

Improving the effectiveness of the Consumer Guarantee and supplier indemnification provisions under the Australian Consumer Law

Submission by the *Caravan Council of Australia*

05 February 2022

The *Caravan Council of Australia* is pleased to be able to provide input to this important Project, on behalf of the many wronged and regretful **caravan owners** and **potential-buyers** in Australia.

The submission is based on the opinions of – and **Defects** detected, along with the frustrating problems involved with having them rectified – by a large number of highly-aggrieved caravanners, over the past *decade*. The term “caravans” includes “camper-trailers”.

Complaints have been continually received directly by the CCA, via Members of *Caravan Clubs*, from readers of various caravanning publications (both printed and electronic) and from *consumer-protection* organisations.

Choice has published a number of hard-hitting articles on the subject of **faulty caravans**, and the need for potential-buyers to *thoroughly* “do their homework” and be extremely diligent when buying a new caravan.

Significantly, Members of various Caravanning Groups web-sites have contacted the CCA after having suffered serious non-compliance and quality **problems** with their **caravan**, and with their **Supplier** after they **refused** to acknowledge and **rectify** the **Defects**... even **Major Failures**.

One prime, long-established “**Lemon Caravan**” Facebook forum has over **60,000** Members! This also clearly illustrates the *extent* of the industry problems... ranging from unprofessional *design*, to shoddy manufacturing procedures, to the lack of *Quality-Assurance* inspections, to the appalling (Vehicle) **VSB1 non-compliances** and disgusting (Consumer-Protection) **violations** of the **ACL** provisions.

The **non-compliances** and violations are due to both **naive knowledge** – and blatant **dis-regard** – of the vital legal requirements for **compliance**... especially regarding the **obligations** demanded by the **Consumer Guarantees**, both for the **marketing of Products** and the **rectification of Defects**.

The submission **only** relates to **PART A: Receiving Remedies**.

Summary Points:

- 1: There are many **serious violations** of the **ACL** in both the **Manufacturing** and the **Marketing** segments of the **Caravan industry** in Australia.
- 2: This unacceptable **situation** has **not improved** over the **past decade** or so.
- 3: **Major non-compliances** of the **legal** requirements for **Caravans** – as stated in **VSB1** – have resulted in a continual stream of **Problems**, **Complaints** and **Litigation** actions by highly-aggrieved Caravan owners.

4: Many of the **non-compliances** have been deemed to be **Major Failures**... often regarding **vital safety** concerns, for the owners, and other road-users.

5: **Vehicle**-related **non-compliances** are due to unprofessional **Design, Manufacturing** and **Inspection** practices – along with the **lack** of competent **Quality-Assurance** systems .

6: **Consumer**-related **non-compliances** cover the **majority** of the **criteria** mandated by the **ACL**:

Not Safe; Not Compliant; Not of Acceptable Quality; Not Fit for the Intended Purpose; Not as Advertised and Promoted; Not Marketed in an Honest and Ethical Manner; Not Free of Defects; and Not Reliable and Durable.

7: **Clearly**, in virtually every case of a **dis-satisfied Consumer**, the Caravan would **not** have been acquired by the Consumer **if** they had been **fully acquainted** with the **nature** and **extent** of the **Failures**.

Also, they would **not** have acquired the Caravan, **if** the **Marketing** presentation had been conducted in a **professional** and **completely-honest** manner, and **if all** information about the Caravan – especially the vital **information** stated on the **Trailer Plate** – had been advised in an honest and fair manner.

8: **Consumer Guarantees** have often been completely **ignored** by many Caravan **Suppliers**.

9: In virtually every instance where a **Consumer** has **complained** to the **Supplier** about **Defects**, they have been **ignored, blamed** for **causing** the **Defect**, boldly **intimidated** – with statements such as “you would **not** win a court-case, as we are much **bigger** than you, and can afford **better** solicitors” – thus causing extremely frustrating, lengthy and expensive trauma for the Consumer.

10: **Consumer Guarantees** clearly **must** be **strictly** – and **promptly enforced** by Government Authorities.

