groups that NT Consumer Affairs participated in included Consumers with Disability, It's Ok to Walk Away, Music Festivals and the Peer to Peer (Sharing) Economy working group.

COMPLIANCE AND DISPUTE RESOLUTION ADVISORY COMMITTEE (CDRAC)

Representatives from all state and territory governments, the Australian Competition and Consumer Commission, the Australian Securities and Investments Commission form part of this committee. Monthly teleconferences and a yearly face to face meeting, ensures all jurisdictions are regularly informed of national consumer matters. The ACL is the primary focus of this group with discussions held around compliance, enforcement and dispute resolution to ensure consistency for regulators, consumers and traders.

This year the Compliance and Dispute Resolution Advisory Committee (CDRAC) Terms of Reference (ToR) was reviewed and endorsed by CAF and CAANZ. This ensures that national issues are dealt with in a consistent manner under agreed terms. Where a matter of significant national consumer detriment is identified, a larger jurisdiction will often take the lead in the collection of national data on the problem trader. In doing so, where the trader is identified as being problematic nationally, trader engagement by one lead regulator can address the matter instead of a number of regulators all undertaking a similar action.

NT Consumer Affairs was represented on working groups for CDRAC, Music Festivals, Service Delivery Mapping, ACL Guides and the Peer to Peer (sharing) economy.



MEDIA

Making sure that the public are informed of their consumer rights, are protected from rogue traders and scammers, as well as ensuring they understand their rights and responsibilities is a strong focus for NT Consumer Affairs. Several of the statutory functions of the Commissioner include advising and assisting consumers, and educating and informing the public of their rights. The media plays an important role to assist in achieving these statutory functions.

To ensure Territorians are made aware of current issues, the Commissioner and the Deputy Commissioner work closely in both a reactive and proactive way with the media to get messages out to the NT public. This year the Commissioner and Deputy Commissioner undertook 43 media interviews.



The NT Consumer Affairs news and events webpage provides a platform for news, current events, public warnings and media releases to be advertised. The Commissioner published five media releases and 17 news stories this year. These stories cover information to assist the public in avoiding scammers as well as public warnings on rogue traders and other important topics.



The Commissioner also undertakes a monthly talk-back segment with ABC radio Darwin. These segments often receive numerous texts and calls from listeners across a broad range of topics. This is an excellent medium to present NT Consumer Affairs messages to the public.

EDUCATIONAL ACTIVITIES

2016/17 was again a busy year for NT Consumer Affairs staff providing information sessions, presentations and briefings to businesses, community groups and other interested parties. Our staff presented to the public across the territory in a variety of ways throughout the year.

Events attended this year included:

DARWIN DEFENCE DAY EXPO

Every year the Department of Defence holds an expo in Darwin where agencies who are likely to interact with defence staff in the community are invited to provide information to newly arrived personnel. This is a unique opportunity to interact with defence staff particularly as NT Legislation may differ from other states or the ACT, for example the *Residential Tenancies Act*.

This year the Darwin Defence Day Expo was held on 11 February 2017 at the Darwin Convention Centre. NT Consumer Affairs had a stall providing information and advice as well as fact sheets, guides and booklets on the various roles that are provided by our office. The event was focussed towards defence personnel and their families, however was also well attended by the general public. A large number of businesses, government agencies and other community groups attended which made the day very informative to the people that attended.

Over 200 attendees engaged with our staff asking questions around the broad range of legislation that we administer.

NATIONAL YOUTH WEEK

Youth Matters Day 5 April 2017



Image: Display table set up at events

Community and Government funded organisations as well as NT Consumer Affairs attended Youth Matters Day as part of National Youth Week.

NT Consumer Affairs had a total of 116 people visit our stand to ask questions and to collect information about our services.

It was identified as a good event to attend to target the younger age group to provide information and create awareness of the role of NT Consumer Affairs.

Young people often contact NT Consumer Affairs with concerns and issues ranging from not knowing their rights in a share house situation, and wanting to break a residential tenancy lease they have co-signed with other tenants, as well as consumer related enquiries. A variety of resources, information and educational materials were distributed at the event.

COUNCIL ON THE AGEING NT (COTA NT) SENIORS EXPO

The annual Council on the Ageing NT (COTA NT) Seniors expo was held on Friday 2 June 2017, on the lawns of the Museum and Art Gallery of the NT. This popular event attracts a very large number of seniors and has been a valuable opportunity to engage with stakeholders in the senior age group. Approximately 55 service providers attended. NT Consumer Affairs provided participants with information about the role of NT Consumer Affairs, in particular the Australian Consumer Law, the *Residential Tenancies Act* and other legislation administered.

228 people attended our information stand engaging in discussion about various topics, including requesting NT Consumer Affairs staff to attend presentations at senior's groups, information sought for newsletters, enquiries regarding warranties, car servicing, door-to-door salesmen ('Its Ok to Walk Away' campaign), drip pricing, and scams.



Image: Seniors Expo 2017

OUTREACH/OUT AND ABOUT

RESIDENTIAL TENANCIES INFORMATION SESSIONS

Our Outreach Officer provided residential tenancies information sessions to property managers and landlords in the Darwin and regional areas, including Katherine and Alice Springs during this reporting period.

The information provided covered landlords and tenants' rights and responsibilities under the *Residential Tenancies Act*, with a specific focus on sections of the Act that are most often raised by agents and landlords.

