

Outcomes Report 2022–23



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Acknowledgement of Country

The Queensland Government respectfully acknowledges Aboriginal and Torres Strait Islander peoples as the Traditional and Cultural Custodians of the lands on which we live and work to deliver fair trading services to all Queenslanders, and recognises the continuation of First Nations peoples cultures and connection to the lands, waters and communities across Queensland.

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.

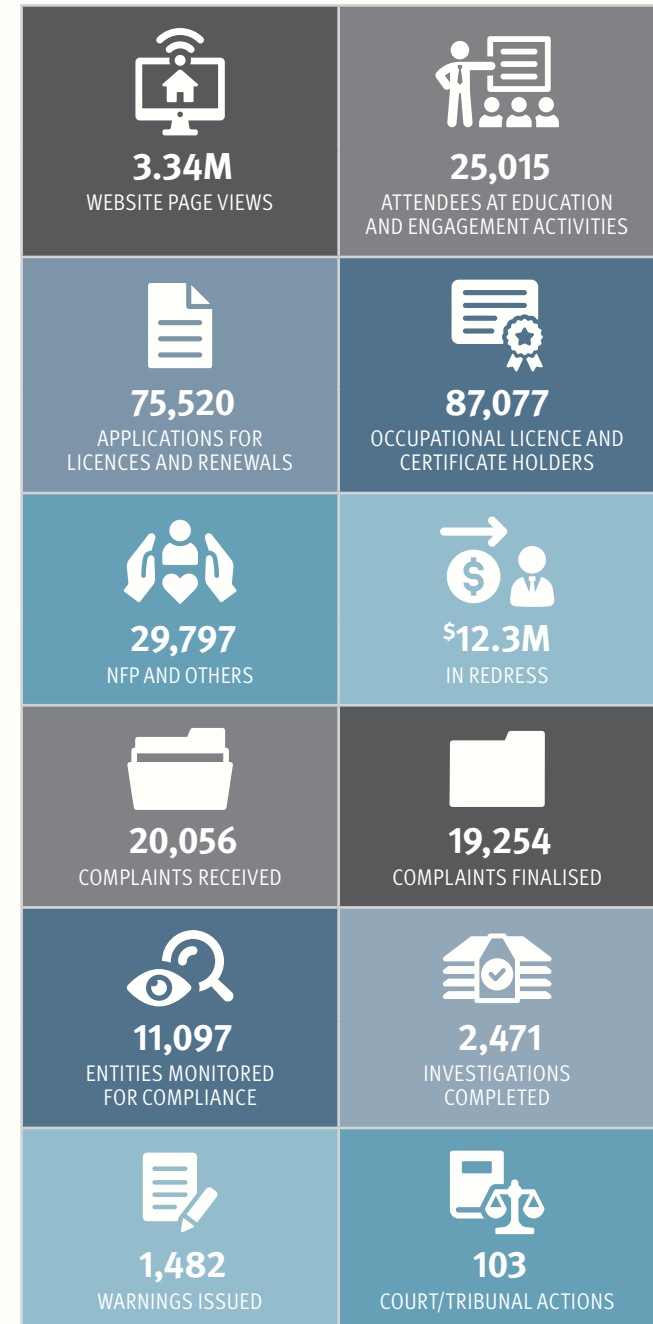
We work closely with fair trading regulators in other states and territories, as well as federal agencies including the Australian Competition and Consumer Commission (ACCC) and the Australian Securities and Investments Commission (ASIC). We also work directly with local law enforcement authorities and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

About this report

This report provides an overview of the OFT’s strategies, functions and activities for 2022–23. It highlights where we focused our resources, and the results we achieved.

Summary of OFT Outcomes 2022–23

INFORMATION AND EDUCATION	Website page visits	3.34million
	Call centre contacts	143,654
	Hours of phone contact	12,068
	Enquiries received	80,637
	Businesses engaged with on trader walks	1,953
	Education and engagement activities (eg seminars, presentations, stalls)	1,504
	Number of attendees at education and engagement activities	25,015
LICENSING AND REGISTRATIONS	Occupational licence and registration certificate—applications processed	19,327
	Occupational licence and registration certificate—applications for renewal processed	56,193
	Number of occupational licence and certificate holders as at 30 June 2022	87,077
	Not-for-profit applications processed	2,819
	Not-for-profit annual returns processed	19,722
Number of not-for-profits and other organisations registered as at 30 June 2022	29,797	
COMPLAINTS AND REDRESS	Redress	\$12.3million
	Complaints received	20,056
	Complaints finalised	19,254
COMPLIANCE	Entities monitored for compliance	11,097
	Investigations completed	2,471
ENFORCEMENT ACTIONS	Warnings issued	1,482
	Infringements issued	386
	Administrative disciplinary actions	1,264
	Civil penalty notice (CPN)	7
	Disciplinary proceedings, Queensland Civil and Administrative Tribunal (QCAT)	10
	Enforceable undertakings	6
	Public naming	1
Court actions	93	



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

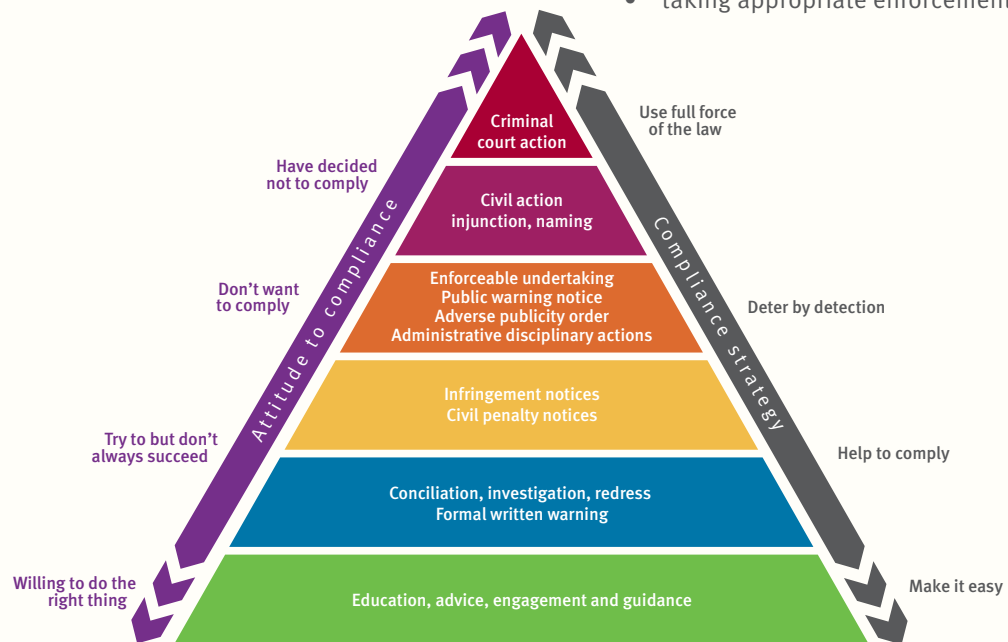
The OFT’s goal is to achieve a fair and safe marketplace. We recognise that most businesses want to comply with the law and to facilitate this we follow an escalation model of education, compliance, and enforcement. As a trader’s attitude to compliance deteriorates, our regulatory response escalates.