11: **Breaches** of **Consumer Guarantees** by Caravan **Suppliers** **must** result in **severe penalties**, with the identity of the offending **Suppliers** being made **public** for **all Consumers** to be aware of.

12: There can be **no** “**Second Chances**” given. There is **no reason** whatsoever why Caravan **Manufacturers** and **Suppliers** are **not** fully-conversant with the **ACL** and the **VSB1** legal requirements.

To highlight the **significant** on-going major deficiencies and **serious** problems in the Australian Caravan industry for Consumers, each **fundamental** issue is outlined below.

It must be noted that not **all** of the Issues are **directly** related to the **ACCC** and the **ACL**.

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The Status of the Caravan Industry in Australia

Part 1: Government Regulatory Issues...

No one can **possibly** honestly **deny** that there are still numerous problems that are badly tarnishing the image and reputation of the industry, and causing much grief to many caravanners.

This submission highlights the **urgent** need for **all** relevant Government Regulatory Authorities to fully appreciate the seriousness of the industry problems, and to **promptly** implement suitable **legal** requirements to stop these completely-unacceptable problems, once and for all.

Very simply: The shocking ingrained "**culture**" of the caravan Industry **must** be urgently **improved**.

It is appreciated that the new **Road Vehicle Standards Act** - and the revised **VSB1** (Vehicle Standards Bulletin No: 1) – is **aimed** at **improving** the situation... but regrettably, it will **not** prevent **all** of the basic problems from continuing.

1: Too many new, under-resourced, Manufacturers and Importers competing in a very limited, and highly-competitive, market.

Many of the newer, and smaller, companies who have entered the industry in recent times, are **horribly** handicapped by being **grossly** under-resourced in a number of **essential** areas - engineering, legal, finance, management, quality-assurance, marketing - and as such, have no option but to "cut corners" in a **futile** attempt to successfully **compete** with the long-established, well-resourced, experienced, and well-known professional companies.

More-stringent **vetting** - and Approval (only *if* acceptable) of **all** companies in the industry is **urgently** needed... along with better **education** of, and **assistance** for, potential buyers.

Required Action by: Federal Department of Transport – Vehicle Safety Standards

2: Too many serious Non-compliance, Safety and Quality problems... with subsequent complaints and litigation.

There is an unfortunate culture of "get these things out the door quickly... and we will worry about (or **ignore**) problems with them later". Often there is **no** proper **Quality-Assurance** program in place, and therefore, there are **no** professional **Work Instructions**, **Assembly Drawings**, and **Check-Lists**.

Consequently, especially with inexperienced production personnel, mistakes and inconsistencies **frequently** occur... and are **not** detected, until the owner inspects their "dream".

Strict adherence to the **Vehicle** and **Consumer-Protection** laws **must** be diligently **enforced**. Harsh **penalties** - with **mandatory Re-calls** - **must** be imposed for **all** breaches of **any** law, along with ensuring **all Non-Compliances** and vehicle **Defects** are **promptly** and professionally rectified, at **no** cost whatsoever to the owner.

Required Action by: Federal Department of Transport – Vehicle Safety Standards

ACCC (Australian Competition and Consumer Commission)

3: Grossly-inadequate independent regulatory Manufacturer and Importer Audits, and production vehicle Inspections.

Unlike the government procedure of having **Vehicle Safety Standards** conduct professional "**SUTI**" (Single Uniform Type Inspection) and "**CoP**" (Conformity of Production) audits for motor vehicles, there is **no** such requirement for caravans and camper-trailers (not exceeding 4.5 tonne ATM (Aggregate Trailer Mass) Rating).

Consequently, non-compliance problems are usually **not** identified until the unfortunate **owner** realises that there **are** unacceptable **Defects** with their vehicle.

Very *simply*, the **Government must** provide more qualified and experienced personnel to conduct thorough and regular *caravan* and *business Audits* and *Inspections*.