Feedback received from attendees at the information sessions indicated that they have been a great success and there is a strong desire that these types of sessions are continued.



Image: Outreach Officer

The Outreach Officer presented information sessions to a total of 26 Real Estate Agencies which were attended by 128 participants.

Presentations in relation to residential tenancies were also made to the following parties:

- Private landlords information sessions -five presentations with 25 participants
- Sunrise Centre -four presentations with 42 participants
- Catholic Care -one presentation with 10 participants
- Department of Housing and Community Development -two presentations with 32 participants
- Darwin Region Accommodation Action Group - one presentation with 15 participants, and
- Real Estate Institute of the Northern Territory (REINT) - one presentation with 60 participants.

INTERDEPARTMENTAL & SERVICE PROVIDER MEETINGS

The Outreach Officer attended a range of meetings that are also attended by service providers, legal community groups and other agencies such as Ironbark Aboriginal Corporation. These meetings included the Darwin Priority Working Group (Department of the Prime Minister in Cabinet), the Community Legal Education Network (CLE) and the Northern Australia Aboriginal Legal Aid Service. These meetings provide a great source for networking with groups that also attend Aboriginal communities offering their services to vulnerable groups as they allow agencies to understand the role that each of the members have in the community.

NT Consumer Affairs, the Australian Securities and Investment Commission and the Australian Competition and Consumer Commission provided a joint presentation held at the Waterfront in May 2017. The event was aimed at community groups that provided assistance to vulnerable people which includes new migrants and Aboriginal people. The event showcased videos aimed at empowering consumers and broadening their understanding of their rights under the Australian Consumer Law and other applicable legislation. The event was well attended with over 50 participants.

ABORIGINAL COMMUNITY VISITATION



Bagot Community

In May 2017, the Outreach Officer attended the Bagot Community in Darwin to take part in a service provider's presentation event. A stand was set up representing NT Consumer Affairs which provided information to the residents of Bagot Community about the role of NT Consumer Affairs in the community, in particular the ACL and the *Residential Tenancies Act* was a prime focus of the information provided.

A number of topics were raised by the residents relating to purchasing and returning of goods if faulty, persons knocking on doors trying to sell products and what to do if a person is a long way behind in rent. Information was given and residents were provided with handouts that were appropriate to their questions.

Acacia Community

The Outreach Officer attended the Acacia Community in June 2017, in the company of a representative from the Top End Women's Legal Service. This is a small community situated near Acacia Hills.

Information was provided about how NT Consumer Affairs can provide assistance with particular reference to the ACL and the *Residential Tenancies Act*. The Indigenous Consumer Education videos were shown to residents which provided information to explain their rights as a consumer when purchasing products.

Alice Springs

Training in relation to the *Residential Tenancies Act* was provided for Real Estate Agents, private landlords and non-government organisations agencies in September 2016.

In total 35 participants attended the training. Positive feedback was received from all participants.

Katherine

In June 2017, information sessions in relation to the *Residential Tenancies Act* for real estate agents and the Department of Housing and Community Development (DHCD) staff were conducted in Katherine.

Four agencies including the DHCD were presented to with all parties indicating the information was useful and presented in a clear manner that was easily understood.

Members of the Legislative Assembly that have offices in Katherine were provided with updated information regarding the role of NT Consumer Affairs, how we achieve our objectives and samples of educational materials were also provided.

WEBSITE

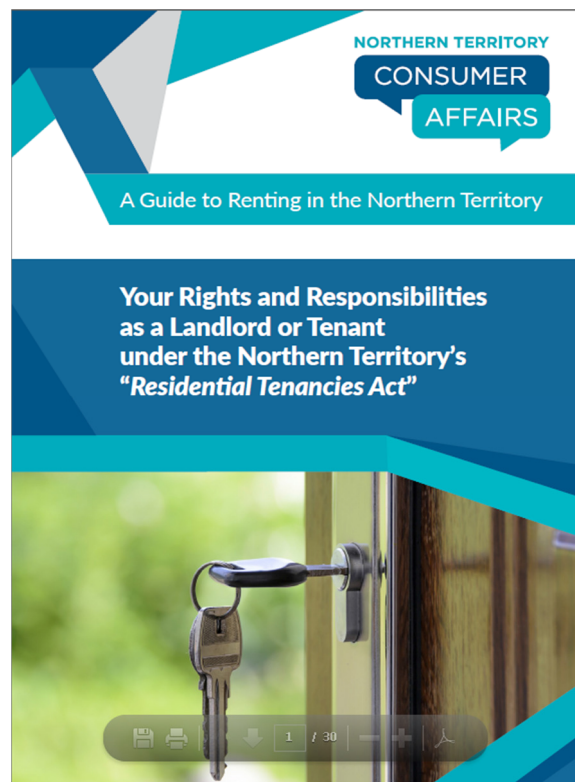
NT Consumer Affairs website provides in-depth information, current news and events and resources across the legislation administered. Feedback from users indicates that the NT Consumer Affairs website is clear and easy to use with information found easily in the one place.

The website covers a very broad range of topics concerning the 12 pieces of legislation administered including residential tenancies information for tenants and landlords, advice for consumers, information for businesses, business tenancies, tips on scams and news alerts and public warnings.

