

QUESTIONS ON NOTICE

2011-2012 FAIR TRADING BUDGET ESTIMATES

SUPPLEMENTARY QUESTIONS

Questions from Dr John Kaye MLC

- 1) How many applications for terminations for rent arrears were made by Housing NSW to the Consumer, Trader and Tenancy Tribunal (CTTT) Social Division for:**
- a. 2008-09?**
 - b. 2009-10?**
 - c. 2010-11?**

I am advised that:

The number of applications for terminations for rent arrears made by Housing NSW to the Consumer, Trader and Tenancy Tribunal Social Division were:

- a. 2008-09 - 2,998
- b. 2009-10 - 5,508
- c. 2010-11 - 4,363

The Consumer, Trader and Tenancy Tribunal's Social Housing Division was established on 1 October 2008. Therefore, data for 2008-2009 applies to only nine months of the financial year.

- 2) How many CTTT Social Housing Division hearings were there for Housing NSW applications for terminations for rent arrears for:**
- a. 2008-09?**
 - b. 2009-10?**
 - c. 2010-11?**

I am advised that:

The number of CTTT Social Housing Division hearings for Housing NSW applications for terminations for rent arrears were:

- a. 2008-09 - 3,434
- b. 2009-10 - 7,068
- c. 2010-11 - 5,675

The Consumer, Trader and Tenancy Tribunal's Social Housing Division was established on 1 October 2008. Therefore, data for 2008-2009 applies to only nine months of the financial year.

- 3) How many final orders were made at CTTT Social Housing Division hearings, which involved Housing NSW application for terminations for rent arrears for:**
- a. 2008-09?**
 - b. 2009-10?**
 - c. 2010-11?**

I am advised that:

The number of final orders made at CTTT Social Housing Division hearings, which involved Housing NSW applications for terminations for rent arrears were:

- a. 2008-09 - 3,061
- b. 2009-10 - 5,482
- c. 2010-11 - 4,358

The Consumer, Trader and Tenancy Tribunal's Social Housing Division was established on 1 October 2008. Therefore, data for 2008-2009 applies to only nine months of the financial year.

- 4) How many final orders were made at CTTT Social Housing Division by consent which involved Housing NSW applications for terminations for rent arrears for:**
- a. 2008-09?**
 - b. 2009-10?**
 - c. 2010-11?**

I am advised that:

The number of final orders made at CTTT Social Housing Division by consent which involved Housing NSW applications for terminations for rent arrears in were:

- a. 2008-09 - 696
- b. 2009-10 - 1,181
- c. 2010-11 - 483

The Consumer, Trader and Tenancy Tribunal's Social Housing Division was established on 1 October 2008. Therefore, data for 2008-2009 applies to only nine months of the financial year.

Due to technical problems with the Tribunal's Case Management System, data for 2010-2011 applies to six months of the year only.

- 5) Can the Minister confirm that the NSW *Strata Schemes Management Act 1996* contains no conflict of interest clauses for Executive Committee Members of Owners Corporations?**
- a. If so, what steps is the Minister willing to take to rectify the absence of a conflict of interest clause?**

Clause 3A of Schedule 3 of the *Strata Schemes Management Act 1996* deals with potential conflicts of interest for executive committee members. A candidate for election to an executive committee must disclose any connection they have with the original owner or caretaker. If a serving executive committee member becomes connected with the original owner or caretaker after their election, they must disclose the connection to the chairperson or the secretary. The chairperson or the secretary must ensure that the disclosure is included on the agenda for the next general meeting of the owners corporation.

- 6) Is the Minister aware that the tender process undertaken by Executive Committee Members from an Owners corporation only requires 2 quotes?**
a. If so, is the Minister concerned that only two quotes have to be considered in the tender process?

Section 80B of the *Strata Schemes Management Act 1996* requires owners corporations of large strata schemes to obtain at least two quotations if the proposed expenditure exceeds \$30,000. Large strata schemes comprise 100 lots or more.

This is a minimum requirement and does not limit the number of quotes that may be sought. Owners corporations of large schemes can decide that more than two quotes are required, regardless of the cost involved. Owners corporations of small schemes can also decide to seek quotes in relation to proposed expenditure.

