

**4 September 2003**

*(General Purpose Standing Committee No. 3)*

**Portfolio**

*Fair Trading*

**ANSWERS TO QUESTIONS TAKEN ON NOTICE DURING HEARING**

- 1. Mr Gallacher asked the Minister for Fair Trading, the Hon Reba Meagher MP—**

How many staff are currently employed within the Home Building Service and what are their positions? (Hansard p 4)

**Answer**

As at October 2003, the Home Building Service (HBS) has an approved establishment of 150 positions.

- 2. Ms Pavey asked the Minister for Fair Trading, the Hon Reba Meagher MP—**

In relation to the Home Building Advisory Council:

- (a) What is the composition of the Council?
- (b) For each of the people on the Council what is their annual remuneration and what other allowances are they given, including cars and mobile phones, for 2002-03 and 2003-04?
- (c) How many times did the Council provide unsolicited advice to you in 2001-2002 and 2002-03 and what was the subject matter of this advice? (Hansard p 5 and 6)

**Answer**

a & b) The Home Building Advisory Council currently has 14 Members, 4 being consumer representatives, 4 representing "other" groups (eg. Academic, trade unions), 5 industry representatives and the Commissioner for Fair Trading.

Members are paid a meeting fee together with travel and/or accommodation expenses in accordance with Premier's Memorandum 2003-06. Members are not provided with cards or mobile phones.

- c) As required by legislation, copies of all council minutes are provided to me for information. The Council is required to meet at least 4 times per year.

3. **Ms Pavey asked the Minister for Fair Trading, the Hon Reba Meagher MP—**

In relation to the Retirement Villages Advisory Council:

- (a) What is the composition of the Council?
- (b) What was the amount of annual remuneration and other allowances and entitlements paid to the members of the Council for 2003-2004 and for 2002-03?
- (c) What is the budget allocation for the Council?
- (d) On how many occasions during 2002-03 did the Retirement Villages Advisory Council provide unsolicited advice to you or the other Minister and what was the subject matter of this advice? (Hansard p 6 and 7)

**Answer**

a) to d)

The Retirement Villages Advisory Council currently has 16 members, 7 being consumer representatives, 4 industry representatives, 4 representing "other" groups (academic, trade unions etc) and the Commissioner for Fair Trading.

Members are paid a meeting fee together with travel and/or accommodation expenses in accordance with Premier's Memorandum 2003-06. Members are not provided with cards or mobile phones.

As required by legislation, copies of all council minutes are provided to me for information. The Council is required to meet at least 4 times per year.

For 2003/2004 the Retirement Villages Advisory Council has provided advice on recognising the rights of a former resident, or their estate, in terms of assigning leases and the disclosure of operators regarding commercial activities in a village.

4. **Ms Pavey asked the Minister for Fair Trading, the Hon Reba Meagher MP—**

In relation to the Property Services Advisory Council:

- (a) What was the initial budget allocated in 2002-03 for the Council?
- (b) Was this budget revised or exceeded and, if so, by how much? (Hansard p 6)

## Answer

a) & b) Members are paid a meeting fee together with travel and/or accommodation expenses in accordance with Premier's Memorandum 2003-06. Members are not provided with cards or mobile phones.

### 5. **Mr Gallacher and Ms Pavey asked the Minister for Fair Trading, the Hon Reba Meagher MP—**

In relation to the Consumer, Trader and Tenancy Tribunal (CTTT):

- (a) What formal qualifications or experience did the chair of the CTTT, Ms K Ransom, have before she took over the position?
- (b) How many other candidates were part of the selection process? (Hansard p 8)
- (c) What are the formal qualifications and experience of the five people that you nominated for appointment to the board of the CTTT on 15 August? (Hansard p 14 and 15)
- (d) Have any of the appointees held other advisory positions or have they been previously appointed to Government positions (Hansard p 15)

## Answer

a) Ms Ransome fulfils the formal requirements for appointment as Chairperson of the CTTT as set out in the *Consumer, Trader and Tenancy Tribunal Act 2001*.

Ms Ransome has over 10 years experience in tribunal administration.

- b) The selection procedure for the Chairperson of the CTTT involved twenty one (21) applicants, where five (5) of these were considered by interview process.
- c) Every member appointed to the CTTT meets the statutory qualifications which are set out in section 8 of the *Consumer Trader and Tenancy Tribunal Act 2001*.
- d) The Office of Fair Trading holds information submitted by all job applicants in good faith. We are not in a position to release these personal details without the consent of the individuals.

### 6. **Ms Pavey asked the Minister for Fair Trading, the Hon Reba Meagher MP—**

In relation to the Financial Counselling Trust Fund:

- (a) Was the Trust Fund's total operating budget, in order of \$477,000 revised or exceeded and, if so, by how much? (Hansard p 15 and 16)
- (b) What was the allocation for the Financial Counselling Trust Fund for this financial year, 2003-04? (Hansard p 16)

**Answer**

a) The Funds of \$477,000 available for 2002-03 were not revised or exceeded. Funds for the financial year are derived by the income from the previous financial year.

b) Funds available for distribution by the Financial Counselling Trust Fund in 2003/2004 are \$484,000

**7. Ms Pavey asked the Minister for Fair Trading, the Hon Reba Meagher MP—**

How many tribunal hearings have been conducted into issues relating to the *Retirement Villages Act* and what were the outcomes of these hearings? (Hansard p 16)

**Answer**

57 applications for orders in the Retirement Villages Division were lodged with the Consumer Trader and Tenancy Tribunal during the financial year 2002-2003. 53 applications were finalised during that time.