With residential tenancies being 54% of all calls received at the call centre, the residential tenancies section of the website contains the newly revamped 'A Guide to Renting in the Northern Territory' booklet that can be downloaded or simply read from the screen. The booklet contains important information for both landlords and tenants in a simple easy to read layout. This section of the website also contains all the forms that tenants and landlords require to manage their tenancy.

Our '**Complaints and Disputes**' section provides information and advice on how to resolve a dispute and includes sample letters and templates that can be used to make the process easier. There are also a range of contact details for other organisations that may be of assistance such as the Financial Ombudsman Service, the Telecommunications Industry Ombudsman or the Postal Industry Ombudsman to name a few.

The '**News and Events**' section contains updates of consumer interest such as media releases and the latest scams that are being reported across the Territory. Public Warnings, where the Commissioner warns of businesses that have been found to cause detriment to consumers, are also found on the website. The Home Page contains links to our popular RentNT and ShopNT apps that



are designed to provide information at the tips of the fingers of consumers and tenants. Also found on the Home Page is links to our Facebook page and our YouTube channel.

SOCIAL MEDIA

FACEBOOK

With an estimated 150,000 Facebook users in the NT, it is more important than ever for NT Consumer Affairs to have a presence on social media. Social media is an essential tool to keep the general public informed on the broad range of consumer affairs matters quickly and succinctly.



Image: A post from the Facebook Page

Information provided through NT Consumer Affairs' Facebook posts this year included subjects such as :

- Romance, taxation, motor vehicle registration and phishing scams,
- Indigenous consumer education videos,
- Travelling con men,
- Door to Door sales rip offs, and
- Residential tenancies and general consumer advice.

NT Consumer Affairs works closely with other agencies to ensure Territorians are well informed about issues that may affect them. The Motor Vehicles Registry alerted NT Consumer Affairs that it had been targeted by a 'phishing' scam. NT Consumer Affairs quickly created a Facebook post highlighting the scam which resulted in 87 shares and 8,685 views. This is an excellent example of where social media helps to keep people informed. The latest scams are highlighted on our Facebook page and are usually the most shared and liked. Keeping people informed protects them against potential identity theft and loss of money.

Increasing numbers of people are using electronic means to find information or to make inquiries including asking questions through our Facebook page. If the matter is complex the consumer is asked to call in so that more detail can be obtained to ensure the correct advice is provided.

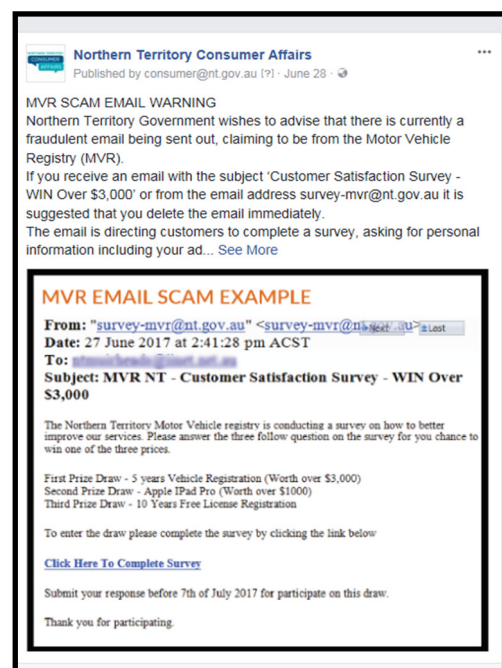


Image: Scam Warning on the Facebook Page

Sharing and tagging posts is a quick way to warn people about current scams and reduce the impact of people being tricked by con men. Travelling con men often arrive in the Northern Territory from other states and countries particularly in the dry season when the weather is nicer. Each state and territory is alerted very quickly that travelling con men are on the move by tagging other jurisdictions on warning posts.

During this reporting period a total of 76,842 people viewed posts on the NT Consumer Affairs Facebook page. Social media makes it possible to contact this large amount of people quickly. Keeping the posts interesting and informative has seen the number of our page “likes” increase to 1,379. Presenting the content in a manner that is eye catching and relevant to Territorians is a focus of all Consumer Affairs staff and has helped achieve the result of bringing important messages to so many Territorians.

Warning the public about the latest scams and providing useful advice ensures the information is shared widely. Some of our most popular posts this reporting period are:

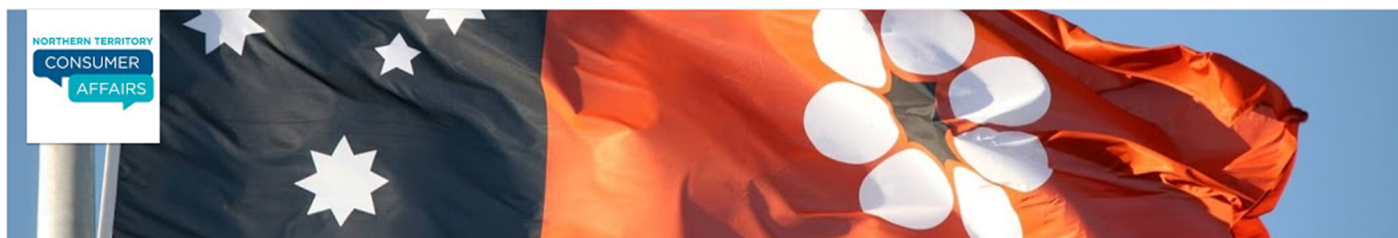
- MVR scam email warning—8,685 views,
- Residential Tenancy bond dispute information post— over 1,300 views,
- “Dodgy” Door-to-door salespeople warning— over 6,900 views,
- Phishing scam warning— over 1,300 views,

- Con man Lloyd Keller (white van sales) warning, two posts— over 6,825 views, and
- Reminder to Landlords to complete Property Condition Reports— over 1,500 views.