- 7) Can the Minister confirm that the Department of Fair Trading is reviewing the proportion of proxies an Executive Committee member of an Owners Corporation is permitted to have?**

Proxy voting will be examined when the next review of strata scheme and community land management laws is undertaken.

- 8) Is the Minister planning to place a limit on the proportion of proxies an Executive Committee Member is entitled to have?**
a. If not, why not?

Concerns about the number of proxy votes that any one person may hold will be considered as part of the next review of strata scheme and community land management laws. Any decision to amend the law would only be made in consultation with stakeholders in the strata scheme and community land management sector and after considering the views of the community.

- 9) Does the Minister support the Strata model code by-law that came into effect on 1 September 2010 prohibiting residents from drying their washing in an outdoor area if their body corporate prohibits it on the basis it can be seen from the street?**
a. What relief is the Minister willing to provide to individual residents who wish to air dry their laundry but whose body corporate prohibits such an activity to a majority vote?

The model by-law that came into effect on 1 September 2010 provided additional options for strata residents by enabling them to hang washing anywhere on their lot, such as a balcony, if it cannot be seen from the street. This is less restrictive than the previous model by-law, which prohibited the hanging of washing anywhere that was visible outside the lot, except in an area provided by the owners corporation for that purpose. Washing can also be hung where it is visible from the street if the owners corporation gives permission or adopts a by-law to this effect.

It is up to the owners corporation of each strata scheme to decide what by-laws are appropriate for their building. None of the by-laws are mandatory, and the owners corporation can adopt any by-law they like regarding the hanging of washing.

If an individual owner would like a by-law to be changed, they can write to the secretary of the owners corporation and get a motion to discuss the by-law placed on the agenda of the next general meeting.

- 10) Can the Minister confirm that private certifiers and councils were not notified of the need for licence holders undertaking gutter replacement work to adhere to the Building Code of Australia?**
a. If so, why not?

I am advised that:

In accordance with recommendation 10 of the High Front Guttering Expert Advisory Committee report, NSW Fair Trading wrote to over 57,000 licence holders at the end of July 2011. The correspondence advised licence holders that all guttering replacement works they carry out have to comply with the Building Code of Australia, including downpipe capacity and appropriate provision for overflow, and that all such works need to be carried out by appropriately licensed contractors.

Information regarding the release of the report, its findings and recommendations was published on the Fair Trading website.

On 5 August 2011, the Building Professionals Board, which is part of the Planning and Infrastructure portfolio and administers the building certification system, provided a bulletin to all accredited Council and private certifiers in NSW regarding the High Front Guttering Expert Advisory Committee report, its findings and recommendations.

- 11) What measures if any have been implemented to regulate the compliance of guttering replacement work with the Building Code of Australia?**

I am advised that:

NSW Fair Trading is currently planning a targeted compliance campaign related to high front guttering.

- 12) Can the Minister advise whether the Department of Fair Trading has received complaints in respect to wood-fired heaters and their performance particularly in relation to smoke and other pollutants?**

I am advised that:

From 1 March 2011 to 3 November 2011, NSW Fair Trading received seven complaints regarding wood fire heaters. Most complaints related to the quality of the product and installation. No complaints related to smoke or other pollutants.

- 13) Can the Minister advise what steps the Department of Fair Trading has taken to ensure wood-fired heaters sold in New South Wales conform to the Australian Standard AS/NZS 3013(1999)?**

I am advised that:

AS/NZS 3013 relates to Electrical installations - Classification of the fire and mechanical performance of wiring system elements.

This question may relate to AS/NZS 4013: Domestic solid fuel burning appliances - Method for determination of flue gas emission.

The Clean Air Regulation requires all new solid fuel home heaters sold in NSW (local and imported) comply with AS/NZS 4013. Responsibility for compliance with this regulation falls under the Environment and Heritage portfolio.

14) Can the Minister outline the response of the Department of Fair Trading to the consumer findings of the Blewett Inquiry Review of Food Labelling Law and Policy that relate to fair trading?

