



accan
MAGAZINE

THIS EDITION:

THE BOTTOM LINE

GLOBAL ROAMING *WARNING* &
MOBILE *PAYMENTS* EXPLAINED

INTERVIEW: *ACCC'S DELIA RICKARD*

APPS TRAPPING KIDS... *AND PARENTS*

PLUS: THE 'KNOW YOUR GIZMO' PROJECT

SUMMER
12-13

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MAGAZINE

ISSUE: 07

OUR CEO: TERESA CORBIN



Welcome to the summer edition of ACCAN Magazine, *The Bottom Line*. This issue is all about money: from fees, mobile payments and global roaming to expensive apps and buying online.

Our cover story takes an in-depth look at why global roaming charges are so expensive, what's being done about it and how to avoid coming home to a nasty phone bill these holidays (page 6).

We're also hearing from an increasing number of parents whose kids are getting caught out by "in-app" credit card purchases from free games for smartphones and tablets. Our Consumer Tips page shows you how to make sure this doesn't happen to you (page 9).

And have you ever wondered why we pay more for IT products in Australia than people do in other countries? A parliamentary inquiry aims to find out (page 10). Finally, with mobile commerce already surging overseas, we chat with Dr Elizabeth Lanyon to find out about the future of mobile payments in Australia (page 5).

As always, if you have any comments, suggestions or feedback, please email ceo@accan.org.au

Warm regards,

Teresa Corbin
Chief Executive Officer
ACCAN

ACCAN OUR STORY

ACCAN is the peak organisation representing all consumers on communications issues including telecommunications, broadband and emerging new services. Our mission is to ensure the availability, accessibility and affordability of communications services for all Australians.

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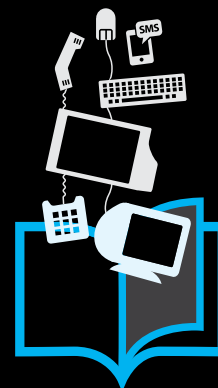
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ROAMING INTO TROUBLE

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LATEST NEWS

TIO complaints steady, but complaints about bill shock have doubled



The Telecommunications Industry Ombudsman (TIO) received 193,702 complaints from telecommunications customers in 2011-12, a decrease of two per cent on the previous year.

The TIO's annual report reveals a worrying trend: the number of customers who have made a complaint about an unexpectedly high bill has doubled over the past year, with most of these relating to mobile phones. Complaints about disputed internet charges are also up 150% as the number of Australians using smartphones increases. Once customers go over their monthly smartphone data allowance, they incur excess charges ranging from 10-50c per MB. Telstra and Optus have begun sending texts to customers when they have used 50%, 80% and 100% of their included data allowance.

"Complaints about unexpectedly high bills points to the urgent need for strong spend management rules," Ombudsman Simon Cohen said. "While these rules do not apply until 2013, or in certain cases 2014, it is a positive sign that some service providers have already taken steps to introduce better consumer notifications about high usage."

Vodafone rates sustainability of handsets

Vodafone launched its "Eco Rating" system in September, which ranks environmental and ethical performances of most mobile phones sold by Vodafone. Phones are rated from one to five, with five being the most sustainable. The rankings are based on the answers of handset manufacturers to over 200 questions. Apple was the only major manufacturer that did not participate.

Each rating calculates the amount of energy and water used to produce a phone, along with the greenhouse emissions created in the manufacturing process. Health and safety practices for people assembling the phones are taken into account, as well as hazardous materials, recycling and longer battery life.

For more information on Vodafone's Eco Rating, visit <http://www.vodafone.com.au/ecorating>

THUMBS UP OR DOWN



BIG UP

- ☺ A new government inquiry has been established to "name and shame" app vendors who sell apps that don't work, are inappropriate or contain hidden charges.

WAY DOWN

- ☹ Liquepel, who were given the dubious honour of a CHOICE "Shonky" award for their ineffective and expensive waterproof coating for smartphones and tablets.





Promising signs, but no guarantees yet for AD

More than 60 disability and consumer advocacy organisations and thousands of individuals nationwide supported the campaign for a permanent audio description (AD) service on television. The campaign was led by Blind Citizens Australia, Vision Australia and ACCAN.

The "It's As Easy As ABC" campaign saw over 30,000 postcards addressed to Communications Minister Senator Stephen Conroy and ABC Managing Director Mark Scott, asking them to continue the ABC TV trial.

The 13-week trial ended on 5 November. When the trial concluded Senator Conroy said "It's clear that audio description is a service that is strongly desired by the vision-impaired community, and the trial was embraced with real enthusiasm by participants. I share that enthusiasm for what new digital technologies can provide."