The Tribunal conducted 161 hearings in relation to retirement village issues during the financial year.

The written reasons for decision for applications in this Division are published on the Tribunal Web-site.

**8. Ms Pavey asked the Minister for Fair Trading, the Hon Reba Meagher MP—**

In relation to the Motor Repair Industries Council:

- (a) What are the names and remuneration allowances of the members of the Council for 2002-2003 and 2003-2004?
- (b) What are the budget allocations for the Council for 2003-2004?
- (c) What specific action have you taken to address criticism of the Council by the Auditor General in his report to Parliament in 2000, Volume 6, page

253, for not complying with the requirements of the *State Records Act 1998*?

- (d) How many formal papers or publications did the Council provide to you in relation to the repair industry 2002-2003? What was the subject matter of those publications? (Hansard p 17)

**Answer**

a) to d)

The Motor Vehicle Repair Industry Council ceased to exist from 1 July 2002, when it was replaced by the Motor Vehicle Repair Industry Authority in accordance with amendments to the *Motor Vehicle Repairs Act 1980* by the *Motor Trade Legislation Amendment Act 2001*. The amendments also brought into existence the Council of the Authority.

The remuneration for member of the Council for attendance at meetings has been set in accordance with the rates and conditions contained in the *Guidelines for Board and Committee Members* issued by the Premier's Department.

Volume 6 of the Auditor-General's report was tabled in Parliament on 12 December 2002. The General Manager of the Authority has prepared a strategic plan to ensure compliance with the *State Records Act 1998*.

In 2002-2003 the Motor Vehicle Repair Industry Authority reprinted "The Glovebox Companion to Trouble Free Car Repairs", and published two industry newsletters.

Further information on the Motor Vehicle Repair Industry Authority may be ascertained on it's website located at [www.mvria.nsw.gov.au](http://www.mvria.nsw.gov.au)

9. **Mr Gallacher asked the Minister for Fair Trading, the Hon Reba Meagher MP—**

What is the total budget for salaries for your Ministerial office? (Hansard p 18)

**Answer**

Ministerial staff are employed by the Director General of the Premier's Department in accordance with the provisions of the Public Sector Employment and Management Act 2002.

Remuneration for Ministerial staff is determined by the Director General of the Premier's Department.

10. **Ms Pavey asked the Minister for Fair Trading, the Hon Reba Meagher MP—**

What was the rent of your Ministerial Office? (Hansard p 18 and 19)

**Answer**

All leasing of government accommodation is undertaken in accordance with the appropriate guidelines and needs.

**11. Mr Gallacher asked the Minister for Fair Trading, the Hon Reba Meagher MP—**

In each of your portfolio agencies in 2002-03, how much was spent on legal expenses? (Hansard p 22)

**Answer**

Legal expenses are incurred when it is necessary to engage a solicitor or counsel to provide advice or represent the Government in a matter.

In order to protect the interests of the people of New South Wales legal advice or assistance is obtained when this assistance is necessary.

Wherever possible the services of the Crown Solicitor or in-house legal assistance is utilised for advice on legal issues.

**12. Ms Pavey asked the Minister for Fair Trading, the Hon Reba Meagher MP—**

What was the initial budget allocation for the New South Wales Product Safety Committee for 2002-03 and 2003-2004? Was the budget exceeded and if so by how much (Hansard p 22)

**Answer**

Members are paid a fee as they attend. Any money they require for travel, accommodation, information, research or professional services is provided from within the Office of Fair Trading. There is no separate budget.

**13. Mr Gallacher asked the Minister for Fair Trading, the Hon Reba Meagher MP—**

Which of the States are you looking towards as a model to emulate with regard to implementing fuel co-operatives? (Hansard p 25)

## **Answer**

We are not seeking to emulate any other States.

**14. Ms Pavey asked the Minister for Fair Trading, the Hon Reba Meagher MP—**

How many times during the last financial year did the Co-operatives Council provide recommendations to you to promote the activities and improve the operation of co-operatives and what was the subject of matter of this advice? (Hansard p 25)

## **Answer**

As required by legislation, copies of all council minutes are provided to me for information. The Council is required to meet at least 4 times per year.

**15. Mr Gallacher asked the Minister for Fair Trading, the Hon Reba Meagher MP—**

What are the formal qualifications of Ms Candace Douglas who was appointed to the NSW Product Safety Committee? (Hansard p 26)

## **Answer**

Ms Candice Douglas was appointed to the Product Safety Committee as the nominee of the Children's Hospital at Westmead. I am satisfied Ms Douglas has the necessary skills and experience to undertake this appointment.

**16. Ms Pavey asked the Minister for Fair Trading, the Hon Reba Meagher MP—**

How much is spent on the driver of vehicles for your use per annum? (Hansard p 27)

## **Answer**

The guidelines for the provision of an official vehicle to Ministers are contained in the Ministers' Office Administration Handbook.

These procedures have operated across past governments in this State.

Each Minister is provided with an official car and a Minister's Driver/Assistant. All costs associated with the Minister's care are met from the budget for the Minister's Office.

**17. Ms Pavey asked the Minister for Fair Trading, the Hon Reba Meagher MP—**

What contractors or consultants were engaged by your office in the last financial year and to date to undertake work or advice on your behalf and/or on behalf of your office? (Hansard p 27)

**Answer**

Expenditure on consultancies is reported in Annual Reports. All expenditure is in accordance with the appropriate guidelines.