



ACT
Government

Chief Minister, Treasury and
Economic Development

Freedom of Information Publication Coversheet

The following information is provided pursuant to section 28 of the *Freedom of Information Act 2016*.

FOI Reference: CMTEDDFOI 2019-084 and CMTEDDFOI 2019-085

Information to be published	Status
1. Access application	Published
2. Decision notice	Published
3. Documents and schedule	Published
4. Additional information identified	No
5. Fees	N/A
6. Processing time (in working days)	14
7. Decision made by Ombudsman	N/A
8. Additional information identified by Ombudsman	N/A
9. Decision made by ACAT	N/A
10. Additional information identified by ACAT	N/A

To whom it may concern,

FOI Section

Chief Minister,

Treasury and Economic Development Directorate (**CMTEDD**)

My name is [REDACTED]

Under the **Freedom of Information ACT** I am seeking the following items from **CMTEDD**.

All documents created in the reporting, investigating and disciplinary action taken in relation to a complaint made against any licence holder under the;

Traders (Licencing) ACT 2016.

Inclusive but not limited to;

- Second Hand Dealer licence
- Motor Vehicle Sale licence
- Any other licence that falls under this category

I thank you again for your time and look forward to getting a response.

If you require any assistance or clarification from me please do not hesitate to email me.

Best,

[REDACTED]

To whom it may concern,

FOI Section

Chief Minister,

Treasury and Economic Development Directorate (**CMTEDD**)

My name is [REDACTED]

Under the **Freedom of Information ACT** I am seeking the following items from **CMTEDD**.

All documents relating to complaints made against **CMTEDD** from January 1 2015 until April 1 2019, internal and external "inclusive of ACT Ombudsman" detailing the nature of the complaints and the outcome of the investigations.

I thank you again for your time and look forward to getting a response.

If you require any assistance or clarification from me please do not hesitate to email me.

Best,

[REDACTED]




ACT
Government

Chief Minister, Treasury and
Economic Development

Our ref: CMTEDDFOI2019-084
CMTEDDFOI2019-085



via email: 

Dear 

FREEDOM OF INFORMATION REQUEST

I refer to your applications under section 30 of the *Freedom of Information Act 2016* (the Act), both received by the Chief Minister, Treasury and Economic Development Directorate (CMTEDD) on 9 April 2019.

Request Number 1:

In Request Number 1 you are seeking access to:

“All documents created in the reporting, investigating and disciplinary action taken in relation to a complaint made against any licence holder under the Traders (Licencing) ACT 2016.

Inclusive but not limited to;

- *Second Hand Dealer licence*
- *Motor Vehicle Sale licence*
- *Any other licence that falls under this category”.*

On 10 April 2019 you confirmed the date range of Request Number 1 is for the period of 27 August 2017 to 9 April 2019.

Request Number 2:

In Request Number 2 (together with Request Number 1, the Request) you also made an application which was subsequently amended in which you are seeking access to the:

“number of complaints lodged against (about) Fair Trading and Access Canberra’s Licensing & Registration for the period 1 January 2015 to 1 April 2019”

As advised on 29 April 2019, Daniel Riley, CMTEDD Information Officer, decided to combine Request Number 1 and Request Number 2 and make one decision on access.

Authority

I am an Information Officer appointed by the Director-General under section 18 of the Act to deal with access applications made under Part 5 of the Act.

Timeframes

In accordance with section 40 of the Act, CMTEDD is required to provide a decision on your access application by 10 May 2019.

Decision on access

A search of the CMTEDD records has identified one document that falls within the scope of Request Number 2 being a list of complaints made about Fair Trading and Access Canberra's Licensing & Registrations team. No documents were found that relate to Request Number 1 as no complaints were made.

I have decided to grant partial access to the one document relevant to the Request.

I have included as **Attachment A** to this decision a schedule outlining this document. This provides a description of the document that falls within the scope of the Request and the access decision for that document.

My access decision is detailed further in the following statement of reasons and the document released to you is provided as **Attachment B** to this letter.

In accordance with section 54(2) of the Act a statement of reasons outlining my decision is below.

