

December 2003

From the Small Business Commissioner

I spoke recently to the Australasian Association of Convenience Stores about how the TPA impacts on their industry, particularly regarding competition concerns the industry has expressed about lack of access to retailing liquor products, and problems in obtaining supplies of newspapers and magazines. Speaking on the same platform, Robert Gottlieb emphasised that the sector needs to keep pace with electronic distribution systems being introduced to the major retailers and suppliers.

This edition of *briefing* describes court outcomes achieved by the ACCC and details two merger rejections, in the building and fruit juice industries, which the ACCC determined would result in a substantial lessening of competition.

Continued efforts by the ACCC to promote better compliance are reflected in:

- the release of an internet version of the ACCC's latest Competing Fairly Forum *Growing good business relationships*
- the circulation for public comment of draft guidelines and a discussion paper on the ACCC approach to endorsed industry codes.

As this is the last *briefing* for 2003 I would like to pay special tribute to the efforts of the current *briefing* editor Nicole Brangwin and her predecessor Merrett Nolan.

The ACCC has seen a year of transition. On behalf of our chairman Graeme Samuel, newly appointed deputy chair, Louise Sylvan and all at the ACCC, I wish all subscribers and small businesses throughout Australia an enjoyable festive season and success in the coming year.

John Martin
Commissioner Small Business

CODES OF CONDUCT

Proposed guidelines for endorsed industry codes

The ACCC has released a discussion paper and draft guidelines for developing and endorsing effective industry codes of conduct.

The scheme aims to promote competition, fair trading and transparency within industries while encouraging best practice for businesses in their dealings with other businesses and with consumers.

Endorsement standards will be high and any code being considered must include all the essential criteria set out in the draft guidelines. The *Voluntary industry code discussion paper* and *Draft version voluntary industry code guidelines* are available at www.accc.gov.au

MR 222 (14.10.03)

BUSINESS ETHICS

Chairman calls for social sensibility

ACCC chairman Graeme Samuel called for social sensibility while embracing economic reform in his address to the Alfred Deakin Lecture 2003. He said 'the challenge is to ensure social and economic good grow in tandem. This is a challenge to which governments, and business, must rise'. Mr Samuel noted that Australian businesses have become increasingly duty-bound to assume a greater level of corporate social responsibility, which 'is a business imperative as well as an altruistic nicety. It is not so much about cheques as about attitudes, social involvement and sensible, socially responsible business management'.

The full lecture *The building of an island nation: some thoughts about change and competition and the Australian way of life* is available on the ACCC website at www.accc.gov.au

MR 227 (23.10.03)

INTERNATIONAL

ACCC cooperation agreements

The ACCC has entered into a cooperation agreement with the UK Department of Trade and Industry, the UK Office of Fair Trading, and the New Zealand Commerce Commission. The agencies will notify each other of competition, consumer protection and enforcement activities, and cooperate in the exchange and treatment of confidential information. The arrangement will facilitate efforts to combat potentially harmful effects of international mergers, cartels and consumer fraud.

The ACCC currently has cooperation arrangements with agencies from the United States, Canada, New Zealand, Korea, Fiji, Chinese Taipei and Papua New Guinea, and is exploring the possibility of agreements with other counterpart agencies.

MR 224 (17.10.03)

ACCC hotspot—Competing Fairly Forum (CFF) available on internet

The 7th ACCC CFF *Growing good business relationships* examines the relationship between producers, wholesalers and retailers in the horticultural industry. The forum is a 40 minute panel discussion hosted by Emma Alberici from the ABC's Midday News and Business Show. It includes ACCC chairman Graeme Samuel, three industry representatives who are involved in different links of the supply chain and the retail grocery industry ombudsman.

The forum can be viewed on the ACCC website and gives viewing options for different internet connection speeds. An audio only version is available for visually impaired people, and a transcript for the hearing impaired.

