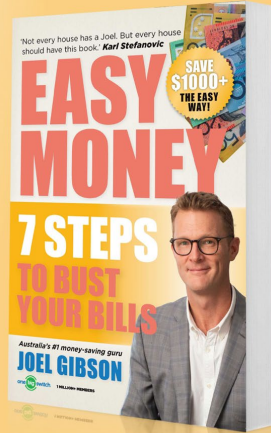


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'Not every house has a Joel.  
But every house should have this book.'  
**Karl Stefanovic**



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# Current Issues in Consumer Law

Joel Gibson  
Journalist, commentator &  
author of *EASY MONEY*

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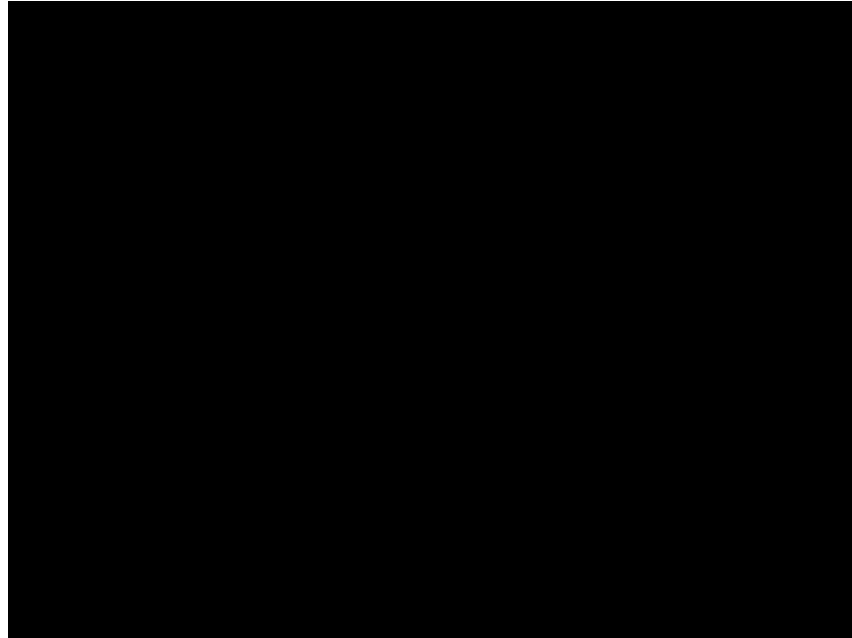
# 3 case studies

A big new  
challenge:  
Finfluencers

Recent  
challenge:  
Electricity deals

Complaints: How  
to 'whinge well'

# The big new challenge



# The comments



**Mayt88**

I have started this and c how it goes 👍

3h ago    Reply



1



**Dbl-ays**

I think I have a handle on it. Compound interest is accrued daily. If you make a daily payment you stop the interest compounding.

