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# INTRODUCTION

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## About us

The Office of Fair Trading (OFT) is Queensland’s marketplace regulator.

We administer various marketplace laws that set out the rights and responsibilities of consumers, businesses and certain licensed occupations.

The laws we administer are set out in Appendix 1, and include:

- the *Fair Trading Act 1989* and Australian Consumer Law (ACL), including product safety regulation
- specific legislation relating to a number of regulated industries including property agents, motor dealers, security providers, second-hand dealers and pawnbrokers and the tattoo industry
- not-for-profit legislation relating to incorporated associations and charities.

We work closely with fair trading regulators in other states and territories, as well as federal agencies including the Australian Competition and Consumer Commission (ACCC) and the Australian Securities and Investments Commission (ASIC). We also work directly with local law enforcement authorities and other Queensland Government regulators.

## About this report

This report provides an overview of the OFT’s strategies, functions and activities for 2021–22. It highlights where we focused our resources, and the results we achieved.

## Summary of OFT Outcomes 2021–22

Information and education	Website page visits	3.67 million
	Call centre contacts	142,321
	Hours of phone contact	12,766
	Enquiries received	82,290
	Businesses engaged with on trader walks	1,285
	Education and engagement activities (eg seminars, presentations, stalls)	1,282
	Number of attendees at education and engagement activities	20,653
Licensing and registrations	Occupational licence and registration certificate—applications processed	20,864
	Occupational licence and registration certificate—applications for renewal processed	52,828
	Number of occupational licence and certificate holders as at 30 June 2022	86,677
	Not-for-profit applications processed	1,002
	Not-for-profit annual returns processed	18,686
	Number of not-for-profits and other organisations registered as at 30 June 2022	29,293
Complaints and redress	Redress	\$9.67 million
	Complaints received	18,959
	Complaints finalised	18,809
Compliance	Entities monitored for compliance	10,322
	Investigations completed	2,566
Enforcement actions	Warnings issued	1,548
	Infringements issued	351
	Administrative disciplinary actions	1,280
	Civil penalty notice (CPN)	12
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## Overview

### Our role

The OFT's purpose is to improve safety and fairness for Queensland businesses and consumers.

Our work includes:

- providing information and advice to consumers, businesses, and not-for-profit organisations
- delivering consumer and business education, engagement, and awareness activities
- receiving and considering consumer complaints
- conciliating consumer matters, investigating fair trading issues, and taking enforcement action against businesses engaged in unfair or illegal marketplace behaviour
- undertaking a schedule of proactive compliance operations, targeting areas where consumers are most at risk
- ensuring consumer goods are safe
- licensing and monitoring the conduct of persons working in a number of occupations
- registering not-for-profit organisations and charities
- administering funeral benefit businesses and limited liability partnerships.

The OFT uses a proportionate, risk-based approach to compliance and enforcement which follows an escalation model. The [OFT's Compliance and Enforcement Policy \(CEP\)](#) provides a framework covering risk management, case assessment, investigation and enforcement.

## Our approach

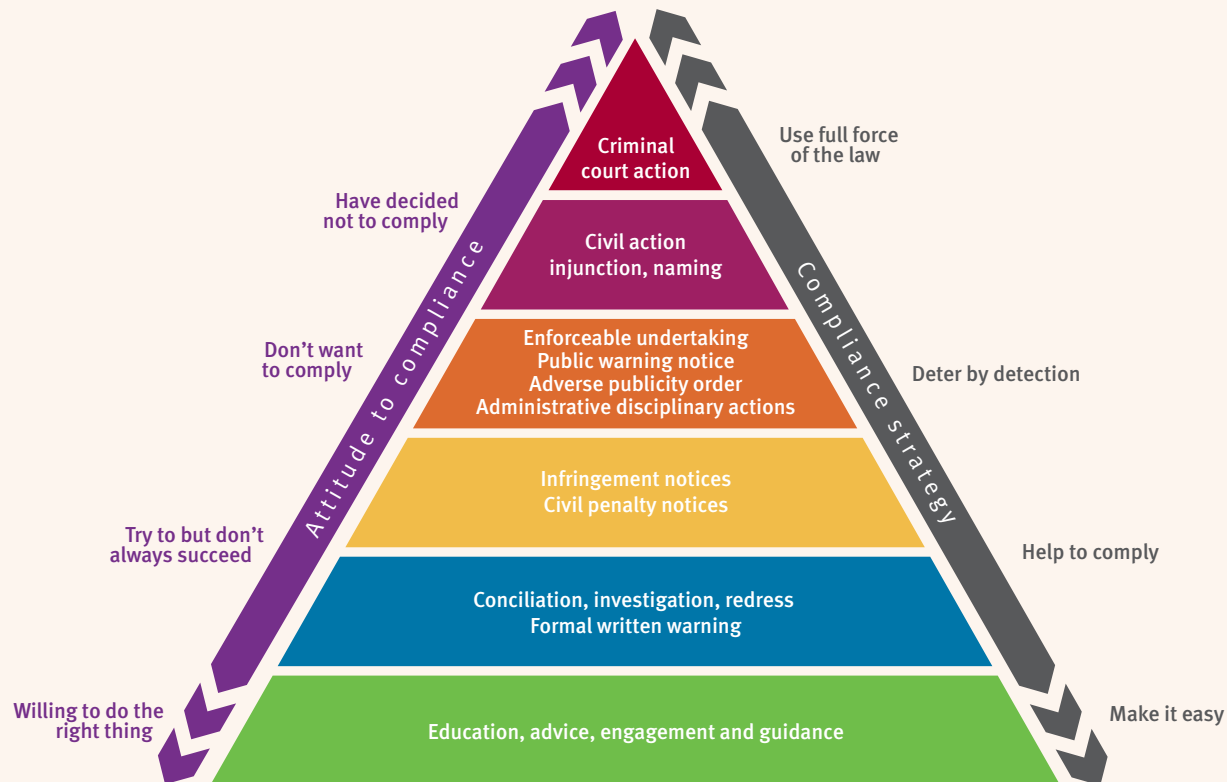
The OFT’s goal is to achieve a fair and safe marketplace. We recognise that most businesses want to comply with the law and to facilitate this we follow an escalation model of education, compliance, and enforcement. As a trader’s attitude to compliance deteriorates, our regulatory response escalates.

Our policies and procedures set out how we seek compliance with the law. They are designed to:

- encourage businesses to follow the law
- most effectively protect the rights of consumers and businesses
- maintain community confidence in a fair and safe marketplace.

We use a range of activities and powers to promote compliance with the law. These include:

- the provision of information and advice to businesses and consumers
- targeted education campaigns
- working with industry groups to promote good practices
- licensing or registering participants of some industries and not-for-profit sectors
- receiving and considering complaints
- a proactive, intelligence-driven compliance program targeting areas where consumers are most at risk
- taking appropriate enforcement action.



## RESULTS

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## Enquiries, information, and advice

The OFT aims to achieve a fair and safe marketplace. The key activity for the OFT in achieving this is the provision of information and advice to consumers, not-for-profit organisations and traders about consumer protection and fair trading matters.

General information is primarily provided through content on the OFT’s website, during calls to our call centre, by electronic newsletters and via our social media accounts. The OFT also issues media statements.