A successful - **random** - **SUTI** (Single Unit Type Inspection) **must** be **mandatory**, before a Supplier is permitted to market a specific *Model* - and *Variant* - of caravan.

An annual **Compliance** or **CoP** (Conformity of Production) vehicle **Audit** needs to be conducted at **random** Supplier's premises and / or at **random** major Caravan Shows.

Required Action by: Federal Department of Transport – Vehicle Safety Standards

4: Accepted use of un-audited "Self-Certification" is by far the prime cause of many regulatory problems.

"**Self-Certification**" by the manufacturer / importer - as permitted under the current Legislation - has *clearly* been **proven** to be **totally inadequate** in ensuring all caravans and camper-trailers are *fully-compliant*.

This deplorable **deficiency** allows **anyone** - *regardless* of their expertise with, or complete *lack* of knowledge regarding - the vital **engineering** and **legal** requirements, to "fill-in the empty boxes" on the **Trailer Plate**.

Incorrect information of the **Ratings** and **Masses** is by *far* the most-common cause of customer complaints and subsequent litigation.

Anyone - even someone with **no** understanding of the important Technical and Legal requirements of manufacturing and marketing caravans - can stamp information on a **Trailer Plate**, and then affix it to a vehicle. "**Self-Certification**" is (quite rightfully) **not** permitted for motor-vehicles.

It has been proven *many* times that "**self-certified**" Trailer Plates have contained grossly-incorrect - and *potentially-dangerous* - information... especially regarding vehicle **Masses**.

Required Action by: Federal Department of Transport – Vehicle Safety Standards

5: Marketing personnel not educated in critical Technical and Legal issues regarding Caravans.

Many caravan owners - and potential buyers - have complained about the poor knowledge, and unprofessional conduct, by **Sales Personnel**... especially at major **Caravan Shows**.

Often the sales-person **cannot**, or **will not**, answer even *basic* critical questions, and in the *worst* cases, provides statements which at best, are **ignorant** and **mis-leading**, and at worst, are down-right **lies**.

Frequently, very little attention is given to the "**intended use**" of a proposed caravan... both the proposed **travel plans** of the potential buyer, and the suitability (Ratings, Mass, Power, etc.) of the proposed **tow-vehicle**.

Mandatory training of *all* sales-personnel is **urgently** needed. Consideration must be given to the need for requiring **all** Sales-Personnel to be "**accredited**" or "**licensed**".

All steps **must** be taken, to ensure only the **highest** level of **professionalism** and **integrity** is permitted in the marketing of caravans.

Required Action by: ACCC - Consumer Affairs / Fair-Trading

6: Owners / Drivers *not* educated in critical *Technical* and *Legal* issues regarding caravans, especially *towing Safety*.

Drivers are all too often involved in **accidents** and incidents, due to their **lack of understanding** of the **Law**.

Exceeding the **Ratings** of the caravan and / or tow-vehicle, is a common occurrence, leading to the driver being booked for over-loading, and / or the cause of **dangerous** vehicle **handling** and **stability** problems on the road.

Suppliers need to provide adequate professional **oral** and **written information**.

Serious **accidents** and frightening **incidents**, involving caravan on our roads, will continue if the government does **not** take positive action to require drivers to be educated in all areas of road-safety.

Required Action by: ACCC - Consumer Affairs / Fair-Trading

7: No evaluation of driving ability required, unlike Trucks and Semi-trailers where professional *Training* and an *Endorsed Licence* are mandatory.

An **appraisal** of the driving ability of **all** caravanners is **urgently** required, in order to **reduce** the number of serious **accidents** - and frightening **incidents** - involving caravans on our roads.

There is a strong push to require drivers to have an **Endorsed Licence** for towing caravans, obtained after they satisfactorily complete a recognised training evaluation.

However, there is opposition to this proposal, seemingly from parties that have a strong vested interest in **increasing** - and **not decreasing** - the number of caravans sold, and used on our roads.