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 the not-for-profit sector
- receiving and considering complaints
- a proactive, intelligence-driven compliance program targeting areas where consumers are most at risk
- taking appropriate enforcement action.



RESULTS

Redress

In 2022–23, the OFT obtained approximately \$12.3M redress for consumers.

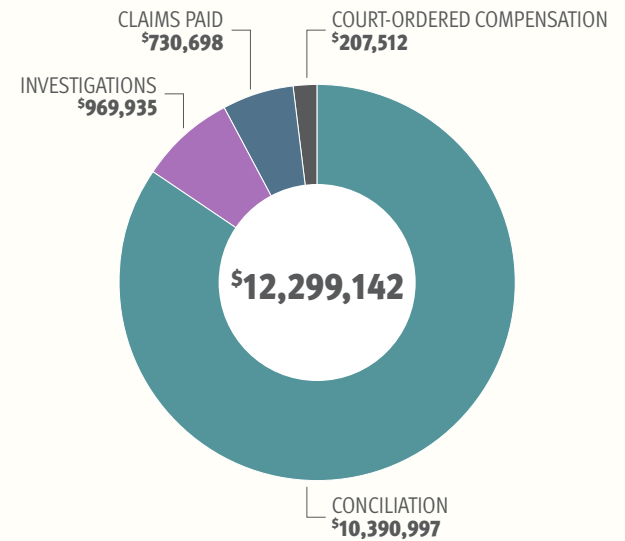
Redress is the compensation, restitution, or the in-kind value provided to a consumer, to reimburse them for faulty or unsupplied goods or services, or to remedy a breach.

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.

How redress was obtained in 2022–23



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CASE STUDY

A consumer purchased two mechanised sofas for \$6,927 from a furniture retailer. After delivery, the consumer discovered the motor in one of the sofas did not work. After a lengthy delay negotiating with the trader, a repairer attended the consumer's home. The repairer was unable to fix the issue due to a lack of parts, which would take approximately five months to arrive.

As the consumer had already been without an operable sofa for 18 months while negotiating with the trader, the consumer did not believe they should have to wait this additional period of time and sought the OFT's assistance.

After the OFT's intervention, the trader located spare parts and the repair was completed.

CASE STUDY

A consumer attempted to purchase international flights through an online agency. When completing the checkout process, an error message advised the payment had failed but when the consumer checked their bank account, they found the money had been deducted.

The consumer made multiple attempts to resolve the matter with the agency but they declined to assist, suggesting the consumer raise the issue with their bank.

After the OFT's intervention, the trader provided a refund of \$4,211.

CASE STUDY

An elderly, First Nations consumer purchased a new mobility scooter. Over the first 9 months the scooter had multiple issues that required repair and it also needed a new battery as the original had ceased to charge. The trader offered to reimburse the consumer for the costs of the repairs and a new battery.

The consumer paid \$455 for repairs and \$300 for a battery but did not receive the promised reimbursement and they sought the OFT's assistance.

After the OFT's intervention, the trader fully reimbursed the consumer.

CASE STUDY

In February 2023, Matthew John Moorcroft Carey, a self-employed sole trader using the business name Red Earth Valley Canvas and Trim, was charged by the OFT and found guilty of ten counts of wrongly accepting payment from consumers to manufacture and supply Land Rover hoods and canvas, and then failing to supply those goods.

Mr Carey obtained business from consumers by posting advertisements on social media and marketplaces, including Land Rover community pages. After contact was made by consumers Mr Carey issued them invoices requiring full payment upfront. He made numerous false claims to consumers to explain the delay in providing orders after his promised completion dates had passed. Only one order was supplied by Mr Carey, however those supplied goods were found to be of poor quality and not fit for purpose.

Mr Carey was fined \$10,000 in the Pine Rivers Magistrate Court on 3 February 2023 and ordered to pay over \$14,000 in compensation to the affected consumers.

Enquiries, information, and advice

The key activity undertaken by the OFT to achieve a fair and safe marketplace 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 2022–23.

The number of calls to the OFT seeking general information and advice in 2022–23 was approximately 1% more than the previous year. There was a decrease in calls seeking information about licensing and an increase in calls seeking consumer advice. Categorised, the calls received related to information and advice about:

- consumer rights—58% of calls
- licensing—31% of calls
- not-for-profit and registrations—11% of calls.

There were 143,654 calls to the OFT answered in 2022–23.

Enquiries are recorded contacts with clients seeking 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 2022–23 OFT recorded more than 80,637 enquiries.

Education and engagements are recorded contacts with clients to provide consumer law education and advice or industry specific information. Examples of activities 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 25,015 people through 1,504 activities in 2022–23.

Notes:

1. For more details about OFT's information, education and engagement activities during 2022–23 see page 22

Provided information

3.8M times



Enquiries

>143,654



Education and engagement

>25,015 people through 1,504 activities



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 2022–23 the OFT received 20,056 complaints. This was 5.8% more than the previous year.

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 2022–23 the OFT finalised 19,254 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 2022–23 the OFT achieved the timeliness target, with 82% finalised in 30 days, but slightly missed the quality target, achieving 76% satisfactorily finalised.

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

In 2022–23, the OFT:

- received 19,064 conciliation complaints
- finalised 19,254 conciliation complaints
- obtained \$10,390,997 in redress for consumers through conciliation.