Statement of Reasons

In reaching my access decision, I have taken the following into account:

- the Act;
- the content of the document that falls within the scope of the Request; and
- the *Human Rights Act 2004*.

Exemption claimed

My reasons for deciding to grant partial access to the identified document are as follows:

Public Interest

The Act has a presumption in favour of disclosure. As a decision maker I am required to decide where, on balance, public interest lies. As part of this process I must consider factors favouring disclosure and factors favouring non-disclosure.

In *Hogan v Hinch* (2011) 243 CLR 506, [31] French CJ stated that when 'used in a statute, the term [public interest] derives its content from "the subject matter and the scope and purpose" of the enactment in which it appears'. Section 17(1) of the Act sets out the test, to be applied to determine whether disclosure of information would be contrary to the public interest. These factors are found in subsection 17(2) and Schedule 2 of the Act.

Taking into consideration the information contained in the document found to be within the scope of the Request, I have identified that the following public interest factors are

relevant to determine if release of the information contained within this document is within the 'public interest'.

Factors favouring disclosure in the public interest:

Sch 2.1(a)(xiii) contribute to the administration of justice generally, including procedural fairness.

Factors favouring nondisclosure in the public interest:

Sch2.2(a)(ii) prejudice the protection of an individual's right to privacy or any other right under the *Human Rights Act 2004*.

Having considered the factors identified as relevant in this matter, I consider that the release of the information contained in the document may contribute to the administration of justice generally, including procedural fairness by allowing you to have a list of complaints lodged with Fair Trading or Access Canberra's Licensing & Registration teams for the period 1 January 2015 to 1 April 2019.

However, in considering the document and factor in favour of non-disclosure, I have considered the impact of releasing personal information contained in the document, being the names and contact information of members of the public, and the harm it could have on the individuals involved in the matters listed and I am satisfied that the release of this information is unreasonable and it would prejudice their right to privacy.

I am satisfied that the protection of an individual's right to privacy, especially in the course of conversing with a government agency, is a significant factor as the parties involved have provided their personal information as required and this, in my opinion, outweighs the benefit which may be derived from releasing the personal information of the individuals involved in the matters. Individuals are entitled to expect that the personal information they have supplied as part of this process will be dealt with in a manner that protects their privacy. Considering the type of information to be withheld from release, I am satisfied that the factors in favour of release can still be met while protecting the personal information of the individuals involved.

Having applied the test outlined in section 17 of the Act and deciding that release of personal information contained in the document is not in the public interest to release, I have chosen to redact this specific information in accordance with section 50(2). Noting the pro-disclosure intent of the Act, I am satisfied that redacting only the information that I believe is not in the public interest to release will ensure the intent of the Act is met and will provide you with access to the majority of the information held by CMTEDD within the scope of your request.

Charges

Pursuant to *Freedom of Information (Fees) Determination 2017 (No 2)* processing charges are not applicable for this request because the total number of pages to be released to you is below the charging threshold of 50 pages.

Online publishing – Disclosure Log

Under section 28 of the Act, CMTEDD maintains an online record of access applications called a disclosure log. A description of the access application and my decision will be published in the CMTEDD disclosure log 3 days after the date my decision is provided to you. Your personal contact details will not be published.

You may view the CMTEDD disclosure log at
<https://www.cmtedd.act.gov.au/functions/foi/disclosure-log>.

Ombudsman Review

My decision on your access request is a reviewable decision as identified in Schedule 3 of the Act. You have the right to seek a review by the Ombudsman of this outcome under section 73 of the Act within 20 working days from the day that my decision is published in the CMTEDD disclosure log, or a longer period allowed by the Ombudsman.

If you wish to request a review of my decision you may write to the Ombudsman at:

The ACT Ombudsman
GPO Box 442
CANBERRA ACT 2601
Via email: actfoi@ombudsman.gov.au

ACT Civil and Administrative Tribunal (ACAT) Review

Under section 84 of the Act, if a decision is made by the Ombudsman under section 82(1), you may apply to the ACAT for a review of the Ombudsman decision. Further information may be obtained from the ACAT at:

ACT Civil and Administrative Tribunal
Level 4, 1 Moore St
GPO Box 370
Canberra City ACT 2601
Telephone: (02) 6207 1740
<http://www.acat.act.gov.au/>

Should you have any queries in relation to your request please contact me by telephone on 6207 7754 or email CMTEDDFOI@act.gov.au.

