



GPO Box 5359  
Melbourne VIC 3001

31 July 2009

Consumer Advocacy and Research Issues Paper  
Competition and Consumer Policy division  
Treasury  
Langton Place  
PARKES ACT 2600

**Sent via email: [Consumeradvocacyresearch@treasury.gov.au](mailto:Consumeradvocacyresearch@treasury.gov.au)**

Dear Madam or Sir,

The Consumers' Federation of Australia (CFA) welcomes the opportunity to make a submission to the Treasury in relation to its Issues Paper *Consumer voices: Sustaining advocacy and research in Australia's new policy framework* (the Issues Paper).

## **1. About CFA**

In this context it is more than usually relevant to provide you with information about CFA - being the only economy wide peak body for consumer organisations in Australia.

The Consumers' Federation of Australia (CFA) is the national (unfunded) peak body for consumer groups in Australia. We have over 100 members including legal centres, health rights groups, local consumer organisations and public interest bodies across every Australian state and territory.

To the extent allowed by its extremely limited resources, CFA's role is to put the view of its member organisations to government and industry and advocate on behalf of consumers. The objects for which the association is established are to promote the interests of consumers, in particular low income and disadvantaged consumers, through identifying areas in which the interests of consumers are being adversely affected:

- advocating policy and law reform changes to benefit consumers;
- conducting consumer awareness and information programs;
- liaising with other consumer and community groups to advance the interest of consumers;
- facilitating consumer responses to government, industry and regulators where specific funding or resources are available; and
- doing other things to further the interests of consumers

CFA was founded in 1974, with funding from the Federal Government. This funding was maintained continuously for nearly 25 years, under governments of different persuasions. The CFA operated a secretariat with a staff of five people. It had a high media profile and through the coordination of consumer group input, made significant contributions to policy formulation.

In 1996, however, funding was abolished completely. With the exception of some limited project income, the CFA now has no ongoing resourcing. This is discussed in more detail below.

Current members of the CFA Executive are:

Catriona Lowe (Consumer Action Law Centre)	Chair
Nicola Howell (University of Queensland)	Deputy Chair
Peter Gartlan (EACH Financial Counselling)	Treasurer
Irina Cattalini (WACOSS)	Member
Kerry Connors (NEM - Consumer Advocacy Panel)	Member
John Furbank (Consumers' Association of SA)	Member
Ian Jarrætt (Qld Consumers' Association)	Member
Gordon Renouf (Choice)	Member
Nigel Waters (Australian Privacy Foundation)	Member

## 2. Background

As noted in the Issues Paper, in its final report on its *Review of Australia's Consumer Protection Framework* the Productivity Commission included the following recommendation:

*Within the broader consumer policy implementation framework agreed to by CoAG [Council of Australian Governments], the Australian Government, in consultation with MCCA [Ministerial Council on Consumer Affairs], should take the lead role in developing arrangements to provide additional public funding to:*

- *help support the basic operating costs of a representative national peak consumer body;*
- *assist the networking and policy functions of general consumer advocacy groups; and*
- *enable an expansion in policy-related consumer research.*

(Recommendation 11.3)

This recommendation formed part of suite of recommendations that the PC has estimated would lead to net community benefits of between \$1.5 billion and \$4.5 billion annually.<sup>1</sup>

Against that background, the CFA made a decision to utilise its limited financial resources to develop a document for the Government that would outline the benefits and efficiencies available if funding was provided to CFA. This would also have the effect of delivering the 'representative national peak consumer body' and, [assistance to] the networking and policy functions of general consumer advocacy groups recommended by the PC. A copy of that document, entitled *Strengthening Consumer Voices* is enclosed. We note that we are aware of no other group that proposes it could fulfil this function. Further more, whilst there would be costs associated with establishing physical infrastructure for a funded CFA, it would bring the benefit of established presence, networks and relationships as well as the significant expertise of its membership.

The remainder of the submission is devoted to highlighting key points from *Strengthening Consumer Voices*, in particular the opportunity to build on the existing expertise, networks and membership of CFA rather than starting from scratch. We also address some misconceptions that appear in the Issues Paper and put forward a proposal regarding consumer research.

