



LEGISLATIVE COUNCIL

General Purpose Standing Committee No. 5

BUDGET ESTIMATES 2013-2014

Supplementary Questions on Notice

General Purpose Standing Committee No. 5

Fair Trading

Monday 12 August 2013

Answers to be returned by: Thursday 5 September 2013.

Budget Estimates Secretariat

Telephone 9230 3509

Fax 9230 2981

budget.estimateds@parliament.nsw.gov.au

GENERAL PURPOSE STANDING COMMITTEE NO. 5

BUDGET ESTIMATES 2013-2014

Supplementary questions: Fair Trading

Answers are to be returned to the Committee secretariat by: Thursday 5 September 2013.

1. Is the Minister satisfied that the current regulatory framework in NSW for the use of animal welfare labels such as “free-range” is sufficient in ensuring that consumer expectations are met?
2. Has the Minister’s office been approached by members of the public who are concerned about the misuse of the label ‘free-range’ label on eggs in NSW during the last 12 months?
 - a. If so what has been the Minister’s response?
3. Can the Minister please provide details of any consultation that has been undertaken with consumer and animal welfare organisations concerning the regulation of the free-range label during the last 12 months?
4. Is the Minister aware that NSW constituents who have been visiting Liberal MPs over the last 24 months to raise the issue of accurate and transparent labelling of free-range eggs have been told that their local MP is supportive of the Greens Truth in Labelling (free-range eggs) bill?
 - a. If so, has the Minister communicated this correspondence to the Minister for Primary Industries Katrina Hodgkinson?
5. Is the Minister satisfied that the consumer expectations of “free-range” will be met under the Egg Corporation’s plans to increase free-range stocking densities from 1,500 to 20,000 birds per hectare?
6. During the past 12 months has the Minister approached his federal and interstate ministerial colleagues either directly or through the Legislative & Governance Forum on Consumer Affairs (Ministerial Council on Consumer Affairs) to raise the issue of accurate and transparent labelling of free-range eggs?
 - a. If so, what was the outcome of these interactions?
 - b. If not, why not?
7. If the Office of Fair Trading has received approximately 128 complaints regarding the on-selling of tickets this year, what are the other broad topics of the concern raised with the department in order of complaints issued?
 - a. Can the Minister please provide a breakdown of the complaint types by percentage of submissions for 2012?
 - b. If not, why not?
8. Can the Minister please provide further information about discussions or consultations made regarding the creation of a Strata Ombudsman?
 - a. Can progress or a statement be expected on this issue this year?
9. How many applications for terminations for rent arrears were made by Housing NSW to the Consumer Trader and Tenancy Tribunal (CTTT) Social Housing Division for 2012-13?

10. How many CTTT Social Housing Division hearings were there for Housing NSW applications for terminations for rent arrears for 2012-13?
11. How many final orders were made for 2012-13 at CTTT Social Housing Division hearings, involving Housing NSW applications for terminations for rent arrears?
12. How many final orders were made for 2012-13 at CTTT Social Housing Division by consent, which involved Housing NSW applications for terminations for rent arrears?
13. As at 1 February 2013 how many tattoo parlours were there estimated to be in NSW?
14. How many tattoo parlours were there estimated to be in NSW now?
15. As at 1 February 2013 how many body art tattoo artists were there estimated to be in NSW?
16. How many tattoo body artists were there estimated to be in NSW now?
17. As at 12 August 2013 how many applications had been received from tattoo parlours for licensing under the new scheme?
18. As at 12 August 2013 how many applications have been received from tattoo artists for licensing under the new scheme?
19. As at 12 August 2013 how many applications had been processed from tattoo parlours for licensing under the new scheme?
 - a. Of these, how many were approved?
 - b. Of these, how many were refused?
20. As at 12 August 2013 how many applications have been processed from tattoo artists for licensing under the new scheme?
 - a. Of these, how many were approved?
 - b. Of these, how many were refused?
21. What programs or activities are the licensing fee funds allocated to?
22. What steps have been taken to ensure that parlour operators are clear on their disclosure obligations?
23. What steps have been taken to ensure that the closure of legitimate tattoo parlours does not result in an increase in home tattooing services, both paid and unpaid?
24. What investigation has been undertaken of the sale and use of home tattooing kits in NSW?
25. What consideration has there been of technical or competence requirements for the tattoo industry?
26. What steps are being taken to ensure all tattooing undertaken with home tattooing kits complies with the health regulations applying to tattoo parlours?