### **The OFT provided information approximately 3.8M times via these channels in 2021–22.**

The number of calls to the OFT seeking general information and advice in 2020–21 was approximately 7% less than the previous year. Calls relate to matters spanning the breadth of the OFT’s legislative responsibilities<sup>1</sup>

In 2021–22 there was an increase in calls seeking information about licensing and a decrease in calls seeking consumer advice. Categorised, calls related to information and advice about:

- consumer rights—56% of calls
- licensing—35% of calls
- not-for-profit and registrations—9% of calls

**There were 142,321 calls to the OFT answered in 2021–22.**

Enquiries are recorded contacts with consumers, not-for-profit organisations, licensees and traders to provide more detailed, situation specific information. They generally result from calls escalated by the call centre about complex matters, from visits by clients to OFT counters and enquiries by email and social media.

### **In 2021–22 OFT recorded more than 82,290 enquiries.**

Education and engagements are recorded contacts with consumers, not-for-profit organisations, licensees, businesses and industry associations to provide industry specific information. Examples of activities recorded include information sessions provided to community groups, school visits and presentations to classes, educational visits to traders, and our outreach program which takes fair trading information and advice to regional and remote locations of Queensland.

### **The OFT engaged with over 20,653 people through 1,282 activities in 2021–22.<sup>2</sup>**

Notes:

1. For more information about the legislation administered by OFT see Appendix 1.
2. For more details about OFT’s information, education and engagement activities during 2021–22 see page 21.

## Consumer complaints and conciliation

Under Queensland's *Fair Trading Act 1989*, the OFT receives and considers complaints. Where consumers are unable to resolve disputes with traders using the information and advice the OFT makes available, they are encouraged to lodge a formal complaint. Complaints can be lodged using an online form on our website, by email, by mail, or by completing a complaint form at one of our offices. In 2021–22 the OFT received 18,959 complaints.

All complaints are assessed. Those which indicate a breach of the legislation administered by the OFT for which enforcement action can be taken are categorised for investigation. Those that do not are allocated for conciliation.

Conciliation is an informal process undertaken to resolve disputes in which the OFT acts as an intermediary between the consumer and the trader. In 2021–22 the OFT finalised 17,843 conciliations.

The service delivery standards the OFT aims for are 80% of conciliated consumer complaints finalised with a satisfactory outcome, and 80% finalised within 30 days. In 2021–22 the OFT achieved the timeliness target, with 80% finalised in 30 days, but due to COVID impacts slightly missed the quality target, achieving 78% satisfactorily finalised.

While the OFT uses its best endeavours to resolve marketplace disputes, under the ACL it does not have the legislative power to direct a trader to provide redress. Accordingly, these results are a significant outcome for consumers.

In 2021–22, the OFT:

- received 18,045 conciliation complaints
- finalised 17,843 conciliation complaints
- obtained \$7,376,043 in redress for consumers through conciliation.



### CASE STUDY

A consumer ordered blinds for their home from a specialist blind company and was quoted a delivery time of 8–10 weeks. The blinds were not installed until 17 weeks after purchase and after installation it was discovered the blinds did not work, had been installed upside down and the lock was on the wrong side.

The consumer raised the issue with the trader who inspected the blinds and explained they would need to be removed and reinstalled and that this would take 8–10 weeks. After waiting 13 weeks, the consumer lodged a complaint with the OFT. **After the OFT's intervention the consumer received a full refund of \$3,300.**

## Investigation and enforcement

A key function of the OFT is to investigate alleged breaches of consumer protection laws. Investigations may commence based on complaints from consumers or businesses, information from intelligence sources, issues identified during proactive compliance, or through public information such as media reports.

In 2021–22, the OFT:

- commenced 2,429 investigations
- finalised 2,566 investigations
- secured \$1.46M in redress for consumers via investigations
- obtained \$609,287 for consumers through court-ordered compensation.

Where investigations substantiate a breach of legislation, the OFT has various enforcement options available. These options vary according to the legislation under which the breach occurred.

Generally, the OFT takes escalating enforcement action depending on the seriousness of the breach, as depicted in the enforcement pyramid detailed on page five of this report. Enforcement options include:

- warnings
- administrative actions
- civil penalty notices and infringement notices
- disciplinary proceedings
- enforceable undertakings
- pecuniary penalty applications
- prosecution
- injunction.

## Enforcement actions

In 2021–22, the OFT initiated a total of 3,273 enforcement and disciplinary actions against traders and licensees. A breakdown by Act and action type is below.

Act	Warning	Infringement notice	Administrative disciplinary action <sup>1</sup>	Civil Penalty Notice (CPN)	Disciplinary proceeding (QCAT)	Public naming	Enforceable undertaking	Court action
<i>Agents Financial Administration Act 2014</i>	1,227	221					8	5
<i>Associations Incorporation Act 1981</i>			1					
<i>Collections Act 1966</i>	1							
<i>Debt Collectors (Field Agents and Collection Agents) Act 2014</i>	1							
<i>Fair Trading Act 1989</i> (incorporating the Australian Consumer Law)	71			12		2	2	34
<i>Fair Trading Inspectors Act 2014</i>	2	2						
<i>Motor Dealers and Chattel Auctioneers Act 2014</i>	28	43	13		4			7
<i>Property Occupations Act 2014</i>	98	70	45		3		4	10
<i>Second-hand Dealers and Pawnbrokers Act 2003</i>	18	2	1					
<i>Security Providers Act 1993</i>	87	11	1,219					2
<i>Tattoo Industry Act 2013</i>	13	2	3					1
<b>Total</b>	<b>1,546</b>	<b>351</b>	<b>1,282</b>	<b>12</b>	<b>7</b>	<b>2</b>	<b>14</b>	<b>59</b>

### Notes:

- Administrative disciplinary actions include all actions taken in the course of refusing, suspending or cancelling a licence or registration and includes show cause notices regarding possible disciplinary action.
- A trader may be subject to more than one type of enforcement or disciplinary action.
- An action may involve one breach or several.



## Court actions

In 2021–22, the OFT undertook action against 51 entities through the courts<sup>(1)</sup>. These actions involved:

- 27 for wrongly accept payment under the ACL
- 2 for making false or misleading representations under the ACL
- 6 for breaches of trust account requirements
- 4 for wrongful conversion of monies received in trust
- 4 for unlicensed activity (real estate and motor dealing industries)
- 2 were for other offences under consumer protection legislation
- 8 entities appealed against a licensing decision (real estate, motor dealing and security providers)
- 3 entities appealed against a court decision after being prosecuted.

The vast majority of the OFT’s prosecutions are heard in the Magistrates Court.

Note:

1. A trader may be subject to more than one type of enforcement or disciplinary action and under multiple acts. An enforcement action may cover one breach or multiple breaches.



## CASE STUDY

### Agent uses rent to buy crypto currency

#### WENDY LYNETTE SAVAGE AND BELBRI PROPERTIES

In June 2022, Wendy Lynette Savage, sole operator of Belbri Properties, pleaded guilty in the Nambour Magistrates Court to wrongfully transferring money from a rental trust account to her personal account and using some of it for crypto currency trading.

The court heard the OFT’s investigation found Ms Savage made a series of unauthorised withdrawals totalling over \$240,000 from her business’s rental trust account. It was used for a variety of personal and business expenses including investing in crypto currency and paying for subscription services.