## 3. Exploding some funding myths

As noted above, CFA was founded in 1974, with funding from the Federal Government in 1996, however, funding was abolished completely. With the exception of some limited project income, the CFA now has no ongoing resourcing.

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<sup>1</sup> PC report ...

We note that contrary to the position outlined in the Issues Paper (at p.11), we do not receive income in the form of fees from our members. ~~As such, Work~~ undertaken by CFA is performed voluntarily by members of the CFA Executive or member organisations.

Further, the voluntary contributions mentioned in the Issues Paper, derive almost exclusively from individual consumer advocates or organisations already donating their time to undertake work for CFA. Whilst this generosity has enabled CFA's continued existence, we suggest that it is not sustainable, nor appropriate from a policy perspective, to rely on ~~of~~ existing consumer advocates (already paid well below market rates for the work they perform) to fund what is a necessary public interest function.

Indeed, whether, and if so, how, CFA will be able to continue in the absence of a funding commitment, is the subject of active current discussion. It is a real possibility ~~that will it is not~~ be possible for CFA to continue as it has in the absence of funding commitment, and more realistic options may be to either wind up the organisation or continue in a narrower, internally focussed capacity - that is facilitating communication between members but undertaking no outward engagement with governments, regulators, industry or dispute resolution bodies. This seems a most unfortunate outcome in view of the networks and expertise already mentioned.

#### **4. What a funded CFA can offer**

CFA today has over 100 member organisations spanning every Australian State and Territory. This is despite the fact that CFA has not had resources to undertake membership drives. Further, it is unable to provide member services, beyond publication of an email newsletter (which is reliant on ongoing funding support from ASIC and a funded consumer organisation being willing to house, and provide infrastructure to support, that work). We suggest, therefore, that the size of the membership is reflective of the strong and genuine need for a peak body to bring together the work and experience of organisations across the country working to assist consumers.

In addition to its members, CFA has existing networks, and thus visibility, across industry, governments, regulators, and the NGO sector. Thus, if funded, it would be in a position to leverage those networks - it would have an existing profile and therefore not require the usual lead time to promote knowledge of its existence.

Further funding CFA would build on the significant knowledge and goodwill developed as a result of CFA's existing role as a point of call for expert consumer representation across a range of subject matters including:

- Product safety
- Communication and New Technologies
- Fair trading
- Food
- Public health and injury prevention
- Energy, water and sustainability
- Consumers and competition
- Financial services, including superannuation
- External dispute resolution
- Business processes
- Credit and debt

#### **5. A sustainable funding model**

We note that the Issues Paper is concerned to ensure that funding for consumer advocacy and research is sustainable. We strongly support this objective. The Issues Paper goes on to note, however, the inherent risks in reliance on government funding (at p.12). Whilst we acknowledge (and indeed have experienced) the practical truth in this statement, we equally take the view that support for effective consumer advocacy<sup>7</sup> is a matter of public interest and a responsibility that rests with government.

Therefore the question must be, what model of Government funding can acknowledge this responsibility whilst removing or reducing the risks attaching to shifts in political circumstances or policy priorities?

We suggest that one possible solution lies in the establishment of a National Consumer Trust Fund. This fund could receive ~~a~~ contributions from relevant industry license fees (including credit, telecommunications, superannuation, banking and financial services and energy). It could also be a repository of funds obtained through regulatory enforcement action e.g. when community service or *cy pres* orders are secured.

**Recommendation 1:** That the Commonwealth Government provide funding of \$175,000 in start-up costs, and \$1.2 million annually to the Consumers Federation of Australia, to enable it to

- leverage the benefit of its established presence, networks and relationships as well as the significant expertise of its membership.
- Be a source of policy ideas, and undertake policy development and advocacy across the range of consumer issues
- Provide government and industry with access to its network of consumer experts
- Contribute consumer views to policy development, standards setting and regulatory decisions
- Coordinate and support consumer representation
- Facilitate networking and information among consumer organisations
- Provide a single entry point to communicate with Australian consumer organisations.