A consumer purchased vinyl plank flooring and had the product installed in his home by the trader. After a period of time, mould appeared on the planks. The manufacturer initially agreed to replace the affected planks under the manufacturer's warranty but on inspection found the flooring was not installed by the trader in accordance with the manufacturer's instructions. The consumer attempted to resolve the issue with the trader without success.

After the OFT's intervention, the consumer was provided a full refund of \$18,788.



20,056

COMPLAINTS RECEIVED



76%

SATISFACTORILY FINALISED



>\$10M

REDRESS VIA CONCILIATION

Investigation and enforcement

A key function of the OFT is to investigate possible 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 2022–23, the OFT:

- **commenced 2,548 investigations**
- **finalised 2,471 investigations**
- **secured \$969,935 in redress for consumers via investigations**
- **obtained \$207,512 for consumers through court-ordered compensation.**

Where investigations substantiate a breach of legislation, the OFT has various enforcement options available. These 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 shown in the enforcement pyramid detailed on page four of this report. Enforcement options include:

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



INVESTIGATIONS

2,548

COMMENCED

2,471

FINALISED



REDRESS

\$969,935

VIA
INVESTIGATIONS

\$207,512

VIA COURT ORDERED
COMPENSATION

Enforcement actions

In 2022–23, the OFT initiated a total of 3,249 enforcement and disciplinary actions against traders and licensees. A breakdown by Act and action type is below.

Act	Warning	Infringement notice	Administrative disciplinary action	Civil Penalty Notices (CPN)	Public naming	Disciplinary proceeding (QCAT)	Enforceable undertaking	Court action
<i>Agents Financial Administration Act 2014</i>	983	251					2	11
<i>Associations Incorporation Act 1981</i>	1							
<i>Collections Act 1966</i>								3
<i>Debt Collectors (Field Agents and Collection Agents) Act 2014</i>	2	2						
<i>Fair Trading Act 1989 (incorporating the Australian Consumer Law)</i>	138				1		3	71
<i>Fair Trading Inspectors Act 2014</i>	1	1		7				
<i>Introduction Agents Act 2001</i>	1							
<i>Motor Dealers and Chattel Auctioneers Act 2014</i>	62	50				1	1	2
<i>Property Occupations Act 2014</i>	76	57				2		4
<i>Second-hand Dealers and Pawnbrokers Act 2003</i>	20	3						
<i>Security Providers Act 1993</i>	177	22	1,264			6		2
<i>Tattoo Industry Act 2013</i>	21					1		
Total	1,482	386	1,264	7	1	10	6	93

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.
- OFT's systems are designed to enable records to be updated as information becomes available. Information provided here is only a snapshot at a point in time, in this case, 30 June 2023, and cannot be relied upon as an official record.



Court/Tribunal Actions

In 2022–23, the OFT undertook 103 court actions. These involved:

- 57 for wrongly accept payment under the ACL
- 14 for making false or misleading representations under the ACL
- 6 for breaches of trust account requirements
- 5 for wrongful conversion of monies received in trust
- 4 for unlicensed activity (real estate, motor dealing industries and security providers)
- 1 for false representations about mileage
- 3 for conducting unlawful appeals for support
- 10 entities appealed against a licensing decision (real estate, motor dealing and security providers)
- 3 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.

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COURT/TRIBUNAL ACTIONS

57 wrongly accepted payment

14 false or misleading representations

6 breaches of trust account requirements

5 wrongful conversion of monies

4 unlicensed activity

1 false representations about mileage

3 conducting unlawful appeals

10 appeals against a licensing decision

3 appeals against a court decision



BRISBANE REAL ESTATE AGENT JAILED FOR FRAUD

Newmarket real estate agent Graham John Patterson was sentenced to three years imprisonment in the Brisbane Supreme Court (13 June 2023) after pleading guilty to one count of fraud. Mr Patterson also received separate concurrent sentences of four and five years for other matters dealt with by the Queensland Police.

Mr Patterson was the co-director and shareholder of Warragrove Pty Ltd, which traded as Leo & Co Property Management, until September 2018 when he resigned as director but continued to be employed as the licensee in charge.

The court heard that between December 2018 and May 2019, Mr Patterson wrote 56 cheques from the trust account with a combined value of \$58,377. These were deposited into six separate bank accounts, across three different banking institutions, for which he was the sole signatory.

The director of Warragrove did not give the defendant permission or authority to use or take the money. The director of Warragrove also reimbursed the full amount to the trust account, ensuring no consumers were out of pocket.

Infringement notices and civil penalty notices

In 2022–23, the OFT issued 386 infringement notices and 7 civil penalty notices.



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 2022–23, the OFT publicly named one trader.

Court enforceable undertakings

In 2022–23, the OFT entered into 6 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](#).



TRUST ACCOUNTS

Certain licensees regulated by the OFT—real estate agents, auctioneers, motor dealers and debt collectors—must have a trust account if they receive money on behalf of others. They must also have the trust records audited regularly and the results must be reported to the OFT. These requirements help ensure money held in trust is properly dealt with and can be accurately accounted for at all times.

In 2022–23, 102 infringement notices were issued for the late lodgment of audit reports.

FESTIVAL IGNITE PTY LTD, DINOSAUR FESTIVAL AUSTRALIA

On 16 January 2023, the OFT publicly warned consumers not to deal with Festival Ignite Pty Ltd.

The company advertised and sold tickets for events through their website, dinofestivalaustralia.com, and their Facebook page, Light Festival Australia, but the events did not take place. Between August and December 2022, 30 ticket holders complained to the OFT that the events continued to be postponed or canceled but that the trader refused to provide a refund. The company then began promoting events in Queensland for 2023, but the proposed venues advised the OFT that bookings had not been made with them. The OFT also found the company had no representative in Australia to manage or resolve consumer issues.

OFT issued a public warning to consumers, advising them to avoid dealing with Festival Ignite Pty Ltd.

COSMETIC TRADER ENTERS FORCEABLE UNDERTAKING

The OFT conducted a proactive compliance spot check at a temporary stall operated by Aloe Vera Cosmetics Australia Pty Ltd. The trader was found to have been offering for sale cosmetic products that should have had ingredient labelling on them, or the ingredient information should have been provided at the point of sale.