27. In relation to ticketing, can the Minister ensure that his anti-scalping legislation will not disadvantage consumers who, due to unforeseen family or work commitments, legitimately want to re-sell their ticket?
28. In relation to ticketing, what steps and research has the Minister undertaken to ensure his solution to perceived problems caused by the on-selling of tickets will be practicable?
29. In relation to ticketing, have ticketing companies pointed out to the Minister that there are serious issues with the approach he is taking?
30. In relation to ticketing, what is the nature of the complaints from either consumers or event organisers that the Minister or Department has received which are driving these changes?
31. In relation to ticketing, has the industry, any ticketing companies or stakeholders approached the government with a market driven solution to perceived problems caused by the on-selling of tickets?
32. In relation to ticketing, what is the urgency in introducing legislation on this issue into the Parliament before the end of the year? Please provide details on what stakeholders you, your office or your department has consulted with and on how many occasions, in preparing this proposed ticketing legislation.
33. In relation to ticketing, can the Minister cite similar successful legislation that has reduced the instances of scalping but has not impacted negatively on consumers?
34. In relation to ticketing, how will the Minister manage issues such as electronic tickets or late issuance of ticket, which impact one's ability to publish a photo of a ticket?
35. Have stakeholders raised legitimate concerns regarding potential fraudulent conduct regarding displaying photos of tickets online?
36. In relation to ticketing, will the proposed legislation disadvantage onshore companies compared to offshore companies who actively pursue this area?
37. In relation to ticketing, can the Minister confirm that his Chief of Staff, Tim James, received an email from NSW Fair Trading Commissioner Rod Stowe on 11 October 2011 saying "The view, to date has been there has not been sufficient market failure to justify regulatory intervention. There has been a strong view from central agencies that there is not a cost/benefit case for regulation, particularly in view of some of the anti-scalping measures taken by event organisers and promoters in recent years." If yes, why has the Government pursued this issue despite this advice?
38. In relation to ticketing, why has the government not provided stakeholders with the text of the proposed legislation?
39. In relation to ticketing, why has the government not provided a discussion paper or called for submissions?
40. In relation to ticketing, is it true that the NSW Department of Fair Trading received only one complaint from 44,000 in 2012 regarding ticket on-selling?

In relation to ticketing, can the Minister confirm that of the 44,016 complaints received by the Department of Fair Trading in 2012, only one related to ticket on-selling?

41. In relation to ticketing, in 2010 the Commonwealth Consumer Affairs Advisory Council (CCAAC) reviewed ticket on-selling and its impact on consumers. The research found that most onselling is not being done by people in a business but by legitimate fans or 'distressed sellers' who are unable to use their ticket for various, often last minute, reasons. Following this publication, the Council recommended to Treasury that current laws are sufficient and no laws are needed to regulate the market. Can the Minister advise why action is now occurring in this area and what possible pressure is being applied by the Minister for Sport, the Hon Graham Annesley MP?
42. In relation to ticketing, of the 128 complaints received by the Department of Fair Trading in 2013, can the Minister please detail what these complaints entailed?
43. In reference to the Tattoo Parlour Act 2012, why hasn't the NSW Government ensured that tattooists have adequate health and safety training when handling blood and tattoo needles, to help counter the spread of blood borne infectious disease?
44. How many Fair Trading inspectors/authorised officers have been allocated to oversee compliance to the new Tattoo Parlour laws? Are these new positions or existing positions which have been allocated an additional workload?
45. How many applications have been lodged by tattooists and how many licenses have already been issued for tattooists?
46. What was the time frame between each application being received and being approved?
47. How many licenses for tattooists have been denied and what were the reasons for each denial?
48. How has the declaration by operators of 'close associates' as outlined in section 4 of the Act been monitored? Is this being undertaken by NSW Police?
49. Minister, given that you have stated that it is not expected that all tattooists and operators will be licensed by 1 October 2013, can you advise how long tattooists and operators of tattoo parlours will be allowed to operate while the backlog of applications are being processed?
50. Minister, you have advised that as at 8 August only 3 out of 133 applications lodged by operators of tattoo parlours have been approved. Please advise the dates on which these 3 applications were lodged and the dates on which they were approved?
51. Minister, have the police allocated any additional resources to the task of processing applications and what priority have they given this work in relations to their general duties?
52. Do you agree that Service NSW will not prove to be a 'one-stop-shop' but simply the first stop before consumers are directed back to another agency; which in the case of Fair Trading, consumers can currently walk in the front door of 22 locations across NSW and speak to an expert on the relevant legislation?