4h ago    Reply



0



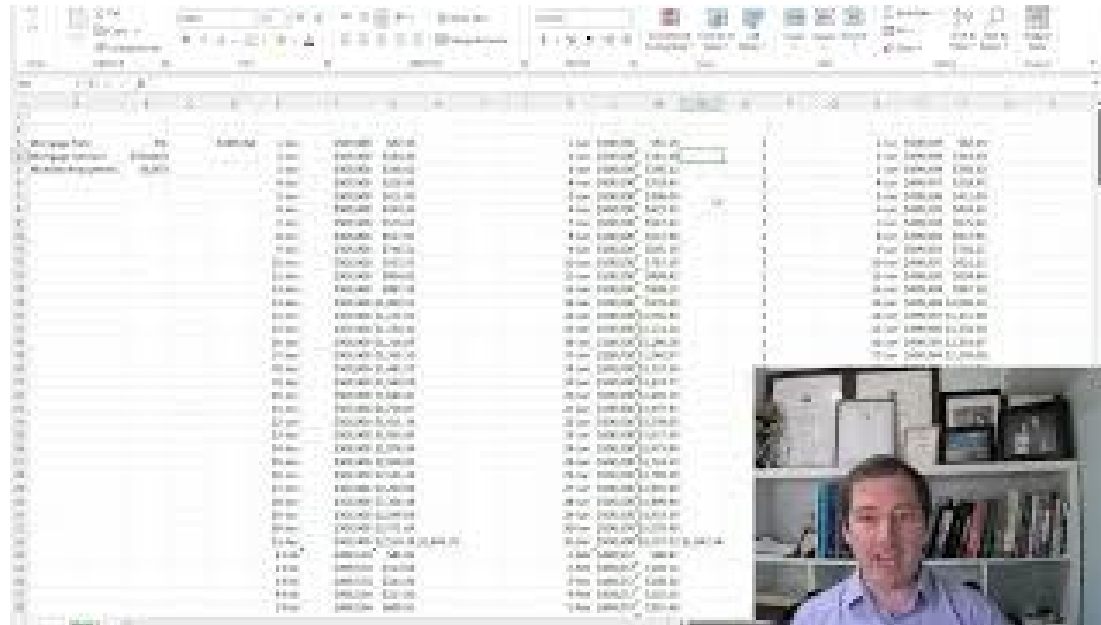
**Dbl-ays**

You will still be paying the loan and minimum interest but by paying daily you halt the



0

# The experts



The image shows a screenshot of a Microsoft Excel spreadsheet. The spreadsheet contains a large table with multiple columns and rows of data. The data appears to be organized into several sections, possibly representing different categories or time periods. The columns are labeled with various identifiers, and the rows contain numerical and text data. The Excel interface is visible, including the ribbon at the top and the status bar at the bottom. In the bottom right corner of the screenshot, there is a small video call inset showing a man with glasses and a light blue shirt, who appears to be speaking or presenting. The background of the video call shows a bookshelf with various books and framed pictures.

# The experts

Stuff ☰

business

## Here's why \$1-a-day TikTok home loan 'hack' won't work 👁

Susan Edmunds · 12:09, Mar 08 2023



Massey University banking expert Claire Matthews said someone with a \$600,000 mortgage and a floating interest rate of 7.5% would need to pay \$123 a day to keep interest at bay, and allow their full repayment to go to the debt owing.

# Regulating 'finfluencers'

This was published 10 months ago

## ASIC 'finfluencer' crackdown curbs social media finance posts



Clancy Yeates

April 10, 2022 – 12.46pm



Save



Share



ASIC warned influencers that providing unlicensed advice can result in penalties of up to five years in prison or hefty fines.

It also raised concerns about payments from investment platforms to “finfluencers” for promoting links to their followers.

33% of 18-21yos followed at least one finfluencer. Almost 2 in 3 have changed some financial behaviour as a result.

# Regulating 'finfluencers'

Tuesday 20 December 2022



## 22-371MR Federal Court makes findings against social media 'finfluencer' Tyson Scholz

The Federal Court has found social media 'finfluencer' Tyson Robert Scholz contravened s911A of the Corporations Act by carrying on a financial service business (between March 2020 and November 2021) without an Australian financial services licence.

ASIC had alleged Mr Scholz was carrying on a financial services business by providing financial product advice, regarding share trading on the ASX, without a licence by:

- delivering training courses and seminars about trading in ASX-listed securities during which he made recommendations about share purchases
- promoting those courses and seminars on Twitter and Instagram using the handle '@ASXWOLF\_TS'



# The bigger picture

— Opinion

## Finfluencer crackdown highlights ludicrous advice laws

The regulator's stern rebuke of social media commentators promoting investments online protects a system widely acknowledged as broken.

