



CBOS

Consumer, Building &
Occupational Services

Promoting a fair marketplace

We are Tasmania's building
and consumer regulator

Building and promoting a
fair marketplace



Be Home Smart

Consumer Connections

Edition 2 - Winter 2019

Consumer, Building and Occupational Services
Department of Justice





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www.cbos.tas.gov.au

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From the Minister

Consumers should expect and be confident that the Tasmanian marketplace is fair and competitive.

The 2019 Consumer Connections 'Be Home Smart' highlights the commitment of the Hodgman Liberal Government to provide appropriate protections and ensure that the rights and responsibilities of consumers and traders are sensibly balanced.

Over the past year, the Tasmanian Government has worked hard to see greater protections put in place, while reducing unnecessary regulatory burdens for business.

Increased protections for vulnerable Tasmanians were introduced as part of amendments to the *Residential Tenancy Act 1997* to improve access to social housing, and improve access to safe and affordable housing for family violence victims.

We have successfully passed amendments to make it easier for Tasmanian retailers to protect their stock and prevent shoplifting, through improved regulation of bag searches and the development of a Tasmanian Bag Check Code of Conduct under the *Security and Investigations Act 2002*.

We have also introduced legislation to replace the *Disposal of Uncollected Goods Act 1968* with modern legislation that contemporises consumer law in the interests of both businesses and consumers, and brings our laws into line with those in place in other jurisdictions.

Tasmania has also helped to facilitate a range of changes as part of the national approach under the Australian Consumer Law. The reforms include tighter controls on ticket resale websites to disclose certain information and better inform consumers, and implementing new and fairer requirements for gift card expiry dates.

Consumer, Building and Occupational Services staff will continue to work hard to ensure that businesses comply with their obligations, and provide greater information to empower consumers to exercise their rights under the consumer laws.

Hon Elise Archer MP
Minister for Building and Construction

From the Executive Director



Welcome to the second issue of Consumer Connections. CBOS has looked at issues raised with us over the past year and developed advice and information that we hope you will find helpful.

The focus in this issue is all about being 'home smart'. But what does this mean?

We want you to be smart, informed and confident consumers who have the necessary tools to go out there and know your consumer rights and protect yourself.

In this second issue of Consumer Connections, we have covered topics relating to modern living. How to stay smart buying online, protecting yourself against identity theft, AfterPay and Airbnb, these are just some of the issues affecting us all as consumers. But we also want you to be safe at home so we've included information on winter safety, button batteries and using electricity safely in caravans. I hope that this information will assist you in staying safe in an increasing connected world.

CBOS isn't just limited to providing consumer advice. We provide a number of services, one of which is the Rental Deposit Authority which processes rental bonds in Tasmania and on 1 May 2019 CBOS introduced MyBond – the new online rental bond service. MyBond allows tenants, property owners and property managers to:

- Lodge and pay bonds
- Request the return of a bond
- Make a claim for cost against a bond
- Update contact details
- Transfer tenant and property manager

CBOS is also working on changes to assist in the smooth operation of the National Disability Insurance Scheme (NDIS). On 1 July the NDIS Quality and Safeguarding Framework commenced setting out a nationally consistent approach to worker screening in Australia for people working or planning to work in the disability sector. In Tasmania worker screening is called a Registration to Work with Vulnerable People. A screened worker will ultimately be able to work in any state or territory or for any employer delivering services and supports under the NDIS.

Finally, I'd like to encourage you to visit our website at www.cbos.tas.gov.au where you will find more information on a range of issues.

Andrew Goldsworthy
Acting Executive Director
Consumer, Building and Occupational Services



Winter safety

With winter upon us, you need to ensure your home is safe as you look to keep it warm.

As the cooler weather sets in, hot water bottles, wheat packs, electric blankets, winter pyjamas and heaters come out.

All of these products can pose safety risks if not used properly, if they are faulty or have been recalled.

The most common injuries associated with these products involve burns, with other risks from faulty electrical products including overheating, electric shock, and fire.

Wheat packs

If you use a wheat pack, always follow the heating instructions on the label. Do not heat in your microwave for longer than recommended, as this could cause the wheat to ignite and start a fire. Don't use wheat packs to heat your bed – a hot water bottle is a better choice.

Electric Blankets

Faulty electric blankets can overheat, causing an electric shock, sparks and potentially a fire.

Unfortunately, faulty models of electric blankets are recalled regularly. Check the Recalls Australia website at www.recalls.gov.au to make sure yours isn't one of them.

You can also subscribe to receive Product Safety Australia email alerts directly to your inbox.



Nightwear

Children's nightwear is regulated by an Australian Competition and Consumer Commission (ACCC) mandatory safety standard, which requires garments to have a fire danger label.

This is a very important warning because children can suffer severe burns if their nightwear catches fire.

Parents and carers need to be aware that children's clothing with a "low fire danger" label is still flammable.

Always keep children away from open heat sources such as fire places and gas stoves.

Heaters

Faulty heaters can overheat, causing an electric shock, spark and potentially a fire.

If heaters are placed too close to furniture or if clothes or other items are placed on a heater, the heat can cause the item to ignite.

Faulty heaters are regularly recalled, so check to make sure yours isn't one of them at www.recalls.gov.au.



Do not place heaters too close to furniture in your home, or place clothes on your heater.

Top winter product safety tips from the ACCC:

- Never use boiling water to fill your hot water bottle and replace it as soon as it starts to look cracked or worn. The ACCC has a hot water safety video on the Product Safety Australia website at www.productsafety.gov.au and on YouTube
- Only buy wheat bags or other heat packs that come with clear heating instructions. Never overheat your bag as this could cause the bag to ignite and start a fire
- Before winter starts, carefully check that your electric blanket is in good condition and make sure it is not part of a safety recall
- Children's clothing with a 'low fire danger' label is still flammable so always keep children away from open heat sources
- Do not place heaters too close to furniture items in your home, or place clothes on your heater
- Download the free iPhone or Android Recalls Australia app to see if a winter product you plan to use has been recalled

The ACCC's winter safety tips are available at www.productsafety.gov.au/wintersafe

Hot water bottles



Hot water bottles can be a simple and cost-effective way to heat your bed as you go to sleep through the winter months. But while hot water bottles can provide warmth, comfort and relief from aches and pains, they can also cause serious burns.

Every year, around 200 Australians are admitted to hospital because of serious burns from hot water bottles. These burns can be deep and painful and can become infected. They can require long hospital treatment, including skin grafts, and often result in permanent scarring.

Burns can occur quickly if:

- you splash hot water on yourself or others while filling a hot water bottle
- you place a hot water bottle filled with boiling water onto your skin
- a hot water bottle bursts and leaks hot water onto your skin

Severe burns can also occur slowly if you leave a hot water bottle on one part of your body for more than 15 minutes. By the time you feel the pain of this type of burn, the damage is done.

Fortunately there are easy steps you can take to minimise the risk of burns from hot water bottles.

Buying safe hot water bottles

PVC and rubber hot water bottles sold in Australia must meet the mandatory safety standard for hot water bottles. Be aware that rubber hot water bottles can perish over time. PVC ones may last longer.

Choose a hot water bottle with a large opening—this can reduce the risk of water spilling onto you while you are filling the bottle.

Buy a new hot water bottle at least every year or as soon as yours shows signs of wear, cracking, perishing or leaking.

Keep the packaging and receipt for your hot water bottle in case it fails and you need to report it to the ACCC.

Filling a hot water bottle safely

- Before using a hot water bottle, check it for cracks, splits, brittleness, breaks and other damage.
- Heat the water in a kettle using cold tap water.
- Do not fill the bottle with water from the hot water tap, which can cause the rubber to perish.
- Do not use boiling water.
- If the water is very hot, add cold water from the tap.
- Hold the hot water bottle upright, over the sink and away from your body when filling it.
- Pour water into the bottle slowly until it is two-thirds full.
- Remove excess air from the bottle before closing it. Do this by lowering the bottle slowly towards a lying position on a flat surface.
- When you see water at the opening, put in the stopper and tighten it.

Storing a hot water bottle safely

- Remove the stopper and attach it to the neck with string.
- Attach the hot water bottle to a coat hanger and hang it upside down in a wardrobe. This will allow it to empty completely and dry out.
- Never store the bottle with water in it or where it may come into contact with sunlight, household chemicals or grease. These can cause the bottle to perish and become weak before its next use.

Tips when buying firewood

There are a few things you should be mindful of when buying wood:

- Clearly state the amount and type of firewood you need and ask the supplier if it is the right wood for its intended use (eg heater, stove, fireplace).
- Shop around for the best deal. Look for wood sold by weight as it may be easier to compare prices.
- Calculate the total price of the wood (including any delivery charges) before you agree to a sale.
- Make sure the supplier gives you a written statement of the measurement.
- Where buying pre-packed firewood, the packaging should show the following:
 - o net weight - this should be clearly marked on the package
 - o name and address of the business responsible for packing the wood
- The product must be fit for purpose. For instance you should not be supplied with green wood which you want to use immediately. Under the Australian Consumer Law there are penalties when a trader misrepresents the nature of a product.



How is firewood measured?

You can buy firewood by weight, volume or lot.

If a load of wood is being sold by weight it must be measured in tonnes or kilograms. Only the net weight of the wood can be considered (excluding any container, trailer or ropes). Sometimes deliveries are made to more than one customer at a time. The supplier should:

- keep each load separate and
- give each customer a delivery docket stating the weight of the wood delivered.

Wood sold by volume (by the cubic metre) should be neatly stacked with as few gaps as possible and not just thrown together randomly.

Firewood is also sold by the lot as a stack, trailer load or truck load. If sold this way, the trader cannot make any reference to weight or volume of the lot.

The National Measurement Institute (NMI) is responsible for weights and measures. NMI employs inspectors throughout Australia to investigate complaints and resolve problems with trade measurement matters. Contact NMI on 1 300 686 664 or go to their website at www.measurement.gov.au.

If you have any questions about consumer rights or the Australian Consumer Law you can go to our website at www.cbos.tas.gov.au

Button batteries



Every week, around 20 Australian children present to hospital emergency departments following exposure to button batteries – by either swallowing them or inserting them into their bodies.

By any estimation, that is an awful statistic. Tasmanian parents and people in general need to understand how to protect their children or children who come into their homes

Contact the Poisons Information Centre on 13 1126 immediately if you suspect a child has swallowed a button battery

You can find button batteries in many common household products, such as:

- remote control car keys
- TV remote controls
- calculators
- kitchen and bathroom scales and
- greeting cards.

If swallowed, coin-sized button batteries can lodge in a child's gastrointestinal system.

An electrical current is immediately triggered by saliva. This causes a chemical reaction which can cause severe burns to the child's oesophagus and internal organs such as the lungs, heart, arteries and spine.

It can take only a few hours, resulting in serious injury or death. These injuries can occur even if the swallowed battery is flat.

Once burning begins, damage can continue even after the battery is removed. Repairing the damage can be painful and may require multiple surgeries.

Symptoms which may occur after swallowing a button battery include:

- gagging or choking
- drooling
- chest pain – which may present as grunting
- coughing or noisy breathing
- unexplained vomiting or refusing to eat
- bleeding from the gut resulting in black or red vomits or bowel motions
- nose bleeds – sometimes this can be blood vomited through the nose
- unexplained fever

These symptoms are similar to many other conditions and may not appear for some time, so it may not be suspected that the child has swallowed a battery.

Buying tips

If you are buying a household device or novelty, look for products that do not run on button batteries.

If you do buy button battery operated products, look for ones where the battery compartment requires a tool or dual simultaneous movement to open. **This makes it difficult for a young child to access the battery.**

Safe use

- Keep products with button batteries out of sight and out of reach of small children.
- Examine devices and make sure a child cannot gain access to the batteries inside.
- Dispose of used button batteries immediately. **Flat batteries can still be dangerous.**
- If you think a child has swallowed a button battery, immediately contact the Poisons Information Centre on **13 11 26**. You will be directed to the nearest hospital or emergency service that can manage the injury.
- Do not let the child eat or drink and do not induce vomiting.
- Tell others about the risk associated with button batteries and how to keep their children safe.

Button batteries are a little known but severe injury risk for children

For more information, go to:
www.productsafety.gov.au/products/electronics-technology/button-batteries

You can read more on product safety on pages 31-33 in Consumer Connections - Be Scam Smart - Edition 1 Autumn 2018

Using patio heaters and BBQs

The Australian way of life promotes the outdoor lifestyle and use of gas fired barbeques and patio style heaters.

