



The Hon. Jane Garrett MP
Minister for Consumer Affairs,
Gaming and Liquor Regulation

Dear Minister

In accordance with the Australian Consumer Law and Fair Trading Act 2012 the Credit (Administration) Act 1984 and the Veterans Act 2005 I have pleasure in submitting the Consumer Affairs Victoria Report on Operations for the year ended 30 June 2015, for you to present to the Houses of Parliament.

Yours sincerely

A handwritten signature in black ink, appearing to read 'S Cohen'.

Simon Cohen
Director
Consumer Affairs Victoria

Director's foreword

I am pleased to present the Consumer Affairs Victoria (CAV) Report on Operations 2014-15, demonstrating another year of achievement in ensuring a fair and competitive marketplace in Victoria.

The report provides information about the advice and services we have provided to hundreds of thousands of Victorian consumers, businesses, tenants and landlords. We also report on the significant compliance and enforcement actions taken to promote business conformance with consumer protection laws. In addition, we record the registration and licensing transactions that enable the effective operations of businesses and associations. In all, we have provided close to one million discrete services to the Victorian community.

The Report on Operations reflects our focus in providing digital services. Almost three million visits to our website, and thousands of downloads of our apps demonstrate the demand for effective online regulation services. These complement our increasing use of social media to inform consumers, businesses, tenants and landlords of their rights and responsibilities. We continue to maintain a digital first approach to all our communications.

And at the pointy end, we have focused on using the full range of regulatory tools, including undertakings and court actions, to address serious wrong conduct by businesses and significant breaches of consumer protection laws.

In addition to these activities, we have taken a lead in ensuring an effective consumer protection framework, through activities such as our Better Business Initiative and by leading a national credit card chargebacks project.

In June 2015, Consumer Affairs Minister Jane Garrett launched Fairer, Safer Housing an initiative which centres on a review of the Residential Tenancies Act 1997, the primary consumer protection law for Victorians living in rental housing. We are extremely pleased to lead

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Our performance

This report contains important statistical and factual information about our activity as required under the Australian Consumer Law and Fair Trading Act 2012, the Credit (Administration) Act 1984 and the Veterans Act 2005. For a more comprehensive account of our performance against our goals, see the Year in Review on our website, consumer.vic.gov.au/annualreport.

Performance against

16,591



RENTRIGHT APP

2 Businesses are compliant with consumer laws

The key to achieving a fair and competitive marketplace is ensuring that businesses comply with consumer laws.

We focus on achieving high levels of business compliance by working with industry and partner organisations, and with consumers so that they effectively assert their consumer rights. We continue to support businesses by providing them with tools that help them to meet their obligations.

Our risk-based approach to compliance means that we act quickly against those causing most harm, protecting consumers earlier, more efficiently and more effectively.

The data provided in the table below varies between years based on our regulatory risk priorities, government policy, the nature of our compliance programs, and the cyclical nature of our integrated compliance approach.

	2012-13	2013-14	2014-15
Compliance			
Compliance assistance site visits	4,434	4,671	4,433
Inspections	2,702	2,713	3,470
Investigations ¹	573	610	161
Market monitoring activity	N/A	895	802
Businesses engaged through the Better Business Initiative	N/A	51	80
Enforcement			
Prosecutions finalised	33	24	21
Civil actions finalised	61	64	66
Parties signed to enforceable undertakings	30	15	17
Registrations and licensing			
Annual returns, updates or cancellations processed for incorporated associations, fundraisers and co-operatives	33,679	39,014	36,243
Total registration and licensing transactions	61,378	67,520	70,679

¹ Investigations are lower in 2014-15 due to revised investigations procedures aimed at capturing evidence and information (for example, use of statutory notices).

Registers administered by Consumer Affairs Victoria

	2012-13	2013-14	2014-15
Estate agents			
New applications lodged	1,079	1,219	1,216
Total on register	10,565	11,171	11,679
Motor car traders			
New applications lodged	173	177	149
Total on register	2,243	2,188	2,127
Incorporated associations			
New applications lodged	1,599	1,695	1,980
Total on register			

Parties signed to enforceable undertakings

Australian Consumer Law (Victoria)

Freeway Fitness Pty Ltd	Dr Nerida James	Mohammed Syed
Kristian Nathan Woods	H2Coco Pty Ltd	Standby Savers Pty Ltd
Real Wealth Australia Pty Ltd	David Freeman	Marcus Munro Hickey
Helen Connie Collier-Kogtevs	Solarex Australia Pty Ltd	Accrue Property Pty Ltd
Get off Drugs Naturally Foundation Inc	Ali Syed	James Allan Monaghan

E a A A 1980

Taylor's Real Estate Agents Pty Ltd

Enzo Bufano

Court and tribunal matters

Prosecutions finalised

Australian Consumer Law (Victoria)

Yuting Wang

Keat Enterprises Pty Ltd

Yuting Wang (appeal against sentence)

