



Queensland
Government

Office of Fair Trading
Department of Employment,
Economic Development and
Innovation

Complaint file number

C-12 06617

Work unit

INVESTIGATIONS

Investigation file number

I-12 00758

Inspector

S. Capell

Complainant name

Sch4/3/3

COMPLAINT FILE

Trader's details

Name:

KAR LAND PTY LTD

Address:

3463-3465 PACIFIC HWY
SLACKS CREEK QLD 4127

Phone:

1300 592 422

Result due date:

1-JUL-12

Completion date:

Destruction date:



BAR CODE

COMPLIANCE AND ENFORCEMENT FRAMEWORK REVIEW			
Compliance Officer	Section 5 - Review C & E Framework	Approving Officer:	
Yes / No / NA	Complainant has been contacted to confirm allegations	Yes / No / NA	
Yes / No / NA	All breaches & entities have been identified and entered on MACS	Yes / No / NA	
Yes / No / NA	Significant factors (eg: media interest) been identified & reported	Yes / No / NA	
Yes / No / NA	All avenues of investigation have been undertaken	Yes / No / NA	
Yes / No / NA	File notes have been maintained, signed where appropriate and attached to the file	Yes / No / NA	
Yes / No / NA	Appropriate investigation methodology was applied	Yes / No / NA	
Yes / No / NA	Sufficient evidence exists to support the recommendations	Yes / No / NA	
Yes / No / NA	Documents exhibits have been recorded and stored appropriately	Yes / No / NA	
Yes / No / NA	Emerging issues or trends been identified and reported	Yes / No / NA	
Yes / No / NA	Policy decisions or public interest factors (eg: legal opinion) are filed	Yes / No / NA	
Yes / No / NA	Complainant has been notified of the outcome Phone / EMAIL / Letter	Yes / No / NA	
Yes / No / NA	Any redress has been confirmed and details included on MACS	Yes / No / NA	
Yes / No / NA	Trader letter in support of enforcement action is attached	Yes / No / NA	
Yes / No / NA	MPS timeframes have been met	Yes / No / NA	
Yes / No / NA	Investigation has been finalised on MACS	Yes / No / NA	
Yes / No / NA	Matter need to be referred to a higher authority for info/action	Yes / No / NA	
CLOSURE			
Compliance Officer:		Approving Officer:	
Date:		Date:	
Signature:		Signature:	

12

S

20

20

1

7

Investigations
RECEIVED

22 AUG 2012

Office of Fair Trading
Brisbane



Investigation Detail				Investigation No: I-2012-00755	
Auzshare: YES		Recfind No:		To Be Merged: N	
MACS Category: 1		Existing Complaints: YES			
Assessed Category: 1		Risk to Disadvantaged: NO			
Priority: LOW		Broad Consumer Base: NO			
Complexity: LOW		Emerging Trend: NO			
Assess. Officer: TREVOR COOK		Enforcement History: NO			
Assess. Date: 02-APR-12					
Assessment Clarification:					
Breaches					
Legislation	Section	Other	From	To	Subst. Breach
AUSTRALIAN CONSUMER LAW (QLD)	Section 29(1)(a)			Y
			Statute Barred Date: 20-MAR-15		
Outcome:			Total Amount Sought 92700		
Outcome Date:			Total Amount Obtained: 0		
Prod/Ind/Cond					
Product					
Category: DISTRIBUTIVE TRADE SERVICES; FOOD/BEV. SERVING; TRANSPORT; UTILITIES; LODGING					
Sub-Category: RETAIL TRADE SERVICES					
Type					
MOTOR VEHICLE SALES					
Industry Group					
Category: RETAIL TRADE					
Sub-Category: MOTOR VEHICLE RETAILING AND SERVICES					
Type					
MOTOR VEHICLES SALES					
Conduct					
Category	Sub-Category	Type			
CONDUCT	MISLEADING/DECEPTIVE CONDUCT NEC	MISLEADING/DECEPTIVE CONDUCT NEC			
CONDUCT	FAILURE TO ACT HONESTLY, FAIRLY AND PROFESSIONALLY	FAILURE TO ACT HONESTLY, FAIRLY AND PROFESSIONALLY			
Evidence					
Ref	Type	Collection Method	Date Collected	Storage Location	
Witnesses					
Name	Type	Witness Name	Type	Status	Outcome
Legal Action					
Ref	Type	Date Initiated	Status	Status Date	Trader

Sch4/3/3





— 4 —

REA	Real Estate	INT	Introduction Agent
MD	Motor Dealer	TA	Travel Agent
PD	Property Developer	RL	Restricted Letting
SHD	Second Hand Dealer & Pawnbroker	AUCT	Auctioneer
CA	Commercial Agent	SEC	Security Provider/Firm

QUICK TEMPLATE FOR 'SEARCHES'

This is a mandatory form that requires each search box ticked as part of the Office of Fair Trading quality assurance.

X

1. MACS

- 1st step – check if complaint already exists;
MACS>compliance>complaint>complaint **SEARCH**;
- Key in surname and first initial (in case keyed on incorrectly).
- 2nd step – Start keying in the complaint.
- **NB: all Real Estate Agents and Motor Dealers should be licensed with details already on MACS;**
- MACS>compliance>complaint>complaint **DETAILS**;
- Type in consumer details, then next tab:
- Type in first name of the trader only (eg; Harvey Norman; Samsung; or Ray White (with no suburbs/towns added);
- Scroll down to the appropriate business name/trader entity with the correct address. If the business name is registered, the trader should have their BN listed against their name. Write BN number on checklist;
- ACN numbers not shown – when a company name is found on an existing complaint in MACS, search ASIC to find the ACN number. (eg. Samsung search would bring up Samsung Electronics Australia Pty Ltd.) Write ACN number on checklist, print details of company from BACHCO.
- **If the trader is a Real Estate Agent/Motor Dealer;**
- Choose the correct trader listed in MACS, use the right return arrow to bring details 'around', then the license numbers should appear on the screen. Write number on checklist and print details.
- Search>entity search>
- If individual, leave 'TYPE' as individual, key in license number or **first initial** and surname.
- If company, the 'TYPE' field should be changed to 'CORPORATION'.
- **ALL PRINTOUTS SHOULD BE TRADER PROFILE.**

X

2. ASIC

- Go to National Names Index, type in the correct Company name, highlight the number, then go to BACHCO. If trader has not been registered on MACS, do searches on ASIC and BACHCO.

X

3. BACHCO

- **TO PRINT:**
- Go to 'Extracts' and type in the Business Number and print out the extract.
- If proprietor of the business name is a company, write down the ACN number on the checklist and print company details.
- Go to 'Retrieve Company Details', type in the ACN number and print details.