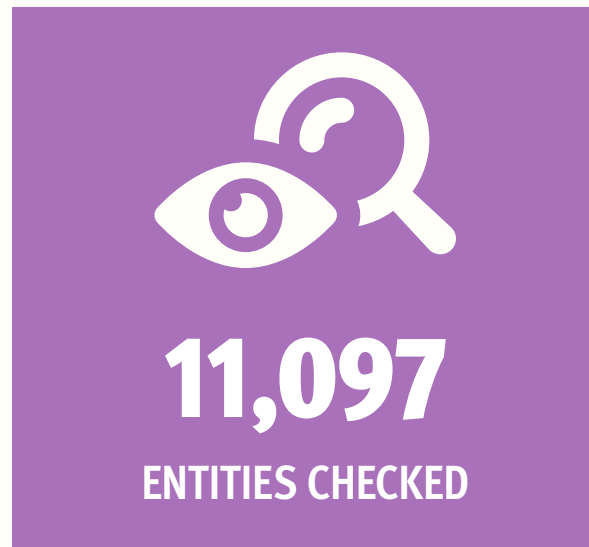
The trader undertook to make a \$1,000 donation to a Queensland based charity, implement an approved Consumer Product Safety Compliance Program, and comply with their responsibilities under the Australian Consumer Law.

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 spot checks, and 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
 - court prosecution or tribunal action.



OPERATION TENSILE

On 28 February and 1 March 2023, the OFT participated in a multi-agency operation with the Department of Environment and Science (DES) and Queensland Police Service (QPS) targeting traders dealing in scrap metal.

The operation involved making unannounced visits and conducting spot checks. Various compliance issues were identified during the operation including unlicensed second-hand dealing (OFT), unlicensed scrap metal operations (DES), insufficient environmental controls (DES), and stolen property breaches (QPS).

OFT participated in 19 inspections over the two-day operation, and completed another three subsequent inspections following the joint operations. From these inspections, 15 businesses were referred for further investigation by the OFT.

The OFT issued 16 warnings and 1 infringement notice from this operation, with further action being undertaken by QPS and DES.

PRIME scheduled operations

National Operation	Spot checks		Investigation outcomes ¹							
	No breach detected	Sent for investigation	No breach ³	Other	Enforcement actions ²					
					Warning issued	Infringement issued	CPN issued	Public naming	Enforceable undertaking	Court prosecution
VULNERABLE22/23E —Identifying traders who may be targeting, or whose complaint procedures fail to support vulnerable and disadvantaged consumers. Undertaking compliance or educational activities as required.	12									
Queensland operations										
ACL CARAVAN22/23 —conducting checks of caravan dealers to ensure compliance with ACL.	1									
CHARITY22/23 —Ensuring compliance with the <i>Collections Act 1966</i> .		12		12						
COMPLAINTS22/23 —early engagement with traders who receive a spike in consumer complaints to address issues and reduce complaints.	8	3			1					
EVENTS22/23 —Conducting checks across targeted regional events to ensure compliance of security providers and resident letting agents.	39	5			3					
DESKTOPACL22/23 —Desktop audits of retail advertising—focus on was/now pricing, bait advertising and misrepresentations.	39	3		1	1					
FUNERALS22/23 —Identifying and addressing consumer issues in the funeral services industry with a focus on funeral price transparency.	100	26		19	6					
LIVESTOCK22/23 —Conducting checks at Chattel Auctions to ensure compliance.	1									
MD22/23 —Improving and enforcing motor dealer industry compliance.	49	43	4	3	33	9				
NEW22/23E —providing education to newly licensed traders.	44									
RE22/23 —Improving and enforcing real estate industry compliance.	200	52	11	2	38	5				1
REMOVALS22/23 —Identifying and addressing consumer issues in relation to removalists.	37	12	5		6					
SECURITY22/23 —Improving and enforcing security industry compliance.	41	15	3	2	5	3				
SHD22/23 —Improving and enforcing second-hand dealer industry compliance.	37	12		1	9	1				
TATTOO22/23 —Improving and enforcing tattoo industry compliance.	17	6		4	6					
UNLICENSEDMD22/23 —Identifying and addressing issues in relation to unlicensed motor dealers and motor dealers selling privately. Includes dob in a backyarder referrals.	20	14		4	8	2				
WRECKERS22/23 —Educating repairers and the wrecking industry regarding when a licence is required.	5	1		1						
TENSILEBMR22/23 —*Joint operation with Dept of Environment and Science and QPS targeting unlicensed Scrap Metal Operators.	7	15			16	1				
Total operations (18)	657	219	23	49	132	21	0	0	0	1

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 operations

Legislation/industry	Spot checks		Investigation outcomes ¹							
	No breach detected	Sent for investigation	No breach ³	Other	Enforcement actions ²					
					Warning issued	Infringement issued	CPN issued	Public naming	Enforceable undertaking	Court prosecution
<i>Agents Financial Administration Act 2014</i>	14									
Australian Consumer Law (QLD)	11	4		3	1					
<i>Motor Dealers and Chattel Auctioneers Act 2014</i>	7									
<i>Property Occupations Act 2014</i>	4									
<i>Second-Hand Dealer and Pawnbrokers Act 2003</i>	10	1			1					
<i>Security Providers Act 1993</i>	2									
<i>Tattoo Industry Act 2013</i>	1									
TOTAL NS22/23	49	5		3	2					

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.



AUSTRALIAN CONSUMER LAW

During 2022–23 the OFT undertook fifteen unscheduled, unannounced, spot checks under the Australian Consumer Law. The checks focused on a number of issues including price scanning, unit pricing, gift card requirements and refund signage.

Eleven of these checks found no breaches of legislation occurring at the locations visited and four were referred for investigation. One warning was issued to a trader whose gift cards did not have a 3-year validity as required by law.

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 property 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 8,500 trust accounts are held across 13 financial institutions in Queensland.

Major breaches which lead 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 2022–23, the OFT received 152 claims from consumers and paid \$730,698 in compensation to 135 consumers. A further \$245,992 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 2022–23, \$860,591 was recovered.



≈8,500
trust accounts
across
13
financial
institutions
in QLD



Six consumers entered into agreements with a licensed motor dealer to sell their caravans on consignment.

The motor dealer sold the caravans but failed to provide the proceeds to the consumers. The consumers were then advised that the motor dealer had gone into liquidation. Each of the six consumers lodged a claim against the claim fund.

