

The end of an era—goodbye to the Trade Practices Act

From Darwin to Hobart, wherever you buy goods or services these transactions are now governed by the one national law. Equally, if you own a business and sell goods or services, your responsibilities are the same from one state or territory to the next.

After almost 40 years on the Commonwealth statute books the *Trade Practices Act 1974* (TPA) was renamed the *Competition and Consumer Act 2010* (CCA) on 1 January 2011.

While the name of the law has changed, the principles behind the legislation—that is, promoting competition and honest and fair trading—remain the same.

There are some changes however, and these are contained within a new schedule to the CCA known as the Australian Consumer Law (ACL). The ACL replaces 17 existing national, state and territory laws with a single national law to make consumer protection consistent across Australia.

The ACL gives the ACCC and other regulators new investigation tools and powers. The ACL has also introduced new laws regarding unfair terms in standard form consumer contracts, a new consumer guarantees regime and new laws relating to sales practices and product safety.

In the area of product safety, a new mandatory reporting requirement is now in force requiring suppliers to advise the ACCC within two days of incidents associated with consumer products that result in death, serious injury or illness.

The new sales practices laws introduce nation-wide rules relating to practices such as door-to-door selling, lay-by sales and misleading testimonials.

For more information and to download all the latest publications visit: www.accc.gov.au/acl or www.consumerlaw.gov.au



Consumer guarantees—a guide for consumers