**Aleks Vickovich** *Wealth editor*

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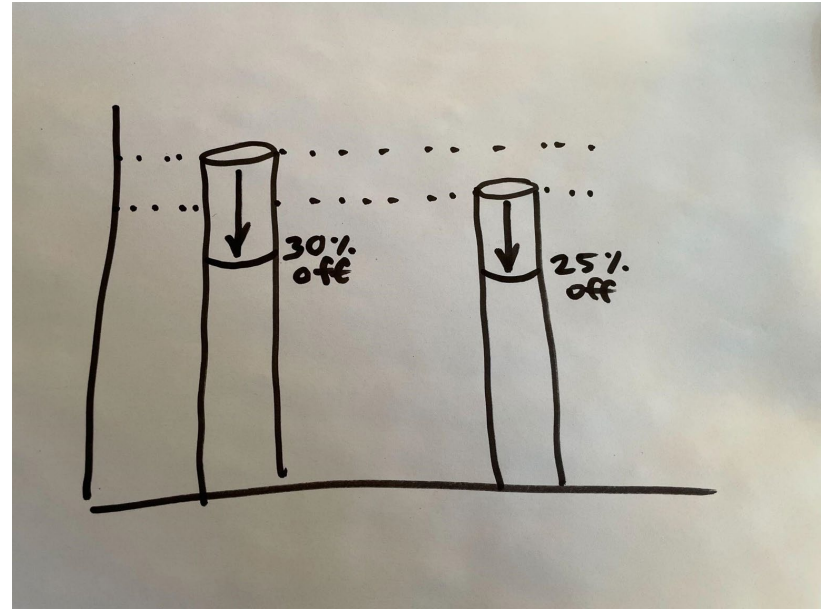
# The bigger picture

[Companies](#) [Financial Services](#) [Regulation](#)

## Fixing financial advice is a ‘hot mess’ for Labor

*The Albanese government committed to boosting access to affordable advice, but is now faced with the reality of winding back reforms Labor fought so hard for.*

# Recent Challenge: Electricity ads



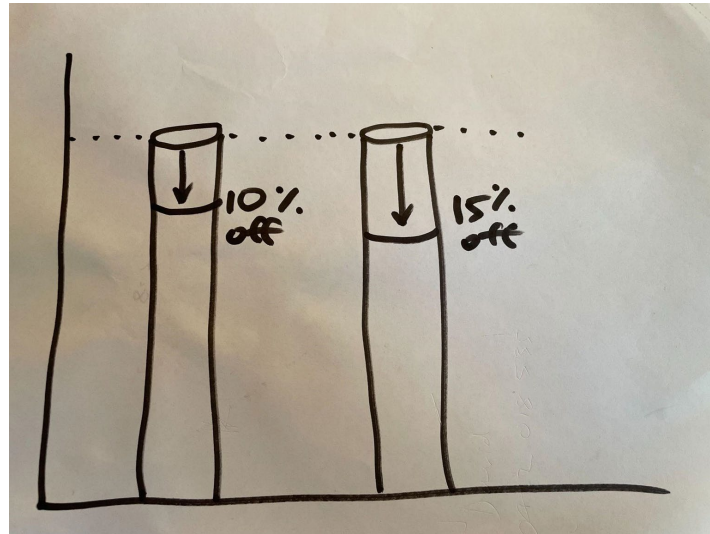
# Solution:

## The Electricity Reference Price

- Introduced in 2019
- Govt regulator sets a 'fair price'
- Every offer must be compared to that 'Reference Price'
- If you don't shop around, you get placed on the 'Reference Price'
- 15% off is always cheaper than 10% off

