

Media Release

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APPEAL AGAINST CONSUMER LAW BREACHES PENALTY

The Supreme Court has allowed an appeal by Victorian Company Green Engineering against the penalty imposed on them by the Adelaide Magistrates Court for breaches of State and national consumer law.

In July, **Green Engineering (Vic) Pty Ltd** was fined \$106,575 for breaches of *Australian Consumer Law*, the *Fair Trading Act 1987* and the *Plumbers, Gas Fitters and Electricians Act 1995*.

The company had admitted to failing to inform customers of their cooling off rights for unsolicited sales, failing to attend compulsory conciliation conferences and contracting for electrical work while unlicensed in South Australia, with further counts relating to unsolicited door-to-door sales in regional South Australia.

In the Supreme Court, Green Engineering appealed against the penalty of \$105,000 relating to six of the eleven counts, arguing it was excessive.

CBS had submitted that the higher penalty was appropriate in order to send a strong deterrent message.

The Court allowed the appeal and reduced the penalty imposed on those six counts to \$44,800.

The total penalty imposed against the company on all counts is now \$46,575.

Consumer and Business Services will carefully consider the judgment.