Ms Savage repaid all the misappropriated funds before sentencing.

**Ms Savage was charged with one count of wrongful conversion and was fined \$20,000. Ms Savage was disqualified from holding any licence or certificate in the property industry for 10 years.**

## Infringement notices and civil penalty notices

In 2021–22, the OFT issued 351 infringement notices and 12 civil penalty notices.



### CASE STUDY

#### Company fined for illegal ‘no refund’ policy

Between 1 December 2020 and 22 December 2021, the OFT received 150 complaints from consumers in the Brisbane and Gold Coast areas after they retained the services of CBCG Pty Ltd to bond clean homes at the end of a tenancy. The bond cleaning company guaranteed a reclean or a refund if the consumer did not receive their bond back from their real estate agent due to the trader’s cleaning. CBCG Pty Ltd did not comply with their own guarantee. Consumers also did not receive receipts for payments made.

During its investigation, the OFT found that CBCG Pty Ltd was retaining sub-contractors to complete the bond cleans. Invoices that had been issued to the consumers had the sub-contractors ABN recorded on it, not their own, despite payments being made to the CBCG Pty Ltd bank accounts. OFT also found that the terms and conditions on the trader’s website maintained they had an illegal ‘No Refund’ policy despite advertising a Bond Back Guarantee.

CBCG Pty Ltd fully co-operated with the OFT. CBCG Pty Ltd immediately proposed and implemented procedures to rectify poor service at no extra cost to the consumers and implemented a complaint handling management system.

**CBCG Pty Ltd was issued two civil penalty notices totalling \$17,760 for breaches of the ACL for making false or misleading representations regarding a warranty, guarantee, right or remedy and for not providing a receipt on request.**

## Public warnings and namings

Public warnings and namings are serious actions. Before we take either action, the OFT will have:

- clear, persuasive information that a business is engaging in deliberate and widespread misconduct
- a strong reason to warn the public about the business or their conduct
- a belief that it is in the public interest to warn consumers about the business.

Publicly named businesses are listed on the OFT website. In 2021–22, the OFT publicly named two traders.



### CASE STUDY

#### Public Warning issued against dishonest Gold Coast landscaper

##### RYAN WAYNE HEWSON AND THE GRASSFATHER PTY LTD

On 16 June 2022, the OFT publicly warned consumers against dealing with Gold Coast landscaper Ryan Hewson, trading as The GrassFather Pty Ltd, after the business failed to provide landscaping services consumers had paid for.

On 9 May 2022, OFT prosecuted Mr Hewson and The GrassFather Pty Ltd after a consumer paid \$11,500 for landscaping services that were never received. No work was completed by Mr Hewson and no refund had been received by the consumer. Mr Hewson also failed to respond to the consumer’s enquiries. Mr Hewson was ordered to pay more than \$40,000 in fines and compensation by the Southport Magistrates Court.

Also in May 2022, OFT launched a new investigation into the trader after receiving several more consumer complaints about similar misconduct.

**OFT issued a public warning to consumers, strongly advising them to avoid doing business with Mr Hewson and his company The GrassFather Pty Ltd.**



## Court enforceable undertakings

In 2021–22, the OFT entered into 14 enforceable undertakings with traders.

An enforceable undertaking is a legally binding agreement that the OFT enters into with a business or individual.

Generally, undertakings include agreements from the traders to:

- accept responsibility for their actions
- remedy the mischief
- establish or review and improve their trade practices, compliance programs and culture
- provide redress to affected consumers.

If a trader fails to comply with any condition of an undertaking, or reoffends, the court can order them to change their activities and pay:

- compensation
- a fine
- a security bond.

Enforceable undertakings are listed on the [OFT website](#).

## CASE STUDY

### Real estate corporation enters enforceable undertaking after trading unlicensed

The OFT commenced an investigation into Hometime Group Pty Ltd (HGPL) after HGPL's auditor identified and reported that the corporation had been unlicensed for part of an audit period.

HGPL operates a property management business focussed on holiday rentals across Australia. HGPL held a real estate agent licence between October 2019 and October 2020. In April 2021, when a routine audit identified the licence had expired, the corporation applied for, and was subsequently granted, a new licence.

However, between 12 October 2020 and 24 May 2021 HGPL was unlicensed, operated a trust account and received financial benefits from clients. It is an offence under the *Property Occupations Act 2014* (POA) to act as a property agent for reward unless appropriately licensed.

The trader co-operated fully with the OFT, provided all relevant documents, and immediately took steps to ascertain what payments had been collected from clients and to have those payments refunded.

**The trader undertook to provide refunds to all owners affected, pay \$2,500 to the OFT and to comply with their commitments under the POA.**

## Proactive compliance

The OFT plans its proactive compliance activities on an annual basis under the Proactive Regulation of Industry and Marketplace Entities program (PRIME).

The PRIME program assigns OFT resources to identified high-risk industries and areas where consumers are most likely to suffer detriment. Traders who have come to the attention of the OFT (via, for example, consumer complaints, media reports, intelligence sources, or previous compliance activity) are often targeted for spot checks in the PRIME program's proactive compliance operations.

The PRIME program includes:

- scheduled operations
- non-scheduled operations and non-scheduled spot checks
- product safety operations.

### Operation outcomes

During an operation, a predetermined number of spot checks are completed by fair trading officers across Queensland. When a spot check is completed, the outcome will be one of the following:

- no breaches detected
- breaches rectified immediately (product safety related issues)
- referred for further investigation.

An investigation can result in a number of outcomes. For PRIME reporting purposes these are classified into:

- *no breach*, meaning no evidence of breach or insufficient evidence of breach,
- *other*, meaning a non-enforcement outcome. For example, a compliance advice letter or the investigation was referred to another government agency
- *enforcement actions*, which can include:
  - a formal warning
  - an infringement notice
  - a civil penalty notice
  - a public naming
  - an enforceable undertaking
  - a court prosecution, where the investigation is referred for court or tribunal action.



## CASE STUDY

### RE21/22

This operation focussed on improving and enforcing real estate industry compliance with the *Property Occupations Act 2014*, *Agents Financial Administration Act 2014*, and associated regulations. The operation identified a high level of non-compliance, with 33 warnings and nine infringements issued.

At one agency OFT officers attended it was identified that the person-in-charge of the office did not possess an appropriate licence. Though they had completed their training they had not applied for their licence and believed the training completion certificate allowed them to work for an agent. The licensee was also of the same belief as they had moved from another state where the relevant legislation allowed a person to act with a training certificate.