D B C a A 1995

Anthony Jakupi

Jakupi Excavations Pty Ltd

M Ca T a A 1986

Emrah Sen	Cars National Pty Ltd	Eray Sahin
Mustapha Ali Ali	Melbourne Autohaus Pty Ltd	Maurizio Duchini
Shefket Idrizi	Aleksandar Jovanovski	Khaled El Mohamed

E a A A 1980

Kian Meng (Dennis) Ong

Boris Real Estate Pty Ltd

Colin Rounds

Konstantinos Balasis (appeal against sentence)

Suzanne Zvizdalo

R a T a A 1997

City Hostels Pty Ltd

Mandy Le

Civil proceedings (including disciplinary inquiry)

E a A A 1980

- A f Shaba
- Christine Parsons
- Quoc Hung Ly
- G L Lee Real Estate Pty Ltd



Civil proceedings (including disciplinary inquiry) – continued**S, W, A 1994**

Xian Yang Meng	Josef Rutten
Jian Qing Xu	Joe Paul Molinari
Lynette Farrar	Lin Gao
Zhao Pan	

Fire Services Levy Monitor (Director of Consumer Affairs is the legal successor)

Mecon Insurance Pty Ltd
 Mechanical and Construction Insurance Pty Ltd

Administrative review – on behalf of the BLA**E a A A 1980**

Gregory Flessas
 Scott Darragh
 Daniel Taylor
 Zole Elali

M, Ca T a, A 1986

Beniamin Bratoiu
 Antonio Lekkas

Administrative review – on behalf of Secretary to the Department of Justice & Regulation and Director of Consumer Affairs Victoria**E a A A 1980**

Julie Truong

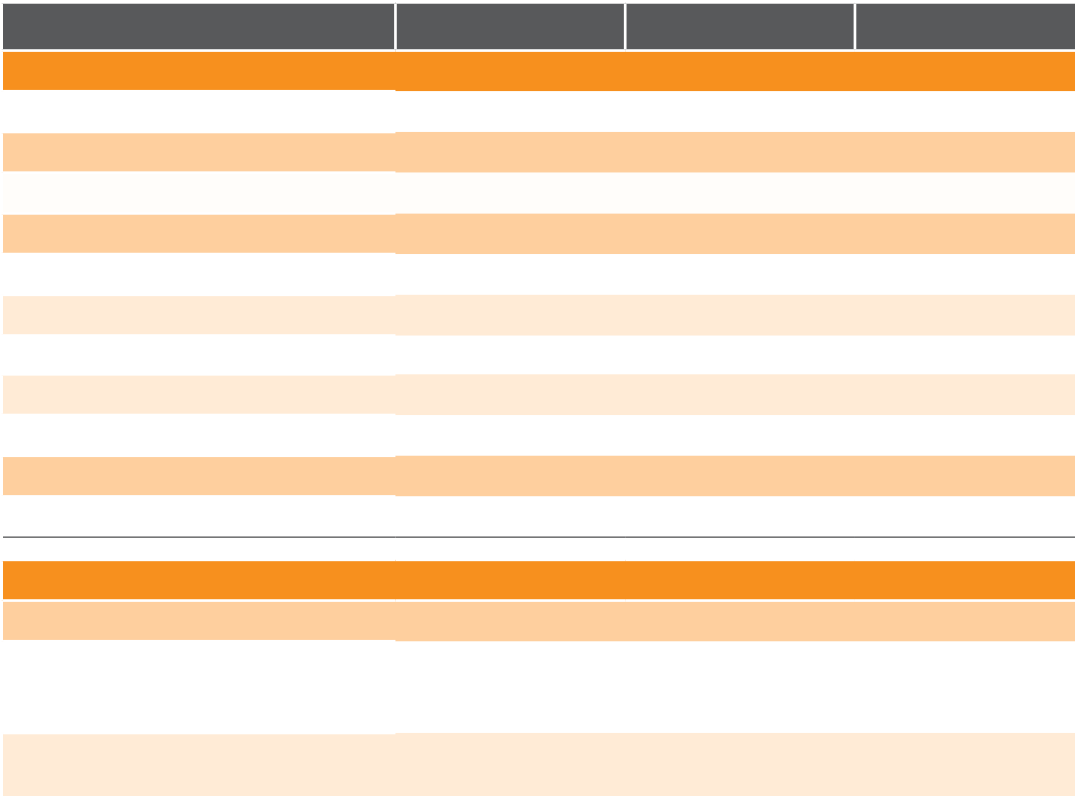
F, a, A 1998

AFG Group Pty Ltd

3 Victorians exercise their consumer rights

We empower Victorians to exercise their consumer rights by providing them with information and support. We continue to work with partner organisations to improve the information we provide, and to target groups who have specialised information needs.

The details provided below relate to the information and advice we provide to all Victorians, including consumers, tenants and businesses.



4 A fair and safe rental market for Victorians

As the Victorian regulator of residential tenancies, we work to achieve fair and safe rental housing in Victoria.