## 6. Policy-related consumer research

CFA welcomes the Commonwealth's commitment to developing the best way to deliver consumer policy-focused research, and its emphasis on ensuring that the mechanism is sustainable in the medium to longer term.

CFA maintains the view it expressed to the Productivity Commission, that the capacity to undertake independent research in the interests of Australian consumers is urgently required, to support evidence-based, well-targeted consumer policy.

### 6.1 Effectiveness of existing support for research

The Productivity Commission found that

... significant information gaps exist in a range of areas relevant to the nature of the consumer policy framework and its specific requirements. A better information base is therefore a key pre-requisite for good policymaking in the future<sup>2</sup>.

There has been some consumer policy-focused research and, in a few sectors of the economy, quite substantial activity, but that situation has been the result of:

- government research driven by specific jurisdictional government priorities and concerns, such as research by regulators targeted toward a particular process or concern within their workplan<sup>[A1]</sup>;
- the availability of sector-specific funding: where the potential detriment to consumers is significant or there is a level of technical complexity that presents an obstacle to effective advocacy, governments have facilitated access to funding for consumer organisations to undertake research on, for example
  - national energy market issues through the national Consumer Advocacy Panel, which is funded through a charge on market participants;

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<sup>2</sup> PC Inquiry Report *Review of the Consumer Policy Framework*, No. 45, 30 April 2008, vol 2, p 283

- Victorian credit issues, through the Consumer Credit Fund, which is funded through the civil penalties paid by credit providers who have breached the *Consumer Credit Code*; and
- telecommunications issues, through grants provided by the Australian Communications Consumer Action Network, recently established by the Commonwealth; and
- access to general academic funds, such as the Australian Research Council grants, although the multi-disciplinary nature of consumer policy often does not lend itself well to those funding sources, and consumer policy is not always recognised as a priority.

While the above has certainly delivered research of value to consumers, it has been conducted on an ad hoc basis, and too often in the absence of a broader whole-of-economy perspective. As the Productivity Commission acknowledged

...the overall quantum of research undertaken is quite limited and often takes a state rather than a national perspective. Furthermore, the results are not always disseminated as effectively as they could be. Nor does there appear to be a coherent process for gathering together and disseminating the lessons from the considerable research on consumer behaviour that is undertaken in other countries<sup>3</sup>.

Commonwealth leadership, including through the MCCA, and CCAAC offers the opportunity to address that information gap, and develop a body of consumer focused research to inform consumer and competition policy.

CFA therefore strongly supports the recommendation of the Productivity Commission, that the Australian Government take the lead, in consultation with the Ministerial Council of Consumer Affairs (MCCA), to provide public funding to enable an expansion in policy-related consumer research.

## **6.2 How best to deliver effective consumer policy-focused research?**

Whatever the funding mechanism, there are principles that must underpin consumer research to ensure it is conducted for the benefit of consumers, appropriately targeted, and of maximum value to policy development and/or regulatory decisions.

As a starting point, CFA would like to propose the following principles for consideration:

### **Principles underpinning funding of consumer research**

1. Effectiveness
  - a. Accountability and transparency in its governance and administrative arrangements to its funding body and to its constituents
  - b. Achieve maximum outcomes for minimum resources
2. Relevance
  - a. Research priorities should be developed in accordance with consumer advocacy organisations, government and regulators to ensure it addresses issues offering most benefit to consumers
  - b. In line with the MCCA consumer policy operational objectives, priority should be given to address the needs of consumers who are most vulnerable or are at the greatest disadvantage
3. Responsiveness
  - a. Capacity to address current and emerging issues of importance to consumers

<sup>3</sup> Op cit, pp 284-285

#### 4. Independence

- a. Organisation operates for the benefit of consumers, and without conflict of interest
- b. Research should be undertaken without direction from government and regulators

#### 5. Sustainability

- a. Funding should be provided on a basis that enables long-term research projects to be undertaken
- b. An objective of the agency or funding mechanism administering the body must be to build expertise on consumer issues, and to ensure continuity and a collective memory.