YouTube



The NT Consumer Affairs YouTube Channel is another electronic medium used to provide information and education to Territorians. A link to our channel is easily accessed on the NT Consumer Affairs website home page. The creation of this page resulted from the Indigenous Consumer Education video project carried out during the year. Since the launch of the first series of videos over 35,741 people have viewed these videos with the majority of views being in the Yolngu Matha language.



FAIR TRADING

Every year, NT Consumer Affairs receives thousands of enquiries from consumers, traders, tenants, landlords and the general public with requests for information and assistance relating to one or more of the 12 pieces of legislation administered. Enquiries are received through various avenues such as our telephone Call Centre, email, Facebook page and online complaint facility as well as 'in person' contact.

While most enquiries relate to the *Residential Tenancies Act* and the Australian Consumer Law, our staff deal with a number of enquiries that don't fit under any of the legislation we administer. NT Consumer Affairs staff work diligently finding the right channels and referring clients to the correct services to assist with their enquiry or complaint.

NT Consumer Affairs has two offices, located in Casuarina and in Alice Springs. Both provide a 'walk in' service for those wishing to speak face to face with a Fair Trading Officer.

While providing advice and assistance is the bulk of NT Consumer Affairs day to day activities, it is important to note some of the other services our office carries out. Fair Trading officers also conciliate disputes between consumers and traders where the parties have not been able to resolve the matter themselves. This dispute resolution service is commenced once a formal Consumer Conciliation Request has been received and the request is assessed as being the responsibility of NT Consumer Affairs.

Fair Trading Officers are also involved in a number of community engagement programs, such as;

- the Senior's Expo,
- Defence Force Open Days, and
- National Youth Week.

They engage with a broad section of the community and provide advice and education on consumer rights and responsibilities. Remote community visits are also undertaken to provide consumers with resources and information to help prevent those most vulnerable falling victim to substandard goods and services and a variety of scams.

Fair Trading Officers also visit the Electoral offices routinely to explain Northern Territory Consumer Affairs role, offer our services, and provide material that may be relevant to their constituents.

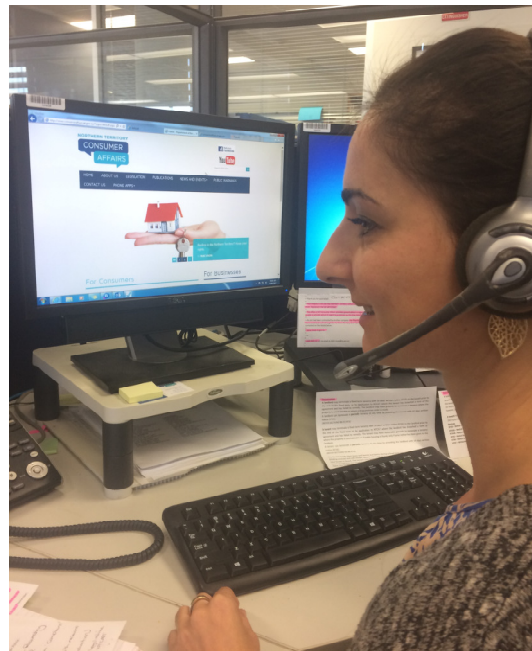


Image: NT Consumer Affairs staff in the call centre

TRADER VISITS

NT Consumer Affairs staff regularly engage with traders by way of unannounced visits, as well as scheduled meetings in order to provide information and training to business owners and their staff on all matters relating to the Australian Consumer Law and other legislation administered. Often the traders have a range of queries for our staff which may involve anything from Business Tenancies to Scams to general detail on the ACL.

Many traders already have a good understanding of the ACL but appreciate the up to date brochures and helpful guides provided during trader visits and the opportunity to discuss in person certain scenarios that may occur.

Trader visits are also a good opportunity to explain our role as impartial conciliators in relation to formal Consumer Conciliation Requests that may be received by our office from consumers who may be unhappy about goods or services provided. The visits also provide an opportunity to remind traders that they also have rights as consumers under the ACL.

Throughout the 2016-2017 financial year, a total of **311** traders were visited in and around Darwin, Palmerston, Katherine, Tennant Creek, Alice Springs and even as far as Borroloola.

ENQUIRY TRENDS

The NT Consumer Affairs Call Centre operates between 8:30 am and 4:00 pm weekdays assisting the public by providing advice across a range of issues from faulty goods, refusals of refunds to disputes over residential tenancy bonds. The most common queries relate to residential tenancy disputes and account for over 54% of all calls received.

Fair Trading Officers provide advice based on what information is given at the time of the call. An important aspect of the job is to seek clarification and further information on the issue at hand in order to provide the correct advice to clients. Fair Trading Officers can only provide advice in relation to legislation that is administered by our office, however we refer clients on to other appropriate service should the matter not fall under our jurisdiction.