Some items in *ACCC briefing* refer to media releases and their dates e.g. MR 12.02.03. These can be found on the ACCC website <www.accc.gov.au>. Other reports and documentation are also generally available on the website. Subscribe to *ACCC briefing* by emailing small.business@accc.gov.au. For TPA information - *ACCC infocentre* 1300 302 502.

Franchisees' compensation

The ACCC will allocate \$200 000 to some Arnolds Ribs & Pizza Australia franchisees after settling court action with the franchisor. Arnolds made a series of false representations about operating a fast food franchise that related to matters such as necessary experience, profitability, training and initial capital. The ACCC took legal action after receiving complaints about Arnolds' conduct.

The Federal Court found that Arnolds misled prospective franchisees and engaged in unconscionable conduct when promoting and negotiating the sale of franchises.

MR223 (16.10.03)

Will writers to pay compensation

The Federal Court has ordered Will Writers Guild and its director Sidney James Murray to pay \$137 697 in compensation to Will Power International for losses sustained in purchasing a will writing franchise.

The court's decision followed a series of ACCC criminal and civil proceedings against the Will Writers Guild and Murray for not disclosing important information, as required under the Franchising Code of Conduct. The franchises were sold without informing prospective franchisees that under state and territory legislation the business can only be operated by a qualified legal practitioner.

The order brings the total compensation to franchisees to \$367 467, in addition to a \$105 000 fine made by the Federal Court in February 2003.

MR 232 (3.11.03)

CONSUMER AND SMALL BUSINESS PROTECTION

Property investment action

Pending the outcome of an ACCC court action, Henry Kaye and the National Investment Institute (NII) have agreed to stop radio, print and internet advertisements promoting a 'millionaires' property investment strategy. The ACCC has begun Federal Court proceedings against Kaye and NII alleging misleading and deceptive conduct in claiming ordinary Australians can become millionaires.

People were encouraged to enrol for a fee of \$15 000 in the investment mastery program that promised no money down, no equity, no debt and a price protection guarantee they would not lose their money if the market were to go down. The ACCC contends that the strategies do not enable ordinary Australians to become millionaires, and that neither Kaye nor NII had reasonable grounds to make such claims.

MR 207 (1.10.03) & MR 220 (9.10.03)

Internet domain names court action

The ACCC has begun Federal Court proceedings against Domain Names Australia (DNA) and its sole director, Chesley Paul Rafferty, alleging notices sent to businesses offering domain name registration were misleading and contained false representations.

The ACCC alleges that DNA made false or misleading representations by sending notices styled like an invoice to businesses inviting them to register a new internet domain name that was substantially similar to the business's existing domain name. The ACCC also alleges that the notices asserted the right to payment when that service was unsolicited.

MR 209 (2.10.03)

'Green' advertising misleading

A Federal Court ruling about 'green' advertising is a warning to businesses that promote products or services using misleading environmental claims. Following ACCC action, the court found that Sanyo Airconditioners Manufacturing Singapore Pte Ltd, trading as Sanyo Airconditioning Australia, made false and misleading statements about the environmental benefits when promoting Sanyo's Eco Multi Series air conditioners.

During the investigation the ACCC was told of similar claims by other air conditioner manufacturers in Australia and overseas. The ACCC suggests they review their advertising to ensure environmental claims are accurate and verifiable.

MR 235 (11.11.03)

No remuneration for pyramid selling

The NSW Supreme Court has declared that Ferrier Hodgson, the liquidator of Giraffe World, can reject creditors' claims for commission income earned from illegal pyramid selling.

The court said that pyramid selling will not be rewarded in the liquidation process. The decision followed successful court action by the ACCC in 1999 against Giraffe World Australia for contravening the referral and pyramid selling provisions of the TPA and for misleading consumers about the 'health' product it marketed (refer **MR 161, 26.8.99**). The decision makes it clear that illegal earnings will not be recoverable when a company is wound up.