The OFT investigated the matter and was satisfied that, on the balance of probabilities, the motor dealer had either misapplied, misappropriated or stolen property entrusted to them and had caused the consumers to suffer a financial loss.

The OFT allowed the six claims for a total of \$134,500 and referred the matter to the police.

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 158,600 hospital admissions and 202,800 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.

In 2022–23, OFT prioritised a number of high risk consumer product safety areas including button batteries, toy safety, online retailers, market retailers, and importers.

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 2022–23, the OFT conducted 927 product safety spot checks, inspecting 16,050 product lines during the state-wide consumer product safety program, across 416 traders.

As a result of 120 product safety investigations finalised in 2022–23:

- 1 court enforceable undertaking was entered into, for the supply of products that did not comply with a mandatory information standard
- 4 debt recovery orders worth a total of \$13,320 were issued, to recoup testing costs
- 79 warnings were issued for breaches of mandatory standards and permanent bans.

927
SPOT
CHECKS

16,050
PRODUCT
LINES

416
TRADERS



OPERATION BUTTON BATTERY

During October 2022 to March 2023, compliance with the new suite of mandatory standards for button batteries and products containing button batteries was a priority for OFT which, together with the ACCC and other state and territory regulators, conducted a national surveillance campaign.

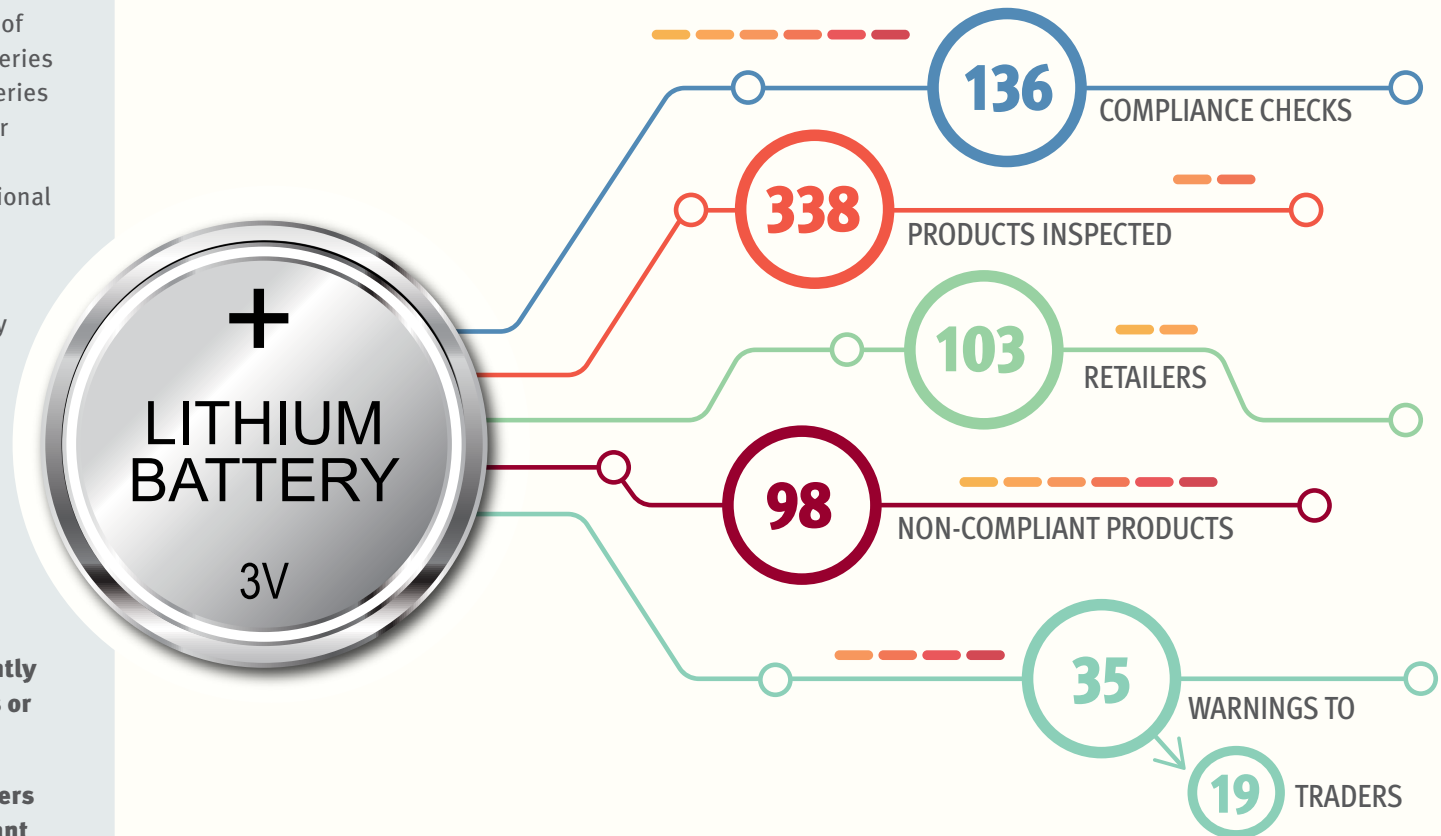
The OFT conducted 136 compliance checks inspecting 338 button battery products at 103 retailers across Queensland.

Officers identified 98 non-compliant products during the surveillance operation.

As a result:

98 product lines were found to be non-compliant and either permanently removed from supply by the traders or made compliant.

35 warnings were issued to 19 traders for offering for supply non-compliant (products that did not contain a child resistant closure and / or mandatory warnings / information labelling) button batteries or products containing button batteries.



Occupational licensing

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

In 2022–23, the OFT processed 19,327 applications for new licences and certificates, and 56,193 applications for renewals¹

Act	New licences and certificates issued ²	Licences and certificates renewed ³
<i>Property Occupations Act 2014</i>	6,118	20,038
<i>Motor Dealers and Chattel Auctioneers Act 2014</i>	1,275	4,008
<i>Debt Collectors (Field Agents and Collection Agents) Act 2014</i>	43	170
<i>Security Providers Act 1993</i>	4,433	11,105
<i>Second-hand Dealers and Pawnbrokers Act 2003</i>	119	559
<i>Tattoo Parlours Act 2013</i>	488	661
<i>Introduction Agents Act 2001</i>	2	6
<i>Tourism Services Act 2003</i>	8	25
Total	12,486	38,572

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 body guard, is processed as two separate applications. It results in one licence being issued.
 - a person's application to hold a security provider 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 2023, the following number of entities were licensed to perform the OFT-licensed occupations.