The NSW Food Authority in consultation with NSW Health, co-ordinated the NSW Government's input into a national response to the National Review of Food Labelling Law and Policy – the Blewett Report. NSW Fair Trading advice to the Food Authority focussed on consumer value issues (as defined in the Review) and the operation of the Australian Consumer Law with regard to general consumer protection measures and the requirements for businesses making claims about country of origin.

15) Can the Minister elucidate the nature of the contribution of the Department of Fair Trading to the Department of Premier and Cabinet in their response to the findings of the Blewett Inquiry?

The NSW Food Authority in consultation with NSW Health, co-ordinated the NSW Government's input into a national response to the National Review of Food Labelling Law and Policy – the Blewett Report. NSW Food Authority consulted other agencies including the Department of Premier and Cabinet, NSW Treasury and NSW Fair Trading. Fair Trading's advice focussed on consumer value issues (as defined in the Review) and the operation of the Australian Consumer Law with regard to general consumer protection measures and the requirements for businesses making claims about country of origin.

Questions from the Hon Amanda Fazio MLC

16) Given recent media reports that complaints against home builders have risen 43% in the past five years:

- a. What action is the Government taking to reduce the instance of incomplete or inadequate building work?**
- b. What mechanisms are available to advise consumers about the past records of tradesman who have had their licences cancelled as a result of poor work?**
- c. What advice have you received about the increase in number of complaints about poor home building work?**

I am advised that:

Fair Trading receives complaints in relation to a number of issues. However, most complaints do not result in breaches or building defects being substantiated.

- a. Where Fair Trading receives complaints, Building Inspectors are able to inspect premises. If an inspector detects incomplete or defective work, they are empowered under the *Home Building Act 1989* to serve a written 'Rectification Order' on the licensed contractor requiring them to ensure that the work is completed or the defect is rectified. Failure to comply with a rectification order is prescribed grounds for taking disciplinary action against a contractor, which can result in fines, conditions being placed on their licence, or licence suspension, cancellation or disqualification.

- b. The 'Licence Check' page on the Fair Trading website allows anyone to freely search licensees' records for matters including:
- licence conditions;
 - cancellations and suspensions;
 - disciplinary actions;
 - outstanding tribunal orders;
 - prosecutions;
 - infringement notices;
 - insurance claims; and
 - public warnings.
- c. The rise in complaints between 2006-07 and 2010-11 may be related to a number of factors:
- greater awareness of the availability of Fair Trading to assist with complaints;
 - increased ease of making complaints, for example, Fair Trading now receives over 60% of all complaints on-line or via email; and
 - 'spikes' related to specific issues such as pink batts and solar panels;
 - fluctuations in the levels of building activity and significant events such as the Global Financial Crisis.

17) In the lead up to Christmas will the Minister commit to reminding parents about the specific product details of warnings about toys from the past five years?

I am advised that:

NSW Fair Trading is currently conducting an extensive state wide compliance program to identify and remove any unsafe toys available in the marketplace prior to Christmas. Details of any unsafe toys detected and removed from sale will be published on Fair Trading's website and details will be provided through Ministerial media releases. Fair Trading's website provides details of toys detected in past years and safety tips for consumers on purchasing toys.

18) What action will the Government take to reform the growing Strata Industry?

NSW Fair Trading has programs in place to monitor the ongoing impact of strata scheme and community land management laws. This includes monitoring comments made in the media, in correspondence, in calls received, as well as through the outcomes of applications to the Consumer, Trader and Tenancy Tribunal. All issues raised are retained and will be taken into consideration in the next review of strata scheme and community land management laws.

19) What action is the Government taking to streamline the resolution process for disputes between owners of strata schemes?

Fair Trading Mediation Services and the Consumer, Trader and Tenancy Tribunal provide an affordable, accessible and quick means to resolve disputes between strata owners. Possible options to further streamline this process can be examined as part of the next review of strata scheme and community land management laws.

20) Will you commit to making the details of any petrol stations which are found to be selling dirty or unsafe fuel publically available?

This matter is not the responsibility of NSW Fair Trading.

The Commonwealth Department of Sustainability, Environment, Water, Population and Communities is responsible for enforcing the *Fuel Quality Standards Act 2000*, whereby suppliers in question are checked for compliance with these standards.

