

Bulletin

Industry Divisions



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Dear Members

Please find below for your information, a Media Release issued by the Motor Trades Association advising of the New guide to help Australian Automotive businesses avoid unfair contract terms.

You can download a copy of the guide by clicking on the link below.

Media Release



New guide to help Australian businesses avoid unfair contract terms

Melbourne, 6 September – Business owners in the automotive industry now have a comprehensive guide to help protect against unfair contract terms, thanks to the Motor Trades Association of Australia (MTAA).

Unfair contract terms are often difficult to interpret and can hide in confusing fine print.

MTAA, with the help of HWL Ebsworth Lawyers, have prepared Unfair contract terms in the automotive industry: Everything you need to know, a guide that helps vulnerable business owners recognise unfair contract terms, what they mean for their operations, and what they can do about them, so they don't find themselves in unequal and untenable situations.

The Treasury Laws Amendment (More Competition, Better Prices) Bill 2022 (Cth), imposing penalties for unfair contract terms, received royal assent on 9 November 2022.

The new legislation – which comes into effect on 10 November 2023 – amends the Competition and Consumer Act 2010 (Cth) and the Australian Securities and Investment Commission Act 2001 (Cth) to impose penalties for proposing or relying on unfair contract terms. Ensuring standard form contracts do not contain any unfair contract terms is now even more important.

MTAA's guide can assist business owners in all sectors of the automotive industry to ensure they're ready for the unfair contract terms changes.

"MTAA is proud to produce a revolutionary document consistent with the vision, purpose, and values of MTAA and its members," said MTAA CEO Geoff Gwilym.

"Unfair contract terms in the automotive industry: Everything you need to know is the 'go to guide' for automotive businesses. It's easy to read and simple to navigate. There is nothing of its kind on the market."

The guide features 15 automotive industry sectors, with 41 unfair contract term examples, explained in plain English. The comprehensive information within the guide seeks to simplify complex unfair contract terms legislation to create a usable guide for everyone in the automotive industry.

“MTAA has long held its commitment to the industry to provide information that is relevant and critical to its members’ business success. This is yet another class-leading example,” said Mr Gwilym.

ENDS

Download [Unfair contract terms in the automotive industry: Everything you need to know.](#)

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MTAA, in collaboration with HWL Ebsworth Lawyers, has organised five national member briefings for members of which one will be held in Melbourne on 13 September at 6.30pm, VACC House, 650 Victoria Street, North Melbourne or via Zoom.

Do not miss the opportunity to hear from Teresa Torcasio (Partner at HWL Ebsworth) about the regime, and ask questions on the night. Specific UCT examples to assist your business in your sector, will be discussed.

Teresa’s comprehensive knowledge of the Australian Consumer Law has assisted her to advise clients on their risks, rights and obligations as buyers and sellers of goods and services and to negotiate excellent outcomes for her clients.



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