Yours sincerely,



Sarah McBurney
Information Officer
Information Access Team
Chief Minister, Treasury and Economic Development Directorate

2 May 2019



ACT
Government

Chief Minister, Treasury and
Economic Development

FREEDOM OF INFORMATION REQUEST SCHEDULE

NAME	WHAT ARE THE PARAMETERS OF THE REQUEST	Reference NO.
	<p>1. All documents created in the reporting, investigating and disciplinary action taken in relation to a complaint made against any licence holder under the; Traders (Licencing) ACT 2016. Inclusive but not limited to;</p> <ul style="list-style-type: none">• Second Hand Dealer licence• Motor Vehicle Sale licence• Any other licence that falls under this category <p>2. number of complaints lodged against (about) Fair Trading and Access Canberra's Licensing & Registration for the period 1 January 2015 to 1 April 2019</p>	CMTEDDFOI2019-084 & CMTEDDFOI2019-085

Ref No	Page number	Description	Date	Status	Reason for Exemption	Online Release Status
1	1	List of Fair Trading and Licencing Complaints	30 April 2019	Partial release	Sch 2 s2.2 (a)(ii)	Yes
Total No of Docs						
1						

Reference No	Date Created	Subject	Customer or Operator entry	Outcome / Response
170825-001398	25/08/2017 02.25 PM	aCL - Fair Trad ng - Non for Profit Event Competition	Hi, Customer has called to enquire whether he will need to speak to Fair Trading before his not for profit organisation runs a small design logo competition with a prize value estimated around \$235. Can he please be contacted back via email with any information he may need before running this competition.	<p>Hi 2(a)(ii)</p> <p>Thank you for contacting Access Canberra to enquire about running a competition to design logo for non for profit organisation with estimated prize around \$235. There a promotional activity fits into the description of a Trade Promotion Lottery then a lottery permit is required under the Lotteries Act 1964 unless it meets one of the exemption categories listed below</p> <ul style="list-style-type: none"> • A promotion where the total prize value does not exceed \$3000. • A promotion where "prizes" or rewards consist totally of the granting of rebates, discounts or other allowances in respect of amounts payable, or the granting of refunds of amounts paid for goods sold or services performed in the course of carrying on that trade or business which are equally available to all customers; or • A promotion which comes within the definition of a private lottery as defined in the Lotteries Act 1964 (where participation is restricted to members of the same association or who work or reside in the same premises and where there is no external advertising of the promotion). <p>More information can be found here . Please do not hesitate to contact me should you need further information.</p> <p>Kind regards,</p> <p>Nancy Customer Coordination Phone 13 22 81 Access Canberra ACT Government\</p>
171011-001166	11/10/2017 12.57 PM	Fair Trading - I would like to lodge a formal complaint against 2(a)(ii) his details...	<p>I would like to lodge a formal complaint against 2(a)(ii) , his details listed below</p> <p>2.2(a)(ii)</p> <p>Entity type Individual/Sole Trader 2(a)(ii)</p> <p>I have contracted 2(a)(ii) for a landscaping job for my house in which we agreed on a quote of \$18,065 with the start date of 31 July 2017. Based on our agreement, I have paid him fully a 50% deposit plus full payment of sub contracting cost amounting to \$12,750. This deposit was paid fully in cash on 2 August 2017 (evidence attached). Upon our discussions, Daniel has mentioned that the entire job will take 3-4 weeks to complete, however this was not put in writing.