### 6.3 Possible models for funding consumer policy-focused research

As the Productivity Commission noted in its report, there are a number of potential models that could be used to resource consumer policy-focused research. The Commission canvassed most of these in some detail, and CFA has no further comments on that discussion, which highlighted the advantages and disadvantages of each with reasonable accuracy.

The Productivity Commission recommended the establishment of a government-funded National Consumer Policy Research Centre, whose research agenda would be informed by Commonwealth advice, and input from the MCCA and other stakeholders.

That model was along similar lines to that proposed by CFA in its initial submission to the Productivity Commission, where we recommended:

That the Commonwealth Government commits to funding an independent research centre. The centre should be separately incorporated and have an independent board (drawn from relevant stakeholder groups) and a reference group (made up of consumer and community stakeholders). The Centre's research work would be directed by the reference group, with consultation with a broad set of stakeholders a key requirement of any research work.

The Centre must in particular be charged to link strongly with caseworkers but should not undertake casework itself. A Charter should be developed for the Centre that includes areas of focus. CFA recommends that these key areas include:

- Issues affecting disadvantaged and vulnerable consumers;
- Actual consumer behaviour in markets
- Monitoring the effectiveness and inclusiveness of policy making processes<sup>4</sup>.

The Treasury Issues Paper sought further comments on what models have proved effective. The following provides CFA's experience of the more efficient examples, highlighting the features that made them successful.

#### **Model 1: Independent research centre**

In Australia, consumer research centres have for the most part been auspiced within an academic institution, with the aim of providing a strong research and an administrative framework within which the centre would operate.

The track record of those endeavours has been mixed. Where they have failed, their lack of success cannot be traced to just one reason, but has been the result of a variety of factors, including

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<sup>4</sup> CFA submission to PC Inquiry into Consumer Policy Framework, pp 15-16

- Movement of the research agenda away from priority consumer issues due to a failure to seek consumer input to its development
- Inability to raise further funding, mainly because of a lack of potential funding sources, but it should also be noted that academic and research expertise does not necessarily equate to success in fund-raising
- The costs charged by an academic institution to provide back-office services and the ‘competitive neutrality charge’ imposed by most universities can also be significant.

There have been organisations, however, that have successfully negotiated some of those obstacles.

#### *National Pro Bono Research Centre*

The National Pro Bono Research Centre was established to promote the effective provision of pro bono legal services. It is based at the Faculty of Law at the University of New South Wales.

The keys to its early success were

(a) a governance structure that ensured that the main relevant stakeholders were represented in decision making (as opposed to merely in an advisory capacity)

(b) good practices in relation to regular liaison with a broad range of stakeholders, including involvement of appropriate stakeholder in projects.

Of course the NPBRC is not only, or perhaps even primarily, a research Centre, however the point is that it strikes the right balance between the interests of the host organisation and the interests of the broader stakeholder community. This is in contradistinction to a university based Centre where the Director is primarily accountable to the University (eg to the Dean of a Faculty) rather than to an independent governance structure.

#### **Model 2: Contestable funding**

An important element of the Productivity Commission recommendation was that funding for research also includes a contestable amount that could be used to support research on specified consumer policy issues.

The Issues Paper did not mention the National Energy Market Consumer Advocacy Panel, which CFA believes has overall worked well to resource consumer advocacy and, over 2008/09, research on consumer energy issues.

#### *NEM Consumer Advocacy Panel*

Since 1 July 2008, ~~as~~ the roles and responsibility of the Consumer Advocacy Panel, have been defined in the *Australian Energy Market Commission (AEMC) Establishment Act*.

The Act outlines the functions of the Panel as

- To identify areas of research of benefit to energy consumers
- To develop processes to ensure that grants made are well-targeted and within budget. The MCE approves the Panel’s grant guidelines and budget (part of strengthening its accountability)
- To ensure that grant outputs are published and disseminated.

In undertaking those functions the Panel must have regard to the legislative objectives underpinning the National Energy Market, and seek to promote the interests of all consumers while paying particular regard to benefiting small to medium consumer.