Occupational function ¹		Number licensed or registered
Security industry	Security provider—Class 1 (unrestricted)	17,351
	Security provider—Class 1 (restricted)	36
	Security provider—Class 2	5,283
	Security firm	1,484
Real estate industry	Real estate agent (Corporation)	8,255
	Real estate agent (Individual)	17,252
	Real estate salesperson	19,940
	Resident letting agent (Corporation)	961
Motor industry	Resident letting agent (Individual)	1,313
	Motor dealer (Corporation)	1,529
	Motor dealer (Individual)	3,678
	Motor salesperson	3,059
Auctioneering	Auctioneer (Corporation)	590
	Auctioneer (Individual)	1,422
	Chattel auctioneer (Corporation)	381
	Chattel auctioneer (Individual)	948
Debt collection	Field agent (Corporation)	78
	Field agent (Individual)	184
	Field sub-agent	96
Tattoo industry	Tattooist	1,552
	Tattoo parlour operator	464
	Tattoo operator (Mobile)	7
Second-hand dealing and pawnbroking	Pawnbroker	9
	Second-hand dealer	1,000
	Second-hand dealer and pawnbroker	154
Introduction agent		12
Inbound tour operator		39
Total		87,077

Administrative and disciplinary action against occupational licensees—suspensions and cancellations

Property Occupations Act 2014 licences suspended

Licence suspension reason	Number
Failure to supply audit report	11
Fail to supply principal place of business	1
Total	12

Security Providers Act 1993 licences suspended

Licence suspension reason	Number
Administration of justice	1
Assault	20
Breaches of the peace	0
Drugs related offences	33
Endangering life or health	10
Morality/sexual offences	15
Offences against liberty	0
Unlawful stalking	4
Public interest	0
Stealing and like offences	21
Weapons offences	4
Unlawful stalking	4
Forgery	1
Total	113

Property Occupations Act 2014 licences cancelled

Licence cancellation reason	Number
Bankruptcy	1
Corporation deregistered	1
Assault	1
Drugs related offences	0
Morality/sexual offences	0
Liberty	0
Endangering life or health	0
Total	3

Motor Dealers and Chattel Auctioneers Act 2014 licences cancelled

Licence cancellation reason	Number
Insolvency	1
Corporation de-registration	1
Assault	1
Morality/sexual offences	0
Stealing and like offences	0
Drugs related offence	0
Total	3

Security Providers Act 1993 licences cancelled

Licence cancellation reason	Number
Assault	3
Drugs related offences	9
Endangering life or health	1
Indecent treatment	0
Mandatory association membership	3
Morality/sexual offences	4
Public interest	7
Dangerous driving	0
Stealing and like offences	5
Triennial training	370
Possessing child exploitation material	1
Fraud offences	5
Weapons offence	2
Unlawful stalking	1
Other	1
Wilful damage	0
Total	412



LICENCES
SUSPENDED

12



LICENCES
SUSPENDED

113



LICENCES
CANCELLED

3



LICENCES
CANCELLED

3



LICENCES
CANCELLED

412

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 2022–23, a total of 1,136 administrative disciplinary actions were taken by the OFT's Industry Licensing Unit against licensees, with 12 of those licensees seeking a review in QCAT of the OFT's decision. Two (2) of those licensees additionally sought a stay of the original decision but were dismissed. Out of the 12 reviews, QCAT dismissed one (1) application and four (4) applications were withdrawn by the Applicant. At the time of writing this report, the remaining 7 reviews were still pending. Two (2) matters were carried over from 2021–22 which were dismissed by QCAT, upholding the OFT's decisions.

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 2022–23, more than 2,819 new organisations were registered and more than 19,700 organisations had their registrations renewed.

As at 30 June 2023, the following number of organisations were registered.

Organisation type	Number registered
Incorporated associations	24,046
Charities and community purpose	5,238
Cooperatives	140
Limited liability partnerships	373
Total	29,797



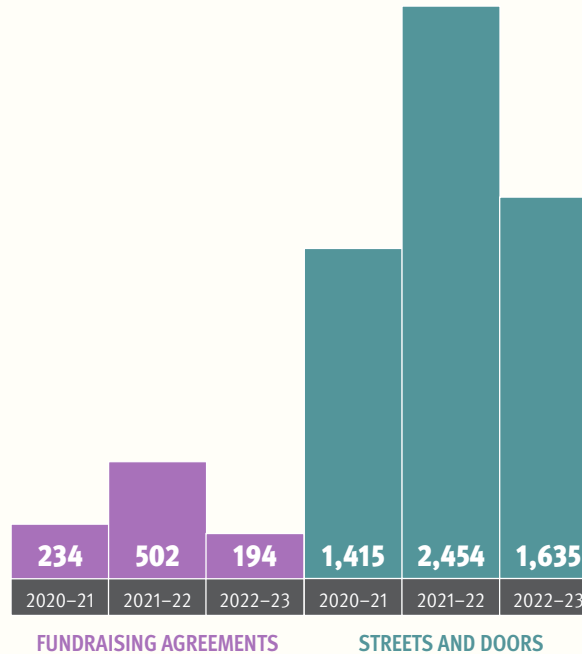
REGISTERED NOT-FOR-PROFIT

29,797

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.

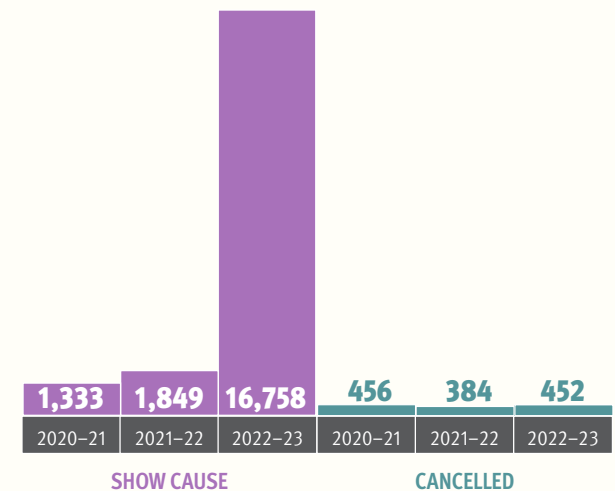
Three-year comparison—fundraising agreements, street and door assignments



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



Note:
The increase in the number of show cause notices issued in 2022/23 stemmed from a process improvement change which resulted in the issuing of notices to organisations which had previously been on hold.