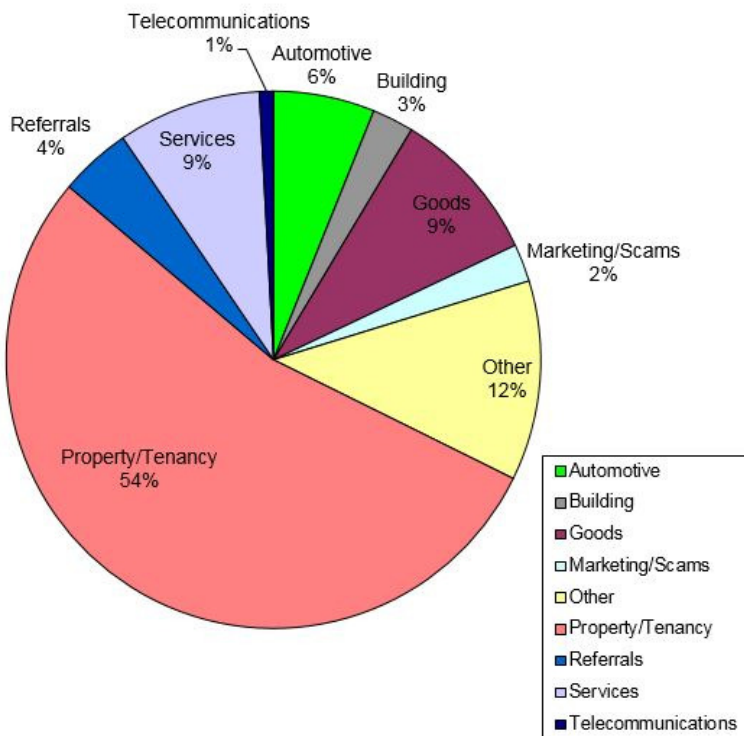
A confidential record of all calls is kept in a centrally located database in order to monitor and assess recurring complaints so that education or compliance action can be taken to protect consumers. It also provides the ability for quality assurance measures to be undertaken to identify staff training needs and improve the performance of the work unit.

During the last financial year, NT Consumer Affairs received **16,138** enquiries by telephone, email, in person and via social media contact.



Telephone Enquiries

Telephone enquiries made up **10,654** of all enquiries received with the majority (54%) relating to residential tenancy enquiries. A breakdown of telephone enquiries by industry type is provided below.



Enquiries relating to goods (9%) and services (9%) covered under the ACL made up the second most common enquiry type (18%) which is fairly consistent with previous years.

Walk-in Enquiries

A number of consumers prefer to seek advice and information in person. The total number of 'walk- ins' or in office enquiries received last financial year amounted to **598**. The walk-in service is especially helpful for those clients who may have difficulty with the use of technology or find it easier to talk face-to-face.

Email Enquiries

Email's accounted for **4,259** enquiries with the remaining 627 enquiries being received via ordinary mail, other social media platforms and at events, presentations and other activities.

COMPLAINTS PROCESS/DISPUTE RESOLUTION

NT Consumer Affairs offers a formal conciliation service in the event a consumer has a dispute with a trader that they are unable to resolve. A Consumer Conciliation Request form must be completed prior to a conciliation commencing and must also include proof of payment for the goods or service and a copy of the written correspondence to the trader seeking a remedy. It is also recommended that the consumer attach any other evidence that may be of assistance such as;

- the original quote,
- written reports in relation to the fault,
- requested remedy, and
- photographic evidence .

Although it may be a comprehensive list, it is essential for the conciliation process and prepares the consumer in the event the matter should need to progress to the Northern Territory Civil and Administrative Tribunal (NTCAT).

A Consumer Conciliation Request can only be accepted if the above information is received and the issue in question relates to the failure of one or more Consumer Guarantees under the ACL.

Consumer Conciliation Requests may be rejected for a number of reasons such as;

- The trader has complied with their obligations under the ACL,
- There is insufficient evidence to proceed,
- The complaint is in relation to poor customer service, and/or,
- Either party to the application has engaged legal representation.

NT Consumer Affairs has a number of fact sheets available via the website to assist consumers in ascertaining whether there has been a failure of a Consumer Guarantee in their situation. A number of sample letters are also available to download as a tool when formalizing written correspondence.

If a trader responds and the consumer is not satisfied with the response, or the trader fails to respond within the given time frame, a Consumer Conciliation Request can be lodged.

The Consumer Conciliation Request form can be downloaded via the website or lodged directly online. Hard copies can be made available to pick up from the office or posted out to the consumer where requested.

Once accepted, the role of the Fair Trading officer is to investigate the complaint further, and to write to the trader with the consumers' claims, any identified breaches of the ACL and to request a written response. They will then attempt to reach an agreement that is mutually agreeable to each of the parties. Throughout the 2016-2017 financial year, a total of 167 formal Consumer Conciliation Requests were received.

If a trader is found to be in breach of legislation on repeated occasions, the details of the complaints and enquiries are forwarded to the Compliance Unit for further investigation and possible action to ensure the trader's actions are rectified.

Where a successful outcome has not been forthcoming during the conciliation process the consumer or trader has the right to take the matter to the Northern Territory Civil and Administrative Tribunal where a decision can be made and a binding order handed down to either party.

RESIDENTIAL TENANCIES

NT Consumer Affairs administers the *Residential Tenancies Act* on behalf of the Commissioner of Tenancies. The Act applies to all residential landlords, tenants and real estate agents including the Department of Housing and Community Development and its public housing tenants.