The five Panel members are appointed by the Ministerial Council on Energy (MCE), on the basis of their experience in energy, regulation and/or consumer issues. It also employs one full-time and one part-time (1.4EFT) staff member.

The Panel meets monthly to consider grant applications. On its website is a timeline for 2009 meetings and the due date for applications (usually 2.5 weeks ahead), as are the grant allocation guidelines.

Since the Panel's formation in 2001, the MCE) has reviewed its mandate and structure a number of times. Ministers have always decided to retain the current structure, but have made changes to the Panel's governance framework to enhance its accountability and transparency. Ministers also revised its mandate, so that as [fromef](#) 1 July 2008, the Panel has [had](#) the capacity to support gas consumers and undertake and support research on behalf of energy consumers.

While the Panel is located within the auspices of the national rule-making body, the AEMC, the legislation expressly prohibits the AEMC or MCE from directing the Panel in the performance of its functions. The legislation also sets out the Panel's accountability mechanisms to the MCE and AEMC in relation to its funding and operations. Funding is approved annually by the MCE in a process with set consultation timelines, and the Panel is required to publish the report on its activities to the MCE.

The Panel's budget for 2009/10 is \$2.77 million, which is sourced from market participant fees. Since 2002, when it started, the Panel [has's](#) distributed over \$9.6 million in grants for a diverse range of projects, although to a fairly small group of organisations. Grants have been given to pay staff, attend meetings organised by regulators or government, hire an expert to advise on, or write submissions to regulatory decisions.

As noted above, from the beginning of 2008/9, the Panel has the capacity to fund and to commission research. The Panel decides on stakeholder-initiated research grants as they are received and in accordance with the eligibility criteria set by the MCE, cognisant that it must not spend more than 25% of its total budget on research.

In commissioning research, the Panel published a consultation paper outlining its research agenda priorities and seeking feedback from all stakeholders. The Panel then invited applications from interested parties (academics, consultants and consumer organisations) to undertake research on particular issues, and approved grants to the successful applicants.

The Panel's success is attributable to the following factors

- Strong governance framework – the relevant legislation outlines clearly the Panel's role and responsibilities, and provides accountability to the MCE and to stakeholders;
- Commitment to consultation with stakeholders – the Panel has chosen to consult closely with stakeholders on its research priorities, although there is no requirement that it do so;
- Adequate resourcing – the Panel's budget is approved by the MCE in a process with set stakeholder consultation timelines, providing a degree of rigour to its demand forecasting.

### **Model 3: Hosted within an advocacy organisation**

CFA would also like to bring to the Commonwealth's attention another model of resourcing consumer research that has proved effective, which is to provide an advocacy organisation with a mixture of contestable funding and inhouse research funding.

The most recent example of such an organisation is the Victorian Consumer Utilities Advocacy Centre (CUAC), a public company limited by guarantee, established by the Victorian Government to represent Victorian energy and water consumers, particularly low-income, disadvantaged and rural consumers.

CUAC is an advocate but has managed a grants program that has successfully resourced consumer-focused research in Victoria, and has been of value to government and regulators. CUAC also successfully avoided driving out other consumer organisations from the field, a concern of the Productivity Commission in regard to this model.

The CUAC Board is appointed by the Victorian Minister for Consumer Affairs, to act as an independent advocacy organisation. Two of the five Board members are selected on the basis of their expertise in energy, consumer issues, or regulation, and two are selected as being representative of a class of consumers. CUAC's accountability to government and to its



stakeholders is largely through its commitments under corporations law, which mandate detailed disclosures of its activities.

CUAC is funded directly by the Victorian Government.

#### **6.4 Funding sources**

The Paper notes that a key concern of the Commonwealth is

the sustainability of ongoing support for consumer advocacy and consumer policy-focused research over the medium to long term (Issues Paper, p 2).

While we wish we could identify some neat mechanism for resourcing consumer advocacy and research that is cost-free to the Commonwealth, the reality is there is none.