Follow these simple tips and you will be on your way to enjoying the benefits of a safe appliance:

- Make sure your appliance is safety certified
- Always use your appliance according to the manufacturer's instructions and warning labels
- **Only use outdoors in a well ventilated area**
- Place well away from combustibles including home deck railings and out from under eaves and overhanging branches
- Place appliance on a flat surface, where it is unlikely to fall or be pushed over
- Keep children and pets a safe distance from the appliance area
- Keep appliance clean by removing grease, fat, dust and cobwebs
- Never leave appliance unattended
- Always make sure your barbecue lid is open before lighting it
- Turn off gas supply when finished
- Have your appliance checked every two years by a licensed gas-fitter, who can repair or replace any worn parts and make sure the barbecue is operating safely and efficiently
- Inspect the hose and cylinder connection for signs of perishing or cracking. If you see this type of damage, don't use the appliance until the hose has been replaced.



Correctly connecting the gas appliance to the gas cylinder is important for safety.

Always check the gas hose and cylinder connection (O Ring) for leaks before using it:

- A gas leak will make bubbles when you apply a light soap and water solution to the hose
- If your appliance has a gas leak, by smell or the soapy bubble test, and there is no flame, turn off both the cylinder and the barbeque
- If the leak stops, get the appliance serviced by a licensed gas-fitter before using it again
- If the leak does not stop, call the fire service on 000 and do not move the appliance
- If you smell gas while cooking, immediately get away from the appliance, call the fire service on 000 and do not move the appliance.
- If the flame goes out during operation, turn the appliance and gas off and wait at least 5 minutes before re-lighting it.



Using electricity in tents and caravans

Thousands of Tasmanians love nothing better than enjoying the State's many recreational areas in caravans or tents.

Whether you're going to a coastal caravan park or setting your tent up in the bush, you need to know how to use electricity safely.

If you need to do electrical work on your caravan, remember:

- Do not undertake DIY electrical work on your caravan
- Only a licensed electrician can perform electrical work on a caravan
- Always use a licensed electrician

Connecting your caravan to an electricity supply

The power point you connect your caravan to should be protected by a RCD device, which is a safety switch. This safety switch automatically disconnects the electricity supply if a fault is detected.

Caravans registered in Tasmania must display an Electrical Compliance Certificate sticker

An electrical contractor must sign and date the certificate. This ensures the caravan's electrical installation has been inspected and tested. Certificates are available from Consumer, Building and Occupational Services.

Using electricity extension leads in caravan parks and camping grounds

There are a number of things you can do to safely use electricity extension leads when camping or in a caravan, including:

- Extension leads should be one continuous length and rated at 15 amperes
- Inspect leads regularly for any damage and replace when necessary
- Always completely uncoil extension leads before plugging into a power point
- Secure the extension lead to the tie bar at the caravan site electricity service pillar
- Make sure the lead does not cross vehicle tracks or block access ways

- Only connect one lead to each socket outlet at the electrical service pillar
- Use a separate lead for each inlet socket on the van

Some on-site power points may not have safety switch protection for the outlets. We recommend you use a portable safety switch with an extension lead.

Do not get an electricity supply from another tent occupied by someone else or situated on another site. Double adapters or power boards must not be used to connect extension leads into the caravan park electrical service pillar.

Using electrical equipment in tents

There are extra electrical hazards for campers using tents. The combined factors of electricity and damp areas, such as grass and canvas, can increase the risk of electrical shocks.

Make sure your electrical appliances are approved and robust for the harsh conditions you may encounter while travelling and camping.

Before using electrical appliances always check:

- the appliance has not been damaged since it was last used
- there are no signs of damage to the supply cord and plug

Using light fittings in tents

Light fittings must be:

- durable
- insulated
- protected against lamp breakages

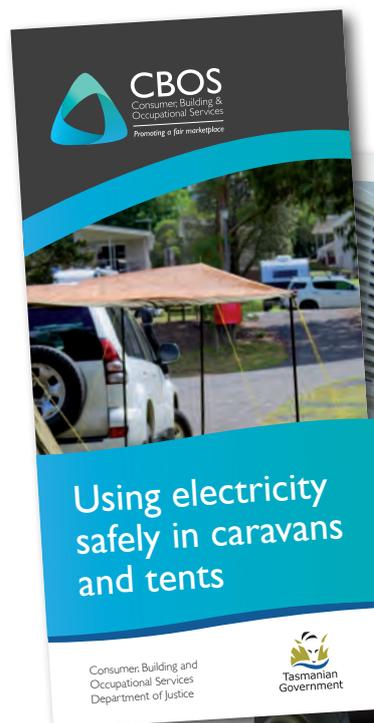
If you are connecting more than one appliance in a tent, use an approved power board. Place the outlet box on a rigid support in a dry and protected position.

If possible, switch the power off at night or when electricity is not being used.

What should you do if you receive an electric shock?

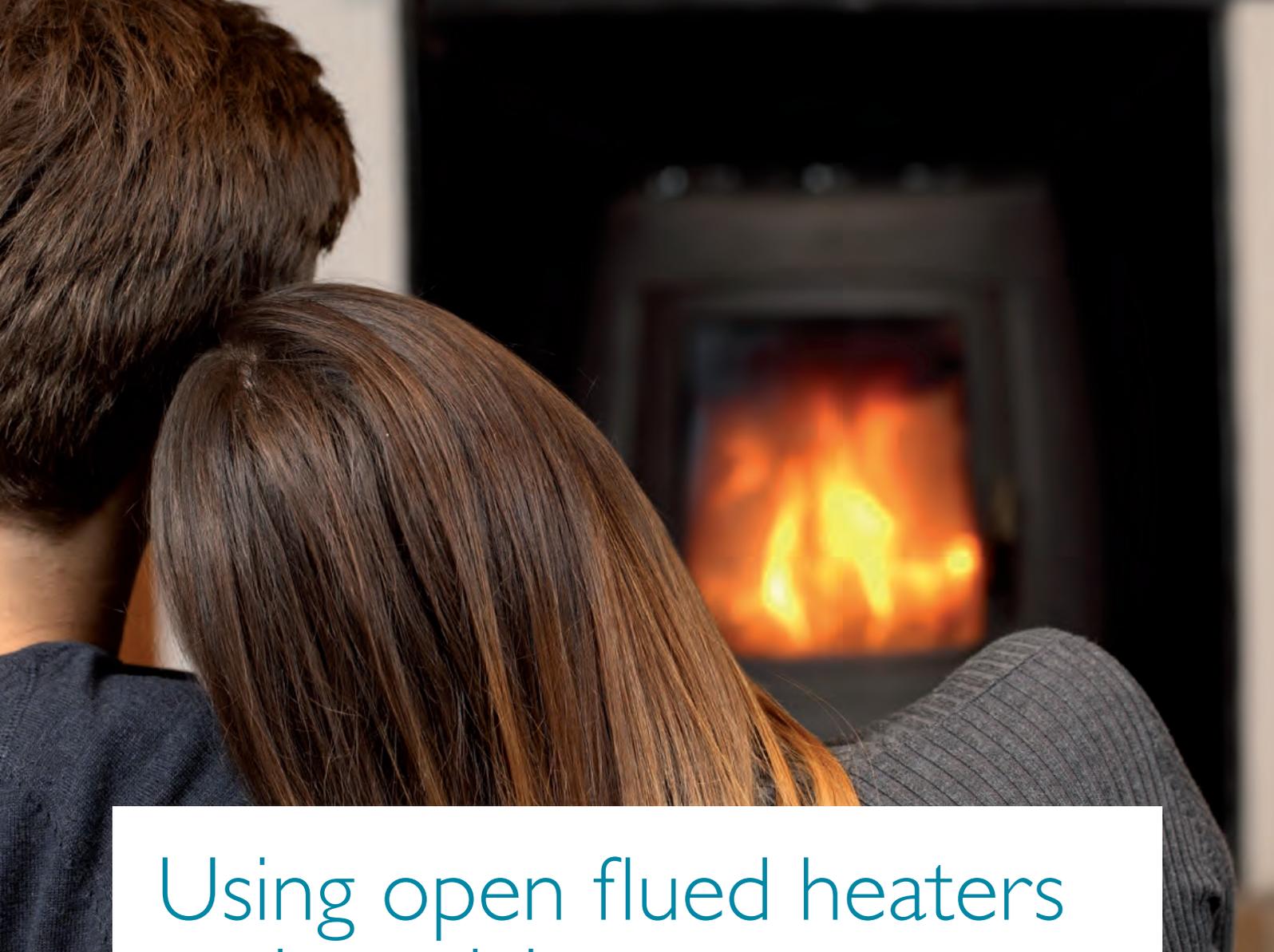
- If you receive an electric shock, stop using the electrical appliance and stay away from whatever gave you the shock
- Report all electric shocks immediately to TasNetworks on **13 2004**
- Minor shocks or tingles can be an indication of a larger problem which may eventually lead to electrocution

Electrical safety is everyone's responsibility



Grab a copy of our brochure at www.cbos.tas.gov.au





Using open flued heaters and servicing

Open flued heaters are generally a safe and efficient way to heat your home. But if they are not maintained, these heaters can become dangerous, especially in newer built or retro-fitted homes designed to be more energy efficient.

Open flued heaters draw air from the room to feed the fire. In certain circumstances, poor ventilation and use of exhaust fans can draw carbon monoxide (and other exhaust gases) back into the room.

Carbon Monoxide can be fatal. It is produced in several ways including from poorly fuelled, ventilated or maintained heaters. These heaters can be consuming wood, gas, oil or any other fuel. This is why it is important to test open flued heaters for flue spillage.

Testing and servicing can assist in checking flue spillage, or locating leaks on flue shafts and appliance panels. This allows for things to be fixed before a tragedy occurs.

CBOS recommends you have your open flued heaters serviced at least every two years by a properly qualified and licensed person.

OPEN FLUE HEATERS

Draw air from the room to feed the fire. Inadequate ventilation and use of exhaust fans can draw carbon monoxide (and other exhaust gases) back into the room in certain circumstances.

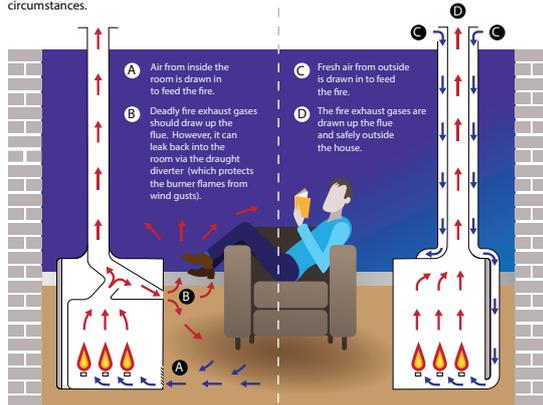


Image courtesy of Energy Safe Victoria

What is negative pressure?

Negative pressure can occur when there isn't enough ventilation and an exhaust fan is operating in the home. It has the effect of drawing air from any external opening in a house, including heater flues and chimneys.

Fuel burning heaters and appliances, rely on indoor air for correct operation.

The dangerous effects on flued appliances when installing exhaust fans

Kitchen range hoods and bathroom exhaust fans can impact on the safe operation of open flued space heaters.