MR 234 (6.11.03)

Home loan campaign misleading

A television and in-branch campaign by the Commonwealth Bank promoting its *Cricket Home Loan* was found to be misleading by the Federal Court. The advertisements claimed in bold headlines that there was 'no establishment fee' payable for a home loan, when in fact customers had to either already hold or obtain two or three other bank products to take advantage of the offer.

The court ruled that the advertisements did not make these terms clear. It clarifies that phrases such as 'terms and conditions apply' cannot be used as a catch-all to conceal significant information. Important conditions need to be disclosed upfront.

MR225 (20.10.03)

Debt collection agency undue harassment

Esanda Finance Corporation will pay a customer and his wife \$20 000 compensation after the Federal Court declared it acted unconscionably and used undue harassment when its debt collectors and tow truck operators entered the customer's home and pinned him to the ground while they repossessed a vehicle on his premises.

The ACCC took action against Esanda, Capalaba, trading as Nationwide Mercantile Services (NMS), three debt collectors and three tow truck operators, alleging they used physical force, undue harassment, and unconscionable conduct in breach of the TPA. The court also found that two tow truck operators had contravened the WA Fair Trading Act. The judge stated that section 60 of the TPA, which prohibits harassment and coercion, is 'intended to govern relations between trading corporations and consumers by providing that a corporation is not to resort to harassment, or the use of physical force, in support of a demand for the payment by a consumer for goods or services supplied to the consumer'.

MR 237 (12.11.03)

COUNTRY OF ORIGIN LABELLING

Country of origin—eucalyptus oil

National Chemicals' eucalyptus oil labelled 'Product of Australia' was found to be imported from China and declared misleading by the Federal Court—after ACCC action alleging misrepresentations on their 200ml bottles of 'Superior' brand which was supplied to Woolworths and advertised in the newspaper, 'Fight Back for Australia'.

Consumers often decide to purchase products based on country of origin, and in some cases may pay more to buy Australian products. They should be confident that the country of origin labelling is accurate. The Product of Australia claim is a premium representation. For a company to use the claim, each significant component must originate in Australia and all, or virtually all, of the production processes must take place here. **MR 233 (5.11.03)**

PRODUCT SAFETY

Banned toy dart guns recalled

Minmetals Australia has stopped supplying and is recalling banned children's toy dart guns after ACCC and Consumer Affairs Victoria (CAV) action. Children's toy dart guns with suction darts are banned under the TPA. Small darts risk choking children if they become lodged in the throat.

The banned products were discovered during a survey of retail stores by the ACCC and CAV. The ACCC accepted court enforceable undertakings from Minmetals that supply would stop and retailers and customers would be notified of the recall. **MR 228 (24.10.03)**

RESTRICTIVE TRADE PRACTICES

Qantas case dropped

The ACCC has discontinued action against Qantas in relation to allegations of misuse of market power on the Brisbane-Adelaide route after the entry of Virgin Blue in December 2000.

The decision was based on a number of factors, but demonstrated the difficulties in terms of time and resources presented by section 46 cases. However, the ACCC will continue to pursue cases if businesses breach the TPA.

It will also continue to closely monitor competitiveness of airlines in the Australian domestic market.

MR 245 (21.11.03)

Visy High Court decision

The ACCC welcomed the High Court's decision against Visy Paper upholding a Federal Court ruling that Visy attempted to reach an agreement to prevent its competitor, Northern Pacific Paper, from taking its customers.

Visy claimed this was not unlawful as section 45(6) of the TPA, which prohibits anti-competitive agreements, contains a technicality. By its decision the High Court closed a potential loophole in the law. The decision will stop competitors who attempt to share markets from escaping liability by invoking a technicality in the TPA. It will also discourage companies from attempting to circumvent the law. **MR 218 (8.10.03)**

Contact the ACCC



Infocentre: 1300 302 502



Website: www.accc.gov.au

RESTRICTIVE TRADE PRACTICES

Alleged price-fixing petrol cartel in Geelong

The ACCC has begun a Federal Court action against eight companies and 10 individuals, alleging they were part of a long-standing price-fixing arrangement relating to retailing or distributing petrol in the Geelong area under the BP, APCO, Mobil, Shell and Liberty brands.

