

CoSBA



Combined Small Business Alliance of WA (Inc)



Date: 1 August 2014

Unfair Contract Terms and Small Business Consultation Paper
Small Business, Competition and Consumer Division
The Treasury
Langton Crescent
PARKES ACT 2600

RE: EXTENDING UNFAIR CONTRACT TERM PROTECTIONS TO SMALL BUSINESSES - SUBMISSION

It is our submission that CoSBA adopts in total and unequivocally supports the submissions of the Independent Contractors Association (ICA), a member of our organisation.

In particular, we support the answers set out in Part Two of the ICA's submissions, in so doing we support its response for Option 3, that flow from:

The Treasury Consultation Paper offers four options for feedback:

ICA [and CoSBA] supports option 3—that is, legislative amendment to extend the existing UCT provisions to contracts involving small businesses, in accordance with the Commonwealth Government's policy commitment.

ICA [and CoSBA] does not comment on the other options.

Option 3 should be

- *Implemented for standard form contracts only.*
- *Needs to be coupled with dispute-resolution services.*
- *Should cover both the acquisition and supply of goods and services.*

ICA [and CoSBA] supports the following statement from the Consultation Paper:

“Such an approach (Option 3) would use the enforcement architecture around the unfair contract terms law regarding consumer contracts. It would be relatively less complex to implement and administer given consumer agencies' and businesses' experience to date with the current provisions regarding consumer contracts.”

And, the ICA's following replies to the questions raised in the Consultation Paper.

Yours faithfully

**Combined Small Business Alliance
of Western Australia Inc. (CoSBA)**

**OLIVER MOON
Chief Executive Officer**

cc: Hon Bruce Billson, Minister for Small Business; Mr ken Phillips, CEO Independent Contractors Association