



Australian Government

The Treasury



An Australian Consumer Law

Fair markets — Confident consumers

A single national
consumer law for all
Australians

New consumer
protections against
unfair contract terms

Stronger, more
effective enforcement

A national product
safety system

National application by
the end of 2010



Message from the Minister

Australia's governments have agreed to the most significant reforms to consumer law for over 25 years and we are now working to make them law.

While our current laws have served us well, they could be much better.

Our aim in these reforms, is to provide Australian consumers with a standard of consumer protection that meets the world's best practice.

On 17 February 2009 I released the details of the new Australian Consumer Law, which is being developed by the Australian Government with the States and Territories. *An Australian Consumer Law: Fair markets – Confident consumers* explains the detail of the new law, and I urge consumers, businesspeople and anyone concerned with consumer policy to give us the benefit of your views.

Australia's consumers will benefit from nationally consistent regulation, enabling them to participate with confidence and certainty in markets in which both consumers and suppliers trade fairly. The Australian Consumer Law will enhance consumer protection, reduce regulatory complexity for businesses and encourage the development of a seamless national economy.

The Rudd Government is committed to working with our state and territory colleagues to deliver a world class consumer law for Australia.

The Hon Chris Bowen MP

Assistant Treasurer, Minister for Competition Policy and Consumer Affairs

Continuing consultation

- *An Australian Consumer Law: Fair markets – Confident consumers* was released on 17 February 2009 – www.treasury.gov.au. Your views are sought by 17 March 2009.
- There will be ongoing consultation with consumers, business and the community about the Australian Consumer Law.

The Australian Consumer Law

- A single national consumer law for Australia, based on the consumer protection provisions of the *Trade Practices Act 1974*.
- A new, national prohibition on unfair contract terms in standard-form contracts.
- A uniform, streamlined regulatory system for consumer product safety.
- New civil penalties for breaches of the Australian Consumer Law, including civil pecuniary penalties and disqualification orders.
- New enforcement powers for regulators, including substantiation notices, infringement notices and public warnings.
- A new power for courts to order redress for all consumers affected by breaches of the Law.
- Reforms based on best practice in existing state and territory consumers, where the TPA is generally agreed not to be adequate.

Moving quickly to make it law

- The Australian Government, with the States and Territories, will move early to implement key elements of the Australian Consumer Law in 2009, including unfair contract terms, new civil penalties, enforcement powers and consumer redress.
- The Australian Government will move to legislate for the new product safety system in late 2009.
- These Bills will include reforms drawing on best practice in State and Territory laws, where they have been agreed.
- The States and Territories are to apply the Australian Consumer Law by the end of 2010.
- The Australian Consumer Law will be fully implemented by 1 January 2011. It will apply nationally and in all States and Territories and to all Australian businesses.

