

# Office of Regulatory Services

## Fair Trading

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The Office of Regulatory Services assists and protects businesses and the community through the administration of fair trading legislation. The main objectives are to provide information to consumers to make them aware and confident when making purchases and to make businesses aware of their obligations and responsibilities under the Australian Consumer Law. Fair Trading maintains very close links with the business community and assists businesses to conduct their trading in a way that reduces the likelihood of consumers experiencing problems or difficulties.

## Information for consumers

From 1 January 2011 the Australian Consumer Law (the ACL) commenced in the A.C.T. which introduced new national laws that apply to all consumer transactions entered into after this date. For consumer transactions entered into prior to 1 January 2011 the *Fair Trading Act 1992* and the *Fair Trading (Consumer Affairs) Act 1973* still apply.

- [Australian Consumer Law \(after 1 January 2011\)](#)
- [Fair Trading \(before 1 January 2011\)](#)

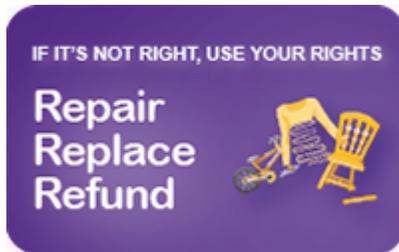
A Fair Trading Advisory Committee exists which is responsible for advising the government and the Commissioner for Fair Trading on issues affecting the interests of consumers and unfair commercial practices affecting traders.

Advice and Complaints also investigates breaches of fair trading laws, the safety of goods, and takes compliance action where appropriate. Sometimes complaints involve breaches of fair trading laws or codes of practice which may result in:

- cautioning the trader;
- publically naming the trader;
- referring the trader to a dispute resolution committee;
- accepting and enforcing written undertakings; or,
- taking prosecution action.

The action to be taken will depend upon the trader's history, the severity of the breach, and the level of consumer detriment. For more information on our decision-making process please see the [ORS Compliance and Enforcement Framework](#)

- [What you must do before making a complaint to ORS Advice and Complaints.](#)
- [Frequently Asked Questions](#)
- [Consumer Complaints Form](#)
- [What happens when you make a complaint? - Flowchart](#)
- [ORS External Complaints Policy](#)
- [Australian Consumer Law Publications](#)
- [Relevant Legislation](#)



## Information for businesses

From 1 January 2011 the Australian Consumer Law (the ACL) commenced in the A.C.T. under which every Australian business has the same obligations and responsibilities. By knowing your obligations and responsibilities as a business owner, you can look after your business and your customers.

### Small business self assessment

The *Small business self assessment checklist*, launched in March 2013 is designed to help your business become aware of your rights and comply with your obligations under the ACL. It will help identify which parts of the ACL are relevant to your business and how to get more information. This checklist is not a comprehensive statement of the ACL.

- [Small business self assessment checklist](#)

### Free online education program for small businesses

The Australian Competition and Consumer Commission (ACCC) released a free online education program for small businesses to help you learn about your rights and obligations under the *Competition and Consumer Act 2010 (C'wlth)* (the CCA).

The program is a simple, interactive learning resource which provides a broad overview of the key provisions of the CCA. It includes 10 modules covering topics such as pricing, advertising, consumer rights, selling safe products, unlawful competition and scams.

Each module should take about 15-20 minutes to complete and you don't have to do them all, you can

select the ones most relevant to your business operations. Most of the modules include a short self-assessment quiz where you can test your understanding of the topic.

The free online education program for small businesses is available at:

#### Education Programs

- [What you need to know when starting a new business](#)
- [Relevant Legislation](#)