



MEDIA RELEASE

Friday, 28 September 2012

Landmark Federal Court decision a ringing endorsement of the Do Not Knock sticker

The Consumer Action Law Centre, creator of the Do Not Knock sticker and the organisation behind www.donotknock.org.au, has welcomed a Federal Court decision which found that salespeople who ignore visible Do Not Knock stickers are breaking the law and that their actions could result in fines of up to \$50,000.

The case, brought by the Australian Competition and Consumer Commission against an energy retailer and its marketing sub-contractor, found that a salesperson that ignores a visible Do Not Knock sticker is breaching the provision of the Australian Consumer Law that requires salespeople to leave when requested to do so.

'This order is a ringing endorsement of the Do Not Knock sticker and endorsement of consumers' right to choose who knocks on their door,' said Gerard Brody, Director of Policy and Campaigns at Consumer Action.

'We created the sticker because of consumer complaints about being misled, pressured and lied to by door-to-door salespeople and we thought consumers should have the choice to opt out of this kind of marketing. And by the way the community has embraced the sticker, we know that most Australians are looking to escape pushy salespeople,' said Mr Brody.

'The sticker is a clear, unequivocal message to salespeople that they're not welcome, and it's a message that should be respected. Unfortunately, we've recently received reports that some industries were ignoring the sticker or claiming that it didn't apply to them—this decision shows that the sticker has significant legal weight and should be adhered to.'

The Federal Court case looked at the practices of Neighbourhood Energy Pty Ltd and Australian Green Credits Pty Ltd which consented to pay a total of \$1 million in penalties. Mr Brody said the outcome would act as a warning to door-to-door sellers that their actions can have significant detrimental consequences for them and the companies that engage them.

'This case removes the grey area under the Australian Consumer Law—people and companies involved in door-to-door selling can no longer claim ignorance or dispute the legal force of the sticker. It's also a timely decision because with the introduction of flexible energy tariffs and the roll out of the NBN we expect the number of door-to-door sales to increase and for deals on offer to become more complex.

'We'd encourage all Australians to get themselves a Do Not Knock sticker to avoid the dodgy practices of door-to-door sales. The stickers are available for free from www.donotknock.org.au and we can now say with even greater confidence that they're legally enforceable under the Australian Consumer Law,' said Mr Brody.

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