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
- 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.



The OFT’s Outreach Program takes fair trading information and advice into rural and remote Queensland. During 2022–23 OFT expanded its program, visiting more locations than usual to help mitigate the reduction in coverage during the pandemic years, and visited:

- Cooktown, Wujal Wujal and Hope Vale, Bloomfield, Rossville and Lakeland—October 2022
- Woorabinda—November 2022 and March 2023
- Miles, Roma and St George—November 2022
- Gladstone—March 2023
- Palm Island—April 2023
- Miles, Stanthorpe, Warwick, Texas, Inglewood and Millmerran—May 2023
- Scenic Rim—May 2023
- Moranbah and Clermont—June 2023
- Cooktown, Wujal Wujal and Hope Vale and Ayton—June 2023
- Thursday Island—June 2023
- Emerald and Springsure—June 2023
- Cherbourg—June 2023.

 Over 3.34 million WEBSITE VISITS	 1,953 TRADER WALKS
 217 CONSUMER SESSIONS	 7,135 APPROX. CONSUMER ATTENDANCE
 33 TRADER SESSIONS	 700 APPROX. BUSINESS ATTENDANCE
 67 SCHOOLS VISITED	 6,593 STUDENTS
 143,654 PHONE CALLS	 12,068 PHONE HOURS
 19 ENEWSLETTERS	 27,250 SUBSCRIBERS

INDIGENOUS OUTREACH

In 2022–23, the OFT continued to visit and engage with First Nations communities as part of the Do-not-knock informed (DNKi) communities program. A joint initiative of the OFT, the ACCC, local Aboriginal Shire Councils, and not-for-profit community groups DNKi is designed to deter unscrupulous door-to-door traders from targeting Indigenous communities and to empower consumers to use their consumer rights. The program operates in Wujal Wujal, Yarrabah, Hope Vale, Palm Island, Woorabinda and Cherbourg.

In 2022–23, the OFT commenced an initiative to connect with a wide range of First Nations stakeholders to better understand the broader consumer issues facing their community members and to explore how the OFT could enhance its reputation as a trusted regulator. This initiative will continue in 2023–2024.

CONSUMERS WITH DISABILITY

The OFT regularly engages with people with disability, their families and supporters, and those working in the disability support sector. We do this by delivering presentations on OFT’s role and services, consumer rights, making consumer complaints, safer online shopping and scam awareness. Participants have the opportunity to ask questions and relate their own experiences. In 2022–23, the OFT engaged with:

- students with additional needs at schools in Mossman and Bundaberg as part of the Buy Smart program
- Carers Qld’s Be Your Own Boss program in Logan and Gold Coast, talking to participants about their rights and responsibilities under the Australian Consumer Law
- Stroke support and low vision support group members
- Queenslanders with Disability Network (QDN) Digital Inclusion Program participants state-wide, and peer support groups in Caboolture, Deception Bay and Sunshine Coast.

BUY SMART

Young people are ever more active in the marketplace and can be at risk if they don’t know their consumer rights. To help, the OFT delivers the Buy Smart Program, a hands on learning activity designed to help Queensland students in Years 4 to 12 develop life long skills and become more informed consumers. In 2022, over 8,500 students participated in the program.



SENIORS

Seniors can be particularly vulnerable to scams. In 2022 Australians over 65 reported larger losses to scams than any other age group with their losses totaling over \$120 million. To help protect this vulnerable group, during 2022–23 OFT spoke to more than 7,100 seniors via presentations at events and forums, providing consumer information and advice.

Communication campaigns

During 2022-23 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.



Halloween



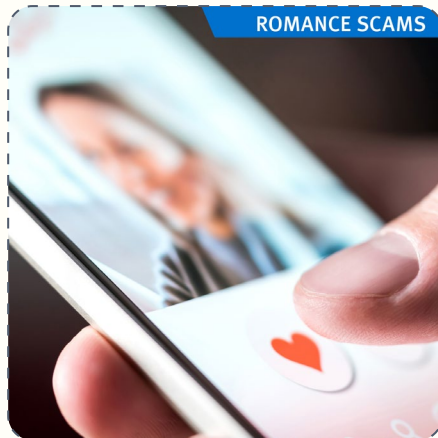
Scams Awareness Week



Be safe summer



Online Sales



Romance scams



Mother's Day



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 2022–23, ORP completed policy and legislative work resulting in:

- amendments to the *Building Units and Group Titles Act 1980* and *Mixed Use Development Act 1993* to make body corporate governance in certain developments more transparent and fairer for proprietors such as unit owners and to establish an information and community education service within the Office of the Commissioner for Body Corporate and Community Management for those living, working and investing in bodies corporate governed by these two Acts.
- introduction of proposed legislative amendments, as part of the new seller disclosure scheme in the Property Law Bill 2023, to ensure buyers are provided with a body corporate certificate containing important pre-sale information and to ensure buyers also know about the existence of a building management statement and can seek legal advice on its impact before signing a contract of sale.
- legislative amendments to implement a nationally agreed cross-border recognition scheme for fundraising authorisations under which entities registered with the Australian Charities and Not-for-profits Commission (ACNC) are eligible for a fast-tracked fundraising authorisation in Queensland and reduced reporting requirements.
- a significantly reduced number of audits required from charities, community purpose organisations and incorporated associations through changes to reporting thresholds and the introduction of a risk-based reporting framework under the *Collections Act 1966*.

- the progression of *Associations Incorporations Act 1981* amendments to address the risk of employers and employees being confused about the ability of entities to represent industrial interests, where the entity is not an employer or employee organisation under the *Industrial Relations Act 2016* but is incorporated under the *Associations Incorporation Act 1981*.