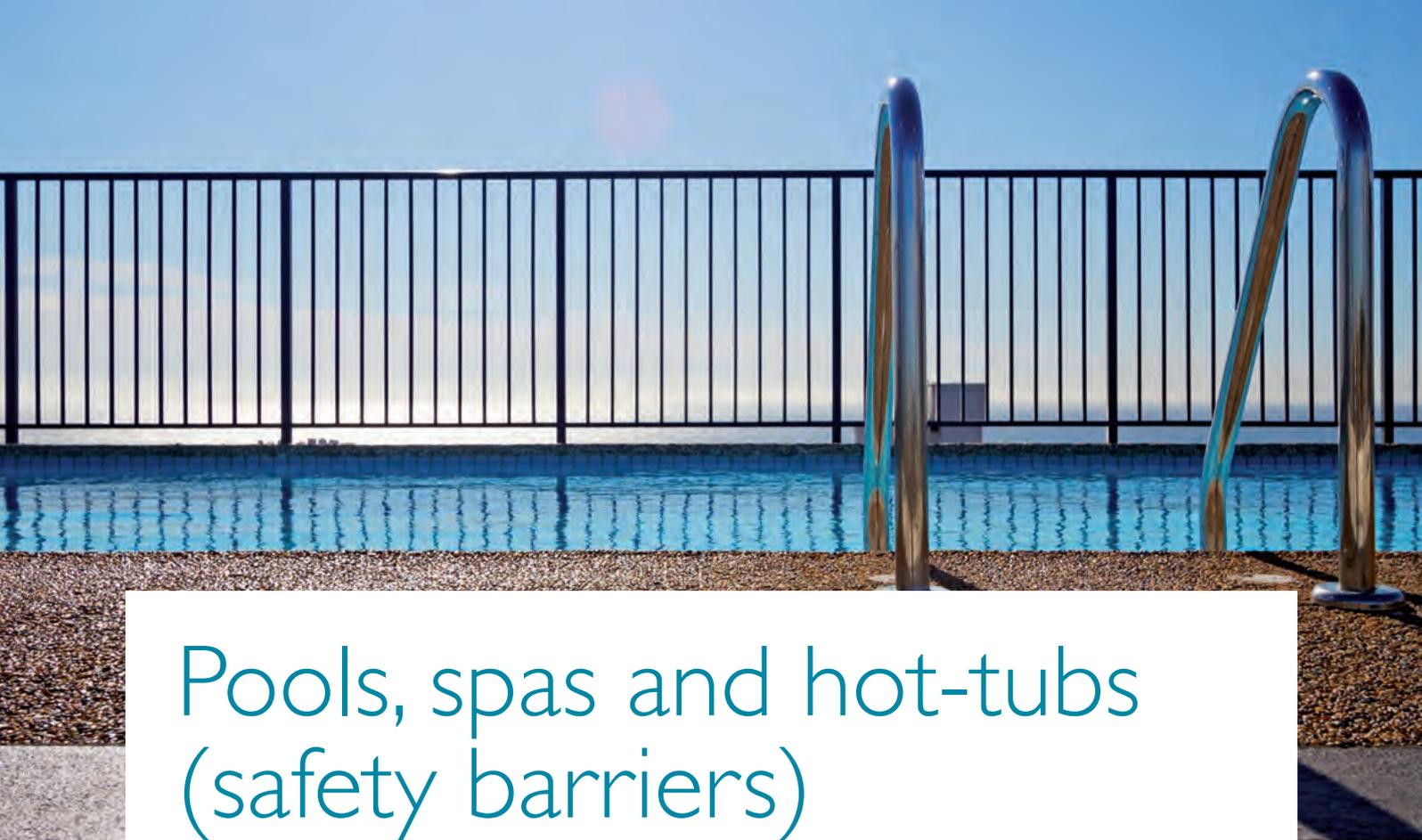
Kitchen or bathroom fans remove air from inside the house and can lower the air pressure. This can reduce the natural draught from vented and flued appliances. It may lead to the back draft or "spillage" of deadly exhaust gases into living spaces. Large spillages can cause high levels of products such as:



- carbon dioxide (CO₂)
- water vapour
- carbon monoxide (CO)
- or in other than gas fuelled appliances, nitrogen dioxide (NO₂).

Modern house construction and renovations continue to maintain a focus on energy efficiency. This minimises the natural ventilation of a building and lowers the ability to draw air from gaps, vents and adjacent rooms. This increases the likelihood of flue spillage into the home.

It's important to have space heaters checked after installing a kitchen range hood or any other type of exhaust fan. You can search for a licensed gas-fitter at www.cbos.tas.gov.au.



Pools, spas and hot-tubs (safety barriers)

Owning or installing a swimming pool can be a wonderful recreational part of your home or shack life in Tasmania.

But owning a swimming pool also carries responsibilities to ensure that children are safe around it. Make sure you avoid tragedy by properly protecting your pool.

If your swimming pool or spa holds a depth of water of 300mm (30cm) or more you must install a pool safety barrier. This requirement applies to pools and spas installed from 1994 onwards.

A pool or spa/hot-tub cover is not a compliant barrier

The requirement to install pool safety barriers applies to:

- Pools which are:
 - in-ground
 - indoor (excluding bathroom spa-baths)
 - above ground
 - inflatable and relocatable
- Wading pools holding 300mm (30cm) of water
- Hot tubs/spas

Who can install pool safety barriers?

In Tasmania, installation of pool safety barriers must be:

- performed by a licensed builder and
- overseen by a licensed building surveyor

Some pools and spas don't require a barrier, including:

- Pools and spas (including inflatable) which hold less than 300mm (30cm) of water
- Indoor spa-baths (bathroom spas which are emptied after each use)

- Domestic baths emptied after each use
- Bird baths
- Fountains
- Water supply and storage tanks
- Fish ponds
- Dams

Inflatable and relocatable pools

Inflatable and relocatable pools which hold a depth of water of 300mm (30cm) or more **must be enclosed by a compliant barrier**. An owner may install the pool only after a safety barrier is installed and checked by a licensed building surveyor.

Who has to maintain a pool safety barrier?

Maintaining a pool safety barrier is the owner's responsibility. Owners should check:

- gates are self-closing correctly and not propped open
- latches on gates work correctly
- items or furniture are not placed against the barrier to enable climbing, including onto neighbouring property
- landscaping does not allow climbing
- openings in the barrier have not increased due to movement of the ground or barrier
- the barrier remains structurally sound

If you are unsure if your pool safety barrier is compliant, contact a building surveyor

Pools installed before 1994. Do they require a pool safety barrier?

It is recommended that owners of pools built before 1994 install and maintain a pool safety barrier to protect themselves and the community.

Information for builders - Codes, Standards and Legislation

All new domestic pool and spa safety barriers must comply with Part 3.9.3 of the National Construction Code (NCC) Volume 2 'Swimming Pool Access'.

National Construction Code - P2.5.3 Swimming pool access

A barrier must be constructed around a swimming pool and must:

- extend continuously for the full length of the pool; and
- be strong and rigid enough to withstand impacts from people; and
- restrict young children accessing the pool and immediate surrounds; and
- have gates and doors:
 - with latching devices which young children can't operate and
 - which close and latch automatically

To get a free copy of the National Construction Code go to www.abcb.gov.au



Get a copy of brochure at cbos.tas.gov.au



Changes to the building process which may affect you as the home owner

In December 2018, some changes were made to help clarify building approvals and make the process run smoother. These are some of the important changes for property owners.

How to find out if you can do the work yourself?

Owners can now do certain low risk (category 1) work themselves with no prior building approval. The different types of low risk work are listed in a document called the *Director's Determination on Categories of Building and Demolition Work*. This Determination is available on the CBOS website at www.cbos.tas.gov.au.

Applying for plumbing approvals

Plumbing work is treated separately to building work, but is also categorised based on risk. Low risk plumbing work can also be done by a competent person, check the *Director's Determination on*

Categories of Plumbing Work to see what can be done this way.

This Determination is available on the CBOS website at www.cbos.tas.gov.au.

Other plumbing work requires a licensed plumber and for some work a plumbing permit.

To have permit plumbing work done, you need:

- a Certificate of Likely Compliance and
- a Plumbing Permit.

You can now apply to the council for both certificates on the one application form (Form 3).



Old permits to complete building or plumbing work

Some old permits never had an expiry date. However, to fall in line with all current permits, these now have an expiry date of 1 July 2020.

If you have one of these permits, make sure you:

- complete your project before the expiry date or
- apply for a permit extension.

Talk to your building surveyor or your local council permit authority about getting a permit extension.

Extensions of approvals to complete building work

If you need to extend your building approval, you need to apply at least 5 business days before your approval is due to expire.

- For notifiable building work (medium risk) you apply to the building surveyor in writing.
- For permit building work (high risk), you apply to the council permit authority using Form 76A which is available on our website at www.cbos.tas.gov.au.

Completing building or plumbing work - Standard of Work Certificates

When a builder or plumber does work on your building, they need to give you a Standard of Work Certificate. This certificate states that the work is complete and complies with the National Construction Code.

- For notifiable and permit building work, the builder gives this certificate to the building surveyor.
- For plumbing work, the plumber gives the certificate to the council permit authority.

The building surveyor or permit authority can then issue completion for the project.

Sometimes something happens that stops a builder or plumber from issuing a certificate. For example they have passed away. You can apply to the building surveyor or permit authority to complete the project without this certificate.

Upgrading a building

If you are doing building work to more than half of a building, you are required to upgrade the rest of the building to meet current standards. The only time this does not apply is if you have to do repair work because your building is damaged for example in a flood or fire.

Maintenance work of commercial buildings

It is now recognised that an owner or an occupier can be responsible for regularly maintaining building services in commercial buildings and keeping a record of this. This is a change from the previous requirement for only the owner to keep these records.

For more information read the *Information Guide – Building Legislation (Miscellaneous Amendments) Act 2018* on our website at www.cbos.tas.gov.au



How to choose an electrician?

Find a contractor with the right licence

Electrical work can only be carried out by a licensed person who has the right qualifications and insurance.

Make sure the person you want to use is licensed or check any licence restrictions.

Go to: www.cbos.tas.gov.au and select 'Search for licensed occupations' located on the homepage.

Shop around to find someone right for the job

Consider getting multiple quotes and ask them about their experience in doing similar work. Ask them for photos of completed work or if they have been recommended by former customers.

Ask them when they are available to do the work and how long it will take them to finish the work.

Ask to see their current insurance cover:

Check online for comments made by former customers.

Be clear about the work you want done

For smaller jobs, a short list may be enough for example: two new double sockets in the living room and one outdoor light over the shed door.

For larger works, plans and sketches may be necessary.

Be specific about the things that are important to you, especially with larger and more complex work.

Questions you should consider:

- How high from the floor should the power sockets be?
- Where would you like the switches to be fitted?
- What are your brand preferences?
- Do other contractors need to assist?

Get a written quote or contract

- Define what work will be carried out
- How much will the work cost
- What work will not be included
- Timeframes for the work to be completed.

Completion

- Check the works completed against what was quoted or detailed in a contract.

- Keep documentation, including receipts and manuals for warranty and insurance claims.

An electrical contractor must provide a Certificate of Electrical Compliance (CEC) for:

- installation of new electrical equipment or
- installing new circuits.

This requirement may not be necessary for replacement of existing electrical work. Your electrician will know if a CEC is not required.

The CBOS electrical inspection service is undertaken by a contractor; TechSafe Australia. TechSafe may contact you to check if the work meets Australian standards. If the inspection identifies defects, the responsible contractor is required to fix them at no charge to you as the customer.

Complain early!

What should you do if you're unhappy with the work or goods and services you have received? Check your quote or contract and raise these concerns with the contractor as soon as possible.

Early and clear communication can help to avoid misunderstandings and get the work back on track sooner.

Written correspondence, including email, can be useful for creating a record.

**Check your rights online.
Go to: www.cbos.tas.gov.au
and select 'Products and
services' for more information.**



Have you been affected by a natural disaster?

If you have been affected by a natural disaster, such as a flood or a bushfire, be aware of the following:

Insurance Claims

Contact your insurance provider to lodge a claim and confirm what you're covered for

Insurance company disputes

Contact the insurance company to lodge an internal dispute. If this is unsuccessful contact the Insurance Law Service for advice on 1300 663 464 or visit their website at <https://insurancelaw.org.au>



Hints for hiring a tradie

Get recommendations

Ask your family, friends, neighbours or work colleagues about work they've had done and who they used.

Ensure the trader is a legitimate business

- Do some research
- Verify any information they may provide
- Make sure you have their contact details

Ask the trader you are dealing with if they belong to an industry association. If they say they do, ask them for the membership or licence number. Contact the industry association yourself and verify the information the trader gives you.

Make sure the tradesperson holds the right licence for the job

Builders, electricians, plumbers, and gas-fitters are some of the trades that must have a licence. You can search and see if someone is licensed by using the online search at www.cbos.tas.gov.au or ring 1 300 654 499



Shop around - get a written quote, not an estimate, from other tradespeople

It is entirely reasonable to ask for a written, itemised quote, no matter the value of the job. This documentation is evidence on what was agreed, if things go wrong. Written quotations should:

- include all work to be done
- include all materials to be used
- reflect your specifications
- be checked that materials quoted are what you want, not substitutes.

This will help you:

- get a more competitive price
- understand what's involved in the job and the quality of any products and parts you are purchasing.

We suggest you contact various tradies to see if they can provide a quote. **Be aware: some may charge for providing a quote.** Sometimes there will be unforeseen extra work required. If this occurs, your tradesperson should let you know as soon as possible.