The ACCC alleges they entered into arrangements or understandings to increase retail petrol prices by telephoning one another in advance and communicating the size and approximate time of a price rise. The ACCC is seeking penalties, injunctions, declarations, costs and the implementation of trade practices compliance programs. The directions' hearing is scheduled for 19 April 2004.

MR 236 (11.11.03)

MERGERS AND ACQUISITIONS

Explanations with future merger decisions

Addressing the National Press Club on 12 November, ACCC chairman Graeme Samuel said the ACCC will now publish reasons for its merger decisions. This should provide the market with a better idea of the ACCC's analysis of various markets and associated merger and competition issues.

The ACCC will give details of the reasons behind decisions while protecting confidential information and its sources. However, confidentiality will remain paramount. This move is consistent with the Dawson review recommendations and aims to give market participants further insights and guidance on the ACCC's merger decisions.

Reasons will be published on the ACCC's website at the same time, or shortly after a decision is announced.

MR 238 (12.11.03)

Fruit juice acquisition opposed

A proposed acquisition by Coca-Cola Amatil (CCA) of Australia's largest fruit drink manufacturer, Berri, was opposed by the ACCC. The ACCC considered that CCA could exert its market power to link sales of the Berri fruit juice products to its dominant Coca-Cola soft drink product.

The ACCC's investigation concluded that the likely effect would be reduced consumer choice leading to higher prices. The investigation showed that CCA already possessed market power in the soft drink market, so significant harm would be the likely result from CCA obtaining market leadership in fruit juice. Reasons for this decision are available on the ACCC website.

MR 248 (26.11.03)

Motor body/smash repair and insurance

In September the ACCC published an issues paper, *Discussion on the relationship between the Australian motor body/smash repair industry and the general insurance sector*.

The paper sums up the various issues faced by repairers, insurers and consumers and makes recommendations including further industry consultation, effective corporate codes of conducts and more effective dispute resolution mechanisms that include those repairers who are not members of a preferred repairer scheme. The paper can be downloaded from the ACCC website at www.accc.gov.au

Building product merger rejected

The ACCC will oppose the acquisition of Austrim Nylex's Pryda Reid Group by MiTek Australia as market inquiries revealed the merger would substantially lessen competition in the market. Both companies supply software-supported connector plates to fabricators of timber trusses and frames for housing and commercial buildings.

The software product used by timber truss fabricators is a key factor affecting competitiveness and efficiency in the building industry, offering significant cost advantages and efficiencies for builders. The software is specialised, sophisticated and integral to the operations of the fabricators who rely heavily on the suppliers for ongoing support.

The ACCC considered the merger would dampen competitive pressure, opening the way to an increase in prices, a reduction in service levels and reduced pressure for innovation in the software. The reasons for this decision are available on the ACCC website.

MR 240 (14.11.03)

Early release from mergers undertaking

After receiving a positive report from independent monitors, the ACCC will release the Commonwealth Bank from an undertaking concerning its acquisition of Colonial in 2000. While the full term was five years the undertaking provided for an early release after three years if the ACCC agreed that the bank had complied with its terms.

The monitors' report indicates the Commonwealth Bank has complied with its behavioural undertakings in terms of pricing and service quality for banking products it provides to the public in Tasmania and regional NSW. Compliance with structural undertakings was also met by seeking to divest a number of retail banking sites, and allowing competitors access to national ATM and EFTPOS networks. This demonstrates that enforceable undertakings can be used to protect consumers and the competitive process.

MR 246 (25.11.03)

Small business publications

The ACCC continues to produce and update publications to help small business and retailers understand their rights and obligations under the TPA.

Best & Fairest compliance manual is a training package designed to help you and your staff comply with the TPA. Each module is self contained and includes questions and answers for you and your staff. It is available for free online, in hard copy with CD ROM (\$100) or CD ROM only (\$20).