21) What action is taken by Fair Trading to educate strata owners and managers about their rights and responsibilities?

I am advised that:

NSW Fair Trading provides a range of information and education services to executive committee members and others involved with strata schemes. These include:

- 14 pages of strata information on the Fair Trading website, as well as information about Fair Trading's role in resolving building complaints;
- a 40 page Strata Living Booklet, which is one of Fair Trading's most popular publications with around 50,000 distributed each year;
- free community seminars in metropolitan and regional areas;
- translated articles published in various community newspapers;
- information provided over the phone, in person and in writing to individuals with enquiries about the strata laws and building disputes;
- assistance during mediation, for example, information officers provide legislative information and clarification about rights and responsibilities and Consumer, Trader and Tenancy Tribunal processes during the mediation session; and
- strata information provided in key community languages (Chinese, Vietnamese, Korean and Arabic) by Fair Trading and distributed through partnerships with multicultural support organisations and multicultural media.

Fair Trading also supports a number of industry stakeholders who provide education services for strata owners. For example, Fair Trading provided funding to the Owners Corporation Network for two recent workshops about owners' rights and responsibilities relating to renovations, repairs and maintenance. Fair Trading also sponsored Strata Community Australia for a strata information session and funding was provided to the Real Estate Institute of New South Wales and Green Strata Incorporated for various strata education projects.

22) Can the Minister provide a break-down of the types of complaints received by Fair Trading since March 2011, with particular reference to:

- a. What percentage of complaints or queries related to strata managed properties?
- b. What percentage of complaints or queries related to home building services?
- c. What percentage of complaints or queries related to whitegoods and other retail products?
- d. What percentage of complaints or queries related to retirement villages?
- e. What were the other areas of concern which have been referred to Fair Trading?

I am advised that:

From 1 March 2011 to 9 November 2011, NSW Fair Trading received 276,924 enquiries and 29,277 complaints. Of these:

- a. 10,562 enquiries (3.81%) and 128 complaints (0.44%) related to strata schemes.
- b. 14,067 (5.08%) enquiries and 6,323 (21.60%) complaints related to home building.
- c. 2,571 enquiries (0.93%) and 1,577 complaints (5.39%) related to whitegoods, and 9,894 enquiries (3.57%) and 7,250 complaints (24.75%) related to other retail products.
- d. 1,279 enquiries (0.46%) and 51 complaints (0.17%) related to retirement villages.
- e. Other common categories of complaints include travel/tourism, motor vehicles, solar photovoltaic panels and the purchase or sale of property.

23) Given the large number of warnings and other public information issued by Fair Trading how many media and communications staff members are employed by Fair Trading?

- a. **What role does the Minister's Media Advisors take in facilitating the communication of important public notices?**

I am advised that there are three media and communications staff members employed by Fair Trading. The Minister's Media Adviser coordinates the promotion of important public notices by the Minister.

24) What proportion of the NSW Fair Trading Budget relates to communication expenses?

Educating consumers and traders about their rights is a core business activity of NSW Fair Trading.

Fair Trading has a highly professional team responsible for maintaining its website, publishing a broad range of information publications and managing fair trading awareness programs and events.

I am advised that the staffing and operating costs of the communications team is approximately 2% of the overall Fair Trading budget.

25) Given the ever increasing number of Australians choosing to shop online:

- a. **Does Fair Trading employ any staff to investigate potential scams originating from the internet?**
- b. **What action is Fair Trading taking, in conjunction with Federal Government agencies, to educate consumers about the potential dangers of online shopping?**

I am advised that:

- a. this is part of Fair Trading's investigative role.
- b. NSW Fair Trading works with Commonwealth, State and Territory consumer affairs agencies to educate consumers about online shopping under the auspices of the Australian Consumer Law. Fair Trading's website provides further information about these activities. NSW Fair Trading is also a founding member of

the Australasian Consumer Fraud Taskforce, which includes 19 Commonwealth, State and New Zealand regulatory agencies who work together to develop compliance strategies and consumer awareness campaigns to reduce the detriment caused by fraud and scams. Each year the Taskforce coordinates an education campaign timed to coincide with Global Fraud Prevention Month.