Campaign spokeswoman Lauren Henley said, "While we're disappointed that the trial won't continue in the short term, we can now see a pathway forward to establishing a permanent service. We're encouraged that Senator Conroy has acknowledged the level of support there is in the community for audio description on Australian television."

"What is clear from the trial is that people who are blind or vision-impaired want access to television. We know there are some technical issues that need to be ironed out, but we're hopeful that the government can work through those as quickly as possible to get audio description back on our ABC and across all television networks," said Ms Henley.

Less data, same price

Since July 1, new post-paid mobile phone plans have included less data for the same monthly price customers were paying last year. For example, Optus customers on the \$80 cap get 2GB of data and \$850 of credit, which is half the data and \$50 less credit than was being offered for last year's \$79 cap. Telstra and Vodafone's plans also include less data for the same price.

The ever-increasing number of people using smartphones to access data puts great pressure on existing 3G networks. The decrease in included data allowances for new plans may help providers to manage this congestion on their networks, while they work as fast as they can to upgrade existing 3G networks and build new 4G ones.

Crunching the Numbers:

\$1.5 BILLION

Amount consumers waste each year by being on the wrong mobile phone plans

150%

Increase in disputed internet usage charges in 2011-2012

\$30

Fee charged by Virgin for direct debit dishonour

\$15

Fee charged by Optus for late payment of a bill between \$50-\$100

\$2.93

Cost per month to have a silent line with Telstra

DELIA RICKARD

DEPUTY CHAIR, AUSTRALIAN COMPETITION AND CONSUMER COMMISSION (ACCC)

You've worked on consumer issues for most of your career. Do consumers have more or less rights than they used to?

Consumers definitely have more rights and protections than they had 22 years ago. The Australian Consumer Law (ACL) now provides consumers with new rights in the area of unfair contract terms, unsolicited sales and consumer guarantees. That said, the market place is much more complicated than in the past so the challenges for consumers have also increased.

What do you think has been the most important change in consumer protection?

I think the most important consumer protection change in the past two decades has been the introduction of industry ombudsmen such as the Telecommunications Industry Ombudsman. The advent of industry ombudsmen has meant that hundreds of thousands of disputes that would otherwise not have been pursued have been resolved and consumers compensated. That is a true revolution.

What can the ACCC do if a telecommunications company is found to have breached the Australian Consumer Law?

As a general rule our enforcement response reflects the ACCC's Compliance and Enforcement Policy and is proportionate to the conduct and the harm caused. The ACCC may accept court enforceable undertakings or issue an infringement notice for certain breaches. Depending on the circumstances, the ACCC may decide to take court action, which can result in multi-million dollar penalties. Ultimately, it is up to the court to decide whether or not a company has breached the ACL.

Are fines and penalties the most effective way to ensure that companies follow the law and protect consumers?

There is no doubt that fines and penalties are a very important deterrent – but not just because of the financial pain they impose. The publicity that inevitably accompanies such fines can also have a major impact on the reputation of an entity and, in my view, it is that reputational damage that is often the most persuasive factor in encouraging compliance with the law. In addition to enforcing the law though, I think it is important for regulators to also work with industry to ensure they understand their compliance obligations and have the right systems in place.



What recent actions has the ACCC taken to make sure telecommunications advertising is not misleading or deceptive?

Ensuring consumer protection in telecommunications remains one of the ACCC's priority areas. In October, CNT Corp Pty Ltd paid infringement notices totalling \$19,800 and provided a court enforceable undertaking for misrepresenting the speed of fibre-to-the-premise broadband services – an issue we want to send strong messages about.

Can you tell us about the recent Federal Court ruling regarding door-to-door sales?

The Federal Court recently ordered Neighbourhood Energy Pty Ltd and Australian Green Credits Pty Ltd, by consent, to pay a total penalty of \$1 million for illegal door-to-door selling practices. This outcome provides the first guidance as to the importance of 'do not knock' stickers as a way in which consumers can send a signal to salespeople that door-to-door sales are unwelcome on their property.

With the roll-out of the NBN, our research shows service providers are likely to use door-to-door as a sales method. It is important that the industry recognise that the ACCC will not tolerate unlawful selling practices. Sales agents must follow rules around how and when they come knocking, the information they provide as well as cooling-off periods.

Can you tell us about the recent action against VIPtel in relation to mobile coverage?

We received a complaint from the North Queensland Indigenous community of Aurukun about people having automatic deductions taken from their bank accounts for a mobile phone service. The ACCC investigated and found that telemarketers had voice contracted 350 customers from remote and regional communities across Australia, when there was no network coverage in the customer's area. We took action in the Federal Court against EDirect which was trading as VIPtel Mobile, alleging misleading and deceptive representations. In September, the court penalised EDirect \$2.5 million with the judge remarking that the penalty should be at such a level to make it 'commercial suicide' for any other operators in the mobile telephone industry, or elsewhere, to even contemplate taking the risk of engaging in similar conduct.