During 2022–23 ORP has also:

- continued to progress the review of the *Body Corporate and Community Management Act 1997* and *Building Units and Group Titles Act 1980* to reform and improve the operation, management and amenity of Queensland's community titles schemes.
- as part of the body corporate review, supported the Community Titles Legislation Working Group to continue to examine and make submissions on a range of body corporate and community titles matters, including seller disclosure, smoking, pets, parking and towing by-laws, possible fines for breaches of by-laws, termination of schemes, body corporate insurance matters, debt recovery, management rights, residential amenity, dispute resolution, potential regulation of body corporate managers and bullying and harassment in community titles schemes. Due to its complexity the review is progressing in stages, with Tranche 1 legislative amendments to be introduced into Queensland's Legislative Assembly in mid-2023.
- supported the Attorney-General's representation of Queensland as a member of the Consumer Ministers Network, which oversees the administration of the Australian Consumer Law.
- collaborated with other consumer protection regulators to progress proposed reforms to address unfair trading practices and deliver nationally consistent, integrated approaches to enforcement, dispute resolution and consumer education under the Australian Consumer Law.
- continued to work with other jurisdictional agencies on consumer policy matters relevant to the Australian Consumer Law, including proposals to consolidate tobacco regulatory instruments, implementation of country of origin labelling for seafood, and reform of consumer guarantees and supplier indemnification.
- released a consultation regulatory impact statement and an online survey on a proposal for mandatory continuing professional development for property agents, with 33 submissions and over 1,800 survey responses received.
- examined and progressed potential reforms to enhance consumer protections for 'off the plan' contracts for the sale of land, including changes to limit the use of 'sunset clauses' by sellers to terminate such contracts, and changes to clarify the timing for release of deposits to sellers.
- continued the development of nationally harmonised laws for Queensland's charitable and not-for-profit sector, including participating in the development of national fundraising principles, which will guide the conduct of fundraising across jurisdictions.
- completed the implementation of the *Associations Incorporation and Other Legislation Amendment Act 2020* by introducing a dispute resolution procedure for associations and requirements for disclosure of executive remuneration to commence in 2024.

APPENDICES

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Appendix 3—Five-year summary	28

Appendix 1—List of OFT legislation

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*

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).

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

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 2022–23, included:

- We completed the decommissioning of the database formerly used for not-for-profit organisations, charities and cooperatives and moved to fully operating in a new modern system. The change in system has impacted the processing of applications and renewal documentation due to an increase in back-end handling of applications but has brought benefits to OFT's clients in terms of online availability and ability to self-service.
- Like other organisations, in 2022–23 the OFT continued to be impacted by a tight labour market, with low numbers of workers available in the community to fill vacant positions.
- In July 2022, we implemented reporting exemptions for Australian Charities and Not-for-profits Commission (ACNC) registrants under the *Collections Act 1966*. These entities generally now don't need to also report to the OFT, reducing their red tape.
- From 1 July 2022 funeral directors and their businesses were required to comply with the new Fair Trading (Funeral Pricing) Regulation 2022 which requires the display of itemised price lists to provide consumers with more information when making purchasing decisions during difficult periods in their lives.
- In August 2022, OFT began a four-year program of work to replace legacy licensing and compliance systems with a new modern solution aimed to deliver enhanced client service and reduced processing time as well as providing greater in-field capability for staff.
- In June 2023, we changed the first aid training modules required to be completed by bodyguards and crowd controllers to renew their licence, to make it easier for those operating in remote locations to access the training.
- In November 2022 amendments were made to the ACL
 - Introducing a five-fold increase to penalties. For companies that breach these provisions the maximum penalty became the greater of \$50 million or three times the value derived from the relevant breach, or, if the value derived from the breach cannot be determined, 30 per cent of the company's turnover during the period it engaged in the conduct
 - expanding coverage of the unfair contract terms (UCT) provisions to provide protections to more small businesses, and the introduction of penalties for breaching the UCT provisions. These UCT changes have a 12 month implementation period to enable industry to prepare for the changes
- On 1 May 2023, we commenced a cross-border recognition scheme, under which ACNC registrants are eligible for a fast-track fundraising authorisation through deemed registration as a charity under the *Collections Act 1966*.

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 OFT's reported data see information provided in Departmental Annual Reports.

Service	2018–19	2019–20	2020–21	2021–22	2022–23
Information and education					
Website page views	3.7M	3.3M	3.5M	3.67M	3.34M
Website visitors	1.04M	929,867	1.04M		
Call centre contacts	168,117	162,084	153,158	142,231	143,654
Hours of phone contact	13,118	12,293	12,447	12,766	12,068
Enquiries received	80,977	83,963 ²	81,483 ³	82,290	80,637
Businesses engaged with on trader walks	1,632	915 ²	1,374 ³	1,285	1,953
Education, engagement activities (eg seminars, presentations, stalls)	2,499	1,040 ²	1,523 ³	1,282	1,504
Number of attendees at education and engagement activities	32,295	23,560 ²	18,065 ³	20,653	25,015
Licensing and registration					
Occupational licence and registration certificate—applications processed ¹	23,075	21,606	18,755	20,864	19,327
Occupational licence and registration certificate—applications for renewal processed ¹	60,365	62,115	60,302	52,828	56,193
Number of occupational licence and certificate holders as at 30 June 2023	85,371	84,264	83,879	86,677	87,077
Not-for-profit applications processed	1,057	929	977	1,002	2,819
Not-for-profit annual returns processed	22,136	20,391	19,932	18,686	19,722
Number of not-for-profits and other organisations registered as at 30 June 2023	27,713	28,195	28,633	29,293	29,797
Complaints and redress					

Service	2018–19	2019–20	2020–21	2021–22	2022–23
Redress	\$7.6M	\$9.4 million ²	\$13.93 million ³	\$9.67M	\$12.3M
Complaints received	15,583	17,482 ²	18,642 ³	18,959	20,056
Complaints finalised	15,639	17,321 ²	18,794 ³	18,809	19,254
Compliance					
Entities monitored for compliance	9,248	9,137	9,545	10,322	11,097
Investigations completed	3,022	2,344	2,157	2,566	2,471
Enforcement actions					
Warnings issued	1,521	1,396	1,301	1,546	1,482
Infringements issued	374	274	371	351	386
Administrative disciplinary actions	1,365	831 ²	755 ³	1,282	1,264
Civil penalty notices	5	3	11	12	7
Disciplinary proceedings (QCAT)	20	20	2	7	10
Enforceable undertakings	0	5	40	14	6
Public naming	2	4	2	2	1
Court actions	74	50	61	59	93

Notes:

1. 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 19.
2. 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.
3. 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.