</p> <p>I was overseas almost the entire month of August, and was not able to monitor the progress of the job. However, whilst I was overseas, 2(a)(ii) asked for more payment. I paid the tree felling service in full after he requested payment for "rent and car payments" (evidence attached). I find this to be unprofessional, however, I was happy to pay him. Following this, 2(a)(ii) did not show up to the job and was difficult to contact. After several follow ups, he declared in a text message the reason for the delay was due to him waiting for "money owed to him". At this stage, 2(a)(ii) has only completed the demolition of previous paving, mesh and prep, and half of the repaving in the back yard (evidence attached). This is not the agreed 50% progress the deposit should have covered. Yet, he continues to state that he is lacking in cash to resume the job, has pressured for more payments despite no progress, refuses to proceed with labour work that does not require cost (evidence attached). Furthermore, he has left my front and backyard in a highly non-functional state, with many exposed hazards. This is concerning as my 9 month old niece and sister are moving very soon, and the condition of the outside area is not kid safe (evidence attached).</p> <p>My numerous attempts to resolve this dispute directly with 2(a)(ii) has failed. His response is always to ask more payments without doing any progress work or does not respond at all to my text messages, calls, or emails.</p> <p>I feel very uncomfortable with his lack of professionalism. I have paid him a considerable amount in cash. I am very concerned as the work that he has completed does not reflect the money paid and he continues to press for more money with the excuse of lacking enough funds to proceed. I wish to terminate this agreement and receive my refund, however my attempts to resolve this has been unsuccessful.</p> <p>I have attached evidence of our communication, receipts, and photo evidence to support my claims above. If you require any more information, please do not hesitate to contact me.</p> <p>Regards, 2(a)(ii)</p>	<p>Dear 2(a)</p> <p>I refer to your complaint in relation to landscaping work carried out at your home by 2(a)(ii) 2(a)(ii) trading as 2(a)(ii) . I apologise for the delayed response. Investigators have made several attempts to contact and engage 2(a)(ii) via email, telephone and in person which have so far been unsuccessful. Further efforts will be made to contact him.</p> <p>Our attempt at remedying your complaint and reaching an outcome you are satisfied with has therefore been unsuccessful.</p> <p>Access Canberra does not make a determination and cannot force 2(a)(ii) to refund affected consumers for work not completed. Only a court or tribunal can enforce this.</p> <p>Access Canberra is pursuing options in relation to the conduct of 2(a)(ii) for breaches of the Australian Consumer Law including issuing a public warning and obtaining a court order.</p> <p>We believe there is another agency that is in a better position to resolve your matter than Access Canberra.</p> <p>It is suggested you may make an application to the ACT Civil and Administrative Tribunal (ACAT) who can make a determination regarding the matter. ACAT can be contacted on 6207 1740 for information on lodging an application.</p> <p>Before lodging an ACAT application, Access Canberra recommends you seek legal advice regarding the strength of your claim. There are a number of free legal advisory services in the ACT. You may be able to obtain some legal advice from the ACT Law Society who provide free 15 minute appointments. They can be contacted 6274 0300. Alternatively you may contact the Consumer Law Centre on 1800 007 007.</p> <p>I am sorry we cannot be of more assistance to you.</p> <p>Should you wish to discuss this further, please do not hesitate to contact me.</p> <p>Kind regards</p> <p>Aidan Investigator Investigations & Compliance Enforcement Access Canberra</p>
171108-000255	08/11/2017 09.15 AM	2017/003691 - Complaint not responded to by Fair Trading 2(a)	<p>Dear Sir,</p> <p>Please find attached a letter which I wrote to the ACT Department of Fair Trading on 23 June 2017 lodging a complaint against a Canberra restaurant and it practices.</p> <p>I have not had a response and I can only presume that no action has been taken in response to my letter.</p> <p>Could you please provide a full update on what is a very serious and genuine complaint against the restaurant and its operators.</p> <p>Thank you. 2(a)(ii)</p>	<p>Ministerial response provided</p>
171108-001186	08/11/2017 01.21 PM	2017/003726 - Small business disput resolution 2(a)(ii)	<p>Ministerial - Transferred to JACS</p>	<p>N/A</p>

