



July 2020

Mr Peter Graham  
Executive Director Consumer, Building and Occupational Services  
Department of Justice  
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Dear Mr Graham,

Thank you for giving RACT the opportunity to provide feedback on the Department of Justice draft Code of Practice for Fuel Price Reporting.

While RACT welcomes the Department's work on this draft code, we have some additional feedback on the document as outlined below:

1. While RACT supports the reporting of fuel prices as retailers commence trading, RACT also believes the two hour time allowance for retailers to report changes in fuel prices is too long and will result in inaccurate prices for consumers.

In legislation, the NSW Fair Trading Act and Fuel Check Order also state that retailers must ensure the retail price for fuels, and the date and time the fuel was available, is uploaded to the Fuel Check website. Under the Fair Trading Act, this must be on an ongoing and **up to date** basis.

Furthermore, NSW Fair Trading, which manages the Fuel Check Order, states that service stations must ensure the price of fuel on Fuel Check matches the price at their service station at **all times**.

In considering the Department's desire to ensure Tasmania's scheme aligns with Fuel Check in NSW, RACT requests that the Tasmanian Code of Practice dictates retailers must report any changes to their prices **immediately**. This will better complement daily updates at the start of trading.

2. The draft Code of Practice also makes no mention of how the Department will address non-compliance, specifically relating to retailer penalties for inaccurate information or not registering for the scheme.

The NSW Fair Trading Act states that service station is guilty of an offence if it is not registered or if the fuel price on offer is different to the price on Fuel Check.

NSW Fair Trading also has a monitoring system where staff check price accuracy weekly to ensure compliance, with consumers able to report inaccurate prices. The penalty is \$550.

RACT would like to know how the Department will monitor and penalise non-compliance of inaccurate prices or failure to register, potentially through the NSW model. This could be incorporated into the Code of Practice or by other means.

3. Furthermore, the Code of Practice does not discuss the commitment from the Tasmanian Government about reserving the right to implement fuel price capping legislation. RACT would like to know how this will be enacted if necessary.
4. While this is not something expected in the Code of Practice, RACT would like more information about the development of a fuel price reporting app and the sharing of data to third parties.

RACT has made it known it is interested in accessing third party data for the development of its own app and any update you can provide for this initiative would be appreciated.

5. Lastly, due to possible confusion around the scheme, RACT also believes that the Department should provide a resource to retailers outlining the scheme, as well as rules and penalties for non-compliance.

Thank you again for involving us in this consultation and for your work on the scheme to date.

We look forward to its implementation in the very near future.

Yours sincerely,

**Stacey Pennicott**  
*Chief Member Experience Officer*