

**ENFORCEABLE UNDERTAKING UNDER
THE AUSTRALIAN CONSUMER LAW (WA)**

BETWEEN

MASON MIGRATION PTY LTD (ACN 146 433 007)

AND

REBECCA JOAN MASON

AND

COMMISSIONER FOR CONSUMER PROTECTION

RECITALS

WHEREAS:

- A. **MASON MIGRATION PTY LTD** carried on business under the business name “Mason Migration” providing migration services in Western Australia.
- B. **REBECCA JOAN MASON** is the sole director of Mason Migration Pty Ltd.
- C. The Commissioner for Consumer Protection (**Commissioner**) has received complaints from five consumers who have engaged Mason Migration Pty Ltd and paid for migration services which were not supplied.
- D. The Commissioner is of the view that Mason Migration Pty Ltd has contravened section 36(3) of the *Australian Consumer Law (WA)* in respect of each of these five consumers.

- E. Ms Mason (on behalf of Mason Migration Pty Ltd) has acknowledged that migration services have not been provided to these consumers and as at 10 May 2019 has paid \$1,400 to the Commissioner to be distributed to [REDACTED].
- F. For the purposes of this Enforceable Undertaking 'consumer' has the same meaning as it does under the *Fair Trading Act 2010 (WA)*.
- G. This Enforceable Undertaking is accepted under section 218 of the *Australian Consumer Law (WA)* by the Commissioner.
- H. Upon the Commissioner being satisfied of a breach, this Enforceable Undertaking is enforceable by a court upon the Commissioner's application.
- I. This Enforceable Undertaking does not prevent the Commissioner from taking any action in respect of the matters the subject of this Enforceable Undertaking.
- J. The rights of consumers are not affected by this Enforceable Undertaking.
- K. This Enforceable Undertaking is not confidential and may be published by the Commissioner.

UNDERTAKINGS

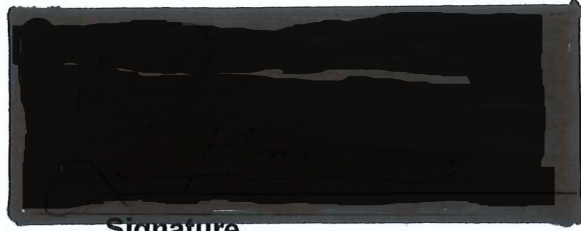
MASON MIGRATION PTY LTD and REBECCA JOAN MASON, upon this Enforceable Undertaking being accepted by the **Commissioner, UNDERTAKE**, pursuant to section 218 of the *Australian Consumer Law (WA)*, that:

1. Mason Migration Pty Ltd and Rebecca Joan Mason, both being jointly and severally liable, will make the following payments to the Department of Mines, Industry Regulation and Safety, to be distributed to the following consumers:
 - 1.1. \$2,000 on or before 22 May 2019 for [REDACTED];
 - 1.2. \$1,723 on or before 22 May 2019 for [REDACTED];
 - 1.3. \$2,550 on or before 1 June 2019 for [REDACTED];
 - 1.4. \$8,445 on or before 1 June 2019 for [REDACTED];
 - 1.5. \$350 per week commencing on 16 May 2019 and ending on 20 June 2019 for [REDACTED]; and
 - 1.6. \$5,537 on 27 June 2019 for [REDACTED].
2. The failure to make any payment in accordance with clause 1 does not relieve Mason Migration Pty Ltd and Rebecca Joan Mason from the obligation to still make that or those payments.

Signed for and on behalf of:

- A. **MASON MIGRATION PTY LTD**
ACN 146 433 007
in accordance with section 127 of the
Corporations Act 2001 (Cth)

REBECCA JOAN MASON
Director & Secretary



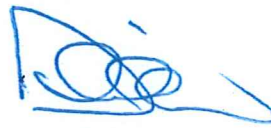
Signature

- B. **REBECCA JOAN MASON**



Signature

- C. **DAVID HILLYARD**
COMMISSIONER FOR
CONSUMER PROTECTION



Signature

DATE UNDERTAKING ACCEPTED

30th May 2019