Small Business and the TPA answers questions most commonly asked by small business. It focuses on concerns between you and your suppliers, competitors and customers and about the goods and services you buy or sell.

The Franchisees guide provides consumer information for people buying, extending or renewing a franchise and includes information about the Franchising Code of Conduct. A full list of small business publications is available on the publications page of the ACCC website at www.accc.gov.au or call the ACCC infocentre on 1300 302 502.

Code of conduct for pharmaceutical companies

A code governing the marketing activities of companies promoting prescription medicines to doctors has been authorised by the ACCC.

Developed by Medicines Australia, the code regulates matters such as drug company sponsorship of medical conferences, the payment of travel and accommodation expenses of doctors attending such conferences, and the provision of other forms of hospitality and entertainment. The code also regulates advertising of prescription drugs to the medical profession. Advertising to consumers of prescription drugs is prohibited by the TGA.

The code is authorised for three years to allow the ACCC to assess how effective self regulation has been in addressing consumer concerns about the drug companies/doctors.

It should be noted that while the ACCC has a role endorsing effective industry codes, the endorsement process is separate from the authorisation process.

MR 242 (18.11.03)

Employment services industry code

The Recruitment & Consulting Services Association (RCSA) has been granted authorisation by the ACCC for its proposed code for ethical conduct. The ACCC was satisfied that the code and procedures for enforcing it are likely to generate public benefit.

RCSA is an industry association for recruitment agencies, private employment agencies and labour hire firms, with approximately 3200 members in Australian and New Zealand.

The code is expected to help in ensuring that businesses operating within the industry act ethically and professionally.

MR 215 (7.10.03)

Mortgage industry self-regulates

The ACCC proposes to authorise the Mortgage Industry Association of Australia's (MIAA's) disciplinary rules as they are unlikely to restrict competition in the mortgage broking industry.

The ACCC says it considers the MIAA's governance regime, which the rules enforce, are likely to help member mortgage brokers to act ethically and professionally in the industry, and so result in a benefit to the public.

The rules set out standards of conduct for the industry and a process for an independent tribunal to hear allegations of misconduct against members. If a member is found guilty of misconduct the tribunal can impose sanctions or expel the member from the MIAA.

MR 249 (26.11.03)

Storewide discounts collaboration

The ACCC has granted interim authorisation allowing concession businesses operating within David Jones stores to participate in storewide discount promotions. Concession businesses are 'stores within stores' that display and sell particular brands such as David Lawrence, Esprit, Table Eight and Sheridan.

The interim authorisation allows consumers to take advantage of lower prices offered by concession businesses. It will enable concession businesses to take part in David Jones promotions and be immune from legal action under the TPA.

MR 216 (7.10.03)

Code for monitoring pseudoephedrine medicines

The illegal manufacture of amphetamines is to be targeted under a new code developed by the Australian Self-Medication Industry with support from law enforcement agencies and government health departments.

The ACCC authorised the code, which aims to prevent common cold and cough medicines being obtained by backyard laboratories to manufacture amphetamines or 'speed'. The code requires suppliers of non-prescription pseudoephedrine-containing medicines to monitor all sales of stocks to pharmacies and report to law enforcement agencies in order to trace trends and patterns. Authorisation was sought as the code had the potential to be anti-competitive.

The ACCC believes that competition between signatories will not be unduly inhibited and restrictions on supply will have a limited impact on lawful users of these products.

MR 229 (27.10.03)

No genetic testing for life insurance

The ACCC granted partial authorisation to the Investment & Financial Services Association (IFSA), allowing agreement between life insurers that applicants for life insurance will not be required to undergo genetic testing.

This follows a report by the Australian Law Reform Commission, the Australian Health Ethics Committee and the National Health and Medical Research Council, into the use of genetic testing information in the insurance industry.