**The OFT issued both the real estate licensee and the unlicensed employee with infringement notices for \$2,067 each.**

## PRIME scheduled operations

National operations	Spot checks		Investigation outcomes							
	No breach detected	Sent for investigation	No breach <sup>1</sup>	Other	Enforcement actions					
					Warning issued	Infringement issued	Civil penalty notice issued	Public naming	Enforceable undertaking	Court prosecution
<b>ACL CARAVAN21/22</b> —Improving industry compliance with the ACL with a focus on caravans	10	2								
<b>DRIP21/22</b> —Issues relating to drip pricing	46	4								
<b>Queensland operations</b>										
<b>AUDITORS21/22</b> —providing education to trust account auditors	82	3		1						
<b>CARSALES21/22</b> —unlicensed motor dealers or dealers selling privately through CARSALES data	10	1		1						
<b>COMPLAINTS21/22</b> —Early engagement with traders who receive a spike in consumer complaints; address issues and reduce complaints	11									
<b>DIAB21/22</b> —dob in a backyard motor dealer referrals	15	17		12						
<b>EVENTS21/22</b> —compliance checks at events such as schoolies	23	1								
<b>LIVESTOCK21/22</b> —improving and enforcing industry compliance at livestock auctions	10									
<b>MD21/22</b> —Improving and enforcing motor dealer industry compliance	70	12		2	3	4				
<b>MDAUCTION21/22</b> —improving and enforcing industry compliance at motor vehicle auction houses	6									
<b>NEW21/22</b> —educating new licensees across regulated industries on their obligations and top compliance issues. Includes information packs for relevant industry	64	1								
<b>PRICE21/22</b> —Checks of supermarkets, pharmacies and department stores—price scans, was/now claims, price drop marketing	101	8			1					
<b>RE21/22</b> —improving and enforcing industry compliance	274	52		2	33	9				
<b>REAUCTION21/22</b> —improving and enforcing industry compliance at real estate auctions	12	2								
<b>RECOMMERCIAL21/22</b> —improving and enforcing compliance within the commercial real estate industry	57	1			1					
<b>REMOVALS21/22</b> —Identifying and addressing consumer issues in relation to removalists.	20									
<b>SHAUCTION21/22</b> —Improving and enforcing industry compliance at second-hand goods auctions	2	1								
<b>SHD21/22</b> —Improving compliance in the second-hand dealing industry	1									
<b>TATTOO21/22</b> —Improving compliance in the tattooing industry	1									
<b>UNLICENSEDMD21/22</b> —addressing issues identified with unlicensed motor dealers. Educating repairer and wrecker industries when license is required	10	10		5	1					
<b>Total operations (17)</b>	<b>825</b>	<b>115</b>	<b>0</b>	<b>23</b>	<b>39</b>	<b>13</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

- Notes:
1. 'No breach' includes investigations outcomes where there was insufficient evidence of a breach.
  2. Multiple enforcement actions can be taken against one entity and an investigation can involve multiple entities.
  3. Not all matters referred for investigation during a financial year may have been finalised in that financial year.

## Non-scheduled spot checks

Non-scheduled spot checks are generally conducted where the OFT believes there may be evidence to suggest non-compliance with consumer protection legislation. Spot checks can occur following a complaint received or where the OFT becomes aware of emerging issues or heightened public interest in a particular issue or industry.

Legislation/industry	Spot checks		Investigation outcomes							
	No breach detected <sup>1</sup>	Sent for investigation	No breach <sup>1</sup>	Other	Enforcement actions					
					Warning issued	Infringement issued	CPN issued	Public naming	Enforceable undertaking	Court prosecution
Debt collectors	1									
Second-hand dealers <sup>2</sup>	11	14		11						
Security providers <sup>3</sup>	92	16		1	11					
Tattoo industry	23	22		2	14					
<b>Total<sup>4, 5 &amp; 6</sup></b>	<b>127</b>	<b>52</b>	<b>0</b>	<b>3</b>	<b>36</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

### Notes:

1. 'No breach' includes investigations outcomes where there was insufficient evidence of a breach.
2. The Queensland Police Service also undertakes compliance spot checks under the *Second-hand Dealers and Pawnbrokers Act 2003*.
3. The Queensland Police Service and Office of Liquor and Gaming Regulation also undertake compliance spot checks under the *Security Providers Act 1993*.
4. The statistics listed in the report relate only to those undertaken by the OFT
5. Multiple enforcement actions can be taken against one entity
6. Not all matters referred for investigation during a financial year may have been finalised in that financial year.



## CASE STUDY

### Second-hand dealers

A joint operation was conducted with the Queensland Police Service (QPS) after concerns were raised that gold bullion traders were conducting the duties of a second-hand dealer without holding a licence.

QPS intelligence identified 18 traders for compliance checks. Various compliance issues were identified including acting as a licensee, failing to display licence on request, failing to enter relevant particulars in the transaction register, and failing to keep certain goods for the required 7 days. Of the 18 compliance checks conducted, 14 were referred for investigation.

Some traders claimed they were exempt from the requirements of second-hand dealing due to federal legislation. This included the *New Tax System (Goods and Services Tax) Act 1999* (Cth) dictionary defining second-hand goods as exempting valuable metals or exemptions under section 6 of the *Anti-Money Laundering and Counter-Terrorism Financing Act 2006* (Cth) where the requirement is only to report bullion dealings over \$5,000 per transaction.

**Following OFT's investigations all non-compliant traders conceded they were in breach of Queensland legislation and were issued with official warnings. These traders subsequently submitted applications for a second-hand dealer's licence or ceased second-hand gold trading.**



## CASE STUDY

In February 2022, Daniel Robert Klaus, the director of Viking Caravans & Campers Pty Ltd, was ordered to pay more than \$460,000 in fines and compensation after pleading guilty in the Southport Magistrates Court to conduct that left consumers thousands of dollars out of pocket.

Mr Klaus had received deposits from five consumers for the building of new caravans but several months after their delivery date they had not received them. Mr Klaus offered the consumers refunds or other new caravans but after months of waiting these were not forthcoming either.

The trader had also arranged to sell used caravans on consignment for two consumers. One was not advised when their van was sold nor how much it had sold for. The other's van was sold for \$130,000 but the consumer received only a small portion of this money.

Additional charges related to not providing the correct forms to consumers, not depositing the consignment van sale monies into a trust account as required, and for acting as an unlicensed motor dealer.

Mr Klaus was fined \$20,000 and his company fined an additional \$20,000. He was also ordered to pay \$417,800 in compensation to consumers as well as more than \$3,000 in court costs.



## CASE STUDY

A consumer purchased a brand-new vehicle from a car dealership. Within a few days of collecting the vehicle, the consumer noticed persistent rattling which appeared to be getting louder.

The consumer attempted to resolve the issue with the trader who arranged for repairs to the vehicle, but these were unsuccessful. The consumer requested a refund, but the trader refused, and the consumer contacted the OFT for assistance.

**After the OFT's intervention, the trader agreed to refund the consumer the full purchase price of \$41,546.**

## Redress

The OFT obtains redress for consumers by:

- conciliating complaints between consumers and traders
- paying claims from the claim fund to reimburse consumers who have suffered financial loss as a result of certain illegal actions by real estate agents, auctioneers, motor dealers and debt collectors
- negotiating refunds, or payments to community organisations where individual consumers cannot be identified, as part of enforceable undertakings
- securing court-ordered compensation as part of the prosecution of traders.

Redress is calculated as a dollar value, including the value of refunds, repairs, replacements, repeat services and in-kind compensation.

In 2021–22, the OFT achieved approximately \$9.67M in redress for consumers.

Conciliation	\$7,376,043
Investigations	\$1,458,064
Claims paid to consumers	\$231,273
Court-ordered compensation orders	\$609,287
<b>Total</b>	<b>\$9,674,669</b>



## Claims

Established under the *Agents Financial Administration Act 2014 (AFAA)* the claim fund is used to reimburse consumers who suffer financial loss as a result of certain breaches of industry laws by agents, motor dealers, auctioneers and debt collectors.