An alternative, more **practical** and much **faster** proposal to achieve an equivalent result, is to require drivers to pass an on-line **Theory** test encompassing at least the **major** aspects of the **Legal** and **Technical** issues involved with driving a **combination** on the road. The **CCA** has a suitable (free) "**Questions & Answers**" Test available.

It is proposed that **Driver Licensing** authorities and caravan **Insurance companies** manage this system. The program could be **introduced** on an "**advisory**" or "**recommended**" basis.

All **Driver-Licence** authorities, caravan **Insurance** companies, and **Road-Safety** bodies need to promptly introduce a suitable **National** requirement for **all** drivers who tow caravans.

Required Action by: State & Territory Driver Licensing Authorities

All Road-Safety Authorities

8: Major systemic industry problem: Vehicle *Ratings* and *Masses* frequently grossly *mis-understood... or simply ignored*.

It is of **great** concern that so **many** people continue to believe, and use, the **hideously-incorrect** "old husbands' tale" - or "equation" - that:

Empty Ball Loading = ATM Rating minus GTM Rating **or**
GTM Rating = ATM Rating minus Empty Ball-Loading

This is completely **wrong, wrong, wrong...** as there is **no logical** relationship involved whatsoever! It is like trying to compare apples with bananas.

The **ATM & GTM** are **fixed "Ratings"**... **allocated** by the manufacturer - using an engineering assessment - in relation to the **maximum-permissible** "All-Up" & "Axle(s)" limits.

The **Empty Ball-Loading** is an "actual mass" - that **must** be **measured** - and is obviously applicable *only* for the **empty** (Tare Mass) condition.

The **correct** formula is, at **any** time:

Actual Ball Loading = "All-up Mass" minus "Axle(s)-Loading"

The **Axle-Group Rating** must be **less** than the **lowest Rating** of the: Wheels, tyres, suspension structure, springs, axles, and wheel-bearings.

The **minimum** Axle(s)-Loading is that **measured** when the caravan is **completely empty**, and is connected to the tow-vehicle.

The **maximum** Axle(s)-Loading is that **measured** when the caravan is **loaded** to its **GTM Rating**, and is connected to the tow-vehicle.

It is **extremely** strange – and most disappointing - that the GTM Rating, Empty Ball-Loading, and Tare Mass are **not** legally required to be stated on the Trailer Plate.

Vehicle Safety Standards **must** - with the **highest priority** - **provide**, and **distribute** to **all** relevant Authorities, industry bodies, Manufacturers and Suppliers, a Document that clearly explains and standardises the various **Ratings** and **Masses**, as discussed above.

With **Ratings** and **Masses** continuing to be the **fundamental** cause of the majority of problems and complaints, it behoves **Vehicle Safety Standards** to promptly issue a **Bulletin** - or an **Administrator's Circular** - to clearly explain the various definitions.

Follow-up action to **verify** that caravans are being **weighed** correctly - and that the **figures** on the Trailer Plate are **truthful** - is required.

Required Action by: Federal Department of Transport – Vehicle Safety Standards

9: Serious Consumer-Protection (ACL) - Non-Compliance issues with Dealers (Suppliers), especially regarding the Rectification of Defects.

It is quite apparent that there is a significant lack of **understanding** of - and **abiding** by - the important **fundamental** legal requirements of the **ACL**.

The **Product** issues include:

Fit for purpose; Of acceptable **Quality**; As advertised or **promoted**; **Safe** and (fully) **compliant**; and **Free from Defects**.

There is a most-disappointing lack of **technical knowledge** by **some Dealers' Sales Personnel**... along with questionable sales **tactics**, regarding their conduct with potential-buyers of caravans.

All too often, the word "**intended**" - regarding both the intended **tow-vehicle**, and the intended "**use of the caravan**" - is given **no** real appreciation of its **importance**.

Caravanners often report that sales-people - especially at **Caravan Shows** - are far too **pushy**, and do **not** have the best interests of the potential-customer at heart.

Naivety, along with "making up answers on the spot", simply **not knowing** the answers to reasonable questions, and **grossly-exaggerating** the features and benefits of a prospective caravan, are regularly cited as being "**hard-sell**" behaviour.

