

# COMPLIANCE AND DISPUTE RESOLUTION ADVISORY COMMITTEE

## TERMS OF REFERENCE

**2010**

### *Committee Aim:*

To ensure that compliance and dispute resolution across Australia is coordinated, efficient, responsive and where appropriate, consistently applied.

### *Role of the Committee*

Subject to the direction of the Standing Committee of Officials of Consumer Affairs (SCOCA):

- Take action on issues referred to it by SCOCA.
- Detect emerging marketplace compliance and dispute resolution issues, and initiate co-ordinated national responses to those of national significance.
- Inform members of SCOCA about significant compliance and dispute resolution issues, including those related to product safety.
- Inform members of SCOCA about recent judgements, law reform and other matters likely to affect compliance and dispute resolution.
- Identify and report to SCOCA about legislative or policy options (in association with the Policy and Research Advisory Committee) to address emerging matters causing consumer detriment.
- Identify the need for, and jointly develop, publications (in association with the Education and Information Committee) to address compliance and dispute resolution issues.
- Coordinate joint operational activities including co-operative investigations where appropriate and national compliance surveys on agreed areas.
- Consult with business and consumer representatives about compliance and dispute resolution issues.
- Maintain and continually enhance effective data and trend analysis systems to detect market non-compliance trends and specific trader breaches (within legislative constraints).
- Build links with other enforcement agencies, co-regulatory bodies and industry groups to foster information sharing.
- Examine and implement opportunities for cooperative staff training and staff exchanges.
- Facilitate a Trans-Tasman approach to compliance issues where relevant, particularly product safety.
- Promote a tripartite approach to compliance – business, consumer and government.

### ***Responsibilities of the Committee***

Responsibilities of the committee include but are not limited to:

- Coordination of consistent approaches to compliance with harmonised legislation.
- Reporting on emerging compliance issues with the potential to significantly impact consumer protection.
- Facilitating and reporting on investigations of significance that cross jurisdictional boundaries.

### **Projects**

- The Advisory Committee is to work only on projects approved by SCOCA or the chairperson of the Committee.
- Projects will include projects on the MCCA Strategic Agenda
- Each project is to have a comprehensive project plan, including agreed milestones and dates for deliverables agreed by SCOCA.
- Significant changes to the agreed project plan, in particular to deliverables, milestones and/or dates for deliverables are to be agreed by SCOCA.

### ***Reporting***

- A written report on the status of each project by the project leader is to be provided quarterly to the Secretariat, including reports against agreed milestones and dates for deliverables.
- The Advisory Committee Chairperson is to monitor and ensure reporting requirements are met by the Committee.
- Status reports on each project are to be included on the MCCA website and extranet where appropriate.
- The Chairperson of the Advisory Committee will draft a report quarterly to inform SCOCA of issues related to the Advisory Committee.

### **Annual Review**

- The operations and terms of reference of this Advisory Committee are to be reviewed annually by SCOCA.