<p>171124-000731 24/11/2017 11:52 AM Travel Agent Refund 2.2(a)(ii)</p>	<p>2.2(a)(ii) has called seeking help form fair trading. She states she is an elderly woman who purchased a \$2,500 plane ticket from Student Flights in Woden in late October for an overseas trip on November 29th. Since booking she has fallen very ill and went to the travel agent on Monday with a letter and full report from her doctor explaining her medical condition and that she is unfit for travel. After 5 days 2.2(a)(ii) called 2.2(a)(ii) back today and was told by staff that she is ineligible for a refund of the ticket due to policy reasons with the airline.</p> <p>Caller stresses she is very old and cannot afford to loose this money. She is understanding some money cannot be refunded due to administration fees but would like some assistance in retrieving at least half of the amount she paid as she is now stressing about living expenses. Caller was also given the contact number for Legal Aid for assistance in addition to fair trading.</p>	<p>Tried to call C on 2.2(a)(ii) on profile and it appears that it is 2.2(a)(ii) ctc number. If C calls pls provide following response Unfortunately there is no obligation for the travel agent to refund if their internal policy does not allow refunds in case of travellers medical inconveniences. Ultimately, it is the responsibility of the consumer when purchasing an airline ticket to ensure that they read and understand the terms and conditions associated with the refund policy as the conditions form the terms of the contract.</p> <p>Provide ACT Law Society ctc details (02) 6274 0300 to seek a free legal advice service if C wishes to pursue the matter.</p>
<p>171207-000665 07/12/2017 10:48 AM Fair Trading - Acceptable Quality/ Dell Laptop - Dell Australia Pty Ltd 171207-001630 07/12/2017 02:45 PM Service Complaint - Website Feedback - False and Misleading Advertising</p>	<p>ACL matter - Laptop malfunction Seeking weblink to information on False and Misleading Advertising</p>	<p>Referred to retailer (Dell Australia) Good Morning 2.2(a)(ii) Thank you for bringing this to our attention. For your reference, if you were looking for False and Misleading representations, please follow the link below. https://www.accesscanberra.act.gov.au/app/answers/detail/a_id/2270# tabs-8 Kind Regards, Billy Cross Case Manager Access Canberra Complaints Management Team www.act.ev.au/accesscbr 132281 Referred to Australian Competition and Consumer Commission</p>
<p>171207-001719 07/12/2017 04:58 PM Do not Call Register scam</p>	<p>2.2(a)(ii) answered a call this morning from someone saying they were with Telsra's Do Not Call line. She got suspicious when they gave her her expiry date on her credit card and then told her what the first 4 and last 4 digits of this card was. When they asked her for the four middle digits of this card, she promptly hung up. She called Telstra and asked if staff from their Do Not Call service makes calls such as this. She was told by them that they didn't. She also attended a police station today to report it. She as advised by them to contact Access Canberra and let us know. 2.2(a)(ii) is an elderly person and was very distrubed by this call. Could someone get in contact with her, to have a chat about this issue.</p>	
<p>180102-001078 02/01/2018 01:02 PM 2017/004169 2.2(a)(i) - Multicultural stall invoice</p>	<p>Dear Chief Minister I paid for the above association stall payment for last year Multicultural food festival time and another Multicultural Festival is coming soon, it is a shame that still I have to chase and have to send email to you, that still to date my invoice is due. I sent you email about this matter. in July 2017 and Now it is mid December, I know you are very busy person but as a association and stall holder who paid their stall payment they have every right to ask for their paid invoice. After I wrote many times, I received may be in May 2017, one dozy invoice and then, I asked to 2.2(a)(ii), please send me proper invoice because the invoice they sent me, there is no mention what purpose that \$2110 I paid for. It was a dozy invoice. Since then I was waiting but enough is enough. Please provide instruction to the right person to issue and send to me a correct and genuine invoice for my association. Thanks 2.2(a)(ii)</p>	<p>Fwd to Community Services Directorate</p>