**Solution:**

# The Electricity Reference Price



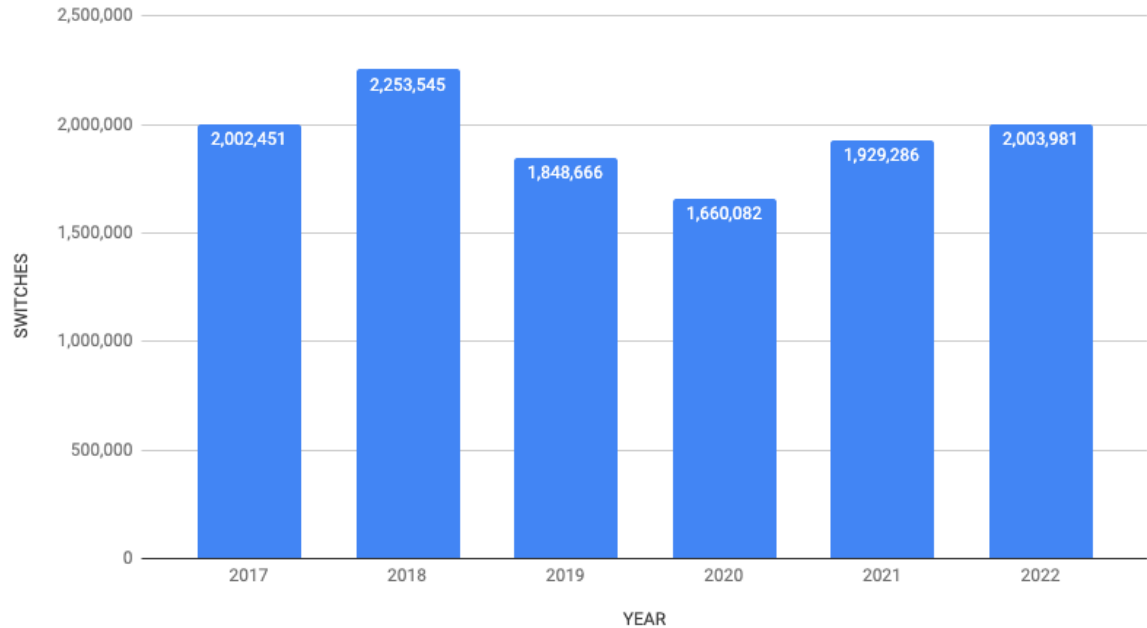
# Example



AGL Value Saver	AGL Basics
<p>Low variable rates with eBilling only <a href="#">See plan details</a></p>	<p>Our simple energy plan <a href="#">See plan details</a></p>
<p><b>Electricity</b></p> <p><b>6%</b> less than the Reference Price</p> <p><b>\$1421</b> /year annual estimated cost including GST for a residential customer using 3900 kWh per annum on a single rate tariff in the Ausgrid network (or <b>\$118 monthly</b>)</p>	<p><b>Electricity</b></p> <p><b>0%</b> equal to the Reference Price</p> <p><b>\$1512</b> /year annual estimated cost including GST for a residential customer using 3900 kWh per annum on a single rate tariff in the Ausgrid network (or <b>\$126 monthly</b>)</p>
<p><b>Gas</b></p> <p><b>12</b> energy plan period</p> <p><b>\$885</b> /year annual estimated cost including GST for a residential customer using 50 MJ/day in 2035 (or <b>\$74 monthly</b>)</p>	<p><b>Gas</b></p> <p>Ongoing energy plan period</p> <p><b>\$1005</b> /year annual estimated cost including GST for a residential customer using 50 MJ/day in 2035 (or <b>\$84 monthly</b>)</p>
<p><a href="#">Basic Plan Information</a></p>	<p><a href="#">Basic Plan Information</a></p>
<p>Choose plan</p>	<p>Choose plan</p>

# What happened next?

SWITCHES PER YEAR



# Govt claims a win

19 October 2020

## ACCC report confirms government delivering cheaper electricity

**Joint media release with  
The Hon Angus Taylor MP  
Minister for Energy and Emissions Reduction**

The cost of electricity for households and businesses continues to fall across much of eastern Australia, thanks to strong action from the Morrison Government.

The Australian Competition and Consumer Commission (ACCC), in the fourth report of its ongoing inquiry into the National Electricity Market, has found the Government's Default Market Offer has led to customers on standing offers paying less for their electricity.

Treasurer Josh Frydenberg said the ACCC analysed data from 8.5 million bills and found the Default Market Offer has led to cheaper prices.

"The ACCC report underlines the Government's initiatives are delivering a fair deal on electricity for households and businesses, particularly as Australia recovers from the impacts of the COVID 19 pandemic," the Treasurer said.

"The ACCC has found the median price for standing offer customers across Victoria, New South Wales, South Australia and south east Queensland between 2018 and 2019 fell by 4.4 per cent for households, and by 7.5 per cent for small businesses."