53. Is it not the case that Service NSW intends to refer consumers with complex enquiries back to the relevant agency such as Fair Trading and that Service NSW centres are intended only to perform transactions such as accepting forms and processing fees?
54. How will closing down all Fair Trading metropolitan locations and condensing them to a single Parramatta site improve service delivery for business owners and consumers who can currently speak to an expert face-to-face in a location convenient to them?
55. Why has a Fair Trading office been closed in Blacktown prior to the Service NSW centre opening?
56. Is it not the case that Fair Trading Centres across NSW are currently in the process of cutting the jobs of customer service officers? In some locations these jobs are being cut prior to Service NSW centres opening? In locations such as Grafton jobs have been cut but Service NSW is not intended to open there until the middle of next year at the earliest.
57. Following the opening of Service NSW Centres, does this Government commit to maintaining the current regional Fair Trading office locations which are staffed by local people with the knowledge of and relationships with local businesses and consumers?
58. Does the Minister accept that he will be damaging the services provided to local small businesses and consumers if this local expertise was to be lost?
59. In merging Fair Trading with Service NSW, have any leases been broken? What is the budgetary impact?
60. How many current Fair Trading staff members have been forced to apply for the same position at Service NSW? Of that number, how many have been successful in their application?
61. How many internal applicants from Fair Trading have been unsuccessful in continuing their employment at Service NSW?
62. If the individuals are unsuccessful in reapplying for their position, will the Government offer redundancies to these employees?
63. How much money is in the Rental Bond Account?
64. How much money is in the Rental Bond Interest Account? How much interest was earned in the latest 12 months and for each year over the past five years?
65. How much (amount and proportion) of this interest was paid to tenants?
66. How much was paid to non-government organisations to provide tenants advisory services?
67. How much was paid to government agencies? To which agencies was it paid and for what purposes?
68. How much was unspent? What happens to unspent monies from the Rental Bond Interest Account?

69. How much money is in the Statutory Interest Account, into which interest on real estate agents trust accounts is paid [per s 90 of the Property Stock and Business Agents Act].
70. How much interest was earned on monies in the Statutory Interest Account in the latest 12 months and for each year over the past five years?
71. How much was paid to non-government organisations from the Statutory Interest Accounts?
72. How much was paid to government agencies from the Statutory Interest Account. To which agencies was it paid and for what purposes?
73. How much was unspent? What happens to unspent monies from the Statutory Interest Account?
74. On how many occasions have you met with a lobbyist, and what were the dates of these meetings?
75. Which lobbyists have you met with, and what was discussed?
76. On how many occasions have you declined to meet with a lobbyist?
77. To deliver greater transparency and accountability, will you publish a monthly online diary of all meetings with lobbyists?
78. In order to deliver greater transparency and accountability, as promised by the Premier, will you commit to keeping a record of all lobbying activities and documentation and allow them to be subject to the Government Information (Public Access) Act?
79. Since becoming a Minister, have you taken any interstate or intrastate trips involving overnight accommodation or flights?
80. Will you provide a list to the committee of the details of all travel?
81. Have you taken any trips intrastate or interstate to attend Liberal/National Party functions? What are the details of the trips including dates and costs?
82. Have you taken any trips intrastate or interstate to attend lobbyists' functions? What are the details of the trips including dates and costs?
83. Were these trips paid for by the taxpayer?
84. Were these trips booked through the government travel management system?
85. Since becoming a Minister, have you paid back money to the state because you booked unauthorised travel with the government travel management system? How much? When did you travel? When did you pay back the money? How many occasions has this happened?
86. Have you had meetings scheduled interstate or intrastate on Fridays or weekends which involved you staying overnight?