The proposed authorisation will allow a detailed evaluation of recommendations detailed in the report and provide time for the implementation of any appropriate self-regulatory or legislative mechanisms.

MR 219 (9.10.03)

REGULATED SERVICES

Moomba to Sydney gas pipeline

The ACCC has released its final decision on the terms and conditions for the Moomba to Sydney gas pipeline (MSP) over the next five years. The owner, East Australia Pipeline (EAPL), has to submit an access arrangement to the ACCC for approval under the national gas code. The arrangement describes the terms on which EAPL offers transportation services to parties wishing to transport gas through the pipeline.

The ACCC did not agree with all the terms and conditions or the proposed tariffs to be charged as customers, such as gas retailers, may be able to obtain transportation services at a lower price. EAPL charges approximately 66 cents per gigajoule to ship gas. The ACCC determined that the starting tariff should be 52 cents. The decision sets out the necessary amendments for EAPL to acquire ACCC approval.

MR 208 (2.10.03)

ACCC Hotspot—country of origin guidelines for the electrical industry

Just released: new guidelines to help manufacturers and producers of electrical and electronic goods who want to make country of origin claims.

Country of origin cannot be equated with just Australian made. It involves any claim made in connection with the country of origin of a product.

Electrical Goods—country of origin guidelines to the Trade Practices Act is available on the ACCC website or by contacting the ACCC on 1300 302 502 for a free copy.

Competitive telco markets

The ACCC is seeking comments on issues it will consider when monitoring and reporting on competition in the corporate customer segment of the telecommunications market.

In June 2003 the Minister for Communications, Information Technology and the Arts issued the ACCC with a direction outlining new accounting separation requirements for Telstra.

Under the direction the ACCC is responsible for monitoring and preparing six-monthly reports to the minister. The discussion paper is available on the ACCC website. Responses are due by 14 January 2004.

MR 250 (28.11.03)

International shipping freight prices

The ACCC is investigating a series of price increases announced by shipping companies operating between north east Asia and Australia. These companies operate as the Asia Australia discussion agreement (AADA).

Price increases announced for July, August and October suggest a 100 per cent rise over market rates that existed in June. They could represent a substantial hike in costs to Australian businesses importing goods from China, Hong Kong and Taiwan.

While Part X of the TPA allows international liner cargo operators limited exemptions from anti-competitive conduct, the ACCC has a responsibility to investigate situations where that special treatment may be used to unreasonably raise prices.

The ACCC will release an issues paper by the end of the year calling for comment.

MR 221 (10.10.03)

Electricity market rules amendments

Proposed amendments to connection point responsibility in the national electricity code that have been given authorisation by the ACCC will give greater certainty for local network service providers and second tier retailers.

The changes relate to the clarification of responsibility when registering new customers with the National Electricity Market Management Company (NEMMCO).

The arrangements, which limit potential disputes between service providers, will help in the ongoing transition to full retail competition in the national electricity market.

A copy of the final determination can be accessed on the ACCC website.

MR 244 (21.11.03)

Broadband snapshot

The ACCC's *Snapshot of broadband deployment* report details the number of broadband connections in Australia. It shows that at end June 2003 there were 516 000 broadband services connected across Australia, up from 258 100 at the same time last year. This is an annual increase of more than 100 per cent.

The report indicates that broadband connections have grown at a rate of 22.0% across April–June 2003, an improvement from the 16.5% and 16.4% per quarter growth that was reported across January–March 2003 and October–December 2002, respectively.

DSL continues to be the preferred broadband technology for many Australians.

The report is available on the ACCC website under 'Telecommunications Statistics'.

MR 217 (8.10.03)

Telecommunications infrastructure report

As part of its regular reporting on telecommunications infrastructure in Australia, the ACCC published its second *Telecommunications Infrastructure in Australia 2002* report, based on survey responses from 52 carriers operating in the Australian market during 2001–02.

It reveals investment in local access network infrastructure made up almost half of the more than \$3.4bn invested in 2001–02, followed by mobile networks, transmission networks and xDSL services.