Before hiring a tradesperson

- Ask to see examples of their work
- If you want the work done by a specific date, make sure the contract includes a timeframe which:
 - o is realistic
 - o takes into account possible delays due to bad weather or the late supply of materials
 - o has a start date and completion date
- Make sure you and the contractor are clear on what they consider 'complete'
- Include any terms in case things go wrong

Check all terms and conditions

- Check the terms and conditions on all quotes, contracts or agreements

- Contracts are legal documents so it is really important to always read contracts carefully before signing
- Ask questions and get advice
- Keep copies of documents or anything signed

Never sign a contract you do not understand Say NO if you feel pressured

- Make sure your tradie gives you a receipt - this is your evidence that the work has been paid for
- Keep all paperwork and documentation, for example quotes, advertisements, accounts, invoices, receipts, and correspondence

Consumer rights

You have consumer rights under the Australian Consumer Law (ACL) when buying products from an Australian business. More information on consumer guarantees is available from the CBOS website at www.cbos.tas.gov.au

If there is a problem with goods or services

You can ask the tradie/business for a remedy, when the goods and services:

- are faulty
- does not do what it is supposed to
- do not look acceptable
- are unsafe
- break down before it would be expected to.

Consumers can seek compensation for damages and loss caused by a product or service. This is in addition to the consumer guarantees for repair, replacement or refund.

Resolving a complaint

CBOS helps to resolve complaints, when you can't fix the issue with the tradie. Before lodging a complaint with CBOS, follow these steps:

Step 1 - Contact the seller or service provider and try and resolve the problem

Step 2 - Write to the seller or service provider. This can be a formal letter or email. There is a sample letter to help you on the CBOS website at www.cbos.tas.gov.au

Step 3 - Contact CBOS

The complaint will be assessed to find:

- which issues are in dispute
- options which may help to resolve it
- whether someone has broken a law
- if another organisation is more suitable to handle the matter.

NOTE: If your complaint is regarding building works you should speak to your Building Surveyor before contacting CBOS.

Step 4 – Take Legal Action. Consider getting legal advice about what options are available to you. Your local Community Legal Centre, Legal Aid Office, or your lawyer could give you some advice.

Residential building work disputes

Owners and building services providers have a range of protections under the *Residential Building Work Contracts and Dispute Resolution Act 2016* (the Act). The Act aims to help resolve disputes and improve building work contracts worth \$20,000 or more.

Builders must give you a copy of the Residential Building Consumer Guide. For more information on the Act or to get a copy of the guide go to www.cbos.tas.gov.au or ring 1 300 654 499.

Fake tradies / itinerant traders / travelling con-men

Fake tradies – itinerant traders – travelling conmen. These are all names used for the same problem. Unlicensed individuals do work for you then

‘disappear’ or give you false contact information leaving you with poor quality or unfinished work. You the consumer will be out of pocket for the cost of fixing or completing the job.

Be suspicious of:

- flyers that look legitimate but offer services at reduced prices
- people who knock on your door, or approach you while you are in the garden and offer to:
 - o paint the house
 - o work on your garden or cut trees
 - o resurface driveways
 - o fix your roof
- anyone who:
 - o offers cheap deals using words like ‘for today only’
 - o asks for cash up front
 - o offers to drive you to the bank to get money to pay for the job
 - o pressures you to accept their offer
 - o says they can do the job now as another nearby has just cancelled

What you can do if you suspect fake tradies are in your area

- record as much information as you can, such as their name and vehicle registration
- keep flyers and paperwork such as receipts
- report them to the national travelling con men hotline on 1 300 133 408 between 9am and 5pm, Monday to Friday (except public holidays)
- report them to your local police.



You can read more on this topic on pages 46-53 in *Consumer Connections – Be Scam Smart – Edition 1 Autumn 2018*



Solar panels for home owners

Installing solar panels involves building work and electrical work. You need to check whether you need planning and/or building approval before installing solar panels.

You will need a licensed electrician to do the electrical work.

Planning approval

Before having solar panels installed on your home you or your installer must first check with your local council whether you need planning permission.

Important: this is separate from building approval.

Building approval

You or your installer need to check whether the installation is low risk or notifiable work. Read the *Director's Determination on Categories of Building and Demolition Work* which is available on the CBOS website at www.cbos.tas.gov.au

You will need some basic information about the installation such as:

- size
- height above the roof
- whether it will be flat to the roof or tilted and
- how close it will be to the roof edge.

If you are unsure about this, check with your installer.

For low risk work - you don't need any prior building approval.

For notifiable work - you need to engage a building surveyor to assess plans for the installation.

If you are unsure which category your project falls into, check with the local council or a building surveyor.

Other important checks

If you are connecting the solar panels to the grid, you or your installer must contact your energy provider and energy retailer about the system to get connection approval.

You should also check with your insurance company that the system will be covered by your home insurance.

Who can do the installation?

A licensed electrician must do the electrical work for all solar panel installations. To access government rebates for solar panels, the electrician must also be accredited by the Clean Energy Council. If you are unsure about this, ask the electrician or search the database at www.solaraccreditation.com.au

The building work for the installation (attaching the panels to the roof or a support structure) does

continued from page 25

not have to be done by a licensed builder. You can do this work yourself if you are competent, or hire another competent person to do it. However, a licensed electrician must supervise the work. The electrician may do the building work themselves if they are competent.

Sign a contract

The person arranging the installation must give you a contract if:

- the solar panels installed at your home cost over \$20,000, or
- the solar panels are part of a larger building project (like a new house build) that will cost over \$20,000.

Once you sign the contract, they must give you a copy of it and a copy of the Residential Building Consumer Guide which is available at www.cbos.tas.gov.au

What if I have problems with my solar panels?

If you know what the problem is with your solar panels, you should first contact the person responsible to get the problem fixed:

- faults with the solar panel system itself - contact the retailer or manufacturer
- faults - defective electrical work - contact the electrician
- faults - defective building work (for example attaching the panels to the roof or a support structure) - contact the building surveyor (if the installation was notifiable work) and the person who did the building work (this may have been the electrician).

If you are not satisfied with the outcome, you can send details of the problem to CBOS and an officer will be in touch to discuss options.

For more information, visit www.cbos.tas.gov.au

Your Home: Rent-to-buy schemes and Vendor terms

Rent-to-buy schemes and Vendor terms promise to help you buy property when you don't have the income, savings or credit history to get a regular mortgage. Often there's a broker or agent who advertises the property and makes the deal. These deals can cause major financial problems for you as a buyer or seller.

'Rent-to-buy' schemes or Vendor terms are very high risk – whether you're a buyer or seller.

IMPORTANT Always get independent legal and financial advice if you are considering one of these deals

What are rent-to-buy schemes and vendor terms?

The details of these arrangements generally follow a similar structure.

Rent-to-buy schemes

Rent-to-buy schemes are sometimes known as:

- lease-to-own
- lease plus option

You pay much more than market rent, or market rent plus an 'option fee' for a set rental period. At the end of the lease you can choose to buy the property.

Vendor terms schemes

Vendor terms schemes are sometimes known as:

- instalment contracts
- terms contracts
- vendor finance sales

You agree to a sale price then pay a deposit and regular instalment payments to the seller.

Both of these deals are also promoted under other names, like:

- sweat equity
- handyman special
- deposit builder
- seller loan

Under both Vendor terms and Rent-to-buy schemes:

- you don't legally own the property until all payments are made
- the legal rights of both you and the seller can be unclear or very limited.

These deals continue to be legal in most states.

Risks for buyers

The risks to you in rent-to-buy deals are huge. Most people who come to Consumer Action for help say that they would have never signed the contract if they had really understood it.

Get advice from an independent lawyer and accountant. Do not rely on advice from the person selling you the property, their agent or lawyers who they recommend.

You are not the legal property owner until your name is registered on the title. This will generally not be until:

- you've paid the total price AND
- the owner has handed over the title documents and these have been registered at the titles office.



You could pay much more for a property than it is really worth. If you lock in a price which ends up being more than its 'market value', it could be a major problem if you try to get a mortgage to buy the property. You might also have to pay for council rates, home insurance, repairs, maintenance and other costs which are normally paid by a home owner, not a tenant.

You could lose a lot of money if you have difficulty making the payments. Normally you won't have the usual protections that you have with a mortgage from a bank. You could end up owing a lot in extra payments and default interest rates. You may be forced to vacate the property if you cannot do what you agreed to.

Risks for sellers

You could lose control of your property. If you do enter into a 'joint venture' agreement which gives the broker rights under a power of attorney to deal with the property, they may be able to sell or rent out your property to anyone at any price on any conditions without your approval or knowledge. If you've got a mortgage over the property, you'll be responsible for making payments even if the purchaser doesn't pay. This could mean you get stuck with default interest and fees, or even lose the property altogether if there isn't enough income to pay the mortgage.

You could be charged a lot of money. If you agree to give the broker fees, the buyer's deposit and/or part of the buyer's ongoing or final payments, you could end up with much less money from the deal than you expected.

This article was provided by the Consumer Law Action Centre. Visit their website at <https://consumeraction.org.au/>

Conveyancing:

Are you using a licensed conveyancer?

Buying a home in Tasmania is a major decision.

One of the first issues you will face is whether to use a conveyancer or a lawyer to undertake the necessary legal work for you.

You can do it yourself, but most people use qualified professionals because there is a lot of money at stake. You need someone who has the appropriate insurance so that if things go wrong, you don't lose money.

You may also find your bank or financial provider wants you to use a professional person. In Tasmania conveyancers are regulated by Consumer, Building and Occupational Services (CBOS).

Things to check about your conveyancer

Make sure that the conveyancer you use has:

Professional indemnity insurance

- An approved professional indemnity insurance policy to the minimum amount of \$1 million as stated under Section 13 of the *Conveyancing Act 2004*
- Conveyancers must provide evidence annually that they have this insurance cover
- Conveyancers must always have the appropriate professional indemnity insurance. If the insurance lapses or is cancelled, the conveyancer's licence is considered to be suspended.
- The policy must be in the individual conveyancer's name or a combination of both individual and trading name.

Trust accounts

- A licensed conveyancer must maintain a trust account in an institution which is authorised to take deposits
- All monies received from clients must be deposited into this account
- The trust account must be audited each financial year
- A licensed conveyancer must provide an annual return for the period ending 30 June (of that year) to CBOS by 30 September each year
- The annual return must contain:
 - The name and location of any trust account in which trust money has been deposited
 - The total amount of all contributions to the trust account
 - A balance statement of the trust account
 - An auditor's report stating the conveyancer has kept proper accounting records and other books during the period.

Mandatory membership

The person carrying out the audit must be a member of any of the following organisations:

- Institute of Chartered Accountants
- Australian Society of Certified Practising Accountants
- National Institute of Accountants

Check if your conveyancer is licensed by going to www.cbos.tas.gov.au homepage and search for a licensed occupation

Aerated wastewater treatment system

Are you thinking of purchasing a wastewater treatment system?

Purchasing a wastewater treatment system can be a large up-front investment. It involves ongoing maintenance costs. We recommend you look for a system that will best suit your needs.

An aerated wastewater treatment system accepts normal domestic household waste from:

- toilets
- basins
- showers
- baths and
- kitchen sinks.

Important information on using the wastewater

It is designed to treat the waste and then distribute treated wastewater on site to the garden area. The treated water is not suitable for vegetable gardens, fruit trees or any other plants that produce food.

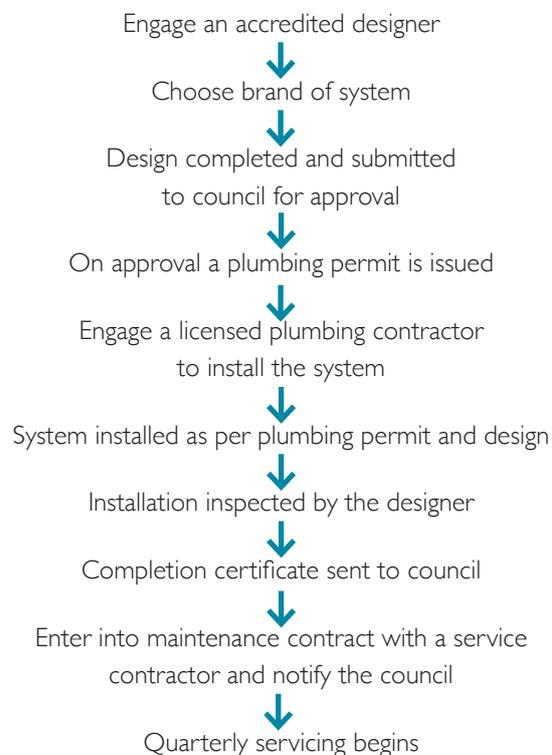
Even after the treatment of wastewater, avoid contact with bare skin, pets and livestock.

Before installation

An accredited designer will need to design the system. This includes a design for the irrigation area. The design will need approval from your local authority (council).

You must use a licensed plumber to install your wastewater management system. Go to www.cbos.tas.gov.au and select 'Search for a licensed occupation' on the homepage.

