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Collins Street West VIC 8007

2 October 2012

Regulatory Impact Analysis: Benchmarking
Productivity Commission
PO Box 1428
Canberra City ACT 2601

Via email: ria.benchmarking@pc.gov.au

To Whom It May Concern

Re: Regulatory Impact Analysis: Benchmarking

The Consumers' Federation of Australia (CFA) is the national peak body for over 100 community based consumer organisations and consumer advocates. CFA is managed by a volunteer Executive Committee sourced from member groups. It has very limited resources and is unable at present to employ any policy, research or consumer advocacy staff.

As a result, it is with regret that we advise we cannot undertake the necessary research, member consultation and analysis that would be required to make a full submission.

Whilst we agree there is a clear need for a consumer voice to be heard on important issues like regulatory impact analysis processes our lack of resources means that CFA does not currently have the capacity to provide input. This lack of resources also means that CFA is unable to participate in regulatory impact exercises on specific issues undertaken by government departments, agencies and so on.

In this regard, we refer the inquiry to Recommendation 11.3, of the Productivity Commission's *Review of Australia's Consumer Policy Framework Inquiry Report* 8 May 2008 pp. 291-2, which said:

"Within the broader consumer policy implementation framework agreed to by CoAG, the Australian Government, in consultation with the MCCA, should take the lead role in developing arrangements to provide additional funding to:

- Help support the basic operating costs of a representative national peak consumer body;
- Assist the networking and policy functions of general consumer advocacy groups; and
- Enable an expansion in policy-related consumer research.

The new funding arrangements should be subject to appropriate guidelines and governance requirements to help ensure that taxpayer support contributes to high quality advocacy and policy research in priority areas, and that the national interest is appropriately represented.”

However, this recommendation has yet to result in additional government funding for a national peak consumer body etc. despite being considered and supported by consumer affairs ministers. For example Ministerial Council for Consumer Affairs Communiqué, 3 December 2010, said:

“MCCA believes that enhancing capacity in consumer representation in Australia is a worthwhile goal. Ministers directed consumer affairs officials, led by Victoria, to continue work on a range of practical and innovative ways that governments can support and facilitate consumer policy advocacy.”

Therefore, given the above we can only ask the enquiry to:

- Recognise that without funding CFA is unable to participate significantly in this inquiry and will be unable to participate in any future regulatory impact exercises on specific issues, and
- Keep the following basic principles in mind when considering consumer issues associated with regulatory impact exercises:

Consumers in Australia are entitled to:

- *affordable and equitable access to essential services*
- *protection from unsafe or unfit products and services*
- *products and services that are sustainable in terms of their environmental effects*
- *fairness*
- *information and education to assist them in making choices in an increasingly complex marketplace*
- *accessible and effective remedies for failures and breaches of the law*
- *active monitoring and enforcement of consumer protection laws*
- *input through representative bodies to policy-making that affects their interests*

Low income and disadvantaged consumers deserve special protection.

Please do not hesitate to contact me if you wish to discuss this matter further. We encourage you to note the constraints we have raised in this letter in your final report.

Yours sincerely,

Catriona Lowe
Chair
Consumers' Federation of Australia