



LEGISLATIVE COUNCIL

GENERAL PURPOSE STANDING COMMITTEE NO. 5

BUDGET ESTIMATES 2011-2012

QUESTIONS ON NOTICE

General Purpose Standing Committee No. 5

Fair Trading

Thursday 27 October 2011

Answers to be lodged by: 22 November 2011

Budget Estimates Secretariat
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Hearing date	Portfolio	Answer to be lodged by
27 October 2011	Fair Trading	22 November 2011 [21 days]

Questions relating to the portfolio of Fair Trading

27 OCTOBER 2011, 3.45 pm – 5.45 pm

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

11. What measures if any have been implemented to regulate the compliance of guttering replacement work with the Building Code of Australia?
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?
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)?
14. Can the Minister outline the response of the Department of Fair Trading to the consume findings of the Blewett Inquiry Review of Food Labelling Law and Policy that relate to fair trading?
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?

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 record of tradesman who have had their licenses cancelled as a result of poor work?
 - d. What advice have you received about the increase in number of complaints about poor home building work?
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?
18. What action will the Government take to reform the growing Strata Industry?
19. What action is the Government taking to streamline the resolution process for disputes between owners of strata schemes?
20. Will you commit to making the details of any petrol stations which are found to be selling dirty or unsafe fuel publically available?
21. What action is taken by Fair Trading to educate strata owners and managers about their rights and responsibilities?
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?
 - e. What percentage of complaints or queries related to retirement villages?
 - f. What were the other areas of concern which have been referred to Fair Trading?
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?
24. What proportion of the NSW Fair Trading Budget relates to communication expenses?

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?
26. What action is the NSW Government taking to prevent the proliferation of spam mail, both hard copies and online?
27. Does NSW Fair Trading have any involvement in preventing and investigating online identify theft through the hacking of Facebook, Twitter and other social media accounts to distribute spam?
28. What information is available about web traffic received by the Fair Trading website?
29. Has the Minister sought any advice about how the Fair Trading website might be improved?
30. Does NSW Fair Trading have dedicated liaison officers for its interactions with other State and Federal Agencies?
31. How many refunds has Fair Trading secured for patrons of the Rewind Festival?
32. Given the approaching holiday season what action is NSW Fair Trading taking to prevent restaurants from applying a "holiday surcharge"?
33. Has NSW Fair Trading received any reports of stolen property being sold or bought through a company trading as "Gold Exchange"?
34. What action will NSW Fair Trading take to prevent stolen property being sold or bought through the company trading as "Gold Exchange"?
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?
36. Phones
 - a. How many blackberries does DPC assign to your Ministerial staff and to 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 have been lost in your office?
 - h. What is the cost of replacing those phones or devices?
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?
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. If so, did any of your relatives or friends accompany you on these trips?

39. Office Costs

- a. What is the annual remuneration package for 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?

40. Cabcharge

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

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 to 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?

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 stationary?

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?

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?

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?
 - vii. If so, what were the reasons for withholding or requiring the funding to be returned?
 - viii. What is the indexation rate applied to non recurrent grant funds in 2011/2012?

46. Feasibility studies, audits, taskforces or reviews

- a. Is your department currently undertaking any feasibility studies, audits, taskforces or reviews?
- b. If 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 was publically advertised seeking expression of interest or competitive tenders?
- iv. Is there a contract in place detailing terms of engagement for the study, 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?

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There were no additional questions on notice lodged by members relating to the portfolio of Fair Trading.