The installation process



To find out more visit the CBOS website www.cbos.tas.gov.au

Residential building work contracts

Contracts for residential building work of \$20,000 or more, must meet certain requirements. This became law on 1 January 2017.

Contract documents are an agreement between owners and a building contractor detailing the building work that is to be done. They also outline the rights and responsibilities of the owner and the builder. All contracts must be in writing, dated and signed by both parties.

Contracts for residential building work must include:

- The names of the owner and the building contractor
- The building contractor's licence details and number
- All the agreed terms between the parties
- A description of the building work, including plans, drawings and specifications
- The contract price or an estimate and the method of calculating the price. This must include any prime cost items and provisional sum allowances
- The practical completion date or the method for estimating the practical completion date
- A list of the statutory warranties that apply

Cooling-off period

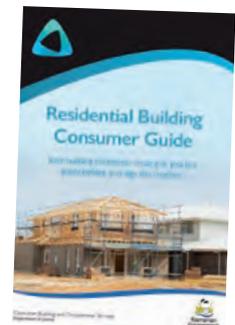
There is a five business day cooling-off period for residential building work contracts. If you are unsure about any part of the contract, you may wish to seek legal advice before signing.

Please note: seeking legal advice will affect your cooling-off period.

Residential building consumer guide

Building contractors must provide a copy of the Residential Building Consumer Guide.

The builder must give the building owner a copy of the guide and a copy of the signed contract, within five business days of signing. It contains information about owners and builders rights and responsibilities.



Grab a copy of our brochure at www.cbos.tas.gov.au

Statutory warranties

Building contractors must give a range of warranties in a contract over \$20,000. These warranties apply even if they are not written into the contract. They are called statutory warranties and state that:

- All materials supplied will be suitable and of good quality
- All materials supplied are new, unless stated in the contract
- The work will follow all relevant laws and legal requirements
- The work will be carried out, with care and skill
- Work will be done in accordance with all plans and specifications, as set out in the contract
- The home or dwelling will be suitable for occupation once completed (if applicable)
- Any provisional or estimated costs are calculated with care and skill. They must take into account all information available at the time.

Statutory warranties last for six years from the date of practical completion. They transfer to new owners if the property is sold, until the end of the original timeframe. Statutory warranties also apply to work completed by owner builders. Statutory warranty claims must be lodged with the courts within the six year period.



Protect yourself against spam or junk mail?

Spam or junk mail are electronic messages you haven't asked for which are sent to your email account, mobile phone number, or instant messaging account.

The content of spam messages varies. Some messages promote legitimate products or services, while others will attempt to trick you into following a link to a scam website where you will be asked to enter your bank account or credit card details.

The best way to protect yourself from malicious email is to stop it from reaching you. That way, there's no chance it can influence you into doing something you might regret.

The following tips may assist:

- Don't share your email address online unless you need to. You might consider setting up a separate email address just to use for online forms or shopping.
- As much as possible, have separate email accounts for personal and business use.
- Use a spam filter to catch these messages before they get to your inbox. Most modern email systems have reasonably effective spam filters to prevent spam appearing in your inbox. If you're not sure, ask your internet service provider.
- Delete spam messages without opening them.

Other steps you can take to limit spam:

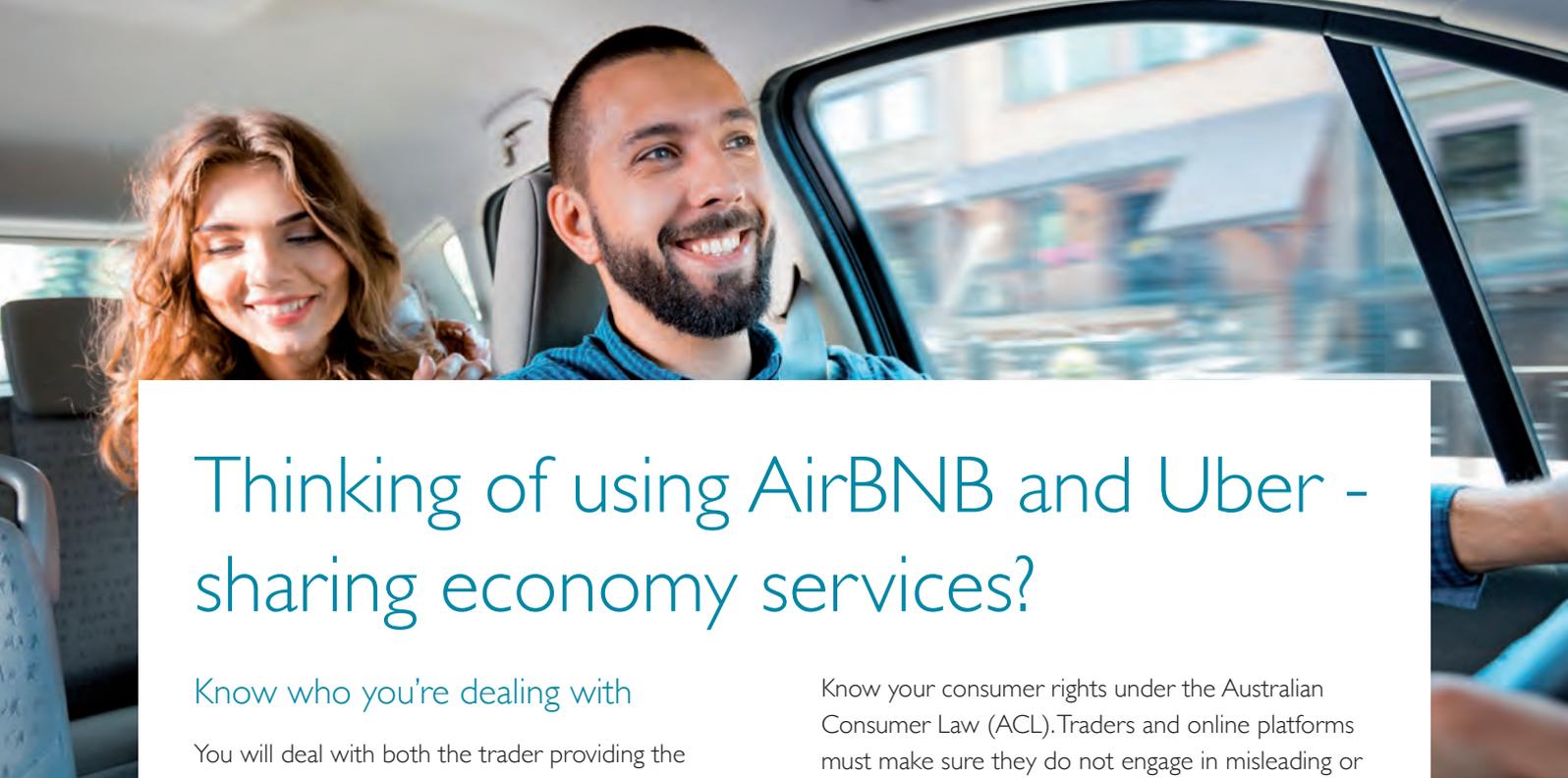
- Before using your email address online, read the website privacy policy – it will tell you how they will use the personal information you provide.

- When you sign up for an online account or service be aware of default options to receive additional emails about other products and services.

Be careful with emails that do get through to your inbox

- Think carefully before clicking on any links or opening any attachments.
- If a message seems suspicious, contact the person or business separately to check if they are likely to have sent the message. Use contact details you find through a legitimate source and not those contained in the suspicious message. Ask them to describe what the attachment or link is.
- Before you click a link (for example in an email or on social media, instant messages or other webpages), hover over the link to see the actual web address it will take you to. It is usually shown at the bottom of the browser window. If you do not recognise or trust the address, try searching for relevant key words in a web browser. This way you can find the article, video, or webpage without directly clicking on the suspicious link.
- Make sure you have up-to-date anti-virus software installed on any device used to access email.

If you think you have been scammed by a spam or junk mail electronic message you can report the matter to the Australian Cybercrime Online Reporting Network (ACORN) by visiting www.acorn.gov.au



Thinking of using AirBNB and Uber - sharing economy services?

Know who you're dealing with

You will deal with both the trader providing the product or service and the platform connecting you to them. Make sure you know who to contact if any problems arise.

Do your research

Investigate costs, photographs, location, reviews, ratings and amenities. Carefully read the platform's Terms and Conditions and all available information so you can make an informed decision.

Check you are protected

If things go wrong you need to know what you're covered for and what you're not. Any express protection is on top of your consumer guarantee rights to a remedy under the Australian Consumer Law (ACL).

Understand pricing before you commit

Some platforms may charge higher amounts during peak periods. There may also be penalties for cancelling any service you have ordered.

Work out the total cost before committing

Don't just rely on the headline price. There may be extra fees that depend on length of use or stay, for example booking fees or cleaning fees.

Know your consumer rights under the Australian Consumer Law (ACL). Traders and online platforms must make sure they do not engage in misleading or deceptive conduct or make false representations.

Be aware of how scams operate and how to protect yourself

Don't arrange payment to a trader outside of the platform

If you have a problem with a product or service you purchased from an online platform

- speak to the seller or service provider
- contact the online platform through their internal dispute resolution process (if they have one)
- write a factual customer review and rate the trader on the online platform
- if you paid using a credit card, contact the card provider to discuss if you can lodge a transaction dispute
- lodge a complaint with your state or territory's consumer affairs agency if you can't resolve the matter with the online platform and/or trader first.





Thinking about hiring your home or investment property as AirBNB (sharing economy services)?

To make sure your visitor accommodation is safe for those using it, you should:

- **Visit** the CBOS website at www.cbos.tas.gov.au and read the document called *Directors Determination – Short and Medium term Visitor Accommodation*
- **Check** whether you need a planning permit at www.planningreform.tas.gov.au
- **Fill** in the self-assessment form
- **Speak** to a building surveyor if your property doesn't meet the self-assessment criteria.

Building self-assessment form

Do I need to complete a Building self-assessment form to host visitor accommodation?

Answer the following questions:

- Is your dwelling used by you (as the owner or occupier) as your main place of residence and visitors are accommodated in more than four bookable rooms? or
- Is your dwelling an investment property or shack with a gross floor area of up to 200m²?

If you answered 'yes' to either of these questions, you need to fill out the building self-assessment form to use your dwelling as visitor accommodation.

Download a copy of the building self-assessment form at www.planningreform.tas.gov.au

If you answered 'no' to both these questions and your dwelling is used by you (as the owner or occupier) as your main place of residence and visitors are accommodated in less than four bookable rooms, you meet the exemption.

Anyone who falls outside of these criteria should speak to a building surveyor and their local council.

The building self-assessment form asks the owner to declare they have met certain standards of safety including:

- occupancy
- sewerage systems
- drinking water
- smoke detectors, and
- exit signs and evacuation lighting - for multi-storey properties

Owners should also make sure they have considered:

- if the property is in a bushfire prone area and needs a Bushfire Hazard Management Plan
- the Access to Premises Standards for disability access.

For more information visit the CBOS website at www.cbos.tas.gov.au



Shopping online

Follow these tips and protect yourself when buying online

When you are shopping online, be wary of:

- using a website which looks suspicious or unprofessional
- using a website offering bargains that look too good to be true
- using a website you think you won't get what you pay for
- suspicious emails or electronic junk mail offering you to the chance to buy goods or services

Before buying anything:

- know who you are dealing with – check that contact details are correct
- be extra careful when buying via a social media account
- ensure the website you end up buying anything from is the correct website address you wish to be on
- know what you are buying – read the description of the product carefully – check the size, colour, value and safety of the product
- read all the fine print including refund and complaints handling policies
- check the currency, postage and handling, and other charges – there may be extra charges you aren't aware of

- check the final cost before paying, including any currency conversions and additional shipping costs.

If it seems too good to be true – it probably is

Making the payment

- only pay by a secure web page and use a secure payment method. Where possible, avoid upfront payment of any kind or money transfers and direct debit, as these can be open to misuse and it is rare to recover money sent this way

This is an example of a secure website address. As you can see it has padlock and the website url protocol begins with https (HTTP Secure)



<https://www.cbos.tas.gov.au>

- when shopping through official classified websites, or online auction sites, ensure you complete the transaction through the website's payment system. If you transact outside these systems you lose any protection that the site offers.
- never send your bank or credit card details by email – only by a secure web page or secure payment method.

WESTERN UNION REFUNDS

Thousands of Australians are victims of a scam involving Western Union—the largest money services business in the world. Victims who made a wire transfer via Western Union between 1 January 2004 and 19 January 2017 may be eligible for a refund. To find out more contact CBOS on 1300 654 499.

