



28 January 2013

By email: australianconsumerlaw@treasury.gov.au

Manager
Consumer Policy Framework Unit
Competition and Consumer Division
The Treasury
Langton Crescent
PARKES ACT 2600

Dear Sir/Madam,

Single pricing —proposal to exempt restaurants

The Queensland Consumer Association's (QCA) comments on the proposed amendments to the Competition and Consumer Regulation via amendments to Schedule 2 of the Competition and Consumer Act 2010 are below.

Background

The QCA is a non-profit organisation which exists to advance the interests of Queensland consumers. The QCA's members work in a voluntary capacity and specialise in particular policy areas. QCA is a member of the Consumers' Federation of Australia.

QCA provided the Queensland government with comments on this matter in October 2011. Those comments included concerns that

- The case for exemption was not supported by convincing information about the cost implications for restaurants and cafes of the current requirements.
- There was insufficient recognition of the importance to consumers of access to easily understood and visible information about the total price.

Comments

1. QCA supports the comments made by the Consumer Action Law Centre in its submission dated 14 January 2013.

2. If the Regulation is amended:

- 80A(2) should allow for a surcharge to be a \$ amount not just a percentage.
- 80A(3)(b) should require that the representation be displayed in a way that is “legible” in addition to the proposed requirement that it be “conspicuous and visible to a reader”. This is required because legibility is a separate and extremely important part of displaying information to benefit consumers. Information that is “conspicuous” and “visible” is not automatically “legible”.
- The ACCC should issue guidelines on what constitutes conspicuous, visible and legible and should proactively monitor and enforce compliance and not just use consumer complaints to assess the possible incidence of non compliance.

The contact person for this submission Ian Jarratt ph: 07 37195475 email: ijarratt@australiainmail.com

Yours sincerely

Cherie Dalley
President