26) What action is the NSW Government taking to prevent the proliferation of spam mail, both hard copies and online?

This matter is not the responsibility of NSW Fair Trading. The Australian Communications and Media Authority administer the *Spam Act 2003*, which regulates the sending of electronic commercial messages.

27) Does NSW Fair Trading have any involvement in preventing and investigating online identity theft through the hacking of Facebook, Twitter and other social media accounts to distribute spam?

This matter is not the responsibility of NSW Fair Trading. The Australian Communications and Media Authority administer the *Spam Act 2003*, which regulates the sending of electronic commercial messages.

28) What information is available about web traffic received by the Fair Trading website?

I am advised that:

Comprehensive performance statistics are available and regularly monitored.

There were 4,507,231 visitors to the website in 2010/2011. This is a 30.32% increase from 2009/2010.

The top 5 most visited pages on the Fair Trading website are:

- 1) Contact us
- 2) Business names
- 3) Home building licence check
- 4) Forms
- 5) Renting a home.

The Fair Trading website consistently performs within the top 20 most visited NSW Government websites.

29) Has the Minister sought any advice about how the Fair Trading website might be improved?

I am advised that:

The website is continuously improved as a result of customer feedback and through a planned program of enhancements.

Recent enhancements include:

- the introduction of a mobile version of the website;
- RSS news feed services;
- pages available as downloadable PDF fact sheets;
- extensions into social media channels (Twitter and You Tube); and
- smart phone applications (apps).

Forthcoming enhancements will include improvements to the search function, large print fact sheets and an upgrade of the content management system.

Expert advice, review and target audience consultation was last undertaken in relation to both our standard website and our proposed mobile presence in 2010.

It is intended that further consultation with target audiences will occur in 2012/2013.

30) Does NSW Fair Trading have dedicated liaison officers for its interactions with other State and Federal Agencies?

I am advised that:

NSW Fair Trading nominates officers to work with other State and Federal Government agencies in various capacities, depending on the nature of the interaction. This includes liaison, membership of inter-jurisdictional working groups and membership of joint taskforces.

31) How many refunds has Fair Trading secured for patrons of the Rewind Festival?

I am advised that:

As at 8 November 2011, NSW Fair Trading received 155 complaints regarding the Rewind Music Festival.

The majority of consumers paid for their tickets by credit card and have been advised to lodge a charge back application through their credit card provider and financial institution.

32) Given the approaching holiday season what action is NSW Fair Trading taking to prevent restaurants from applying a “holiday surcharge”?

I am advised that:

In NSW there is generally no control over the price suppliers may charge for goods or services. Under the Australian Consumer Law, where a percentage surcharge is imposed on top of everyday prices, all advertising must provide prices for each item that includes this additional cost, if and when it applies.

On days the surcharge applies, customers must be provided with a price list that includes the surcharge and reflects the total price of the item.

NSW Fair Trading has no targeted compliance programs to monitor the displaying of prices with surcharges. However, any complaints received about price displays will be investigated.

33) Has NSW Fair Trading received any reports of stolen property being sold or bought through a company trading as “Gold Exchange”?

I am advised that:

No reports of stolen property being bought through a company trading as Gold Exchange have been received by NSW Fair Trading.

34) What action will NSW Fair Trading take to prevent stolen property being sold or bought through the company trading as “Gold Exchange”?

The *Pawnbrokers and Second-Hand Dealers Act 1996* aims to reduce the trade in stolen goods by providing a licensing regime with record keeping and proof of identity requirements.

It also provides a mechanism to facilitate the return of stolen property to rightful owners.

Fair Trading works closely with Police in monitoring and enforcing the legislation.

Anyone concerned about stolen goods being sold or bought should report the matter to the Police in the first instance.

35) Has there been any correlation between the opening of outlets by “Gold Exchange” and an increase in theft of jewelry items?
a. If you are not aware of this, why not?

This matter is not the responsibility of NSW Fair Trading and would be more appropriately dealt with by the Minister for Police and Emergency Services, the Hon Michael Gallacher MLC.