NT Consumer Affairs staff provide advice to landlords and tenants in relation to their rights and responsibilities under the Act. Enquiries are generally received either via the call centre or email facility. Last financial year **54%** of all calls received by NT Consumer Affairs call centre related to residential tenancy matters with a majority of the calls being in regard to the retention of security deposits.

If after receiving advice from NT Consumer Affairs, the parties have not been able to resolve their dispute, either one can lodge an application under the *Residential Tenancies Act* to the Northern Territory Civil and Administrative Tribunal (NTCAT) for a decision and a binding order.

Education and training is provided to private landlords and is carried out by the Senior Tenancy/Outreach Officer. Private landlord training sessions are held regularly at the offices of NT Consumer Affairs both in Darwin and Alice Springs at no cost to the participants.

The Senior Tenancy Officer also visited local real estate agencies and the Department of Housing and Community Development offices to conduct training on request which has been highly sought after.

In addition to this, the Senior Tenancy Officer also attended local community based organisations to provide information sessions to vulnerable members of the community who may be seeking accommodation in the near future ensuring they are prepared for the transition from supported accommodation into the private rental market.

The Commissioner of Tenancies is also responsible for investigating breaches of the Act and has the powers to issue infringement notices and penalties for any identified breaches. It is preferable to provide education in the first instance as more often than not, a landlord may not have known they were committing an offence under the Act. However blatant or repeated breaches are not looked upon favourably.

NT Consumer Affairs also holds Unclaimed Tenancy Bonds in a trust account. If a private landlord or Real Estate Agent is not able to locate a past tenant within six months of the tenant vacating to return bond monies any remaining unclaimed bond money is required to be submitted to the Commissioner of Tenancies. Past tenants can either access the search function on our website to see if they have any unclaimed bond money or can contact our office to claim their bond. As at 30 June 2017 \$306,282.39 was held in the Tenancies Trust Account.



Renting in the Northern Territory? Know your rights.

BUSINESS TENANCIES

The *Business Tenancies (Fair Dealings) Act* outlines the legislative responsibilities of tenants and landlords throughout the Northern Territory who have entered into a retail shop lease. While most of the Act's provisions cover retail shop leases, certain sections of the Act also apply to other business tenancies.

The Commissioner of Business Tenancies role is to investigate and research matters affecting the interests of parties to retail shop leases, and conduct conciliation where requested. The role also includes conducting inquiries and investigating possible breaches of the Act.

Landlords and tenants are encouraged to contact NT Consumer Affairs for advice should they find themselves in dispute in relation to their retail shop tenancy. Where their own efforts to settle the dispute have failed, either party may apply to the Commissioner for voluntary conciliation. If both parties agree, conciliation is undertaken and can, in some circumstances, bring about a resolution. If the parties to a dispute decline voluntary conciliation or an agreement cannot be reached, the Commissioner can issue a Certificate of Failure to Resolve a Retail Tenancy Claim, which enables the parties to take the matter to the Local Court for a decision.

In the 2016-2017 financial year, five applications to the Commissioner of Business Tenancies for Determination of Retail Tenancy Claims were received. Of those applications one attended a pre-conciliation conference and the matter was not resolved and is ongoing.

Another three were issued a Certificate of Failure to Resolve Retail Tenancy Claim to enable the parties to proceed to the Local Court with their claim and the final one has been withdrawn.

There were 105 enquiries received via the Call Centre relating to business tenancies during the reporting period.

RESIDENTIAL BUILDING DISPUTES

Building a new home can be exciting and will more than likely be the biggest investment most people will make in a lifetime. While in most cases it is a smooth trouble free process, sometimes things don't go to plan.

NT Consumer Affairs provides advice and assistance to owners and builders in regard to the *Building Act's* Residential Building Dispute function and the related Building (Resolution of Residential Building Work Disputes) Regulations.

The Commissioner of Residential Building Disputes has powers under the *Building Act* to investigate and research matters relevant to persons who may be affected by residential building contracts and consumer guarantees, arrange technical inspections, facilitate mediation and conciliation and to hear and decide applications relating to consumer guarantees.

This year, NT Consumer Affairs received **178** enquiries in relation to residential building disputes. Less than **10%** of all enquiries progressed to applications before the Commissioner.

The total number of formal applications received amounted to **17** and are categorised as follows:

- 13** - Applications to Commissioner for Decision,
- 3** - Applications for Mediation or Conciliation, and
- 1** - Technical Inspection Application.

Overall six additional applications were received in comparison to the previous reporting year.



COMPLIANCE

The Compliance Unit actively undertakes Territory wide compliance, education and enforcement activities to promote a fairer and informed marketplace. It aims to increase business and consumer confidence by protecting consumers and businesses against sharp practice and unfair conduct.

Compliance monitoring is conducted to detect areas of potential non-compliance and emerging issues where consumers are more at risk.

National Projects

Australian Consumer Law (ACL) regulators undertake a series of coordinated national compliance projects endorsed and overseen by the Compliance and Dispute Resolution Advisory Committee (CDRAC) and the Education and Information Advisory Committee (EIAC) to promote awareness and compliance with the ACL among businesses nationally.