THE FUTURE OF MOBILE PAYMENTS

DR ELIZABETH LANYON
DIRECTOR OF REGULATION AND POLICY
DIVISION CONSUMER AFFAIRS VICTORIA

What is a mobile payment system?

Mobile payment systems allow consumers to use their mobile phones to pay for goods and services by sending an SMS, swiping their phone over a scanner or accessing the internet. The money may be deducted from pre-paid funds stored on a phone or charged to a phone bill, credit or debit card.

Near field communication (NFC) technology developments will help the market to further diversify. NFC technology uses radio to send information between two devices to process a transaction; for example, a phone with a chip stored on its SIM card, and a 'reader' on a gate. Smartphones with larger screen sizes and better data handling capabilities make mobile payments easier, quicker and more convenient.

What mobile payment services currently exist in Australia?

Australia has Myki and Paypass systems. Myki is used on the Victorian transport system. The Paypass system involves tapping a credit card against a reader to make a payment. For transactions under \$100 no signature or PIN is required. Paypass also operates via mobile phones using NFC technology.

The popularity of mobile apps, such as the eBay app, has also grown. According to research conducted by eBay, around one in four Australian mobile phone owners use their device to make online purchases.

Are mobile payment services being used in other countries?

Mobile commerce (m-commerce) has surged in Japan, Korea and Singapore and is starting to pick up in the European Union and the United States. The m-commerce marketplace in Australia is still relatively small.

In 2011 in the US, Google launched Google Wallet, an NFC-enabled system in a partnership with Citi (the issuing bank), MasterCard (the payment network), First Data (the payment processor), and Sprint, the initial carrier.



Are there security risks when using mobile payment systems?

Since mobile devices can be easily lost or stolen, security is a challenge. Hackers may also obtain data through means such as Bluetooth or the device may be infected with malware.

In Australia, according to the ACMA, consumers expect mobile payment service providers to protect them against security threats. However this is not always the case. Consumers also may not be taking the precautions they should. If a consumer makes a mobile payment using a credit card or debit card remotely the consumer has the protections attached to the card.

Consumer law, privacy legislation and financial industry codes regulate security and liability issues for m-commerce users. In particular the voluntary ePayments Code administered by ASIC has protections for consumers' electronic transactions. The ePayments code resolves many of the security and liability issues raised by m-commerce transactions but only where payment providers have signed up to it. The Australian Consumer Law also protects consumers against liability for unsolicited goods and services and for unfair practices.

Do you think mobile payments will one day replace our wallets?

It is predicted that by 2015 globally consumers will spend \$119 billion on goods and services purchased via mobile phones.

According to Paypal, Australia is one of the world's highest users of internet-enabled smartphones. We will however always need a coin to flip at football matches, the cricket and on Anzac Day.

ROAMING INTO TROUBLE

Story: Elise Davidson



AN INCREASING NUMBER OF AUSTRALIANS ARE GETTING CAUGHT OUT WITH EXPENSIVE GLOBAL ROAMING CHARGES WHEN TRAVELLING OVERSEAS WITH THEIR SMARTPHONES. WE TAKE A LOOK AT WHAT'S GOING WRONG, WHERE THE SOLUTION MAY LIE AND OFFER ADVICE ON HOW TO AVOID A HUGE BILL RUINING YOUR HOLIDAY.

Last year, Helen went on a two-week holiday to Thailand. She took her iPhone with her, intending to use it only to send and receive text messages to family back home. Before she left Australia she called her provider to activate roaming and she was told about call costs and data charges. The costs were very high so she decided not to make calls or use the internet unless there was an emergency.



A few weeks after she got home, Helen received a bill for \$600 – most of it for data charges. How was that possible? She called her provider who explained that because she had not adjusted the settings on her phone to turn data roaming off, her phone was busy working in the background – automatically searching for networks and checking for software updates – which uses up data.

Helen is certainly not the only one who has come home from an overseas trip with a higher than expected mobile bill. Many people get caught out in the same way.

COMPLAINTS RISING

In 2011-12, there was a 69% increase in the number of people who contacted the Telecommunications Industry Ombudsman about disputed roaming charges – some 4,186 people. While this number is relatively small in terms of the overall number of complaints, the bills certainly aren't. More than 30% of complaints about global roaming were related to bills of between \$1000 and \$5000. Five per cent of complaints were for bills of over \$5000.