<p>180118-000462 18/01/2018 10:39 AM Hawker in incorrect location for more than 30 minutes.</p>	<p>Good afternoon, A complaint has been made by Hawkers permit 2.2(a)(ii) how is approved for Sulwood Drive 200 metres West of Athlon Drive roundabout KAMBAH ACT 2902 The complaint is against hawker 2.2(a)(ii) has been setting up at the same location as above for longer than 30 minutes. 2.2(a)(ii) has approval for a different location along Sulwood Drive (South bound) approximately 250 metres south east of Colquhoun Street KAMBAH ACT 2902 Please you make a visit to Sulwood Drive (200 metres West of Athlon Drive roundabout) KAMBAH ACT 2902, if hawker 2.2(a)(ii) is present please remind them that they are not set up in there approved location and can only remain for 30 minutes without approval.</p>	<p>Dear 2.2(a)(ii) you for bringing this matter about a hawker in the incorrect location to Access Canberra's (AC) attention. AC has finalised its investigation into the matter and been in contact with the other licensee and reminded it of its obligations under the Public Unleased Land Act 2013</p>
<p>180322-001255 22/03/2018 01:34 PM Service Complaint - Closure of ORS Shopfront - 255 Canberra Ave Fyshwick</p>	<p>I wish to complain about the fact that Access Canberra has not communicated that Births, deaths and marriages in Fyshwick has closed My husband and I drove out to Fyshwick this morning with our three week old baby to register his birth To find a sign out the front stating that Births, deaths and marriages was closed and that we had to go to Access Canberra in Belconnen, Gunghalin, Tuggeranong or Woden. We then had to drive all the way back to our local area to register his birth. Considering there is absolutely nothing on your website about them closing in Fyshwick or that you can now register our baby at an Access Canberra gov shop. There was nothing even in the parents paperwork we were provided at the hospital I am disgusted that no one has bothered to even put it on the website or with the paperwork and for you not to inform new parents with little infants is disgusting.</p>	<p>H 2.2(a) I would like to apologise for the experience you received when you attended the closed Fyshwick Shopfront. Unfortunately the Fyshwick Shopfront closed to the public on the 30th November 2016. During that period, it was communicated on the Access Canberra website (www.accesscanberra.act.gov.au) for several months that the shopfront was closing and subsequently had closed. Currently, on the Environment, Planning and Sustainable Development Directorate – Planning's website (https://www.planning.act.gov.au/home/news/access-canberra-fyshwick-shopfront-will-close-on-30-november-2016) it still mentions the closure. I understand that the paperwork to register a birth also doesn't mention the closure of Fyshwick, it advises that to lodge the form in person to please visit www.act.gov.au/accesscbr or call 132281 to find an Access Canberra Shopfront. The Access Canberra website (https://www.accesscanberra.act.gov.au/app/answers/detail/a_id/4430#tabs-4) now lists all the available service and specialised centres including estimated wait times and a broad list of services they are available to assist with. Unfortunately as it has been over a year since the closure, information regarding the Fyshwick Shopfront has now been removed from the Access Canberra website. Access Canberra aims to make services and transactions available online, in person and over the phone at times that suits you which does include Births, Deaths and Marriages information and services. I understand your frustration at the situation and apologise for your experience. We thank you for taking the time to provide your feedback and will do our best to improve our service. Kind Regards,</p>

