

Australian Business Licence & Information Service

This is a really valuable website for anyone considering starting a business or those who are established and want to check they are complying with everything they should be. ABLIS helps you to find the government licences, permits, approvals, registrations and guidelines that are relevant to your business type, industry and state.

All your legal obligations are listed here in one place and it is very easy to use. For example, in a matter of seconds you can search “Plumbing” in your state and be given a list of all possible requirements. You can then select from the list which ones are applicable to your business, and be directed to the appropriate website. You can also do a custom search for example by “Home Business” and your postcode, then you will be given a list relevant to your search.

What’s more, you are able to import this list to your ABA account and keep track of what registrations are completed or in process.

<https://ablis.business.gov.au/pages/home.aspx>



About Australian Consumer Law

Australian Consumer Law (ACL) was introduced in January 2011. Prior to this date, each State and Territory had their own laws for consumer protection, which meant that different rights and obligations applied. Now there is a unified national law governing fair trading and consumer protection that applies in all States and Territories and to all Australian businesses. It is administered and enforced by ACCC, State and Territory consumer protection agencies, and when relevant ASIC. Note that the ASIC Act will continue to apply to financial products and services.

Consumer law governs things such as:

- a national unfair contract terms law covering standard form consumer contracts;
- a national law guaranteeing consumer rights when buying goods and services;
- a national product safety law and enforcement system;
- a national law for unsolicited consumer agreements covering door-to-door sales and telephone sales;
- simple national rules for lay-by agreements; and
- new penalties, enforcement powers and consumer redress options.

You (as a consumer) are entitled to expect businesses you deal with to be truthful about the product or service they are supplying, and to honour its obligations under the ACL. The ACL provides certain guaranteed rights for consumers.

The ACL also provides protections for consumers such as a vendor not including unfair terms in their contract, honouring guarantees offered, ensuring the safety of products and services, and complying with the rules on pricing, consumer information, and lay-by arrangements.

Know your rights when purchasing goods & services:

When making business purchases, the ACL provides businesses with guaranteed rights.

When a business purchases goods of a value of \$40,000 or less, for use within the business, the law guarantees the product must be safe, durable, free from defects, fit for purpose, acceptable in appearance, match its description and match any sample or demonstration model. This does not prevent extra warranties being offered to you.

You also have these guaranteed rights when buying road vehicles or trailers for use principally in the transport of goods on public roads.

Be aware of your customers' rights:

Every business has a responsibility to respect a customer's rights under the ACL, and to honour its legal obligations. Almost all business comply with the law, but all businesses should remember they are required to meet general standards of business conduct, as well as comply with specific protections for consumers against unfair business practices. These include:

- using standard form contracts that do not have unfair terms;
- honouring consumer guarantees;
- ensuring the safety of products and services; and
- complying with rules on sales practices, including those on prices, consumer information, lay-by agreements and unsolicited consumer agreements.

For further information and guidance visit www.consumerlaw.gov.au

The ACCC provides a checklist so a business can self-assess whether they are complying with the law.

The checklist has been designed for small businesses to self assess their business and identify which of their activities are regulated under the Australian Consumer Law (ACL). The checklist is designed to help businesses become aware of their rights and obligations when it comes to dealing with consumers and how to comply with their obligations under the ACL.

For more information:

A PDF fact sheet is available explaining the Australian Consumer Law and your Business.

For a good overview see this document: ACL—an introduction

If you really want the details see this document: ACL—a guide to provisions

The ACL's Small business self-assessment checklist

For the full legislation: www.comlaw.gov.au/Details/C2010A00044

Disclaimer: All or any advice contained in this newsletter is of a general nature only and may not apply to your individual business circumstances. For specific advice relating to your specific situation, please contact your accountant or contact me for further discussion.

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