While, as noted above, CFA would support an investigation into the transferability of existing funding mechanisms to a national plane (i.e. industry levies, revenue collected by licensing, or the use of monies gained through civil penalties), we would vigorously oppose any further delay in action.

Consumer research has been neglected in Australia for too long. The economic restructuring now in train as a result of the global financial crisis only adds further urgency to ensure that policy-makers take into account the needs of consumers.

CFA strongly encourages the Commonwealth Government to demonstrate leadership in this field, by providing funding to establish as a matter of priority a mechanism to support consumer policy-focused research.

We encourage the active participation and support of MCCA in assisting with resourcing those activities. In those jurisdictions where there have been resources for consumer research, it is clear that those state governments and regulatory bodies have found value in it. But that also should not be used as an excuse for inaction.

**Recommendation 2:** That the Commonwealth Government, in consultation with the Ministerial Council for Consumer Affairs, develop a mechanism to support consumer policy-focused research. That mechanism should be based on the following principles:

1. Effectiveness
  - a. Accountability and transparency in its governance and administrative arrangements to its funding body and to its constituents
  - b. Achieve maximum outcomes for minimum resources
2. Relevance
  - a. Research priorities should be developed in accordance with consumer advocacy organisations, government and regulators to ensure it addresses issues offering most benefit to consumers
  - b. In line with the MCCA consumer policy operational objectives, priority should be given to address the needs of consumers who are most vulnerable or are at the greatest disadvantage
3. Responsiveness
  - a. Capacity to address current and emerging issues of importance to consumers
4. Independence
  - a. Organisation operates for the benefit of consumers, and without conflict of interest
  - b. Research should be undertaken without direction from government and regulators
5. Sustainability

- a. Funding should be provided on a basis that enables long-term research projects to be undertaken
- 6.b. An objective of the agency or funding mechanism administering the body must be to build expertise on consumer issues, and to ensure continuity and a collective memory.

## 7. Consultation

The Issues Paper also raises the question "Do existing Australian Government consumer policy consultation processes allow consumer representatives an effective opportunity to participate?" (at p.8).

The Issues Paper notes that "In developing consumer policies, the Australian Government seeks to obtain a balanced range of views, but notes that it is often the case that consumer interests are underrepresented. In many cases, policy officials will take specific steps to ensure that consumer representatives are aware of policy initiatives and consultation processes, so that they may make their views known."

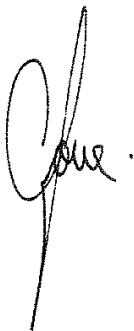
These specific steps are very welcome. However it must be noted that in the absence of a sector that is adequately resourced to respond, these efforts will bear, at best, limited fruit. For example, the CFA receives many, many requests for input, submission and representation. Given our lack of resources we must decline many more of these than we are able to accept. This is not in the interests of balanced policy development.

By way of example, we attach at **Annexure A** a list of requests for input received by the CFA in the past 6 months.

We note also that in responding to the Productivity Commission's review of Australia's Consumer Protection Policy, the CFA made extensive submission regarding appropriate principles for consultation. A copy of that submission is attached at **Annexure B**.

We would welcome the opportunity to meet with the relevant Departmental Officials and Minister Emerson's office to discuss these issues further.

Yours sincerely,



Catriona Lowe  
Chair  
Consumers' Federation of Australia

## Annexure A

Requests for CFA responses and consumer representative nominations January - June 2009  
(with outcomes noted in italics)