- always print and keep a copy of the transaction
- if you think you have provided your account details to a scammer, contact your bank or financial institution immediately.

PayPal and eBay purchases

PayPal and eBay have their own dispute resolution processes. Certain terms and conditions do apply. This includes timeframes in which you can lodge a dispute. If you have an issue with an online purchase you have made through PayPal or eBay, check their policies to see if you are able to lodge a dispute with them.

Shopping online with an overseas business

If you buy from an online seller based overseas, then you need to know that you may experience problems getting a refund or solution if something goes wrong.

The Australian Competition and Consumer Commission (ACCC) Scamwatch website has tips on how to spot online shopping scams. To find out more visit www.scamwatch.gov.au.

Online group buying

Online 'daily deals' and group buying websites are channels for consumers to buy goods or services at discount prices. Before you take up an offer from these websites, check the offer thoroughly to make sure you get what you pay for. Remember that stocks may be limited and items may sell out before the offer ends.

Online auctions

You can make a complaint and ask for a refund under the Australian Consumer Law if an Australian business selling through online auction, sells you a product:

- and misleads you about features of the product or keeps hidden costs or other details from you
- which is stolen, does not belong to the business or individual or comes with outstanding debts, charges or restrictions the business didn't tell you about beforehand
- which is faulty or does not do what it is supposed to

NOTE: this does not apply to traditional auctions.

It may be more difficult to resolve a dispute with an overseas business selling through online auction. You can report problems to the auction website's in-house complaints resolutions service or customer service. However usually disputes are between the seller and the buyer. This is because the website is not involved in the actual sales process. An exception is in the case of traditional auctions or where the auction website is offering its own products for sale. For more information on shopping online visit our website at www.cbos.tas.gov.au

You can read more on this topic on pages 18-19 in Consumer Connections – Be Scam Smart – Edition 1 Autumn 2018



You can read more on this topic on page 17 in Consumer Connections – Be Scam Smart – Edition 1 Autumn 2018

Buy now pay later

Many major Australian retail and online outlets offer consumers buy now pay later services.

Older Tasmanians will remember “lay-by” at stores – which does still exist! Consumers pay off goods which are held by and remain the property of the store until the final payment is made.

Today, Tasmanians need to know their rights and obligations when using buy now pay later services.

Buy now pay later can be a convenient way to both shop and pay for things. But you need to be careful not to over-commit financially or buy more expensive items than you usually would.

What is buy now pay later?

Buy now pay later payment services allow you to buy the product or service immediately and delay payment or pay by instalments, often fortnightly, over a period of time. Some high-value purchases allow a longer payback time.

You need to understand:

- how these payment services work
- what fees you will pay and
- how to avoid getting into financial trouble.

Who provides buy now pay later?

Buy now pay later services are offered by providers such as:

- Afterpay
- Certegy Ezi-Pay
- zipPay
- Oxipay
- BrightePay
- Openpay

Buy now pay later isn't only offered for low-value purchases, like clothes and beauty products. You can buy solar panels, health services, cosmetic procedures and even travel using buy now pay later.

How do these payment services work?

Buy now pay later services are offered when you shop online or in-store as another payment option at the time of checkout.

You can apply for and set up a purchase plan through the provider's app or website when shopping online.

If you're shopping in-store, a shop assistant will set up the buy now pay later application on your behalf. The buy now pay later provider will contact you when your application is approved. This is usually a quick process.

You will need to provide your bank or credit card details the first time you use these services so your payments can be deducted. You may also be required to pay either a deposit or the first instalment up-front.

Refunds and returns

If you have a problem with the product or service you've bought, the shop or service provider's returns policy will apply, so contact them first.

Are buy now pay later services worth it?

Buy now pay later services are often advertised as “interest-free” or “0% interest”, but the cost will add up if you can't make the repayments on time.

Smart tip: Always check the terms and conditions before you sign up, as they can be different for each buy now pay later service.

Things to look out for before using these services

- **Late fees** – There is usually a late fee every time you miss or make a late payment. These fees can add up over time.
- **Monthly account-keeping fees** - Some of these services charge you a fixed amount for every month you continue to use their service.
- **Payment processing fees** - You may be required to pay a fee for each payment, on top of your set repayment.

Case study: May struggles to make ends meet after using buy now pay later services

In the lead-up to Christmas, May decided to take advantage of some markdowns by buying a couple of items online.

She found a new pair of designer sneakers worth \$150. As money was a bit tight May signed up to a buy now pay later service to split her repayments. She then found a hair straightener at a reduced price of \$300 at another online store. May used a different buy now pay later service to buy the hair straightener and stretch out her repayments.

A fortnight later, May discovered that her bank account was overdrawn. She then realised she had not checked before buying the items to make sure she would have enough money in her account to make both repayments.

May was not only charged default fees by both buy now pay later providers, but her bank also charged her an overdrawn fee.

Is your credit history or ability to repay checked?

Most buy now pay later providers do not check your ability to make repayments or your credit history. This means you can end up taking on more credit than you can afford and resulting in trouble making your repayments.

This can affect your credit score as some providers report late payments to credit reporting agencies.

Managing your buy now pay later payments

Stay in control when using a buy now pay later service by following these tips:

- **Plan ahead:** Make sure you can afford the full price and that the repayments fit into your budget. Consider any other bills or financial commitments due at the same time as your buy now pay later payments.
- **Don't get into debt:** Consider linking your buy now pay later account to your debit card instead of your credit card. That way you're using your own money and avoiding credit card interest.
- **Don't overcommit:** Stick to a limit and aim to have only one buy now pay later at a time.
- **Ask for help:** If you're having trouble making repayments, contact your provider straight away.

Taking on too much debt?

An Australian Securities and Investments Commission (ASIC) review of the buy now pay later industry found that 1 in 6 users had become overdrawn, delayed other bill payments or borrowed money so they could make their buy now pay later payments.

Making a complaint about buy now pay later services

Most buy now pay later providers have dedicated complaints and hardship services. Contact your provider to discuss your complaint, or if you are having difficulty making repayments.

A free financial counsellor can also help if you're struggling financially.

Stay Smart Online

Every Tasmanian needs to be aware how to stay safe and smart online, as more and more of our work and recreation involves using devices and being on the internet or online.

Each year, through Stay Smart Online Week, the Australian Government works with governments, industry, small business operators and community groups to raise awareness about the ways people can protect themselves online.

This year, Stay Smart Online Week will run from 7-13 October. More information is coming soon at www.staysmartonline.gov.au

You can read more on this topic on pages 7-15 in *Consumer Connections – Be Scam Smart – Edition 1 Autumn 2018*



Crowd-funding sites have become extremely popular in Australia and Tasmania. People can raise and donate money for any cause they consider is worthy.

Unfortunately, there are people in society who try to take advantage of other people's generosity.

One of the biggest sites, GoFundMe has introduced a new policy aimed at dodgy campaigners, in a bid to protect its users.

GoFundMe Guarantee policy

The GoFundMe Guarantee means users are entitled to a refund of up to \$1000 if they discover a campaign they donated to was deceptive or misused in some way.

GoFundMe's new policy also sees the joining fees slashed to zero.

Donors are eligible for a refund if:

- the campaign organiser does not deliver the funds to the intended beneficiary
- the campaign content is misleading or inaccurate, or
- if the campaign organiser is formally charged with a crime related to their actions regarding the campaign.

GoFundMe CEO Rob Solomon has told the media the aim is to make the company the safest crowd-funding service in the world.

"The guarantee is something we put in place in the US market a few years ago and now we have brought it to Australia," he said.

"It is important that we add as much protection as possible for our users. We want to be the safest crowd-funding platform out there."

GoFundMe runs thousands of campaigns annually, raising millions of dollars for worthy causes. Mr Solomon said that less than 0.1% of all campaigns have fraudulent activities.

If you believe you have been misled by a campaign, you may apply for a refund. Visit their website at www.gofundme.com



Protecting against identity theft

Did you know identity theft is one of the most common crimes in Australia?

If you or someone you know has had money taken, it may be part of a bigger operation not only designed to extract money but to also gain personal information that is used to steal identities and create opportunities for further scam operations.

Identity thieves use simple methods to get personal details to create false identities. The most simple is to collect personal documents from your garbage such as credit card statements, expired bank cards, telephone or utility bills to create their false identity.

How to protect yourself

Suspicious texts and emails – don't open them – delete them

Cold callers – Don't give out personal information to anyone who has randomly contacted you. Never send money or give out your credit card or bank account details.

Disposing of personal documents

- Use a shredder to destroy personal or important documents
- If you don't have access to a shredder you can destroy your documents by:
 - Soaking them in water (usually this makes them impossible to read)
 - Rip documents into small pieces before throwing them in the rubbish

Passwords and computer security

- Choose passwords that make it difficult for

anyone to guess (for example don't use your surname and birth year)

- Don't share your passwords with anyone
- Only use secure networks and be cautious using public computers and free WiFi to access personal information or services (for example online banking).

Social media – be very careful how much personal information you share on social media sites. Scammers can create fake identities by gathering this personal information and images.

Buying online – buy from secure sites. The url should start with 'https' and will have a closed padlock symbol. You can also use a payment provider such as PayPal or use BPAY to pay your bills.



<https://www.cbos.tas.gov.au>

Further information about scams and identity theft is available from our website at www.cbos.tas.gov.au or on the Scamwatch website at www.scamwatch.gov.au.

You can also keep up to date on scams by following our Facebook page @ ConsumerAffairsAndFairTradingTasmania

You can read more on this topic on page 16 in Consumer Connections – Be Scam Smart – Edition 1 Autumn 2018



Tips for picking a good value NBN plan

With the NBN rollout now complete in Tasmania, everyone will need to make the switch over from their old phone and internet plans to a specialised NBN plan. To ensure that you are getting the best value plan possible, it's important to consider:

- how you use your phone and internet
- what prices you are comfortable paying and
- what length contract you would like (if any).

Find the right speed

If you are an occasional user who just gets online for email and a little web browsing, most NBN plans will easily perform to your needs. But if there are a number of people using the internet in your household at the same time or if you want to use more data intensive applications, such as streaming

large amount of video through Netflix or YouTube, you will want to pick a higher speed plan.

The NBN currently offers four speed tiers:

1. nbn 12 – The most basic option, suitable for phone calls and limited internet use.
2. nbn 25 – Suited to small households and light users who predominately go online to use social media, read online news and stream a few videos every month
3. nbn 50 – Most popular option for families with multiple people/devices using the internet at once. This speed will provide better video streaming options and avoid video games running slowly.
4. nbn 100 - Best suited to heavy users – i.e. those that are streaming high-definition video and uploading or downloading huge files.

The Australian Competition and Consumer Commission (ACCC) allows you to monitor how the main telcos are performing when it comes to delivering these speeds through their Measuring Broadband Australia report available at www.accc.gov.au

Compare costs

Internet contracts can often be confusing, with a variety of terms that are totally foreign to the casual consumer such as peak and off-peak, shaping, speed tiers, set-up fees, monthly fees and early termination fees.

Some general rules to consider include:

- Read the Critical Information Summary (CIS). This is an important document that sets out a range of essential information about every product or service on offer from each telco provider. It will provide you with clear information about products, plans and services to allow you to easily compare what is being offered.
- Avoid offers that split data into “peak and off-peak”. These plans may not offer good value.
- Balance big set-up costs against the monthly fee. Some telcos have no set-up costs and low monthly fees, so it pays to shop around.
- Make sure you are comparing like with like. NBN products allow you to pay for the speed you want. Most providers have four different tiers of speed. The quoted speed levels are the maximum speed that is achievable for the connection. Speed levels are not consistent and they often vary. The actual speed that you receive will vary depending on a number of factors, such as:
 - o the type of information you are sending
 - o the time of day
 - o the number of applications sending and receiving files on your devices
 - o your retail service provider and
 - o the number of other customers using the service.

Some things to consider

- If you download sizeable amounts of information (for example high definition movies or gaming), then the faster speed will likely mean that you are waiting less time to receive this information.
- If you only need the internet to access information which is small in size (for example basic websites, emails, individual songs, telephone calls), then the entry speed level might suit you.
- If you are sending lots of files (for example if you operate a small business which updates websites or regularly sends important documents), then fast upload speeds are probably important for you.

Contract length

NBN contracts are usually offered over 12 or 24 months, however some plans do allow you to sign up on a month-by-month basis.

When you decide whether to sign up to a fixed-term contract or explore a monthly option, consider the pros and cons of each:

- **Fixed-term contract** – Generally have lower set up fees, however users will be subject to an exit fee should they want to leave their contract early.
- **No contract** – The month-by-month option may better suit anyone who want the flexibility of not being locked into a fixed-term contract or those who want to “try before they buy” when it comes to their internet service provider. However, the no contract options often feature high set-up costs, modem fees and higher ongoing costs.