Under AFAA real estate agents, motor dealers, auctioneers and debt collectors must put certain monies received for transactions into a trust account. Depending on the industry, this may include deposits, rent payments and purchase money. Approximately 8,300 trust accounts are held across 13 financial institutions in Queensland.

Major breaches leading to claims include:

- misappropriating trust monies
- false and misleading representations about real estate and motor vehicles
- failure to guarantee clear title of motor vehicles
- real estate agents obtaining a beneficial interest in real property
- motor dealers improperly dealing with deposits during a cooling off period.

In 2021–22, the OFT received 232 claims from consumers and paid \$231,273.46 in compensation to 27 consumers. A further \$405,274.15 was used to fund receiverships over agents' trust accounts.

Amounts paid from the claim fund may be recovered from liable traders, and failure to repay the debt can affect a trader's ongoing suitability to remain licensed. In 2021–22, \$149,177.41 was recovered.



## CASE STUDY

Twenty consumers lodged claims against the claim fund relating to a group of unlicensed motor dealers. The group was advertising and selling the vehicles through the gumtree website and Facebook marketplace. The advertisements appeared legitimate and provided Personal Property Securities Register (PPSR) searches and Vehicle Identification Numbers (VIN) to potential buyers. After further inspection, these PPSR searches and VIN's turned out to be fake and were provided with the intention of misleading the buyers.

Multiple consumers began having trouble with vehicles purchased from these unlicensed motor dealers. Subsequently, consumers located the correct VIN and conducted their own PPSR searches. These searches revealed the vehicles had been written-off or were not the same vehicle that was advertised.

The OFT allowed nineteen of these twenty claims to be paid, with one claim not falling within the scope of the claim fund. The total amount paid out to the affected consumers in this matter was over \$166,000.

**The OFT and the QPS investigated this matter. The OFT issued four infringement notices to four individuals for unlicensed motor dealing and the QPS charged an individual under the Criminal Code.**



## Product safety

The ACL includes national consumer product safety laws, which are administered jointly by the ACCC and state and territory fair trading agencies. These laws cover consumer goods—things intended for personal, domestic or household use, or which are likely to be applied to personal, domestic or household uses.

Each year in Queensland around 100,000 hospital admissions and 190,000 emergency department presentations relate to injury, and many involve everyday consumer products.

The OFT promotes safety in the supply and use of consumer products and ensures certain goods supplied in Queensland meet prescribed standards. The ultimate goal of Queensland’s product safety program is to minimise the risk of product related injury to consumers.

To contribute to this goal, the OFT:

- promotes safety in the supply and use of consumer products
- educates consumers and traders
- identifies emerging issues
- ensures certain goods supplied in Queensland meet prescribed standards
- prevents banned goods from being sold, and
- undertakes a proactive compliance program.

During 2021–22, a number of high-risk areas were assessed including online supply platforms and traders. The buying and selling of goods via the internet continues to pose significant safety risks for consumers and challenges for consumer product safety regulators throughout Australia.

Under the ACL, all stages of the supply chain are legally responsible for product safety, ensuring the supply of safe goods to consumers and that products comply with mandatory standards.

Consumer goods that do not comply with mandatory standards or permanent bans can pose a serious threat to the health and safety of consumers, especially vulnerable consumers including young children.

In 2021–22, the OFT conducted 1,113 product safety spot checks, inspecting 12,802 product lines during the state-wide consumer product safety program.

As a result of 153 product safety investigations finalised in 2021–22:

- 1 civil penalty notice fine for \$13,320 was issued, for the supply of banned products
- 6 debt recovery orders worth a total of \$6,237 were issued, to recoup testing costs
- 30 warnings were issued for breaches of mandatory standards and permanent bans
- 19 compliance advice letters were issued.



### CASE STUDY

#### Operation Quad Bike

During March and April 2022, quad bike education and compliance was a priority for OFT which, together with the ACCC and other state and territory regulators, conducted a national campaign.

The OFT inspected over 190 quad bikes at 137 retailers across Queensland.

Officers identified three non-compliant quad bikes and forty-three quad bikes that required further investigation in relation to Operator Protection Device compliance.

#### As a result:

- **3 product lines were found to be non-compliant and removed from supply by the traders and made compliant**
- **3 traders were issued with warnings for offering for supply non-compliant (did not contain mandatory warnings/information labelling) quad bikes**
- **15 matters were referred to the ACCC for investigation and to obtain further information from national quad bike manufacturers regarding Operator Protection Device compliance.**

## Occupational licensing

The OFT protects the community and marketplace integrity by making sure that only suitable persons are licensed to work in certain occupations.

In 2021–22, the OFT processed 20,849 applications for new licences and certificates, and 52,828 applications for renewals<sup>1</sup>.

Act	New licences and certificates issued <sup>2</sup>	Licences and certificates renewed <sup>3</sup>
<i>Property Occupations Act 2014</i>	9,320	18,422
<i>Motor Dealers and Chattel Auctioneers Act 2014</i>	1,295	3,639
<i>Debt Collectors (Field Agents and Collection Agents) Act 2014</i>	48	193
<i>Security Providers Act 1993</i>	3,692	10,751
<i>Second-hand Dealers and Pawnbrokers Act 2003</i>	167	519
<i>Tattoo Parlours Act 2013</i>	509	496
<i>Introduction Agents Act 2001</i>	3	7
<i>Tourism Services Act 2003</i>	3	41
<b>Total</b>	<b>15,037</b>	<b>34,068</b>

### Notes:

1. 2. 3. Caution should be applied when considering these figures as applications and licences are not the same. The structures and requirements for each Act are different and OFT issues licences in accordance with those requirements. For example

- a person's application to hold a security provider licence with the classes of crowd controller and bodyguard, is processed as two separate applications. It results in one licence being issued.
- a person's application to hold a security providers licence with the class of private investigator and application to be licensed as a debt collector are processed as two separate applications and result in two licences.

As at 30 June 2022, the following number of entities were licensed to perform the OFT-licensed occupations.

Occupational function		Number licensed or registered	
<b>Security industry</b>	23,838	Security provider—Class 1 (unrestricted)	17,266
		Security provider—Class 1 (restricted)	21
		Security provider—Class 2	5,072
		Security firm	1,479
<b>Real estate industry</b>	47,892	Real estate agent (Corporation)	7,992
		Real estate agent (Individual)	17,382
		Real estate salesperson	20,026
		Resident letting agent (Corporation)	983
<b>Motor industry</b>	8,123	Resident letting agent (Individual)	1,509
		Motor dealer (Corporation)	1,488
		Motor dealer (Individual)	3,649
		Motor salesperson	2,986
<b>Auctioneering</b>	3,386	Auctioneer (Corporation)	594
		Auctioneer (Individual)	1,437
		Chattel auctioneer (Corporation)	392
		Chattel auctioneer (Individual)	963
<b>Debt collection</b>	406	Field agent (Corporation)	92
		Field agent (Individual)	198
		Field sub-agent	116
<b>Tattoo industry</b>	1,742	Tattooist	1,318
		Tattoo parlour operator	418
		Tattoo operator (Mobile)	6
<b>Second-hand dealing and pawnbroking</b>	1,227	Pawnbroker	12
		Second-hand dealer	1,055
		Second-hand dealer and pawnbroker	160
<b>Introduction agent</b>	12		
<b>Inbound tour operator</b>	51		
<b>Total</b>	<b>86,677</b>		

