



Department of Energy, Mines,
Industry Regulation and Safety



Consumer Justice Strategy 2021–25

2024–25 Initiatives





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Helping people understand their consumer rights and creating a fair trading environment

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Minister's statement

Hon. Sue Ellery
MLC BA

This is the second iteration of the Cook Government's Consumer Justice Strategy 2021–25 that I am proud to present as Minister for Commerce, setting out Consumer Protection's agenda for 2024–25.

The Strategy outlines the guiding priorities which Consumer Protection will focus on and the individual initiatives that it will implement during individual financial years. This Strategy is built on three pillars that will guide Consumer Protection's overall operation of being Responsive, Engaged and Accountable.

This past year we have seen important initiatives take effect such as motor vehicle dealers now being required to proactively disclose to buyers whether a vehicle under 15 years old is a repairable write-off. Consumer Protection have also created the used car sales checklist to help those in the market for a second-hand vehicle.

I have travelled throughout the State with Consumer Protection staff helping facilitate Scam Awareness Forums to empower Western Australians with the knowledge and tools to prevent becoming a scam victim. With the number of scams continuing to rise, talking and learning about the issue remains integral to prevention.

A number of the initiatives included in the Strategy are long-term in nature and continue on from 2021–24, however others are new. This Strategy continues to have a strong theme of focusing on tenancy and accommodation issues, with two important pieces of legislation that passed Parliament on the same day

beginning to be implemented. Important reforms to the Residential Tenancies Act and reforms to short stay rental accommodation. Changes to the Residential Tenancies Act include a ban on soliciting rent bidding that will be enforced by secret shopping investigations, as well as empowering tenants to challenge retaliatory action by landlords. Further reforms include the implementation of Commissioner Determinations relating to pets, minor modifications and bond disputes, as work continues towards introducing a streamlined bond release process.

We are also focused on bringing more properties to the long-term rental market, with the release of the highly successful Short Term Rental Accommodation (STRA) incentive scheme and the opening of a new register that will allow all STRA in WA to be tracked for the first time.

Important work will continue in the motor vehicle space, with extended warranties in the second hand motor vehicle market to be a focus for investigators.

Work to combat scams across a number of areas will continue, including working with relevant stakeholders to help prevent scams relating to the sale of residential properties.

I look forward to working with Consumer Protection to continue to ensure safe and fair trading for consumers, businesses, landlords and tenants in WA.

Hon. Sue Ellery MLC BA

Minister for Finance; Commerce; Women's Interests

Guiding priorities

Enhancing implementation of government policy initiatives.

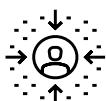
1. Focusing on what is important to the community.
2. Broadening engagement with vulnerable consumers.
3. Increasing community awareness of consumer rights and obligations.
4. Enhancing engagement with traders.
5. Improving available outcomes.
6. Building analytical capacity.
7. Supporting non-government organisations.
8. Improving transparency.

Three pillars strategy



Responsive

Consumer Protection commits to being alert and responsive to emerging issues and to changes in markets, the needs of the community; and government policy.



Focusing on what is important to the community



Improving available outcomes



Building analytical capacity

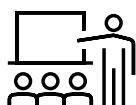


Engaged

Consumer Protection commits to being directly and regularly engaged with consumers and consumer organisations, traders and trader organisations, the non-government sector, and other government agencies.



Broadening engagement with vulnerable consumers



Increasing community awareness of consumer rights and obligations



Enhancing engagement with traders



Supporting non-government organisations



Accountable

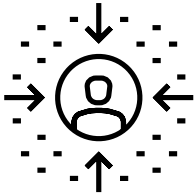
Consumer Protection commits to being transparent in its operations and decision-making so the State Government and the community can hold Consumer Protection to account for the nature and effectiveness of its operations.



Enhancing implementation of government policy initiatives



Improving transparency



Focusing on what is important to the community 2024–25 Initiatives

Tenancy and accommodation

- Secret shopper investigations to enforce prohibition on rent bidding.
- Ensure:
 - ▶ compliance with the Australian Consumer Law (ACL) and relevant State laws in real estate, retirement villages, residential parks and residential tenancies; and
 - ▶ agent compliance with bond lodgement and trust account requirements.
- Implement Commissioner Determinations in relation to pet, minor modifications, and bond disputes.