The Hon Josh Frydenberg MP  
Treasurer

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24 August 2018 – 23 May 2022



# My 2020 column

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Money Planning & budgeting [Electricity](#)

This was published 2 years ago

## Electricity price reform, but at what cost?

Joel Gibson

June 23, 2020 – 10.00pm

 Save

 Share

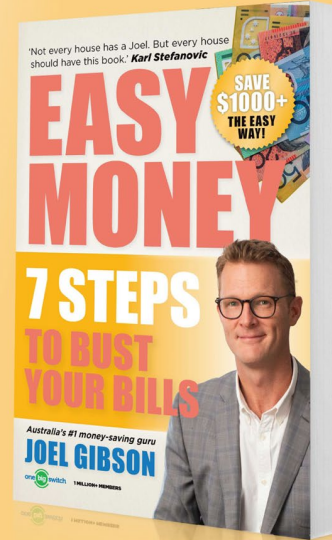
  

# EASY MONEY

Chapter 10:

'The Squeaky Wheel'

'Not every house has a Joel.  
But every house should have this book.'  
**Karl Stefanovic**



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# How to 'whinge well'

## STEP 1:

Whinge to the boss

## STEP 2:

Whinge in public

## STEP 3:

Whinge to the regulator

# Whinge to the boss



*“Your complaint is like one of those little penguins in the David Attenborough docos, competing with hundreds of other penguins to climb out of the roiling ocean without being dashed against the rocks before it can make it to the front of the queue.”*

# Whinge in public

*“Facebook and Twitter are the new ‘shop window’. Most businesses resolve social media complaints as a priority because they don’t like their dirty laundry hanging out in public. Big businesses have whole teams of people who just monitor comments and try to resolve them ASAP.”*



**Joel Gibson**  
@joelgibson



Earth to @Optus - can't get through on phone, live chat or carrier pigeon to ask why my broadband service has been down for 24hrs, so trying Twitter. Is there anyone home?

5:31 PM - 10 Jan 2018

2 Retweets 1 Like



# Whinge to the regulator

<b>Complaint description</b>	No internet service to the area for 15 days so far. No proactive communication from Optus as to what the issue is or when it will be fixed. Only a reply to a tweet on Jan 17 stating 'Hey Joel :) Thanks for that. I can see from the note on the fault number that we're working with the power company to get this resolved as quickly as possible. Still no ETR – Marie'. Ausgrid has tweeted saying its work is not preventing Optus from fixing the issue.
<b>Your preferred outcome</b>	Restore service ASAP. Communicate with customers the progress of the fix regularly. Refund the month's broadband fees. Refund the month's mobile fees too (I am using up all my Optus mobile data to cover the lack of wi-fi).

# John Rolfe, 'Public Defender'

'Call once, write once, then take it to a higher power if you don't get a result – the relevant ombudsman, regulator or consumer tribunal. Don't engage in a tit-for-tat. Your initial letter should contain:

- The issue
- What you want them to do about it
- A reasonable deadline for action
- What you will do if they don't take action (e.g. "I intend to take my complaint to the ombudsman if it's not resolved in the manner and the timeframe described above.")

And remember to attach relevant evidence, such as proof of purchase or an independent assessment of the problem.'



# Regulators

A.F.C.A. (Financial products)

T.I.O. (Telco)

A.P.R.A. (Health Insurance)

State Energy Ombudsman (Electricity & Gas)

A.C.C.C. (Australian Consumer Law)

A.S.I.C. (Financial regulator)

A.P.R.A. (Banking & Insurance regulator)





# Resources

[ASIC Moneysmart](#)

Fair Trading

[CHOICE](#)

Legal Aid

[Consumer Action Law Centre](#)

[Financial Rights Legal Centre](#)

# EASY MONEY

Email: [joelgibson@gmail.com](mailto:joelgibson@gmail.com)

Web: [joelgibson.com.au](http://joelgibson.com.au)

Twitter: @joelgibson

Insta: @joelkillsbills

TikTok: @joelmgibson

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