87. Did you take your spouse/partner on these trips?
88. Have any members of your staff made complaints to or raised concerns with you, your Chief of Staff or the Department of Premier and Cabinet about bullying in your office? If so, have any members of your staff resigned or been removed from their position after making such a complaint or raising such concerns?
89. How many blackberries or smart phones are assigned to your staff?
90. For each phone, how much was each bill in the 2012/13 financial year?
91. How many have phones have been lost in your office?
92. What is the cost of replacing those phones?
93. How many iPads or tablet computers does DPC assign to your Ministerial office and to whom have they been issued?
94. How many iPads or tablet computers have you purchased for your office and to whom have they been issued?
95. How many iPhones or other smart phones does DPC assign to your Ministerial office and to whom have they been issued?
96. How many iPhones or other smart phones have you purchased for your office and to whom have they been issued?
97. How many iPhones or other smart phones have been lost in your office?
98. How many iPads or tablet computers have been lost in your office?
99. What is the cost of replacing those phones or iPads or tablet computers?
100. How many media or public relations advisers are employed for each of your portfolio agencies?
101. What is the forecast for 2013/14 for the number of media or public relations advisers to be employed and their total cost?
102. Have any of your overseas trips in the past year been paid for in part or in full by using public money? If so, did any of your relatives or friends accompany you on these trips?
103. What is the annual remuneration package for your chief of staff?
104. What is the annual remuneration package for your head media advisor?
105. What is the annual remuneration package for each of your staff?
106. What is the estimated expenditure for your office budget in 2012-13?

107. Have any office renovations or fit outs been undertaken in your ministerial office since April, 2011? If so, could you give details of contracted costs?
108. What is your Ministerial office budget for 2013/14?
109. How many political advisors are in your office?
110. How many administration staff?
111. How many Department Liaison Officers are assigned to your office?
112. How many staff in the Department are assigned to Ministerial support duties?
113. Are any contractors or consultants working in your ministerial office? If so, in what capacities?
114. How much did your Ministerial office spend on contractors or consultants?
115. How much did your Ministerial office spend on taxi fares, including Cabcharge in the 2012/13 financial year?
116. Are any of your portfolio agencies undergoing a restructure?
117. How many jobs are expected to be cut as a result of that restructure?
118. How many people are expected to have their wages cut as a result of that restructure?
119. How many voluntary redundancies were offered in your Departments since April 2011?
120. How many voluntary redundancies were accepted from employees in your Departments since April 2011?
121. How many voluntary redundancies are expected to be offered in 2013/14?
122. How much did your Department(s) spend on catering in 2012/13?
123. How much did your Department(s) spend on stationary in 2012/13?
124. What is your Department's catering budget?
125. What is your Department's stationary budget?
126. Since April 2011 have any of the agencies in your Department(s) changed their branding? If so, how much was spent on rebranding the agency?
127. How long is the average turnaround for responding to correspondence in your Department(s)?
128. How many pieces of correspondence have been outstanding for more than 60 days?

129. In 2012/13 how many invoices has your Department(s) failed to pay a supplier or contractor for more than 30 days?
130. As a result of late payment, how much penalty interest has been paid to contractors since 1 January 2011?
131. How many invoices have been outstanding for longer than 60 days?
132. Does your department provide recurrent grant funds to non-government organisations? If yes,
 - a. What are the names of all organisations in receipt of funding?
 - b. What is the total amount of funding received by each organisation including goods and services tax?
 - c. On what date was the funding advanced?
 - d. What was the purpose for each grant or funding advance?
 - e. Was any funding withheld or returned?
 - f. If so, what were the reasons for withholding or requiring the funding to be returned?
 - g. What is the indexation rate applied to non-recurrent grant funds in 2013/2013?
 - h. What are the details of any costs involved in each study, audit, taskforce or review?
 - i. Have any provisions been included in grant agreements to prohibit these organisations from criticising the Government or any of its policies?
133. How many contractors has your Department(s) retained since 1 July 2013 and at what cost?
134. What is the current level of Aboriginal employment within your Department(s)?
135. How has that changed since 1 July 2012?
136. Since 1 July 2011, how much has been spent on charter air flights by your Department(s)?
137. Is your department currently undertaking any feasibility studies, audits, taskforces or reviews? If so; then;
 - a. What are the terms of reference or details of each study, audit, taskforce or review?
 - b. Who is conducting the study, audit, taskforce or review?
 - c. Was each study, audit, taskforce or review was publically advertised seeking expression of interest or competitive tenders?
 - d. Is there a contract in place detailing terms of engagement for the study, audit, taskforce or review?
 - e. What is the timeline of each study, audit, taskforce or review?
 - f. What are the details of any costs involved in each study, audit, taskforce or review?