Product safety

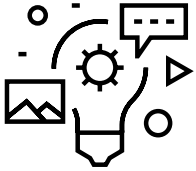
- Monitor the market and investigate unsafe products and, where necessary, remove them from the marketplace.

Motor vehicles

- Compliance focus on:
 - ▶ odometer tampering;
 - ▶ unlicensed dealing;
 - ▶ alleged breaches of the ACL by dealers and repairers;
 - ▶ alleged breaches of the ACL by tow truck drivers.
- Proactive compliance to identify unroadworthy vehicles.
- Investigate extended warranties in second hand motor vehicle market.

Scams

- Work with relevant stakeholders to help prevent scams relating to sale of properties.
- Work with real estate, settlement agent and car dealer industries to implement secure communication and payment platforms to reduce the risk of payment redirection scams.
- Partner with the National Anti-Scam Centre to disrupt scams, provide support to victims of scams and educate the broader community.



Improving available outcomes

2024–25 Initiatives

- Continue development of proposals for improved dispute resolution processes under the *Fair Trading Act 2010 (WA) (FTA)*.
- Ensure all options for outcomes under the FTA and the Australian Consumer Law are understood and explored.
- Where in the public interest, the Commissioner to institute, defend or assume the conduct of, legal proceedings on the behalf of consumers or small businesses.



Building analytical capacity

2024–25 Initiatives

- Continued emphasis on, and better processes for, data capture and analysis to inform policy development, community engagement strategies and compliance activities, including the deployment of advanced telephony systems.
- Complete the implementation of iBase intelligence data management application.
- Continue the trial of LivePro as a knowledge management tool.



Engaged

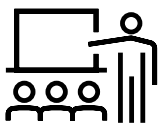
“Share...with community based advocacy organisations”



Broadening engagement with vulnerable consumers

2024–25 Initiatives

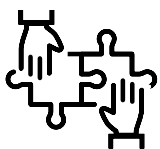
- Enhance engagement with, and service delivery to, people living with disabilities, Aboriginal consumers and members of culturally and linguistically diverse communities.
- Expand the number of community engagement forums with vulnerable consumer groups.
- Report on findings from the Aboriginal Consumers Count and develop recommendations to address.



Increasing community awareness of consumer rights and obligations

2024–25 Initiatives

- Continue to implement broad-based and multi-channel consumer and trader awareness programs, with a particular emphasis on the understanding of consumer guarantees and warranties.
- Develop and implement revised strategies to effectively engage with communities.
- Develop and implement community awareness campaigns to support policy and compliance priorities and the following local and national initiatives:
 - ▶ tenant engagement project
 - ▶ second-hand motor vehicles; and
 - ▶ understanding consumer guarantees;
- Continue to review and, where appropriate expand, communication channels, including social media/digital.



Enhancing engagement with traders

2024–25 Initiatives

- Continue to review existing trader engagement processes to maximise the impact on compliance of all regulated traders.
- Ensure strong networking relationships with relevant trader organisations.
- Maintain direct, open and operational relationships with the Small Business Development Corporation, Australian Securities and Investments Commission and the Australian Competition and Consumer Commission.
- Develop guidance materials for industry on topics like unfair contract terms and cyber security.
- Identify policy and operational process opportunities to reduce the regulatory burden on Western Australian businesses.



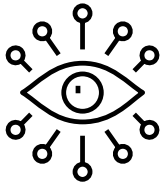
Supporting non-government organisations

2024–25 Initiatives

- Ensure strong networking with relevant, consumer focused, non-government organisations.
- Partner with non-government organisations in the delivery of community engagement initiatives.
- Share the MyACL training materials with community based advocacy organisations.

Accountable

“Strong community, education and media presence”



Enhancing implementation of government policy initiatives

2024–25 Initiatives

- Continue to implement enhanced policy consultation processes, with greater reliance on visual, interactive and less complex methodologies.
- Support the State Government to enable enactment of new legislation, including:
 - ▶ *Commercial Tenancy (Retail Shops) Agreements Act 1985*;
 - ▶ Retirement Villages Amendment Bill;
 - ▶ Updates to Land Valuer Licencing opportunities; and
 - ▶ Charitable Collections Act amendments.



Improving transparency

2024–25 Initiatives

- Develop and publish a Consumer Protection Year in Review for 2023–24.
- Maintain a strong community, education and media presence.



Consumer Justice Strategy 2021–25

2024–25 Initiatives

demirs.wa.gov.au/consumer-justice-strategy