Stringent and **prompt** action needs to be taken by the relevant government departments, when a consumer reports a *serious Non-Compliance*.

Immediate remedial undertakings **must** be enforced - exactly as is mandated for **motor-vehicle** faults - with **substantial penalties** imposed for **ignoring** or **delaying** the rectification.

For *far* too long, the "*culture*" of *many* businesses has been to severely *frustrate* the Consumer, by using "all the tricks in the book" to *delay* having to rectify problems, and to have the matter drag on as long as possible, in costly and stressful *legal* procedures.

Required Action by: **ACCC - Consumer Affairs / Fair-Trading**

10: Many new caravans have an *actual* Tare Mass that is much *heavier* than the *stated* Tare Mass.

This issue is the **prime** cause of many **major** caravan problems, complaints and litigation cases.

The *true Tare Mass* of a caravan is *surely* the "mass of the **completely-empty** caravan, as it leaves the **Dealer** (Supplier), *fitted* with **all** items that were stated on the **Sales Contract**.

The **Tare Mass "Definition"** in **VSB1** is completely **meaningless** to potential-buyers of caravans.

Usually, buyers want to have **Options** and additional equipment fitted to the 'base' vehicle.

This adds **mass** to the caravan... which may well be 100 kg or appreciably more. This, of course, **increases** the **actual Tare Mass**, and thus **reduces** the **Legal Load-Carrying Capacity** accordingly.

The "**National Recreational Vehicle Towing Guide**" [Edition 8] – produced by the **Caravan Industry Association of Australia** – rightfully states, under "**Definitions**":

"Tare Mass: The unladen weight of the complete new trailer as delivered (including any options fitted)"

In order to achieve the **basic intent** of the new **Act** – to **improve** all areas of **Compliance** – it is **imperative** that **all** Caravans (and Camper-Trailer) have the "**As Delivered**", as measured by **certified** weighing devices, **Tare Mass** and **Empty Ball-Loading** *indelibly* marked on the vehicle.

Required Action by: **Federal Department of Transport – Vehicle Safety Standards**

11: Too much costly, stressful and time-consuming *Litigation* due to Dealers *refusing* to acknowledge and rectify *Defects*.

The **refusal** by Dealers (Suppliers) to **acknowledge** - and **rectify** - **Defects** even those that are deemed to be "**Major Failures**", is an *extremely serious* and *common* problem, and is clearly an **unacceptable violation** of the **ACL** requirements.

It is **imperative** that **all** Marketing personnel be **urgently** and properly **Educated** and **Appraised** in relation to the **legal requirements** of **VSB1** and the **ACL** - and possibly be **Licensed** - to sell caravans - *if* the current *problems* of intolerable **Non-Compliances** and improper **Consumer-Protection behaviour** is to be stopped.

Consumer Affairs / Fair-Trading offices - or the **ACCC** - need to be authorised to advise a Supplier - **immediately** - that a caravan Owner has provided a written **Complaint** (covered by a *Statutory Declaration*), advising of apparent serious **Non-compliances** with their caravan.

The Supplier needs to be required to state **when** and **how** they will deal with the issue... with the Supplier advised that a **prompt** and **satisfactory** response is required.

It is strongly recommended that an **Administrative Tribunal** appoint a **Specialist** to manage *all* Caravan **Complaints** on a **National** basis.

The **Specialist** would need to be a professional *engineer*, and have extensive *experience* in the caravan industry, especially regarding **Compliance**. An appointed National "**Caravan Ombudsman**" would be an **excellent** solution to resolving the industry problems.

Required Action by: **ACCC - Consumer Affairs / Fair-Trading**

12: Tow-vehicles *not* suitable for towing specific caravans. There are *no* Regulations regarding the necessary *specifications* of tow-vehicles.

There have been *too many serious* (and tragic) **accidents** - and *many* more frightening incidents - **involving caravans** on our roads.