Our priority is to ensure that the residential tenancy framework reflects the needs of the modern

5 A modern and effective consumer law framework

To be an effective regulator, our consumer law framework must continue to evolve with the changing market. We lead and participate in policy and legislative reviews, and work in partnership with other regulators and organisations, to ensure our consumer law framework supports a fair and competitive marketplace.

Acts and regulations passed

In 2014-15, we advised on legislative changes to improve consumer protection and remake regulations due to expire, or that no longer met the needs of Victorian businesses and consumers. These changes are detailed in the table below.

Acts passed	
Name	Date of royal assent
Consumer Affairs Legislation Amendment Act 2014	12 August 2014
Veterans and Other Acts Amendment Act 2015	21 April 2015

Regulations commenced	
Name	Date commenced
Sex Work (Fees) Regulations 2014	1 July 2014
Estate Agents (Contracts) Amendment Regulations 2014	1 October 2014
Owners Corporations Amendment Regulations 2014	1 October 2014
Residential Tenancies Amendment (Prescribed Rating for Replacement Water Appliances) Regulations 2014	1 October 2014
Sale of Land (Infringements) Regulations 2014	1 October 2014
Sale of Land (Public Auctions) Regulations 2014	1 October 2014
Estate Agents (General, Accounts and Audit) Amendment (Penalty and Infringements) Regulations 2014	7 October 2014
Motor Car Traders Amendment (Red Tape Reduction) Regulations 2014	3 November 2014
Credit Regulations 2014	15 December 2014
Credit (Administration) Regulations 2014	15 December 2014
Associations Incorporation Reform Amendment (Privacy) Regulations 2015	15 June 2015
Estate Agents (Exemption) Amendment Regulations 2015	16 June 2015

Regulations revoked	
Name	Date revoked
Sex Work (Fees) Regulations 2004	1 July 2014
Sale of Land Regulations 2005	1 October 2014

Legislation administered by Consumer Affairs Victoria as at 30 June 2015

Legislation

Associations Incorporation Reform Act 2012

Australian Consumer Law and Fair Trading Act 2012

Business Licencing Authority Act 1998

Business Names (Commonwealth Powers) Act 2011

Chattel Securities Act 1987

Company Titles (Home Units) Act 2013

Consumer Credit (Victoria) Act 1995

Conveyancers Act 2006

Co-operatives National Law Application Act 2013

Credit Act 1984

Credit (Administration) Act 1984

Credit (Commonwealth Powers) Act 2010

Domestic Building Contracts Act 1995- except Part 5 (administered by the Attorney General)

Estate Agents Act 1980

Fundraising Act 1998

Funerals Act 2006

Goods Act 1958

Motor Car Traders Act 1986

Owners Corporations Act 2006

Partnership Act 1958

Residential Tenancies Act 1997

- Sections 23A-25, 27, 32-33, 45-48, 74-77, 82, 90, 91, 91A 102, 102A, 103, 104(1), 104(4), 104(5), 104(6), 105(2), 105(2A), 105(3), 124, 128, 130-134, 141-142B, 142D-212, 213AA-215, 230, 232-234, 241, 277, 289A, 291-327, 329-333, 335-339, 341, 343-366, 373-376, 385, 388, 388A, 390, 390A, 395-398, 399A-439M, 480, 486-499, 501-504, 505A-510C and 511.
- Section 66(1) jointly administered with Minister for Housing, Disability and Ageing)
- The RTA is otherwise administered by the Attorney General, Minister for Housing, Disability and Ageing and the Minister for Planning.

Retirement Villages Act 1986

Sale of Land Act 1962

Second-Hand Dealers and Pawnbrokers Act 1989

Sex Work Act 1994

Subdivision Act 1988:

- Part 5
- Section 43 (insofar as it relates to part 5)
- The Act is otherwise administered by the Minister for Planning.

Travel Agents Repeal Act 2014

Veterans Act 2005

- Part 4 (the Act is otherwise administered by the Minister for Veterans)

Warehouseman's Liens Act 1958

6 A sustainable and innovative regulator

Efficient and effective internal operations are critical to our ability to be a modern and effective regulator. We continue working on new ways to foster better capability, better technology and better collaboration with our partner agencies.

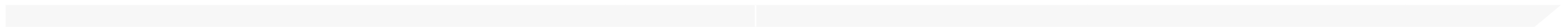
Reducing red tape

In 2014, the former Minister for Consumer Affairs issued a reducing

Grants approved

Victorian Property Fund

The Estate Agents Act 1980 allows the Minister for Consumer Affairs to make grants from the Victorian Property Fund for the purposes specified in section 76(3) of the Act. The Minister makes her decision on grants after consultation with the Estate Agents Council, Consumer Affairs Victoria and any industry associations, government departments and other bodies she thinks appropriate.



Consumer Affairs Victoria acknowledges Aboriginal and Torres Strait Islander people as the Traditional Custodians of the land. The department also acknowledges and pays respect to their Elders, past and present.

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Accessibilityved.
