



Speech by

Andrew Powell

MEMBER FOR GLASS HOUSE

Hansard Wednesday, 14 April 2010

CREDIT (COMMONWEALTH POWERS) BILL

Mr POWELL (Glass House—LNP) (4.43 pm): I rise today to speak briefly on the Credit (Commonwealth Powers) Bill 2009. As outlined in the explanatory notes, the objectives of the Credit (Commonwealth Powers) Bill 2009 are to refer constitutional power for credit, including finance broking, to the Commonwealth and repeal the Credit Act 1987, the Consumer Credit (Queensland) Act 1994, the appended template Consumer Credit Code, the Consumer Credit (Queensland) Special Provisions Regulation 2008 and the Consumer Credit Regulation 1995.

This referral of powers under section 51(xxxvii) of the Commonwealth Constitution means that it will be the responsibility of the Commonwealth in future to review and improve credit legislation across the nation. In supporting this bill, I would seek therefore the Commonwealth's consideration of one ongoing concern with the current legislation. To do so, I refer to an email from a Beerwah local, Mr James Ashby. He wrote—

Hi Mr Powell

I'm writing to you in relation to the way in which Credit Reporting is recorded on Australian citizens.

I sold my signwriting & printing business in Townsville in June 2009 and disconnected my 1300 number through Optus, but signed up for a new 1800 number to service my new business on the Sunshine Coast which services clients in Darwin, Cairns, Mackay, Rockhampton and the Sunshine Coast.

After combing through one of my recent 1800 bills, I discovered the mention of a 1300 charge and made an enquiry today to Optus. After speaking to—

a staff member—

she informed me they failed to disconnect the 1300 service back in June 2009, however said the service was disconnected on the 22nd of January 2010 (almost 7 months later).

They (Optus) had obviously continued to send invoices for an unwanted service to my old address which were never forwarded to my new address, and after my discussions with them today had referred the debt of just over \$100 to a debt collection agency (ARL—Mercantile) who have placed a BAD CREDIT on my credit history.

After speaking to Optus today, they have recognised the failure to disconnect the service I requested in June 2009 and have offered a FULL CREDIT and to report the credit to ARL / Mercantile.

The biggest problem I have is that this BAD CREDIT stays on my credit history. Do I deserve the bad credit rating due to someone's failure to disconnect my service? Clearly no, but I'm stuck with it for the rest of my life.

The current laws need to change to protect those that are innocent of not defrauding / failing to pay their bills. This is like tattooing "LOSER" across my forehead, which will have long term effects on my ability to get a fair line of credit for business and personal use.

My sister works for Suncorp in the lending sector and has endless stories of people in similar circumstances. Most of which have ended up with tarnished credit ratings due to the failings of the phone companies.

Some people deserve terrible credit ratings, however there's a clear number of people who don't. I'm relying on your support to help change the current laws which can remove these unwarranted marks on credit ratings.

Clearly, Mr Ashby will continue to be penalised for the oversight of a telecommunications provider, not for his own inability to pay a bill. I call on the Commonwealth government to review this aspect of the legislation so that individuals such as Mr Ashby can continue to maintain the clear credit sheet they have earned and rightly deserve. With those brief comments, I commend the bill to the House.