## Administrative and disciplinary action against occupational licensees—suspensions and cancellations

### *Property Occupations Act 2014* licences suspended

Licence suspension reason	Number
Fail to supply audit report	3
Fail to supply principal place of business	2
<b>Total</b>	<b>5</b>

### *Security Providers Act 1993* licences suspended

Licence suspension reason	Number
Administration of Justice	1
Assault	30
Breaches of the peace	4
Drugs related offences	46
Endangering life or health	16
Morality/sexual offences	24
Offences against liberty	2
Unlawful stalking	2
Public interest	1
Stealing and like offences	15
Weapons offences	4
<b>Total</b>	<b>145</b>

### *Property Occupations Act 2014* licences cancelled

Licence cancellation reason	Number
Bankruptcy	6
Corporation deregistered	3
Drugs related offences	1
Morality/sexual offences	3
Liberty	1
Endangering life or health	1
<b>Total</b>	<b>15</b>

### *Motor Dealers and Chattel Auctioneers Act 2014* licences cancelled

Licence cancellation reason	Number
Insolvency	1
Morality/sexual offences	1
Stealing and like offences	4
Drugs related offence	1
<b>Total</b>	<b>7</b>

### *Security Providers Act 1993* licences cancelled

Licence cancellation reason	Number
Assault	3
Drugs related offences	9
Endangering life or health	2
Indecent treatment	1
Mandatory association membership	6
Morality/sexual offences	3
Public interest	5
Dangerous driving	1
Stealing and like offences	1
Triennial training	244
Other	1
Wilful damage	3
<b>Total</b>	<b>279</b>

#### Notes:

1. An individual or company may have their licence suspended or cancelled for more than one activity.
2. An individual or company licence may remain suspended across reporting periods. For example, until a matter is determined by a court.
3. Under some circumstances an individual or company licence may be cancelled without having been suspended. For example, due to an automatic disqualifying offence.

In 2021–22, a total of 1,282 administrative disciplinary actions were taken by the OFT's Industry Licensing Unit against licensees, with seven of those licensees seeking a review in QCAT of the OFT's decision. In two of those matters the OFT's decisions were upheld and at the time of writing this report, the remaining five reviews were still pending. Additionally, two of OFT's decisions from 2020–21 were upheld in 2021–22.

One licensee sought a review in the Administrative Appeals Tribunal of OFT's decision in 2020–21. The OFT's decision was upheld in 2021–22.

## Not-for-profit and other registrations

The OFT helps support the Queensland community through a framework that provides simple and inexpensive mechanisms for the registration of certain not-for-profit groups, such as incorporated associations and charities as well as other trading arrangements including co-operatives and limited liability partnerships.

In 2021–22 over 1,000 new organisations were registered and over 18,600 organisations had their registrations renewed.

As at 30 June 2022, the following number of organisations were registered.

Organisation type	Number registered
Incorporated associations	23,771
Charities and community purpose	5,009
Cooperatives	141
Limited liability partnerships	372
<b>Total</b>	<b>29,293</b>

### COVID-19 Response

In the first and second years of the pandemic, 2019–2020 and 2020–21, the ability of associations to hold a meeting was severely restricted due to lockdowns and physical distancing requirements. To assist, the OFT issued a blanket exemption which provided associations with additional time to hold their Annual General Meeting, and to lodge their annual returns.

These exemption arrangements were lifted in April 2021, with associations able to seek extensions if required on an individual basis. As a result, large numbers of outstanding documents and records were lodged with the OFT to be processed, with approximately 50% of associations lodging their outstanding annual returns in the first quarter of the year.

This impacted the OFT's ability to meet usual timeframes for processing annual returns, of 90% within 30 days, and in 2021–22 only 14% met this target. However, this did not impact the associations themselves as under the OFT's legislation as long as they lodged their returns when required they could continue to operate.

### Door-to-door collections and street appeals

The OFT plays an important role in regulating charitable fundraising in Queensland. This includes the approval of agreements between charities and commercial organisations who undertake fundraising on their behalf and the issuing of assignments to fundraisers who undertake collections on Queensland streets and by going door to door.

In 2021–22 requests to the OFT for these approvals continued to increase significantly compared to the previous year. The OFT approved 502 fundraising agreements and issued 2,454 street and door assignments.

### Three-year comparison—fundraising agreements, street and door assignments

2019–20		2020–21		2021–22	
Fundraising agreements	Streets and doors	Fundraising agreements	Streets and doors	Fundraising agreements	Streets and doors
192	997	234	1,415	502	2,454

When the OFT receives adverse information on any of its existing registered or approved organisations which may render the organisation or its office bearer's ineligible to retain registration or approval, the OFT may investigate the matter. Information can be received from a variety of sources, including financial reports, other regulatory agencies, from consumer complaints, and from public information and media reports.

Investigations may include the issuing of show cause notices. Where there is sufficient evidence and it is in the public interest to do so, we will commence action to cancel the registration or approval.

### Three-year comparison—show cause notices, cancellations

2019–20		2020–21		2021–22	
Show cause	Cancelled	Show cause	Cancelled	Show cause	Cancelled
1,795	432	1,333	456	1,849	384

The majority of the OFT's administrative decisions are subject to review by QCAT. The OFT appears in QCAT to defend any decision made. In 2021–22, the review of one not-for-profit matter was finalised with the application for review being dismissed and the Chief Executive's decision being confirmed.

# Communication, education and engagement

A key part of the OFT's role is to inform and educate consumers, businesses and licensees about their rights and responsibilities under fair trading laws. A well-informed marketplace contributes to fair competition, and better outcomes for both consumers and traders.

The OFT uses a wide variety of channels and mechanisms to inform the marketplace. These include our:

- website at [www.qld.gov.au/fairtrading](http://www.qld.gov.au/fairtrading)
- call centre on 13 QGOV (13 74 68)
- visits to traders at their premises to provide general information
- social media channels including Facebook, Twitter and YouTube
- statements to the media and industry organisations
- electronic newsletters
- community information and advice sessions and school visits
- educational visits by our inspectors, as part of our PRIME program
- outreach program, taking fair trading information and advice to regional and remote Queensland.



## CASE STUDY

As part of its Outreach Program, in 2021–22 the OFT visited:

- Sarina, Proserpine, Cannonvale and Bowen—October 2021
- Airlie Beach, Cannonvale and Proserpine—November 2021
- Longreach, Barcaldine and Blackall—November 2021
- Texas and Goondiwindi—November 2021
- Nebo, Clermont, Valkyrie, Dysart and Middlemount—May 2022
- Moranbah and Coppabella—May 2022
- Biloela, Agnes Water and Mont Morgan—May 2022
- Emerald—June 2022



## Indigenous Outreach

In 2021–22, the OFT limited visits to Indigenous communities in line with COVID-19 travel restrictions and to reduce the spread of COVID-19 to communities. During August 2021 the Director-General of the Department of Seniors, Disability Services and Aboriginal and Torres Strait Islander Partnerships requested non-urgent visits by government agencies be postponed. Similarly, in January and February 2022 suspensions were again applied to OFT’s outreach work with the then rapid spread of the Omicron variant.

