



Queensland Retail Traders & Shopkeepers Association
Industrial Organization of Employers

2 December 2005

Consumer Protection Penalties Review
Competition and Consumer Policy Division
The Treasury
Langton Crescent
PARKES ACT 2600

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Queensland Retail Traders and Shopkeepers Association thanks you for referring this discussion paper to it.

The Association has reviewed and considered the discussion paper.

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This Association does believe that there should be a review of the enforcement mechanisms relating to consumer protection matters. However it is important to acknowledge the seriousness of the matters being considered. Pecuniary penalties and banning orders need to be subject to stringent safeguards to ensure that while the difficulties expressed in the discussion paper are addressed the enforcement regime is not shifted so far that serious consequences will result to traders which are far more than necessary to address the present problems. In other words the Association wants careful consideration given to making sure that the criteria for such enforcement processes are carefully, fully and accurately drawn so that the seriousness of the complaint and remedy is fully acknowledged. Otherwise the Association believes that if the criteria is set so low that these types of remedies are so readily available that by analogy the seriousness of the matter covered and the consequences flowing there from will be reduced to nothing more than say for example traffic offence infringement notices and disqualification of drivers. In a nutshell the bar has to be set at a reasonable height.

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The Association has endeavoured to be frank and to the point and reasonable in its consideration of this matter and we trust that this will be taken into account and that the seriousness of this situation will not be lost on the reviewing authorities.

Yours faithfully

Ian Baldock
Executive Director