NT Consumer Affairs continued to work with other jurisdictions in the following initiative:

Peer-To-Peer/Sharing Economy National Project

This project was established after a general lack of consumer and trader understanding of their rights and responsibilities under the ACL were identified through research. The project aims to increase the awareness of the ACL and the role of regulators among peer-to-peer platforms, and their consumers and traders. In the sharing economy, peer-to-peer platforms connect people so they can share goods or services, most commonly operating in app or website format. Well-known sharing economy platforms are Uber and Airbnb, as well as other platforms facilitating car sharing.

As a pilot, NT Consumer Affairs and other ACL regulators have engaged with sharing economy operators in the ride-sharing and vehicle sharing sectors providing ACL information and discussing ACL related issues. Sharing economy platform operators in other sectors have also been provided nationally consistent information covering key areas:

- Consumer guarantees and remedies when things go wrong,
- Misleading, deceptive and unconscionable conduct,
- Managing online reviews and ratings, and
- Unfair contract terms, including the extension of these provisions to small business.

ACL regulators have also commissioned further research into the awareness of the ACL amongst Australian consumers and traders who might use sharing economy platforms. This will be followed by a national education campaign and follow-up research. Sharing economy platforms are also being given the chance to share educational material with those using their platforms.

Other compliance and enforcement activities

Unsolicited Sales Practices and Unfair Contract Terms

Compliance Officers investigated a company selling and installing PV solar power systems following consumer complaints about their dealings with the business. The investigation resulted in allegations that the company had;

- breached door to door unsolicited sales practice laws,
- used unfair tactics and undue pressure in seeking to sell solar power systems,
- failed to provide clear and accurate information about contract terms, and
- unfair contract terms.

Engagement with the company led to it voluntarily undertaking to:

- Resolve a consumer complaint with a positive outcome for the consumer,
- Improve consumer complaint handling,
- Revise its consumer contract terms to comply with the ACL, and
- Implement a revised ACL training program for their staff.

False or misleading representations in advertising

Media advertising is a common method used to reach out to the consumer market and create interest through words and images to encourage the audience to buy a particular product or service. Misleading or deceptive information in advertising can have serious economic consequences for the consumer particularly in areas involving large financial investment such as property or markets involving large target groups.

The risk of consumer detriment is a leading reason that breaches of the ACL involving misleading advertising is an area of compliance focus.

Some examples that were dealt with include:

Darwin Beauty Spa:

A Darwin beauty spa was issued a formal written warning in relation to representations made about beauty procedure training courses on offer to the public via its website and in newsletters.

The website information served to convey the impression to consumers that the beauty spa business was accredited to conduct, and would issue nationally recognised training qualifications, when it was neither accredited nor properly registered to do so.

NT Consumer Affairs issued a formal notice to substantiate these claims under s219 of the ACL. The business acted to remove the offending information from the website in response to findings that it amounted to potentially misleading or deceptive conduct and misleading representations about goods and services.

Real Estate Agent:

Another similar case involved a local real estate agent who incorrectly described a property for sale in newspaper advertising. The property in question was promoted by the agent as having multiple dwelling zoning. Investigation revealed the property was in fact only zoned for single dwelling and it was found that the agent had advertised the property in a potentially misleading and deceptive manner without sufficient evidence to support the claims made.

NT Consumer Affairs undertook ACL compliance education with the business so that the agent understood the obligation to ensure that all advertising is accurate and factual. The business was issued a formal warning against misleading or deceptive claims.

TRAVELLING CON MEN



NT Consumer Affairs efforts to arrest the effect of travelling con men continues.

According to reports made to NT Consumer Affairs over the past year, fewer people are falling victim to the activities of bitumen bandits offering cheap, today, and cash only bitumen laying deals or those selling dodgy home entertainment systems from the back of a vehicle in shopping centre car parks.

Swift compliance action through media warnings to raise awareness of reported locations combined with a range of strategies undertaken to disrupt the common techniques adopted by these illegal traders is having effect and translates to less money being lost to their activities in the Northern Territory.

STATISTICS

The 2016/17 statistics for the Compliance Area are below:

Investigations conducted	33
Investigations concluded	32
Traders placed on notice	2
Investigations referred for prosecution	0
Infringement Notices issued	0
Public Warnings issued	0
Trader Engagement	2
Compliance education provided	15

ALICE SPRINGS REGIONAL OFFICE

The NT Consumer Affairs Alice Springs office has two full time staff providing support and advice to all Territorians in the southern region including Elliott, Tennant Creek and Yulara.

A change of location for the NT Consumer Affairs Office in Alice Springs saw the office move from the Westpoint Complex to its new location in the Green Well Building at 50 Bath Street. The new location is better suited to our client needs and complements the Territory Business Centre (TBC) that is also located in the building. The new location is very accessible for “walk in” clients with parking close by.



Sharing the same office floor as the TBC presented a unique opportunity for NT Consumer Affairs to provide ACL information directly to new businesses.

This year the Alice Springs Office received a nomination in the Chamber of Commerce Customer Service Awards – Public Sector category with our staff member Tracey O’Donohoe being nominated. Unfortunately while she did not win it was great recognition for the excellent work the staff do in Alice Springs.

Staff also undertook a range of activities with a summary of some of these as follows:

Community Engagement

The Alice Springs office conducted residential tenancy information sessions with all eight Alice Springs real estate agencies. An information session was also provided for private landlords. This was found to be a huge success with eight private landlords taking part, some of whom noted that they did not know they were responsible for some of the items raised. Ensuring real estate agents and private landlords are properly educated potentially reduces residential tenancy disputes.