Working around the COVID-19 impacts, the OFT continued to engage with communities as part of the Do-not-knock informed (DNKi) communities program. The program is a joint initiative of the OFT, the ACCC, local Aboriginal Shire Councils, and not-for-profit community groups and is designed to deter unscrupulous door-to-door traders from targeting Indigenous communities and to empower consumers in those communities to use their consumer rights. The program began as a pilot in Wujal Wujal and expanded to include Yarrabah, Hope Vale, Palm Island, Woorabinda and Cherbourg.



### CASE STUDY

The OFT visited Woorabinda in September 2021, November 2021 and June 2022 and engaged with community members by:

- meeting with newly elected councillors of the Woorabinda Aboriginal Shire Council to update them on the *DNKi* program
- holding *OFT Takes 5 to listen to Woorabinda residents* sessions where OFT officers listen to residents and give advice about consumer issues
- engaging with Woorabinda State School and Wadja Wadja High School as part of OFT’s Buy Smart program, delivering presentations to students about consumer rights and the Buy Smart competition in June 2022.



### CASE STUDY

As part of national Indigenous Business Month in October 2021 the OFT:

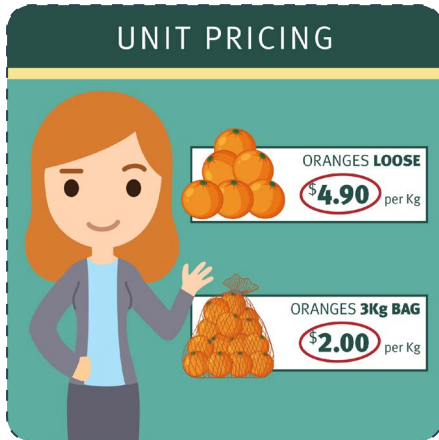
- attended the launch held at Highfields in the Darling Downs and engaged with Indigenous businesses about the ACL and OFT’s role and services
- delivered a presentation to 50 attendees at an Indigenous Business Month Community Yarning event in Drayton
- attended Black Coffee networking events
- attended events organised by the Department of Employment, Small Business and Training including forums bringing together Indigenous businesses.

In total, the OFT engaged with approximately 150 attendees during the events.

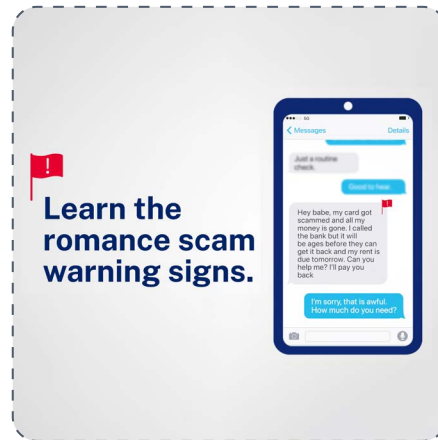


## Communication campaigns

During 2021–22 the OFT rolled out a number of communication campaigns to help raise both consumers’ and traders’ awareness of their rights and responsibilities under consumer protection laws and to share important product safety messages. Below are images from some of those campaigns.



Unit Pricing



Romance scams



Portable pools—  
Don't duck out, make it SAFE



Mother's Day



Halloween



Scams Awareness Week



Safe summer



Well winter

## Fair Trading Policy achievements

The Office of Regulatory Policy’s (ORP) Fair Trading Policy unit supports the Attorney-General by developing and maintaining consumer protection policy and regulatory frameworks.

During 2021–22, ORP completed policy and legislative work resulting in:

- the Fair Trading (Funeral Pricing) Regulation 2022, which was made in February 2022 and aims to increase price transparency in the funeral market and to empower consumers by improving access to upfront, itemised prices for funeral goods and services. The new Regulation commenced on 1 July 2022.
- progression of the *Building Units and Group Titles and Other Legislation Amendment Bill 2022*, which was released for public consultation on 29 April 2022 and introduced into Parliament on 21 June 2022. The Bill seeks to improve the operation of the *Building Units and Group Titles Act 1980* and *Mixed Use Development Act 1993*, with a focus on making body corporate governance arrangements fairer and more transparent for proprietors (for example, unit owners).
- the Agents Financial Administration Amendment Regulation 2021 (the AFA Amendment Regulation), which commenced on 3 December 2021, to ensure that agents can be compliant with trust account record-keeping requirements when using a bill payment platform, such as BPAY. The term ‘agents’ means agents operating under an ‘Agents Act’, which encompasses the *Property Occupations Act 2014*, as well as the *Debt Collectors (Field Agents and Collection Agents) Act 2014* and the *Motor Dealers and Chattel Auctioneers Act 2014*. The AFA Amendment Regulation accommodates payments using a range of current and future electronic bill payment platforms and is not limited to BPAY.
- the introduction of legislative amendments to provide a cross-border recognition model for charitable fundraising authorisations under the *Collections Act 1966*. Under the model, charities registered with the Australian Charities and Not-for-Profits Commission (ACNC) will receive deemed registration as a charity (for fundraising purposes) in Queensland simply by notifying the OFT that they intend fundraising in Queensland.

During 2021–22 ORP has also:

- continued to support the Community Titles Legislation Working Group, which met five times in 2021–22. The Working Group has been considering a range of body corporate related matters, including seller disclosure, smoking, pets, parking and towing by-laws, fines for breaches of by-laws, debt recovery, Building Units and Group Titles Act reforms, body corporate insurance matters, management rights and residential amenity.
- contributed to the policy development and drafting of an exposure draft Bill for the introduction of a statutory seller disclosure scheme in Queensland, in relation to aspects of the scheme that are specific to community titles schemes under the *Body Corporate and Community Management Act 1997* and plans under the *Building Units and Group Titles Act 1980*, as well as body corporate certificates that will be disclosure documents under the scheme.
- supported the Attorney-General’s representation of Queensland as a member of the Consumer Ministers Network and previous Ministerial Legislative and Governance Forum on Consumer Affairs, which oversees the administration of the Australian Consumer Law.
- worked collaboratively with officials from the Commonwealth, states and territories to progress outcomes of the national review of the Australian Consumer Law and in relation to other consumer policy matters being considered by the Consumer Ministers Network and previous Ministerial Legislative and Governance Forum on Consumer Affairs.
- undertaken policy analysis and development in relation to the Government’s election commitment to, subject to the results of continued consultation with key stakeholders and the results of a regulatory impact statement (RIS), legislate to implement mandatory continuing professional development (CPD) for property agents. This involved complex work with the Office of Best Practice Regulation on the development of a Consultation RIS.
- undertaken policy analysis, to inform future industry and consumer consultation, on two matters relating to ‘off the plan’ residential property contracts, as part of the Government’s Property Law Review. The issues are the use of sunset clauses by property developers (sellers) to terminate ‘off the plan’ sales contracts; and the early release of deposits to property developers (sellers).
- participated in an interjurisdictional working group seeking to harmonise regulations dealing with how fundraising is conducted across Australia.



## Appendix 1—List of OFT legislation

# APPENDICES

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The OFT administers more than 60 Acts.

