



24 August 2012

Committee Secretary
House of Representatives Standing Committee on Social Policy and Legal Affairs
PO Box 6021
Parliament House
Canberra ACT 2600

By email to spla.reps@aph.gov.au

Dear Sir/Madam

Do Not Knock Register Bill 2012

Foxtel welcomes the opportunity to submit to the inquiry of the House Standing Committee on Social Policy and Legal Affairs into the Do Not Knock Register Bill 2012 (the Bill).

Foxtel is one of Australia's most progressive and dynamic media companies, offering a better entertainment experience every day to each one of our 2.3 million subscribing homes through delivery of exclusive and inspiring programming across all genres, the world's most popular channel brands, and investment in high quality local content.

In both metropolitan and regional Australia Foxtel's field sales providers offer our service to potential customers via door-to-door approaches. We consider this to be a legitimate way of bringing the benefits of our service to the attention of potential customers, and one which provides employment to field staff nationally.

For regional customers in particular, door-to-door approaches offer the opportunity to learn about products and services in person that may not otherwise exist given that sales kiosks in venues like shopping centres are not as accessible as they are in metropolitan areas.

It is in Foxtel's business interests, and those of our providers, that potential customers have positive interactions with field staff offering our service. Indeed, we refer to the submission to this inquiry from our metropolitan service provider, Salmat, which notes the steps it takes to maintain its reputation for professionalism. It notes intensive recruitment and training processes, and the rigorous standards applicable to its staff.

Furthermore, Foxtel takes very seriously compliance with the existing suite of laws regulating door-to-door sales, including the recently-passed Australian Consumer Law (ACL). The ACL provides clear rules about the way consumers are approached, disclosure obligations and consumer rights in relation to termination. For example, the ACL:

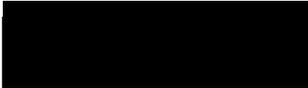
- prohibits door knocking after 6.00 pm on week days, 5.00 pm on Saturdays and at any time on Sundays or public holidays;
- requires field staff to clearly explain up-front the purpose of the visit and produce identification;
- requires field staff to clearly explain up-front that they must leave the premises immediately if the consumer asks them to do so; and
- provides consumers with a 10 business day cooling off period once a sale has been made and requires field staff to inform the consumer of these termination rights before the agreement is made.

We oppose passage of the Bill because we consider that the ACL and other state and territory powers already comprehensively and sufficiently protect consumers in relation to door-to-door sales. This view is supported by recent comments from the ACCC Chairman, Rod Sims, who characterised the unsolicited selling provisions of the ACL as containing 'strict obligations to consumers'.¹ This is a clear endorsement by the relevant regulator of the powers it already has.

Given the adequacy of current regulations, passage of the Bill would introduce unnecessary red tape and compliance costs for industry. Establishment and ongoing administration of a register would also impose costs on tax-payers which we consider are unwarranted.

Foxtel supports a regulatory environment that balances appropriate protections for consumers and the legitimate interests of businesses in bringing the benefits of goods and services to the attention of consumers via door-to-door sales. In our view, introduction of a Do Not Knock Register would constitute over-regulation, which should not be supported.

Yours sincerely,



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¹ ACCC media release, *ACCC cracks down on door to door sales practices*, 17 August 2012 – available at <http://www.accc.gov.au/content/index.phtml/itemId/1070537>.