Obviously **driver**, **road**, and **atmospheric** issues frequently *partially* contribute to the cause of these events, along with mechanical **failures** of the tow-vehicle or **caravan**.

However, in numerous instances, the *prime* cause has been the fact that the tow-vehicle was **not suitable** for towing the particular caravan.

These chilling events start with the caravan starting to **sway**, which often leads to a dangerous uncontrollable "**jack-knife**", which frequently results in the caravan **over-turning**, or running off the road... sometimes causing the tow-vehicle to do likewise. When the magnitude of the caravan oscillations exceed a "**critical point**", not even a top Formula 1 driver could "save" the situation.

No: 1 Consideration:

The **mass** of the tow-vehicle *must*, at all times, be appreciably *more* than the *mass* of the caravan. It is *conservatively* recommended that the **mass of the tow-vehicle** should be at least **30% more than the mass of the caravan**. This figure is for a mature experienced driver, with sharp faculties (especially reflexes), on good roads, in good weather, and with both vehicles in good mechanical condition.

It is **paramount** that the "**tail never wags the dog**".

No: 2 Consideration:

The tow-vehicle *must* have sufficient **power** (torque) to enable the combination to **accelerate** at an acceptable rate, and to enable an acceptable speed to be maintained when climbing a hill... so as **not** to frustrate following drivers.

Sufficient power has to be "on hand" to enable over-taking manoeuvres to be made safely.

No: 3 Consideration:

The **distance** from the **Coupling** to the **rear-axle** of the tow-vehicle is **critical**. The shorter, the better. Semi-trailers and 5th-wheelers have the Coupling / King-pin (virtually) directly above the rear-axle, and provides **predictable** handling on curves.

Caravans have the Coupling a **long** way *behind* the rear-axle, and provides **undesirable** and **potentially-lethal handling** on curves.

When the driver turns the steering wheel to move in **one** direction, the front of the caravan moves in the **opposite** direction.

Vehicle Safety Standards should - as a *high-priority* action - produce a **Guide-Line**, or preferably **Legislation**, regarding the prime requirements for a tow-vehicle, to best-ensure safe towing of a caravan.

The *main* issues are:

- **Vehicle Mass** (in relation to the **ATM Rating** of the caravan),
- **Engine Power**, and the
- **Distance** from the **Coupling** attachment point to the **rear axle**.

Required Action by: Federal Department of Transport – Vehicle Safety Standards

13: No professional Quality-Assurance program is required by Manufacturers or Importers... causing inevitable incorrect and inconsistent assembly procedures.

It is **completely unacceptable** that, unlike for **other** road vehicles, the Manufacturers of caravans and camper-trailers are **not** legally required to have in place, a professional detailed **Quality-Assurance** program, to best-ensure that **all** production vehicles are **fully Compliant** and of consistent **high**, acceptable, **Quality**.

Many **defective** vehicles - including ones with *lethal non-compliances* - would **not** have been able to be marketed and used on our roads, *if* such a basic **mandatory** requirement had been in place in the past... and many bitterly-disappointed owners would **not** have unknowingly purchased a "**lemon**", and **suffered** extremely costly, lengthy and frustrating **ordeals**, in *trying* to have their problems rectified by the Supplier.

Very simply, the **first** audit of a manufacturer's facilities **must** include an **evaluation** of the company's **Quality-Assurance** program and its effectiveness... via Working Instructions, Assembly Drawings, along with Stage- and Final- **Check-Lists**.

Without a comprehensive **Quality-Assurance** program, the serious problems in the industry, will continue... and no doubt, *worsen*, due to the devastating effects that the corona-virus pandemic has had on *all* business activities.

Required Action by: Federal Department of Transport – Vehicle Safety Standards

14: The introduction of the Road Vehicle Standards Act - which will replace the Motor Vehicle Standards Act - will NOT resolve the WORST of the current major problems.

The **intent** of the new **Act** is to eliminate the current problems, but it will in reality, be quite **ineffective** as it does **not** cover **all** caravan manufacturers... especially the *smaller* under-resourced businesses which have an extremely high **disproportional** rate of serious problems, complaints and litigation.