Primary among these are the:

- *Agents Financial Administration Act 2014*
- *Associations Incorporation Act 1981*
- *Collections Act 1966 and Charitable Funds Act 1958*
- *Co-operatives National Law Act 2020*
- *Debt Collectors (Field Agents and Collection Agents) Act 2014*
- *Disposal of Uncollected Goods Act 1967*
- *Fair Trading Act 1989* incorporating the Australian Consumer Law Qld
- Fair Trading (Code of Practice—Fitness Industry) Regulation 2003
- Fair Trading (Fuel Price Board) Regulation 2017
- Fair Trading (Funeral Pricing) Regulation 2022
- *Fair Trading Inspectors Act 2014*
- *Funeral Benefit Business Act 1982*
- *Introduction Agents Act 2001*
- *Motor Dealers and Chattel Auctioneers Act 2014*
- *Partnership Act 1891*
- *Property Occupations Act 2014*
- *Sale of Goods Act 1896*
- *Second-hand Dealers and Pawnbrokers Act 2003*
- *Security Providers Act 1993*
- *Tattoo Industry Act 2013*
- *Tourism Services Act 2003*

A full list of Acts and Regulations administered by the OFT can be found on the OFT website.

Unlike consumer protection regulators in some jurisdictions, we don't have responsibility for:

- residential tenancy
- caravan and residential parks
- building and construction
- body corporate management (except for policy related matters)
- motor vehicle repairer licensing
- electrical safety
- tradesperson occupational licensing
- liquor industry regulation
- prostitution licensing
- competition law
- price surveillance
- boarding houses (since May 2012)
- retirement villages (since May 2012).

## Appendix 2—List of impacts

The OFT is a state government agency which operates within the legislation, parameters, policies, procedures and guidelines of the Queensland Government. Occasionally, this may impact on the OFT’s responsibilities and functions, including changes to statistics and budget allocations. Significant impacts during 2021–22, included:

- The restrictions implemented to reduce the impact of COVID-19 continued to impact on consumers, business, not-for-profit organisations and the OFT during 2021–22.
- The OFT encountered some issues around staff resourcing during 2021–22
  - The COVID-19 Omicron variant—between March and July a significant proportion of staff were required to spend periods self-isolating due to testing positive for the virus or because a household member had tested positive.
  - The Queensland flooding events in January, February and March 2022 impacted resourcing variously in the OFT’s Toowoomba, Gold Coast and Hervey Bay offices. The OFT also subsequently provided officers for Community Recovery deployment
  - Like other government and business organisations, in 2021–22 the OFT began to be impacted by the low number of workers available in the community to fill vacant positions.
- The OFT continued with the decommissioning of its database used for not-for-profit organisations, charities and cooperatives and transitioned to a new modern system. The transition involved significant re-design of business processes, development of implementation policies, strategies and staff training to ensure a high level of client service delivery was maintained. The change in the system impacted the processing of applications and renewal documentation due to an increase in back-end handling of applications.
- In June 2022, further amendments to the *Associations Incorporation Act 1981* and *Collections Act 1966* commenced which reduced red tape and strengthened the internal governance of incorporated associations.
- An unprecedented demand for licences and registration certificates in 2021–22 reflected by a 31% increase in new applications received in the first half of the year compared to the previous year.

## Appendix 3—Five-year summary

This data is provided for information purposes only. OFT's systems are case management systems and are designed to enable records to be updated as information becomes available. As a result, the information provided here is only a snapshot of data at a point in time and it cannot be relied upon as an official record. For details of OFTs reported data see information provided in Departmental Annual Reports.

Service	2017–18	2018–19	2019–20	2020–21	2021–22
<b>Information and education</b>					
Website page views	3.8M	3.7M	3.3M	3.5M	3.67M
Website visitors	1M	1.04M	929,867	1.04M	
Call centre contacts	140,600 approx	168,117 <sup>1</sup>	162,084	153,158	142,231
Hours of phone contact	13,047	13,118	12,293	12,447	12,766
Enquiries received	80,729	80,977	83,963 <sup>4</sup>	81,483 <sup>5</sup>	82,290
Businesses engaged with on trader walks	1,574	1,632	915 <sup>4</sup>	1,374 <sup>5</sup>	1,285
Education, engagement activities (eg seminars, presentations, stalls)	2,221	2,499	1,040 <sup>4</sup>	1,523 <sup>5</sup>	1,282
Number of attendees at education and engagement activities	27,028	32,295	23,560 <sup>4</sup>	18,065 <sup>5</sup>	20,653
<b>Licensing and registration</b>					
Occupational licence and registration certificate—applications processed <sup>2</sup>	32,199	23,075	21,606	18,755	20,864
Occupational licence and registration certificate—applications for renewal processed <sup>2</sup>	57,133	60,365	62,115	60,302	52,828
Number of occupational licence and certificate holders as at 30 June 2022	86,598	85,371	84,264	83,879	86,677
Not-for-profit applications processed	1,150	1,057	929	977	1,002
Not-for-profit annual returns processed	20,796	22,136	20,391	19,932	18,686
Number of not-for-profits and other organisations registered as at 30 June 2022	27,481	27,713	28,195	28,633	29,293
<b>Complaints and redress</b>					
Redress	\$8.14M	\$7.6M	\$9.4 million <sup>4</sup>	\$13.93 million <sup>5</sup>	\$9.67M
Complaints received	15,433	15,583	17,482 <sup>4</sup>	18,642 <sup>5</sup>	18,959
Complaints finalised	15,230	15,639	17,321 <sup>4</sup>	18,794 <sup>5</sup>	18,809

Service	2017–18	2018–19	2019–20	2020–21	2021–22
<b>Compliance</b>					
Entities monitored for compliance	9,898	9,248	9,137	9,545	10,322
Investigations completed	3,433	3,022	2,344	2,157	2,566
<b>Enforcement actions</b>					
Warnings issued	1,016	1,521	1,396	1,301	1,546
Infringements issued	385	374	274	371	351
Administrative disciplinary actions	1224	1,365	831 <sup>4</sup>	755 <sup>5</sup>	1,282
Civil penalty notices	9	5	3	11	12
Disciplinary proceedings (QCAT)	3	20	20	2	7
Enforceable undertakings	24	0	5	40	14
Public naming	4	2	4	2	2
Court actions	73	74	50	61	59

**Notes:**

1. The Queensland Government call centre transitioned to a new scripting and reporting system late 2017–18 with 2018–19 its first full year of operation.
2. Caution should be applied when considering these figures as applications and licences are not the same. The structures and requirements for each Act are different and OFT issues licences in accordance with those requirements. For more information see page 18.
3. In January 2020, the OFT's Systems Support and Development division realigned its services, incorporated teams from OLGR and reported directly to the Deputy Director-General as a LGFT ICT development and support team.
4. OFT continued to operate during COVID-19. Proactive activities (education, spot checks) in particular were reduced due to the restrictions imposed by the Chief Health Officer (CHO) to reduce the spread of the virus. However, impacts on the marketplace, such as the cancellation of travel and events, and restrictions placed on industries regulated by the OFT, the number of enquiries and consumer complaints received increased.
5. In 2020–21 COVID-19 continued to impact OFT. The OFT continued to operate but proactive activities in particular remained impacted due to the restrictions imposed by the CHO to reduce the spread of the virus. Impacts on the marketplace, such as the cancellation of travel and events, and restrictions placed on industries regulated by the OFT, saw continued increase in the number of consumer complaints received. While there was a decline in licence applications in 2020 as a result of COVID-19, from March 2021 significant growth in the housing market saw a marked increase in applications for licensing in the real estate sector.