36) Phones

- a. How many blackberries does DPC assign to your Ministerial staff and whom have they been issued?**
- b. How many iPads does DPC assign to your Ministerial office and to whom have they been issued?**
- c. How many iPads have you purchased for your office and to whom have they been issued?**
- d. How many iPhones does DPC assign to your Ministerial office and to whom have they been issued?**
- e. How many iPhones have you purchased for your office and to whom have they been issued?**
- f. For each phone or device, how much was each bill from April to October?**
- g. How many have phones or devices been lost in your office?**
- h. What is the cost of replacing those phones or devices?**

I am advised:

- a. to e. For all Ministerial Offices, there is a total of:
 - i. Blackberries – 151
 - ii. iPads – 19
 - iii iPhones - 3

f. Ministerial Offices in the NSW Government from April 2011 to October 2011 spent a total of \$88,902. This compares with \$238,567 spent under the previous NSW Government from October 2010 to March 2011.

g. to h. For all Ministerial Offices in the NSW Government, there has been one stolen phone, which cost \$577 (ex GST) to replace.

37) Media and Public Relations

- a. How many media or public relations advisers are employed for each of your portfolio agencies?**
- b. What is the forecast for 2011-12 for the number of media or public relations advisers to be employed and their total cost?**
- c. How many media or public relations advisers are employed in your ministerial office?**

a. to b. Please refer to the answer given for question 23.

c. Ministerial staff numbers and salary bands are available on the Department of Premier and Cabinet website.

38) Overseas Trips

- a. Have any of your overseas trips in the past year been paid for in part or in full by using public money?**
- b. Is so, did any of your relatives or friends accompany you on these trips?**

I am advised:

a. to b. Information regarding Ministerial travel is available on the relevant Minister's appropriate agency website, in accordance with Ministerial Memorandum M2009-10 'Release of Overseas Travel Information'.

39) Office Costs

- a. What is the annual remuneration package of your chief of staff?**
- b. What is the annual remuneration package for your head media advisor?**
- c. What is the annual remuneration package for each of your staff?**
- d. What is the estimated expenditure for your office budget in 2011-12?**
- e. Have any office renovations or fit outs been undertaken in your ministerial office since April?**
- f. If so, could you give details of contracted costs?**
- g. What is your office budget?**
- h. How many political advisors are in your office?**
- i. How many administration staff?**
- j. How many Department Liaison officers are assigned to your office?**
- k. How many staff in the Department are assigned to Ministerial support duties?**

I am advised:

a. to c. and h. to i. Ministerial staff numbers and salary bands are available on the Department of Premier and Cabinet website.

d. and g. Based on actual expenditure patterns, total forecast expenditures for all Ministerial offices are set out to be \$36,900,000 in 2011/12. This compares to \$47,046,453 spent by the former NSW Government from April 2010 to March 2011.

e. and f. Office renovations since April have cost \$3,640.

j. Refer to the answer to the Question on Notice from the Minister for Police and Emergency Services, Minister for the Hunter, and Vice-President of the Executive Council representing the Premier, and Minister for Western Sydney – LC 0681—Premier—DEPARTMENTAL LIASION OFFICERS, that details this information as at 7 August 2011.

k. Staff from all areas across NSW Fair Trading provide support for the Minister.

40) Cabcharge

a. In terms of your ministerial office, how much did your office spend on taxi fares, including Cabcharge since April?

I am advised:

a. For all Ministerial offices, the cost of Cabcharge was \$38,806.38 over 6 months from April 2011 to September 2011.

This is compared with the cost of \$78,023.11 in the 6 months of the previous NSW Government from October 2010 to March 2011.

41) Restructure

- a. Are any of your portfolio agencies undergoing a restructure?**
- b. How many jobs are expected to be cut as a result of that restructure?**
- c. How many people are expected have their wages cut as a result of that restructure?**
- d. How many voluntary redundancies are expected to be offered as a result of that restructure?**

I am advised that:

- a. NSW Fair Trading is currently transferring the Registry Of Encumbered Vehicles (REVs) and business registration functions to the Commonwealth Government as part of COAG's National Partnership to deliver a seamless national economy. REVs is targeted to transfer during January 2012 and business registration May 2012.
- b. Approximately 43 positions are expected to become excess as a result of the REVs and business registration transfer.
- c. No people are expected to have their wages cut as a result of the abovementioned restructures.
- d. Where staff in affected positions are unable to secure placement elsewhere in the agency or across the sector, voluntary redundancies will be offered.