This article was provided by Australian Communications Consumer Action Network (ACCAN). Visit their website at <http://accan.org.au>

NBN: Are you entitled to a refund?

Many Tasmanians have experienced slow connection speeds to the NBN.

The Australian Competition and Consumer Commission (ACCC) is now asking NBN customers experiencing slow connection speeds to contact their retail service provider.

You may be entitled to a refund if you have negotiated with a Retail Service Provider (RSP) in the last 15 months.

RSPs including Telstra, Optus, TPG, iiNet, Internode, Dodo, iPrimus and Commander have all admitted they have likely made false or misleading representations about the connection speeds NBN customers could experience with:

- fibre-to-the-node (FTTN) connections and
- fibre-to-the-building (FTTB) connections.

These RSPs advertised and sold NBN plans with maximum theoretical speeds – for example downloads of 100 megabits per second (Mbps) download and uploads of 40 Mbps.

However, due to limitations of FTTN and FTTB technologies, many consumers could never experience these speeds.

Since November 2017, the ACCC has accepted undertakings from each of these eight RSPs that they would contact more than 142,000 affected consumers to offer them a range of options, such as:

- moving to a lower speed plan of their choice, or
- exiting their contract and receiving a refund.

ACCC Acting-Chair Mick Keogh said two in three affected consumers have not responded to their RSP's letter or email from their RSP.

"They may be eligible for refunds, some in the hundreds of dollars," Mr Keogh said.

"The ACCC is urging NBN customers to contact their NBN retailer if they have received a letter or email offer of a remedy, or think they might be entitled to a remedy."

Customers who have recently signed up to a new NBN plan may also be eligible for a refund where the RSP advertises maximum connection speeds with the plan. Within four weeks, RSPs must check their speeds and if the speeds are below that advertised for the plan the consumer chose, the RSP must offer remedy options.

"Our message to RSPs is that if you advertise a particular connection speed and customers cannot experience that speed, you risk breaching the Australian Consumer Law," Mr Keogh added.

"We expect RSPs to provide consumers with accurate information up front about the internet speeds they can expect to experience, and then deliver on those promises."

Background

In late 2017 and throughout 2018 the ACCC accepted enforceable undertakings from Telstra, Optus, TPG, iiNet, Internode, Dodo, iPrimus and Commander to offer consumers remedies after these RSPs promoted broadband speeds they could not deliver to their customers.

It's a scam

NBN Co does not have your phone number and cannot call you.

If you receive a call from someone claiming to be from NBN Co just hang up!

If you think you've been scammed contact us at www.cbos.tas.gov.au

Case Study

“Telco” is selling the following NBN speed plans at the prices below:

- 100/40 (100 Mbps download speed and 40 Mbps upload speed): \$100 a month
- 50/20: \$90 a month
- 25/5: \$70 a month

On 1 December 2016, Jo purchased a 100/40 NBN plan from Telco at a cost of \$100 a month.

On 7 December 2017, Jo received an email from Telco advising that her connection was only capable of maximum speeds of 37 Mbps download and 13 Mbps upload. This means she was unable to receive the benefit of the 100/40 plan as she could never receive speeds higher than 37 Mbps.

In the email, Telco offered Jo the following options:

- Option 1 – Move to a lower plan of her choice – e.g., a 50/20 or 25/5 plan, and receive a refund of \$360 for the difference in plan prices.
- Option 2 – Exit the plan without cost and receive a refund of \$360 for the difference in plan prices.
- Option 3 – Remain on their current plan with no refund.

The amount of any refund depends on:

- the price a consumer is paying and
- the price of the plan which offers a maximum speed that the consumer can receive.

In this example, with a maximum speed of 37 Mbps download, Jo could receive the maximum speed of the 25/5 plan but not the 50/20 plan. Therefore, Jo is entitled to a refund of \$360, being the difference between a 100/40 Plan and 25/5 Plan (\$30) over 12 months.

For more information, go to www.accc.gov.au/media/media-releases



Telemarketing

We have all become used to telemarketers contacting us either on our landlines or our mobile telephones. These are people representing businesses or organisations trying to sell us something or trying to get us donate money – sometimes to legitimate charities or causes.

Telemarketing involves contact over the phone to reach a sales agreement.

This agreement involves the sale of personal, domestic or household products or services, usually valued at more than \$100.

Telemarketing phone calls are regulated under the:

- **Do Not Call Register Act 2006 and**
- **Telemarketing and Research Industry Standard.**

When can telemarketers contact you

Like door-to-door salespeople, telemarketers are only allowed to contact you:

- between 9am and 8pm on weekdays
- between 9am and 5pm on a Saturday
- they must not contact you on a Sunday or public holidays

These hours apply to all telemarketing sales, even if the agreement is worth less than \$100.

Telemarketers must hang up immediately at your request, and not call back for at least 30 days.

Telemarketing rules

Telemarketers must:

- provide their contact details
- tell the consumer why they are calling
- tell the consumer, if asked, how they got their number
- ensure that their number is enabled when attempting to make a call
- give the consumer a written copy of a sales agreement within five business days
- inform the consumer of their cooling-off rights and how they can end the agreement
- not attempt to get the consumer to give up their cooling-off rights.

To avoid telemarketers, consumers can ask to be added to the Federal Government's "Do Not Call Register" online or by calling 1300 792 958 or visit www.donotcall.gov.au

You can read more on Door-to-door sales on page 14 in Consumer Connections – Be Scam Smart – Edition 1 Autumn 2018

Cold calling

Have you received a random email or call from someone claiming to be from an organisation such as Microsoft or the Australian Tax Office?

Large organisations, like Microsoft and the ATO, do not send out unsolicited email messages or make unsolicited phone calls (cold calling) offering to provide technical support to fix your computer or asking for personal or financial information. Any communication with these types of large organisations has to be initiated by you.

Important: Microsoft error and warning messages never include phone numbers. If a notification appears with a phone number do not call it. Visit <https://support.microsoft.com/> for more information on Microsoft and scams.

Ask yourself this question....

If a complete stranger stopped you in the street and asked you to hand over all your personal and financial details would you do it? No of course you wouldn't. So don't give out your private information to an anonymous person who has randomly contacted you.

Just hang up – you don't have to speak to them

Delete the email – you don't have to send a response

You can report this to Scamwatch at www.scamwatch.gov.au. For more information you can contact CBOS by visiting www.cbos.tas.gov.au

WorkSafe Month 2019 is coming...

This year's theme 'Safe Bodies, Safe Minds' focuses on the importance of physical and mental health, and wellbeing at work and what we can do to ensure our work is safer, healthier and more productive.

A range of informative activities, workshops, webinars and more are on offer in 2019. There is bound to be something of interest for every industry, business, employer and worker no matter their size or responsibility.

Find out more at
www.worksafetasmth.com.au





Do Not Call register

We have all experienced the situation of an unwanted call – either on our landline or mobile telephone.

It seems to happen just as you are settling down to dinner with the family or enjoying a night in front of your favourite television show.

It might be a call from a telemarketer or a charity – but whoever it's from, you don't want your personal time invaded.

What you can do, is enrol with the Do Not Call Register, to block calls from specific numbers or businesses.

What is the Do Not Call Register?

The Do Not Call Register is a secure database. Individuals and organisations can register, check or remove their Australian telephone, mobile and fax numbers to opt out of receiving most unsolicited telemarketing calls and faxes.

Registration is free and you only need to do it once.

Once registered, a number will stay on the register indefinitely unless the number owner or their representative removes the number.

Who is the Do Not Call Register for?

The register is for consumers, including:

- **Members of the general public** - who can register Australian numbers used for private or domestic purposes
- **Authorised officers of government bodies and emergency services** - who can register Australian numbers used exclusively by government bodies or are emergency service numbers
- **Authorised officers of businesses** - who can register Australian numbers used exclusively for transmitting and receiving faxes.

How does the Do Not Call Register work?

Telemarketers and fax marketers have 30 days to recognise the registration of a number and to stop contacting that number.

To identify registered numbers, organisations are able to check or 'wash' their calling lists against the register.

Lists are submitted, checked and returned with all registered numbers identified. To protect the privacy of everyone on the register, organisations are only given information on the numbers submitted.

What numbers can be registered on the Do Not Call Register?

You can add a number to the register if it is used or maintained:

- primarily for private or domestic purposes
- exclusively for transmitting and/or receiving faxes
- exclusively for use by a government body. This includes Australian Federal, state, territory or local government; or government of a foreign country such as an embassy located in Australia.

Who can register a number?

To register a number, you must be:

- an 'account-holder' - the individual or organisation responsible for the number
- a 'nominee' - an individual who has authority to register numbers for another individual. Evidence of nomination may include:
 - o a Statutory Declaration or
 - o a certified copy of a Power of Attorney.
- an 'authorised officer' - an individual who has authority to register numbers for an organisation. Evidence of authorisation may include:
 - o a Statutory Declaration
 - o a letter from a senior officer in the organisation stating authority to register numbers on behalf of the organisation

- o an invoice, front page of a bill, account statement, contract or tax receipt from the carriage service provider for the numbers to be registered, clearly indicating authority in relation to the account for the numbers to be registered.

How many numbers can I register?

You can register as many numbers as you wish, as long as you are the:

- account holder
- authorised officer, or
- nominee for an account holder

The registration process differs depending on the number of numbers you wish to register.

How long does my registration last?

Your number will remain on the register indefinitely unless you actively remove it.

The register is for businesses undertaking telephone or fax marketing to Australian consumers, including:

- telemarketers making calls made with a particular commercial purpose
- fax marketers transmitting marketing faxes made with a particular commercial purposes
- other businesses planning on making calls of faxes for marketing purposes.

Any organisation which either calls/faxes or arranges for calls/faxes to a registered number, may be breaking the law and could face penalties.

Who is responsible for the Do Not Call Register?

The Australian Media and Communications Authority (the ACMA) manages the register, including responding to breaches of the legislation.

For more information or to register your number go to www.donotcall.gov.au

Receiving things you didn't ask for

Have you ever received an unwanted product or service, credit card or listing?

Tasmanian consumers – you need to know your rights when you are charged for something you didn't ask for. These include:

- unsolicited products or services
- unsolicited credit or debit cards
- unauthorised listings or advertisements

When you receive products or services that you have not requested, this is called an "unsolicited supply".

If you receive unsolicited products or services:

- you are not required to pay for the products or services
- you are not liable for any loss or damage resulting from a supply of unsolicited services
- if you contact the business in writing, telling them you do not want the products, the business should recover the products within one month
- if you don't contact the business, then the business may recover the products within three months from the day after you received the products

You cannot unreasonably refuse to allow the supplier to collect the products. You may also be liable to pay compensation if you damage the products on purpose during this period.

If the supplier does not collect the unsolicited products within the month, you can keep the products with no obligation to pay.

You can't keep the products if the products were not intended for you, for example, the packaging was clearly addressed to another person.

Unsolicited credit or debit cards

A business must not send you a debit card or credit card (including store-branded credit cards) unless:

- you have requested the card in writing
- the card is a replacement, renewal or substitution for a card previously issued as requested by the cardholder

Credit cards - An item is considered to be a credit card if the user intends to get cash, products or services on credit, for example store-branded credit cards and store account cards.

Debit cards - An item is considered to be a debit card if the user intends to access an account held by the consumer for the purpose of withdrawing or depositing cash or obtaining products or services.

A debit card cannot be changed into a credit card, or vice-versa, unless you specifically request this in writing.

For further information visit ASIC's MoneySmart website at www.moneysmart.gov.au

Unauthorised listings or advertisements

A business cannot demand payment for an unauthorised listing or advertisement about a person or their business, trade, profession or occupation. This applies to listings and advertisements in all forms of media.

If you have not signed a written agreement or given your permission for a paid listing or advertisement, then you are not liable to pay for it.



Protecting our most vulnerable

Governments across the country agree that the protection of vulnerable people is a priority. Every state and territory has implemented a registration process.

In 2014, the *Registration to Work with Vulnerable People Act 2013* was introduced in Tasmania and a Registration to Work with Vulnerable People team was formed within CBOS. Before this, no framework existed in Tasmania for checking persons who work with vulnerable people. The legislation is designed to reduce the likelihood of harm to vulnerable people and offer added safety and protection.

Registration is currently a requirement for anyone involved in child-related work or child-related volunteering in Tasmania, for example, anyone working in schools, child care centres, sporting clubs and religious organisations. The next stage is to require people working with vulnerable adults to be registered.