Telstra accounted for the majority of the \$1.8bn invested in local access network infrastructure, indicating that new carriers had yet to make significant inroads into Telstra's subscriber base.

The report is available on the ACCC website at www.accc.gov.au or printed copies can be purchased for \$10 from the ACCC by calling 1300 302 502.

MR 210 (3.10.03)

Quality of service at major airports

The ACCC has issued its 2002–2003 monitoring report on the quality of service at major Australian airports. The report contains a number of objective indicators of the adequacy of facilities at each airport. Airline users generally rated facilities at the airports as satisfactory to good.

New information on aircraft traffic suggests that Brisbane, Melbourne and Sydney do not appear to be experiencing significant runway capacity constraints.

The report complements the forthcoming report on airport price monitoring for the same period.

MR 239 (13.11.03)

Access charges for core telecommunication services

The ACCC issued its final determination for model price and non-price terms and conditions, specifying lower charges, for use of Telstra's fixed network over the next three years. The model terms and conditions are not binding, but give the industry guidance on the ACCC's views.

These core services are used by competitors to compete with Telstra for services such as local, long-distance, international and fixed-to-mobile calls as well as various high-speed data broadband services.

The ACCC consulted widely with industry to formulate the final determination. Key issues identified included terms and conditions relating to access to information systems, service migration, creditworthiness and ordering and provisioning.

The ACCC developed an 'in-principle' position and drafted model clauses to address each of the concerns raised by industry participants.

MR 230 (28.10.03)

Portability guide for non-geographic telephone numbers

Coinciding with the ACCC's recent decision to mandate premium rate number portability, the ACCC has released a *Pricing principles for non-geographic number portability* guide.

Non-geographic numbers are used to provide free phone (1800), local rate (13, 1300) and premium rate (1900) services.

The guide sets out principles the ACCC will apply if required to arbitrate a dispute over the terms and conditions of non-geographic number portability. A copy of the guide is available at www.accc.gov.au

MR 231 (28.10.03)

QLD

In November the ACCC actively focused on retailers in Stanthorpe's CBD. Retailers were provided information about their rights and obligations under the TPA.

The ACCC also promoted Storecharter to the Dept of Aboriginal and Torres Strait Islander Policy, which operates six retail stores in Aboriginal communities. Storecharter aims to develop understanding between store operators and indigenous people as well as help store operators comply with relevant laws.

WA

On 12 November the ACCC attended the second **Geraldton Economic Summit**. The summit considered the regions future once infrastructure upgrades are complete and private development relied upon.

Presenters canvassed issues such as the benefits of a deeper harbour, local business opportunities, Geraldton as an education centre, mining and its expansion, fish farming trials, expansion of tourism and the necessity of indigenous participation in economic development.

The latest **Competing Fairly Forum** *Growing good business relationships* had its West Australian premier at the Horticultural Industry Forum on 11 November 2003. Hosted by the WA Department of Agriculture, the forum brought together leaders of over 35 horticultural representative bodies.

NSW

To help small business operators around Sydney prepare for the Christmas shopping frenzy, the ACCC NSW small business manager (SBM) is conducting seminars and workshops in local areas on fair and ethical advertising and selling practices. Topics include two-price advertising, fine print and disclaimers, bait advertising, warranties and refunds.

There will also be discussion on recent cases, such as the Commonwealth Bank and Allens cases. If you require any information regarding the workshops, or have concerns about your advertising methods, contact the SBM on (02) 9230 9108.

SA

On 21–22 October the ACCC addressed The Smart Consumer youth forum, initiated by the Loxton–Waikerie Council. The forum aimed to provide youth with life skills by directing their attention to consumer issues.

The invitation for the ACCC to attend came from one of its information supporters, which illustrates the effective networks developed through the small business and regional outreach program that link local government and small business supporters directly with the ACCC.

Contact the ACCC

Infocentre: 1300 302 502



Website: www.accc.gov.au