- Senate Committee on Agriculture and Related Industries, Inquiry into Food Production in Australia, request for responses (*circulated to member organisations for comment but no capacity to provide a CFA response*), January 2009.
- Code Compliance Monitoring Committee, request for new consumer representative (*nomination provided*). January 2009.
- Senate Economics Committee Inquiry into Bank Mergers (*no submission, awareness raising only amongst members*), February 2009.
- Request for submission on access to justice under the new National Consumer Credit Laws, March 2009 (*submission provided*).
- Requests for comments on the New South Wales Draft Regulation on Tanning Units, March 2009 (*submission provided*).
- National Industrial Chemicals Notification and Assessment Scheme, Cosmetics Advisory Scheme, request for consumer representative (*nomination provided*), March 2009.
- Consumers International, invitation to participate in regional Access to Knowledge intellectual property and copyright project (*declined due to lack of resources*), March 2009.
- AAMI Customer Charter Conference, invitation to participate (*declined due to lack of resources*), April 2009.
- Financial Ombudsman Scheme, Board and Investments, Life Insurance and Superannuation Team, requests for Consumer Board and Panel representatives. (*Selection panel involvement, successful nominees forwarded both board and panel positions*), April - June 2009.
- Request for comments on amendments to the Travel Agents Regulations 2007 (Victoria), (*Unable due to time and resource constraints to provide comments*), April 2009.
- April 2009. Invitation to submit to the Parliament of Victoria's Inquiry into Exceptions and Exemptions to the Equal Opportunity Act 1995 (*declined due to lack of resources*), April 2009.
- Invitation to participate in the Review of the Australian Council for International Development's Code of Conduct, (*declined, due to lack of resources*), April 2009.
- Input to the Henry Taxation Review via the Community Tax Forum, co-convening role with the Australian Council of Trade Unions, the Australian Council on Social Services and the Australian Conservation Foundation, February - June 2009.
- Grocery Unit Pricing consultation process, (*no individual submission, endorsed those of two interested members*), May 2009.
- Review of the General Insurance Code of Conduct (*no submission, assisted on line discussion between member organisations*), May 2009.
- Financial Ombudsman Scheme, Terms of Reference (*no submission, assisted discussion between member organisations*), May 2009.
- National Alternative Dispute Resolution and Conciliation, Inquiry into Alternative Dispute Resolution and Civil Proceedings, (*invitation to participate declined due to lack of resources*). May 2009.
- Code Reviewer Copyright Collection Societies Code of Conduct Review (*declined to participate due to lack of resources*), May 2009.
- Senate Standing Committee on Communications, Inquiry into Cyber Crime (*no submission*), May 2009.
- Australian Forestry Standard Limited, Chain of Custody Standard (*no comment provided*), May 2009.
- Victorian Law Reform Commission, Inquiry into Surveillance in Public Places (*unable to provide a submission*), May 2009.
- Queensland Office of Fair Trading, Valuations and Sales Date Code of Conduct request for Consumer Representative (*forwarded request to members but no nomination process engaged in*), June 2009.

- Department of Prime Minister and Cabinet, National Licensing System for Specified Occupations, Interim Advisory Committee, request for consumer nominations, (*to be forwarded to members but no nomination process engaged in*) June 2009.
- Healthcare Identifiers and Privacy Regulation - Invitation to Consultation Forum, (*declined, may be attended by a member organisation*), June 2009.
- Invitation from Standards Australia to attend APEC forum on ensuring safety and security across the consumer products supply chain (*declined*), June 2009.

Requests for CFA participation in ACCC authorisation processes (*to which we were unable to respond, due to time and resource constraints*)

- Exclusive dealing (third line forcing) notifications lodged by public health organisations in New South Wales interested party consultation (private inpatient pathology referral policy)
- Australasian College of Cosmetic Surgery - Authorisation - A91106
- Australian Payments Clearing Association Limited - Revocation and Substitution - A91153 & A91154
- Medicines Australia Limited - Revocation and Substitution - A91150 & A91155 & A91156
- Recruitment & Consulting Services Association Limited - Authorisation - A91102
- Retail Energy Market Company Limited - Authorisation - A91136 - A91138 & A91170 & A91171
- Southern Sydney Regional Organisation of Councils (SSROC) - Authorisations - A91143 & A91167
- St Vincent's Health Australia Ltd (formerly Sisters of Charity Health Service Limited) - Authorisation - A91099
- TAB Agents' Association of New South Wales - Authorisation - A91125
- Tabcorp Manager Pty Ltd - Authorisation - A91127 - A91132 & A91162 - A91165
- Mortgage and Finance Association of Australia application for revocation and substitution A91118 - draft determination
- University of Melbourne and others, application for authorisation A91144 - A91145 - interested party consultation.

## **Annexure B**