



Matt Kean
Minister for Innovation and Better Regulation

MEDIA RELEASE

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REFORMS TARGETING NON-DISCLOSURE AGREEMENTS TO PUT CONSUMERS FIRST

NSW consumers will be able to complain to Fair Trading about dodgy products regardless of whether they've signed a non-disclosure agreement, under new reforms aimed at improving transparency.

Minister for Innovation and Better Regulation Matt Kean said consumers are being unfairly stymied by red tape that limits their rights, while protecting businesses behaving badly.

"It's simply not good enough that information about a shoddy product or a dodgy business can be held hostage by a business," Mr Kean said.

"The last thing I want to see is NSW consumers being ripped off or put in harm's way when there was information that could have prevented it."

"Businesses should get ahead because they've got great goods or services, not because they've got a great lawyer."

Currently, when a customer raises a complaint about a product with a business, they may be asked by the trader to sign a non-disclosure agreement to get compensation, a refund or a replacement.

"But by signing the dotted line, customers are immediately prevented from commenting publicly or even complaining to NSW Fair Trading. All the while, the trader is protected from unfavourable publicity about their dodgy product," Mr Kean said.

"This can be to the detriment of other consumers who have a right to know that the product they're buying is potentially faulty, or even dangerous."

The changes, which are part of the Better Business Reforms, will override non-disclosure clauses to allow consumers to complain to the regulator. Fair Trading will then be able to use that information to take legal action, and issue public warnings against dodgy businesses if needed.

"I want to see the economy work for everyday Australians who do the right thing and that is precisely what the Better Business Reforms are all about," Mr Kean said.

Minister Kean is introducing the Better Business Reforms, which also includes reforms to cut red tape and help small businesses compete, into Parliament this month.

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