Applications are completed online and are usually assessed within six weeks of lodgement. Some people will receive their results within a few days, others may have to wait longer.

Applications are assessed to make sure a person is suitable to work, or volunteer, with vulnerable people. An applicant may be asked to supply additional information and the Registration to Work with Vulnerable People team will make contact if needed.

Registration is valid for 3 years. Once an applicant is registered, they are monitored over the 3-year period for any new relevant records or information.

Since registration began in 2014, more than 113,000 Tasmanians have been registered to work with vulnerable people, while a small number have been refused.

For more information visit our website at www.cbos.tas.gov.au

You can read more on this topic on page 13 in Consumer Connections – Be Scam Smart – Edition 1 Autumn 2018

Collecting for charities

Tasmanian consumers need to know there are rules for charities which collect donations by door knocking or over the telephone.

There are many reputable charities that use these methods to gather donations. Unfortunately, there can also be conmen trying to rip you off.

Anyone collecting for a charity must:

- wear identification and
- provide information about the charity they are collecting for.

How old does someone need to be to collect for a charity?

Children under 12 years of age - may only ask for donations if they are under the immediate control of an adult person

Young people between 12 and 15 years of age - may only ask for donations if they are under the supervision of an adult

Persons 16 years of age or over - may ask for donations without supervision.

When can someone collect for a charity?

Charity collectors who are door knocking are regulated to a time when they may call at a home or business.

A collector can only ask for donations between:

- 9am-8pm, 1 November and 31 January
- 9am-7pm, 1 February and 30 April
- 9am-5pm, 1 May and 31 August
- 9am-7pm, 1 September and 31 October

Collectors must wear an identity card displaying:

- their name
- their organisation's name



- the location of the principal office
- the purpose of the donation must be stated

The rules apply to anyone collecting for a charity by telephone. This includes volunteers, charity employees and anyone employed by a marketing business.

Charity callers must state:

- their name
- the name of the organisation they represent
- the state or territory in which the principal office is located

Public and street collecting

Charities also make collections on Tasmanian streets and outside buildings like supermarkets, sometimes on specific days for their charity.

Anyone asking for donations in a public place must wear an identity card displaying:

- their name
- the name of the organisation they represent
- the state or territory in which the organisations principal office is located

Getting permission

If you are a charitable organisation, you must apply for approval with:

- Consumer, Building and Occupational Services AND
- Tasmania Police, State Community Policing Services, GPO Box 308, HOBART TAS 7001
Phone: 131 444 www.police.tas.gov.au

Why does an organisation need to get permission from Tasmania Police?

This type of collecting is regulated to avoid overlap between fundraising events.

Takata airbag recall



The Takata airbag recall is the world's largest automotive recall. Worldwide, there have been 26 deaths reported and more than 300 injuries associated with the defective Takata airbag inflators.

There has been one death and one serious injury reported in Australia, resulting from misdeployed Takata airbag inflators. With one in four Australian vehicles affected, the compulsory recall is the most significant in Australia's history.

Use the vehicle look-up tool
www.ismyairbagsafe.com.au

What is the safety issue?

If an affected airbag inflator ruptures, metal fragments may propel out through the airbag cushion towards the vehicle occupants, causing serious injury or fatality.

A Safety Warning Notice issued in August 2017 by the then-Minister for Small Business, the Hon. Michael McCormack MP:

- warned of the possible risks in the use of vehicles containing defective Takata airbag inflators, and
- announced an ACCC Taskforce.

Compulsory recall

The Australian Competition and Consumer Commission (ACCC) completed a safety investigation. The ACCC then made a recommendation to the Minister. On 28 February 2018 the Minister issued a compulsory recall notice under the Australian Consumer Law.

The Minister issued the compulsory recall because it appeared to him that one or more suppliers of vehicles with defective Takata airbag inflators had not taken satisfactory action to prevent those vehicles from causing what was a reasonably foreseeable risk of injury or fatality to drivers and/or passengers.

The compulsory recall affects a range of businesses, including (but not limited to):

- vehicle manufacturers
- the second-hand vehicle market
- auto-recycling businesses
- salvage yard operators
- auction houses
- insurance companies
- car hire companies, and
- parallel (grey) importers.

The compulsory recall places a number of obligations on suppliers. This includes the requirement to complete all replacements by 31 December 2020, unless an application to the ACCC results in the date being varied.

National Campaign: Faulty airbags? Don't die wondering

In June 2018 the ACCC approved the Federal Chamber of Automotive Industries (FCAI) to implement a national consumer awareness campaign "Don't die wondering".

FCAI developed a vehicle look-up tool at www.ismyairbagsafe.com.au. This has been accessed more than six million times, and helped identify over one million affected vehicles.

This national campaign generated extensive media coverage and consumer awareness. The vehicle look-up tool is still active and continues to help many consumers to identify affected vehicles.

Alpha airbags

Alpha airbags are a subset of Takata airbags. They have been a high priority focus for the Takata Interagency Group. The group is made up of the ACCC, state and territory ACL regulators, road transport authorities, and other officials. Alpha airbags pose a significantly higher safety risk, with up to 50 percent misdeployed during impact.

It is very important to get vehicle owners to understand just how serious the issue is and to get their vehicles fixed.

A number of jurisdictions have implemented a key initiative by suspending vehicle registrations on vehicles fitted with the critical Takata alpha airbags.

As at 2 April 2019, there are eleven affected vehicles with Alpha airbags remaining on Tasmanian roads. Five of those vehicles have had registration suspended for failure to replace their alpha airbags. Motor Registry continue to progress contact with the registered operators of the remaining six vehicles.

These sanctions occur following the registered owner failing to respond to:

1. supplier notifications, and
2. further notifications issued by the road transport authority, and finally
3. issue of a suspension notice.

Over three million vehicles have been recalled in Australia. It is very important that consumers remain vigilant, and regularly check to see if your vehicle is on the recall list. You can do this by:

- checking the Takata airbag recall list at www.productsafety.gov.au or
- using the vehicle look-up tool at www.ismyairbagsafe.com.au

As part of the compulsory recall, there is also a list of 'future Takata airbag recalls'. This list shows vehicles which are not yet under active recall, but will be subject to future recalls by their manufacturers. This is because of the nature of the defect, where the age of the product affects the stability of the airbag inflator.

You should also consider contacting your vehicle manufacturer to ensure contact details are up to date. Notifications can be sent directly to you if your vehicle becomes subject to an active recall.

Consumer Building and Occupational Services (CBOS) is committed to this important safety recall. We continue to work with the ACCC, state ACL regulators, Motor Registry Authorities, and other authorities as part of the Takata Interagency Group.

Further information and assistance is available at www.productsafety.gov.au



MyBond

Are you a rental tenant, agent or owner of a rental property? MyBond is the new Tasmanian rental bond website for managing your bond.

The new website has replaced the old paper-based system and you can access it from the CBOS website at www.cbos.tas.gov.au.

Tenants can use the site to pay and claim their bonds, as well as viewing and editing their details.

What do I need to do?

Tenants

If you were a rental tenant before 1 May, you will already be in the system. Simply enter your email address or mobile number and you will be sent a code to access the site.

If you are in the process of applying for rentals, you can pre-register to use MyBond.

Agents and owners

You can:

- See the status of their tenants' bonds and download summaries of information
- Submit claims
- Upload evidence
- Review the process of a claim.

A series of videos are available to help tenants, agents and owners with the new system. The videos include 'how to login' and 'how to pay your bond contribution' and can be viewed on the CBOS website at

www.cbos.tas.gov.au/topics/housing/mybond.

For more information visit our website at www.cbos.tas.gov.au or call us on 1300 654 499.

If you need extra help using MyBond or cannot access the internet, you can visit a local Library.

Find your nearest Libraries Tasmania location at www.libraries.tas.gov.au.

If you cannot use this service, you may qualify to become a CBOS managed tenant.

Call us to find out more on 1300 654 499.

You can read more on renting topics are on pages 55-57 in Consumer Connections – Be Scam Smart – Edition 1 Autumn 2018

Fighting retail theft: Checking customer bags

Retail staff are now able (as of 1 August 2019) to ask customers if they can check their bags without needing to hold a Security Agent's licence. We know that Tasmanian retailers lose an estimated \$216 million a year through shoplifting. Small retailers just can't afford the cost of hiring a licensed security officer to guard against theft.

The changes are sensible and consider the welfare of both staff and shoppers.

- Retailers must place prominent signs at all entrances to the store, stating that bag checks are a condition of entry.
- Staff need to display something to indicate that they have completed the required training.
- Staff, aged 18 years or over (unless they are a licensed as a security guard), may only ask a person to offer a bag for inspection and may not touch the person, the bag or its contents.
- Failure to follow a request to provide a bag for inspection may lead to the person being 'refused entry' to the store in the future.

Larger retailers are likely to adopt this practice as part of their operations. Smaller retailers will probably phase in the changes over a period of time.

More information is available at www.cbos.tas.gov.au



Consumer Connections 2019 Quiz

- Question 1.** What are the three measurement methods firewood can be sold by?
- Question 2.** Are signs displaying 'no refunds on sale items' allowed in shops?
- Question 3.** What is the name of the new website for managing rental bonds in Tasmania as a tenant, agent or owner?
- Question 4.** Name 5 trades that CBOS issues licences for (name more than 5 if you can!)
- Question 5.** Name 2 trades that CBOS don't issue licences for
- Question 6.** What is a simple method you can use to check for leaks in a gas hose?
- Question 7.** If you think you have been scammed by a spam or junk email you can lodge a report by going to which website?
- Question 8.** Should you use boiling water to fill your hot water bottle?
- Question 9.** Does a spa/hot-tub cover count as a compliant safety barrier?
- Question 10.** On average, how many children present to hospital emergency departments each week following exposure to button batteries – by either swallowing them or inserting them into their bodies?

Were you paying attention?

- Question 11.** What date has the ACCC set for all Takata airbags to be replaced by?
- Question 12.** What is the number you should call immediately if you suspect a child has swallowed a button battery?
- Question 13.** What are the three things that could happen if an owner rents a property to a tenant and the property does not meet one or more of the minimum rental standards?
- Question 14.** What are the three types of fees 'buy now, pay later' services may charge?
- Question 15.** What is the minimum dollar amount that section 13 of the Conveyancing Act 2004 requires all conveyancers to have covered by an approved professional indemnity insurance policy?

Answers. Q1 Weight, volume, lot | Q2 No | Q3 MyBond | Q4 plumbers, electricians, gas-fitters, builders, construction managers, engineers, building surveyors, architects, building designers, fire protection services builders, and demolishers (building services providers) | Q5 Carpenters, bricklayers, painters | Q6 apply a light soap and water solution to the hose and check for bubbles | Q7 www.accom.gov.au | Q8 No | Q9 No | Q10 20 | Q11 31 December 2020 | Q12 13 11 26 | Q13 they can be fined by the Commissioner's office and the tenant has a right to request repairs, or to terminate the lease (by giving a notice) if the standard is not met before they leave | Q14 Late fees, monthly account-keeping fees, and payment processing fees | Q15 \$1 million

How to contact us

Do you have a question or comment for us? We want to hear it. We deal with questions about product safety and returns, building standards and permits, renting, gas, electrical, and plumbing and much more.

You can contact us

By Phone: 1300 654 499 (Monday to Friday 9am to 5pm)

By Email: cbos.info@justice.tas.gov.au

By Post: Consumer, Building and Occupational Services
PO Box 56, Rosny Park, TAS 7018

Why not 'like' our Facebook pages and send us a message.

You can find our pages:

[@ConsumerAffairsAndFairTradingTasmania](#)

[@TasBuildingStandards](#)

National Relay Service

If you are deaf or have a hearing or speech impairment, you can call us through the National Relay Service,

TTY users: call 133 677 and ask for 1300 135 513,

for speak & listen users (speech-to-speech relay): call 1300 555 727 and ask for 1300 135 513,

for Internet relay users: connect to the NRS via the National Relay Service website and ask for 1300 135 513.

Feedback about our services

Provide feedback about our services through the online contact enquiry form at www.cbos.tas.gov.au or call 1300 654 499.

All details included in your complaint or feedback will be kept confidential.

If you are not satisfied with how we have responded to your feedback, you have the right to lodge a complaint with the Tasmanian Ombudsman.

The Tasmanian Ombudsman is an independent officer of the Tasmanian Parliament who investigates complaints about state and local government services. For more information, visit Ombudsman Tasmania www.ombudsman.tas.gov.au or call 1800 001 170.



1300 654 499 | www.cbos.tas.gov.au



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