42) Agency Costs

- a. What is your agency's catering budget?**
- b. Since April, has the agency changed its branding?**
- c. How much was spent on rebranding the agency?**
- d. How much has been spent on stationery?**

I am advised that:

- a. NSW Fair Trading's total hospitality budget for 2011/12 is \$43,000.
- b. No.
- c. Not applicable.
- d. During 2010/11 NSW Fair Trading incurred \$1,341,000 in printing, stores and stationary expenses.

43) Correspondence

- a. **How long is the average turnaround for responding to correspondence in your agency?**
- b. **How many pieces of correspondence have been outstanding for more than 60 days?**

I am advised:

a. and b. The Department of Premier and Cabinet's recommended time frame for completing responses to correspondence from Ministers, Members of Parliament and members of the public is 20 working days from the Department's receipt of the correspondence.

However, it is not always possible to comply with this time frame for any number of reasons including: the nature and complexity of the matter; stakeholder consultation; or further information required from other Departments and sources.

44) Paying bills on time

- a. **Since April, on how many occasions has the agency not paid a supplier or contractor for more than 30 days?**
- b. **How many bills have been outstanding for longer than that period?**

I am advised that:

- a. NSW Fair Trading's payment terms are managed by the Department of Finance and Services. The Department's payment terms for invoices are a correctly rendered invoice received during the month will be paid before the end of the following month. The allowable time to process payments averages out to about 45 days. On average, the Department paid all invoices 32 days from date of invoice. The current payment term has resulted in 2,360 suppliers receiving payment later than 30 days from the date on the invoice for the period May 2011 to September 2011. NSW Fair Trading's payment performance is included in these figures.
- b. The department currently pays all its invoices on average 32 days from the date of the invoice. 15,776 invoices were paid later than 30 days from the date on the invoice for the period May 2011 to September 2011. Fair Trading's payment performance is included in these figures.

45) Grants to non-government organisations

- a. **Does your department provide recurrent grant funds to non-government organisations?**
- b. **If yes,**
 - i. **What are the names of all organisations in receipt of funding?**

- ii. What is the total amount of funding received by each organisation, including goods and services tax?
- iii. On what date was the funding advanced?
- iv. What was the purpose for each grant or funding advance?
- v. Was any funding withheld or returned?
- vi. If so, what were the reasons for withholding or requiring the funding to be returned?
- vii. What is the indexation rate applied to non recurrent grant funds in 2011/2012?

a. and b. Refer to the answer to the Question on Notice from the Minister for Police and Emergency Services, Minister for the Hunter, and Vice-President of the Executive Council representing the Premier, and Minister for Western Sydney – LC 0447—Premier—GRANTS TO NON GOVERNMENT ORGANISATIONS AND LOCAL GOVERNMENT BODIES.

46) Feasibility studies, audits, taskforces or reviews

- a. Is your department currently undertaking any feasibility studies, audits, taskforces or reviews?
- b. Is so,
 - i. What are the terms of reference or details of each study, audit, taskforce or review?
 - ii. Who is conducting the study, audit, taskforce or review?
 - iii. Was each study, audit, taskforce or review publically advertised seeking expression of interest or competitive tenders?
 - iv. Is there a contract in place detailing terms of engagement for the stuffy, audit, taskforce or review?
 - v. What is the timeline of each study, audit, taskforce or review?
 - vi. What are the details of any costs involved in each study, audit, taskforce or review?

a. and b. Refer to the answer to the Question on Notice from the Minister for Police and Emergency Services, Minister for the Hunter, and Vice-President of the Executive Council representing the Premier, and Minister for Western Sydney – LC 0327—Premier—FEASIBILITY STUDIES, AUDITS, TASKFORCES AND REVIEWS.