180406-000558	06/04/2018 10:39 AM	Contact Centre delay - Fair Trading	I want to talk to OFT and have been on hold for 15 mins waiting for Access Canberra to get me out of the queue. Why not list numbers for other agencies???	Call Log NFA
180410-000368	10/04/2018 10:17 AM	Fair Trading - Inquiry - Unhappy with how investigation has been undertaken	2.2(a)(i) called (from Woden service centre) to follow up on previous complaints made to 2.2(a)(ii) starting more than 5 years ago against strata manager, 2.2(a)(ii). I was able to find a case 7645 in IBS from June 2017 but nothing older. 2.2(a)(ii) is very unhappy with lack of action against 2.2(a)(i) and because 2.2(a)(i) conduct continues to be questionable. 2.2(a)(i) wants to post in a complaint. I suggested 2.2(a)(ii) send request for review or complaint and provide details for more recent conduct concerns to the head of Access Canberra, David Pepper.	Transferred to Land Titles
180426-002220	26/04/2018 08:07 PM	Customer Query - 2.2(a)(ii) Motor Vehicle Trader Details	2.2(a)(ii) is requesting a full list of all Motor Vehicle Traders so we can send a letter of notification regarding the Takarta airbag issues we are working on. We are after a contact that we can work with so we can communicate to these Motor Vehicle Traders. As you may be aware this world wide issue is very sensitive so a quick response would be appreciated.	Fwd to line area, Referred to REGO
180611-000491	11/06/2018 11:24 PM	Construction Occupations (Licensing) Act 2004 - benefits and strengths	Thanks. I am looking for details of the benefits to the construction industry since the Construction Occupation Licensing Act 2004 was introduced e.g. less fatalities, better builds, less cowboy builders etc. I am struggling to source this information and wondered whether you might have some documents you could please forward to me?	Fwd to line area
180725-000698	25/07/2018 11:22 AM	Service Complaint - Closure of ORS Shopfront - 255 Canberra Ave Fyshwick	Please update your website to reflect that Access Canberra is no longer based at 255 Canberra Ave in Fyshwick as I have attended there and been told you moved 18 months ago	Anonymous Complaint - NFA
180828-002409	28/08/2018 11:42 PM	Licensing - Second Hand Dealer - Unlicensed - 2.2(a)(ii)	I am a solicitor acting for the executors of the estate of the late 2.2(a)(ii). On 28 April 2018, acting under instructions from the executors, 2.2(a)(ii) conducted an auction to sell estate property located at 2.2(a)(ii) ACT. Despite many emails, SMS and telephone communications, the executors are yet to receive from 2.2(a)(ii) 1. A complete detailed listing of all estate property items offered and sold at the auction including auction prices received; and 2. Proceeds from the auction. Based on my investigations, it appears that 2.2(a)(ii) is not registered as a "licensed second-hand dealer" on the Second-hand dealer register with a traders licence issued under the Traders (Licensing) Act 2016 pursuant to the Second-hand Dealers Act 1906 and the Second-hand Dealers Regulation 2002. I am instructed to report 2.2(a)(ii) through Access Canberra requesting that the Commissioner for Fair Trading investigate 2.2(a)(ii) for carrying out a licensed activity when he is not licensed to carry out the licensed activity, trading as a second-hand dealer, committing an offence under section 45 of the Traders (Licensing) Act 2016	Dear 2.2(a)(ii), Thank you for your email in relation to 2.2(a)(ii) allegedly providing second-hand dealer services without a license. As discussed, our investigation shows your client's contract was with 2.2(a)(ii) 2.2(a)(ii) and not directly with 2.2(a)(ii). As such, under Traders (Licensing) Act 2016 2.2(a)(ii) would be the entity providing the second-hand dealer services. I can confirm that our records show that 2.2(a)(ii) does not hold a second-hand dealers licence. Access Canberra has made attempts to contact 2.2(a)(ii), as a representative of 2.2(a)(ii), without success. Further, a company search on 2.2(a)(ii) 2.2(a)(ii) shows the company was deregistered on 10 September 2018. As 2.2(a)(ii) has been deregistered and this entity was the one providing the second-hand dealer services, Access Canberra is unable to pursue this matter further. In relation to 2.2(a)(ii), I understand that you are pursuing him on behalf of your client to seek civil damages. During this time, if you find evidence of 2.2(a)(ii) himself providing second-hand dealer services please forward this information to our office for investigation. Thank you for bringing this matter to our attention.
181013-000143	13/10/2018 11:39 AM	Make a complaint against a business or trader	This feedback is about https://www.accesscanberra.act.gov.au/app/answers/detail/a_id/1598 There seems no on-line ability to make a complaint about a business trading illegally.	Advised caller this is an available option by searching "make a complaint about a business or trader" on AC website however left my contact number to call back if further assistance is required.
181022-001435	22/10/2018 01:19 PM	Fair Trading - Enquiry - Security licence	2.2(a)(ii) I applied for my security licence months ago. I was given direction to obtain further qualifications to obtain the licence. This I have done & provided to the licensing department of Access Canberra 3 weeks ago. I emailed in regards to the provided qualifications on the 8th/10/18 & I was told to wait for a response. I asked the licensing department for a response ASAP as I have employment that requires me to have my security licenses before I can start. I would like a reply regarding my security licence application & the reason it has taken so long.	Dear 2.2(a)(ii), Thank you for your email. We have been assessing your application and propose bringing it to the attention of the Commissioner for Fair Trading or his delegate for a decision next Thursday 1 November. Once the decision is made we will inform you of the outcome. Regards Heather Kellie Community, Industry and Trader Licensing Access Canberra

