

Formal Submission for Consumer Law Review, Please excuse some rants. I give permission for this to be made available for public viewing except for sections that contain some information relating to ongoing litigation, those parts are highlighted with ' -Not for public- '

I believe we need stronger consumer laws that reflect what society wants and to stop business getting away with selling faulty and sometimes extremely dangerous goods.

The Australian Consumer laws need to be enforced, if a citizen comes to a government body for help, that body, being ACCC, State Consumer Protection or any relevant agency, should have the power to enforce Australian laws.

The current system 'the more people complain, we will do something/investigate' scenario by the ACCC does not work, too many people do nothing about the issues they face or are too busy or just simply do not know their rights or have been manipulated by the business or service to do nothing or accept a less than satisfactory outcome.

For consumers who do have to take it through the states consumer protection and are made to go to a small claim tribunal or recommended to seek legal action through a more powerful court should be able to do so online, it is simply a too complicated process currently that is dragged out and can be very lengthy.

the ability to lodge a claim with a small claim tribunal to have it sorted out quickly would be ideal for consumers and having it completely online would benefit both consumer and company unless they nominate to do so face to face and would free up valuable time for everyone and lift productivity.

Consumer law currently does have protections in place to stop citizens being harassed by debt collectors/bank/creditors yet these companies will still call 3-8 times every single day of the week, with or without sending letters or other communication and some will only accept response in writing or via phone and do not allow you to email or contact via social network yet will harass and intimidate, I have evidence of this. most major creditors are guilty of this including companies such as; , , and I am sure many many others do. I personally ended up going to police over who does allow you to message online and discuss but still would not stop and have also made a police complaint against American express for the same thing, who does not allow you to talk online, only via call or writing, which is unfair when they will 100% call you at least 3 times per day until you respond which they do not give many methods to do so and will let it ring once then hang up on you or have an automated service do it and blame that.

Car Manufacturers should be held liable and accountable for serious mechanical failures and unusual wear and tear within the first 4 years of the cars life or 125,000km. Whichever comes first.

currently, there is almost absolutely no protection other than a 12-month warranty and any other warranty the car manufacturer offers, usually around 3 years however even if something does go wrong they treat consumer rights as optional extras and like it's their discretion to honour consumer laws and do the ethically right thing.

there should be a limit on the amount of days they can take the car without compensation and if they take it for a certain length of time have to compensate you for the inconvenience without going to court as well as many other protective measures for consumers, I do realize the manufacturer needs some protection too from being slugged with a car that has been abused by an owner but I believe a majority of these cases it is manufacturing related.

Lemon laws are a major issue for me and I strongly believe we need them. When and if lemon laws are implemented they should be backdated to 2011 if they had made a complaint to ACCC or the State Agency during 2015 or 2016 to send a strong and clear message to suppliers and manufacturers that sub-standard cars are NOT acceptable. The fact that holden has more and more people identifying with transmission problems the same as I have show that it is widespread however some people are only finding out now and still find it difficult to have their issues dealt with appropriately and it does not help that will not admit to it, companies like have lawyers as customer service managers, that screams out that it is intentional and they do know, however have no ethics or morals.

if you have a problem with something that is slightly over the 12-month warranty that should not have broken or that needs to be repaired should be covered for a further 6 months minimum. things like laptops and their batteries, Trampolines, cameras, toaster, fridge, washing machine, iron, typical household stuff that in the past that was built to last centuries and today built to last the season, some major retailers are guilty of flooding the market with sub-standard products that do not last, for example who has sacrificed quality to make money at the hands of consumers who yes get a great price, but is the safety risk worth it, for me a toaster from was 11 months old when the same powerpoint I always plugged it in, same everything it was clean and everything, short-circuited the house and had a big spark, i returned it about a month and a half later with the receipt and said what happened but the staff I spoke to was not going to refund or exchange, I spoke to a manager and they did.

I am sure this has happened to many other consumers and I'm sure there are people not as stubborn as me who would have accepted the staff members word on it.

Independent franchises should not have access to your emails or other records unless you specifically give permission to the head office as you should be in full control of your personal details and have the right to privacy from everyone but the government and even then the information should be heavily encrypted and when access no name only details are shown and a warrant must be obtained to access it, with a two-step verification having to have another agency involved to view said materials. I am sure the Privcy act and the Telecommucations act do provide protections but so should the Australian Consumer Laws.

not included in the

in the closing of my submission, I urge the review panel to see things from the perspective or an everyday average citizen who has invested a lot of money in products and looked after them, to

have continuous issues and problems and is too busy to do anything about it and needs an easier way to report and get help with issues.

with me, Head office extremely mismanaged my case and I ended up having an emotional outburst sending a few choice emails to the head office in Melbourne but was charged even tho they had withheld money that they were eft to me, they never ended up giving the money back and only gave me gift cards which I feel more is just restitution for the inconvenience and still wanted my money back. a gift card and money are not the same things. gift cards can not be used the same way as cash and is severely restricted. when they withheld more than \$400 for more than a month I missed paying my car registration since I was \$105 short and had already borrowed money from a family member. this meant I was charged a \$65 reinstatement fee by the Qld government to have my car registered again in addition to my normal registration fees, again something never reimbursed even after making me miss a tv commercial on the gold coast in which they had cancelled my hire car for only further infuriating the situation and adding fuel to the fire. to this day there is still more than \$700 outstanding in reimbursments, \$550 in repairs and other civil disputes.

all of the above situations should never have happened. and should have more support from agencies that already exist.

I realise this isn't a consumer law issue but just a general consumer issue and that is that international airlines should be allowed to service our airline ports in the north-west of Australia and Queensland on domestic routes such as Brisbane to Broome, Perth to Broome, Perth to kunnunurra, darwin to Broome, darwin to kununurrua etc. all currently over priced and monopolised by , I can fly to Hawaii return to Brisbane at some points of the year and still have \$500 left over for the same price as going ONE WAY from Broome to Brisbane.

Consumer protection agencies both national and state needs more power to enforce all aspects of consumer law right down to contracts and communications.

with the power to give bigger penalties for things like harassing consumers when they owe money. they should face bigger penalties for breaking consumer laws designed to prevent intimidation and harassment. Problems that are widespread and need a clear message sent to say there are laws to stop this. It is also a criminal offence to harass so its not just unethical, its illegal.

Kind Regards,
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