Alice Springs staff presented information sessions to Anglicare NT, and the Western Desert Nganampa Walytja Palyantjaku Tjutaku Dialysis Renal Unit or more commonly known in the region as the Purple House.

The eight staff in attendance were informed of consumer rights and responsibilities under the ACL Consumer Guarantees as well as other general advice.

Many of the staff are support personnel to the clients who attend these facilities, accordingly the information provided gave them an insight as to what they should be looking out for when assisting their clients.

Alice Springs staff also attended a general meeting of the Probus Club. The Probus Club has active, retired or semi-retired people as members. The information provided focus around scams, door to door salespeople and the 'It's Ok To Walk Away' ('Do Not Knock') campaign, 25 ladies were in attendance.

Leading into the Christmas period of 2016, the Alice Springs staff held two information display stands at the Alice Springs Plaza and Yeperenye Shopping Centres. Staff provided consumers with information regarding, shopping rights as a consumer, refunds, online shopping, itemised receipts, gift vouchers, lay-by agreements and Consumer Guarantees. Information was also available on residential tenancies and landlord issues and the 'It's Ok To Walk Away' campaign. A total of 36 members of the public were provided advice on those days.

'It's Ok to Walk Away' Campaign

Since the launch, the Alice Springs office has been actively promoting the campaign material to Alice Springs residents and non-government organisations. The materials include a poster that says 'don't be tricked by salespeople' a postcard advising it is ok to say "no" if you don't want something and a 'Do Not Knock' sticker. A total of 15 organisations have been provided with the materials as well as links for the NT Consumer Affairs YouTube channel showing the Indigenous Consumer Education videos.

Trader Visits

The Alice Springs office engaged in 92 visits to local businesses, providing them with trader packs. These visits included discussions and the provision of information to traders around when should a receipt be provided, their own internal store

refund and returns policies, repair notices, and uncollected goods advice.

The Alice Springs Office continues to receive high volumes of enquires, with the majority of these relating to residential tenancies. Having staff on the ground in the Alice is essential to ensure we service our southern regional clients who may have differing problems to those located in the Top End. The following is an example of a conciliation we helped with this reporting year.

Solar heating failure

A consumer had installed a solar heating system to his pool at a cost of \$5,995 in October of 2014. In November 2015, the consumer noticed that the panels were leaking water and had asked the trader to inspect them.

The consumer was advised that the solar panels come with a 30 year warranty, and that they would be replaced.

The consumer advised that the trader had been trying to seek replacement panels from the supplier and this was proving to be difficult, with it taking six months so far without a resolution.

The consumer sought the assistance of NT Consumer Affairs, who was able to write to the Trader advising that the panels were purchased from his business and it was up to him to provide the redress. Although the trader was having difficulty receiving redress from his supplier, after being advised by the Fair Trading Officer that this does not impede his obligations under the ACL Consumer Guarantees to the consumer, the panels were replaced, resulting in a successful outcome for the consumer. The trader was also informed of his rights under the ACL to pursue the supplier for the costs of the repair.

RETIREMENT VILLAGES

NT Consumer Affairs administers the *Retirement Villages Act* in the Northern Territory.

Under this Act, the Commissioner's role is to:

- Investigate and carry out research into matters affecting retirement villages,
- Investigate and attempt to resolve complaints by residents and authorities,
- Distribute information about the services provided by the Commissioner, and
- Report on matters referred to the Commissioner by the Minister or Court.

Pearl Retirement Resort at Fannie Bay, ensures that advice in relation to issues is provided in a timely manner ensuring most matters are resolved quickly.

Durack Heights is a new retirement village located in Palmerston and is owned and managed by Greenfields Living. It is envisaged that the same close relationship that NT Consumer Affairs currently has with the other retirement villages in Darwin will be forged with this new facility.

CARAVAN PARKS ACT

Caravan parks throughout the Northern Territory are regulated by the *Caravan Parks Act* that is administered by NT Consumer Affairs.

Although no formal applications were received during this reporting period, the NT Consumer Affairs Call Centre received 24 enquiries in relation to provisions under the *Caravan Parks Act*. These enquiries were from both long term residents and caravan park operators. The most common enquiry from both parties were around evictions. Other enquiries centered on rights and responsibilities and other general advice.



The NT Consumer Affairs call centre responded to enquires on a range of issues this year including the provision of audited financial statements, provision of a notice to rectify damage and in relation to collection of unpaid rent.

Regular contact between NT Consumer Affairs and the two established retirement villages in Darwin, the Greenfields Living complex at Tiwi and the

OTHER STATUTORY RESPONSIBILITIES

The Commissioner of Consumer Affairs is the statutory officer responsible for a number of pieces of legislation that government has directed, through the Administrative Orders, responsibility for management of these pieces of legislation to be with the Licensing NT section of The Department of Attorney-General and Justice.

The Commissioner has also delegated authority for a number of tasks to staff within the Licensing NT section of The Department of Attorney-General and Justice.

The following are Acts or Regulations of this nature:

- *Associations Act,*
- *Commercial and Private Agents Licensing Act,*
- *The Consumer Affairs and Fair Trading Act – Parts 10 and 14, and*
- *Consumer Affairs and Fair Trading (Tow Truck Operators Code of Practice Regulations).*