190219-001515 19/02/2019 01:05 PM Customer Service - Visit from Access Canberra to 2.2(a)(ii) - Access Canberra

My name is 2.2(a)(ii) and I am the owner and 2.2(a)(ii). Two men (aged 40's possibly early 50's) named 2.2(a)(ii) came unannounced to the office of 2.2(a)(ii) at about 11.30am on 19 February 2019 stating that they were from Access Canberra. I was working away from the office at the time. The two men came to our office which is located at our home in 2.2(a)(ii). They came to the front door of the house and spoke to my husband 2.2(a)(ii) who answered the door, requesting to speak to someone from 2.2(a)(ii). 2.2(a)(ii) then called out to 2.2(a)(ii) the property manager at 2.2(a)(ii), who was in the office. She came out to the front door area of our home. The following was written by 2.2(a)(ii) who spoke with 2.2(a)(ii) 2.2(a)(ii).

"They were introduced as 2.2(a)(ii) (no surnames) and were wearing navy blue trousers, a navy blue shirt with Access Canberra logo on front left hand side. Black shoes.

They said that they needed to bring something to our attention where advertising was concerned as they had received a report from a member of the public advising that there was a cash incentive for referrals listed on the 2.2(a)(ii) website.

They said that this is a breach of the Act and could we please remove it.

They were carrying two sheets of paper, one a print out of the 2.2(a)(ii) web page and the second was a print out of the section of the Act.

2.2(a)(ii) immediately said he would remove it from the website. I apologised to the two men for the oversight and they said it was common and that they had received many similar complaints in the ACT and it was common practice for them to address this in person.

I asked if we needed to confirm with them that this had been removed and they said no, they will check up from their end. He then confirmed our email address as he said we would receive an email to say that they had visited the office and spoken to 2.2(a)(ii). They then left the property".

I returned from my appointment around 11.45pm and called Access Canberra to clarify the situation. I was aware of the page they were referring to and wanted to clarify if what we were offering owners was also an issue in conjunction to the Westfield gift card. I was under the impression that this section of the website was not visible to the public however it was my mistake and I wanted to correct this immediately. The page was removed prior to calling Access Canberra at 11.51am I was transferred to two people before then getting transferred to 2.2(a)(ii) in the Complaints Section. I informed her of what happened and asked if there was a 2.2(a)(ii) for me to speak to so that I could confirm that we had in fact taken the page down and to apologise for the mistake. 2.2(a)(ii) had mentioned how lovely they were and I also wanted to thank them for being kind about the situation. They had left no contact details at our office and we had no previous correspondence from them so I was unsure of which area of Access Canberra they were from.

2.2(a)(ii) advised that after speaking with her manager (I think it was her manager) that the situation seemed odd as there were no flags against 2.2(a)(ii) in her system and that something like this would have been dealt with over the phone. It also hadn't come through her area and she found that odd as well. At this point, I was beginning to get worried that the visit wasn't as it should be and questioned if there was something further going on that we weren't aware of and perhaps should be. She suggested that I put in this feedback so that the event could be escalated and resolved. 2.2(a)(ii) was also lovely deal with and mentioned that after the feedback was submitted, it would come to her area and I would be called back to let us know if there was anything further that we need to correct or be aware of.

Thanks.

2.2(a)(ii)

Nancy forwarded this Enquiry to Janelle.Grattidge@act.gov.au, Ben.McMahon@act.gov.au Hi Janelle and Ben,
We have received this incident through CRM about inspectors from AC visiting 2.2(a)(ii). 2.2(a)(ii) to provide education about the requirements of the Agents Act 2003.
It appears that the inspectors have not provided their full details nor any document to support the purpose and the outcome of the inspection.
Can you please investigate this matter and respond to the customer's query about the requirement of the Acts and the legitimacy of the inspection and advise us when this is complete to be able to resolve the case.
Thanks
Nancy Nasr
Access Canberra
Complaints Management Team

190307-001174 07/03/2019 12:26 PM Service Complaint - Responded with Attitude - Construction Workplace Licensing

Customer has advised he has never spoken to someone so rudely at Construction Workplace Licensing. Customer asked the Customer Services Operator (CSO) a question and CSO responded to customer with attitude. Customer couldn't understand the CSO and asked them to repeat his white card number and CSO responded clearly it is the number.