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# Guidance and information

## Conference on advertising medical services

On 14 October 1999 the Commission and the NSW Health Care Complaints Commission will hold a joint conference in Sydney entitled 'Advertising medical services — in whose interests?'

Recent changes to various laws allow health and medical practitioners a greater degree of freedom to advertise. One of the conference's key aims is to inform relevant parties of their legal obligations regarding the promotion of medical/health sector services.

The conference is particularly aimed at medical and health professionals as well as those who provide advertising, marketing or legal advice to medical or health professionals.

It covers issues such as:

- consumer protection and the supply of medical services;
- consumers' information needs;
- restrictions applying to the advertising or promotion of health and medical services;
- commercialisation, ethics and accountability;
- regulation and self-regulation of the medical and health sectors.

For further information and registration brochures contact Nigel Ridgeway, ACCC, ph. (02) 6243 1065.

## New publications

### Guidelines on price exploitation

The Commission has issued guidelines on price exploitation and the New Tax System. They

explain under what circumstances the Commission will regard prices to be in breach of the new s. 75AU of the Trade Practices Act. The new provisions prohibit price exploitation in relation to the New Tax System changes incorporated in legislation passed in June 1999.

The tax changes covered by the guidelines include:

- a reduction in the Wholesale Sales Tax (WST) rate of 32 per cent to 22 per cent (29 July 1999);
- changes to excise on cigarettes (1 November 1999);
- introduction of the GST (1 July 2000);
- abolition of the WST (1 July 2000);
- changes to excise on petrol and diesel and to the Diesel Fuel Rebate Scheme (1 July 2000);
- changes to excise on alcoholic beverages (1 July 2000);
- introduction of a 'Luxury Car Tax' (1 July 2000);
- abolition of bed taxes (1 July 2000); and
- abolition of State taxes on bank transactions (financial institutions duty, debits tax) and stamp duties on business related transactions (date to be determined).

The guidelines are available from Commission offices and its website.

### Fair game or fair go?

The Commission has published a guideline explaining the unconscionable conduct provisions of the Act dealing with harsh or unfair behaviour towards small business by larger parties.

The guideline is intended to give small business a fuller understanding of whether or not they have been subjected to unconscionable conduct under the Act. It also provides practical advice on avoiding problems in commercial relationships and tips on maintaining such relationships and resolving differences.

It was written with the input of industry groups from the Commission's Small Business Advisory Group network and reflects issues that have arisen during the introduction of the new s. 51AC provision.

The guideline is available free from Commission offices.

### **Debt collection guidelines**

The Commission has published a guideline explaining what is considered to be undue harassment and coercion in debt collection.

Section 60 of the Trade Practices Act prohibits corporations from engaging in 'physical force, undue harassment or coercion, in connection with the supply of goods or services to a consumer, or in the connection with the payment for goods or services by a consumer'.

In 1998 the Commission received more than 230 complaints and inquiries about what constituted debt harassment. The Commission has worked with both debt collectors and consumers' representatives to produce this guideline.

The guideline addresses areas of concern identified by the Commission, including:

- unreasonably frequent telephone calls and/or calls late or early;
- contacts at the debtor's workplace in a way that may endanger the debtor's job;
- deceptive tactics about the consequences of non-payment or about the recovery process;
- disclosure of loan information to third parties
- threats to disclose debts to employers, child welfare agencies and similar; and
- abusive language.

The guideline also incorporates a debt collection compliance guide, which provides practical advice for business on establishing mechanisms and systems that will promote compliance with s. 60 of the Act.

The guideline is available for \$10 from Commission offices. It is also available from the Commission's website.