There is **no** plausible reason why **all** Manufacturers and Importers do **not currently** have, and utilise, **all** of the Documentation - and working practices - necessary to best-ensure that **all** of their past and present vehicles were **fully-compliant** and were in accordance with professional design and manufacturing standards.

The number one **priority** is to **urgently** concentrate on the smaller and newer Manufacturers... who produce a **small** number of vehicles - but who clearly have the highest **percentage** of **non-compliant** and **poor-quality** vehicles - rather than just concentrate on the larger, professional, long-established, reputable companies.

The **Applicability** of this new **Act**, in relation to **caravans**, needs to be **urgently revised**

As explained in **Item 10**:

The "**Definition**" of **Tare Mass** is a **critical** issue in the caravan industry.

In order to achieve the **basic intent** of the new **Act** – to **improve all** areas of **Compliance** – it is **imperative** that **all** Caravans (and Camper-Trailer) have the "**As Delivered**" (as measured by **certified** weighing devices) **Tare Mass** and **Empty Ball-Loading** *indelibly* marked on the vehicle.

Required Action by: **Federal Department of Transport – Vehicle Safety Standards**

The Status of the Caravan Industry in Australia

Part 2: Manufacturer & Dealer (Supplier) Issues...

It is prudent to analyse all of the prime Caravan issues that have occurred, and been brought to the attention of the *Caravan Council of Australia*.

Sadly, there are still *numerous* – and all too often *continuing* serious problems – that are badly tarnishing the image and reputation of the industry, and causing much grief to many caravanners.

Professional and ethical caravan and camper-trailer companies are being "tarred by the same brush" that the lesser-respected companies are using.

The horrible corona virus pandemic has certainly caused many severe hardships, due to all of the imposed restrictions and the interruption of business operations, but the resumption of "normal" lifestyle activities provides an excellent *opportunity* for the industry to work *together* to achieve a very high level of *professionalism* and *credibility*, and create a *clean* and *positive* image for the RV industry. Needless to say, the pandemic has also caused *much* disappointment and frustration for RV owners-

The CCA has been receiving the usual large number of calls and emails from caravan owners and potential-buyers. The vast majority of callers have experienced *problems* with their caravans, ranging from annoying *minor* faults to **serious** and **dangerous** defects.

Complaints were split fairly evenly between:

Manufacturer matters – Design and Quality – especially the long-time **major problem** regarding **Ratings and Masses** for both caravans and tow-vehicles and **handling concerns** on the road, and...

Dealer (Supplier) matters – regarding the information provided to them by *sales-personnel* when first discussing a possible purchase, the hassles of having *minor* faults *acknowledged* and *rectified* promptly, and the *extremely* stressful, lengthy and expensive process of having to take legal action

when the *Dealer* simply refused to abide by the **ACL** requirements when there were clearly **major non-compliances** with the 'van.

The extent of **litigation** needed to be **initiated** by 'vanners is **completely unacceptable**, and stamps a severe "**black mark**" on the reputation of the caravan industry. While *some* cases were taken to the various **Administrative Tribunals**, *most* were taken to **Courts**.

The experience in *either* case was very traumatic, time-consuming and **undeservedly** costly. Fortunately, in nearly every case, the action was **resolved** – thankfully in *favour* of the Applicant (caravanners) – **without a Finding** (which would have become embarrassing *public knowledge*) having to be made, with a strictly-confidential **Personal Settlement** agreed upon.

Very pleasing was the exceptionally high number of **enquiries** from first-time buyers, **requesting information** on what to *look* for – and what to be *aware* of – when selecting a new 'van.

The CCA **never** mentions any *Brands* or *Companies*, but has assisted many potential-buyers with their *free* "**Buyer-Assist**" package, which provides among other things, **Check-Lists** for "**Evaluation**" of what they *really* want, "**Comparison**" of what different 'vans are available (as they inspect *each* Make & Model 'van), along with a detailed "**Pre-Acceptance Inspection**".

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