For nearly a decade, reports on global roaming have shown that the rates international providers charge Australian providers to use their networks, and what Australian providers charge their customers to roam are excessively high. There is little price competition or commercial incentive for providers to reduce costs.

In August, Communications Minister Senator Stephen Conroy released the Trans-Tasman draft report jointly with the New Zealand government that outlined various options to reduce roaming charges for people travelling between the two countries. ACCAN responded to the report, outlining our preferred options for reducing roaming rates in the short term, which include price caps, price transparency measures and enhanced regulator powers.

At the same time as the Minister released the report he also directed the Australian Communications and Media Authority to create an industry standard for mobile roaming regardless of which country they travel to. The standard will require providers to notify their customers of exactly how much they will be charged when they make a phone call, send a text message, or use the internet while overseas. The Minister said he expected the standard to be in place within 12 months.

“THERE IS LITTLE PRICE COMPETITION OR COMMERCIAL INCENTIVE FOR PROVIDERS TO REDUCE COSTS”

HANDSET UNLOCKING

One way that consumers can avoid high global roaming charges is to buy a cheap travel SIM card before travelling overseas or by using a local SIM card in the destination country. But to use another SIM card in your phone, your handset needs to be unlocked, and most of them aren't.

To unlock a handset you already own, Telstra charges pre-paid customers up to \$150, Optus up to \$120, Vodafone up to \$100 and Virgin at least \$80. In its response to the Trans-Tasman draft report, ACCAN argued that the removal of these unlocking fees would greatly assist consumers to access more affordable call, SMS and data services while overseas.

ACCAN believes that industry could help solve the problem of high global roaming bills by getting rid of handset unlocking fees, especially for pre-paid customers who have already paid for their handset. The industry has argued that consumer awareness is the key to reducing high roaming rates, but people have been using phones overseas for years and education is not working because providers frequently change their products and information. Awareness can help consumers avoid the charges, but it doesn't bring the price down.



OPTIONS WHEN ROAMING

YOUR OPTIONS WHEN ROAMING

These are the three main options you have for staying connected while you travel:

- Buy a local SIM card when you arrive at your overseas destination. This will mean you pay cheap local rates and you can top up credit when you need to. You will need to ensure your handset is unlocked before you go.
- Buy a pre-paid roaming SIM card before you go. These pre-paid SIM cards are dedicated to roaming overseas and will generally provide cheaper rates for calls and texts. The advantage of this – as with buying a local SIM card – is that when your credit runs out, it simply runs out – you won't receive an unexpectedly high bill. There are various providers that offer pre-paid roaming SIM cards such as TravelSIM, GoSIM, RoamingSIM or GoTalk.
- Activate global roaming with your normal provider. Call your provider to activate global roaming. Make sure you ask how much it costs to send an SMS (text), MMS (picture message), to make and receive phone calls and for using data. Some providers offer pre-paid data packs, which are useful if you think you might need to use data occasionally.

WHILE YOU ARE OVERSEAS:

If global roaming (via your normal provider):

- Avoid excess data charges on your smartphone by switching off the "Data Roaming" setting, which can usually be found under the Network menu.
- Stop emails automatically downloading to your phone by switching to your phone's "Manual" mode. If you don't know how, ask your provider before you go.

HANDY TIPS FOR ALL TRAVELLERS:

- Use free Wi-Fi hotspots wherever you can. Many hotels, fast food chains and libraries offer them.
- Text, don't call.
- Switch off your voicemail so you don't incur charges when people leave messages. You also avoid the hefty charges involved in listening back to them. Remember, listening to your messages will often be charged at the same high rates as other calls.
- Consider making international calls with online applications like Skype or Facetime (but make sure you are using a free Wi-Fi hotspot.)



KIDS & GAMING: NEED TO KNOW



Free games or apps available for smartphones or tablets often contain extra elements you can purchase within the game, known as an “in-app purchase”. Increasing numbers of children are buying things within games not realising that they cost their parents real money through their iTunes, Google Play or Amazon account.

Follow these instructions to modify how purchases are made on your smartphone or tablet.

Enable restrictions

iOS (Apple)

Changing to these settings will disable the in-app purchase function.

1. Press the “Settings” icon on your device
2. Select “General”
3. Select “Restrictions”
4. Select “Enable Restrictions”
5. Enter a unique passcode (not the same one you use for your device)
6. Re-enter the same passcode to confirm
7. Scroll to the bottom to “In-app purchases”. Turn this “Off”

Amazon Appstore (Android)

Changing to these settings will disable the in-app purchase function.

1. Open the “Amazon Appstore” app
2. Select “Menu” and then “Settings”
3. Select “Parental Controls”
4. Select “Enable Parental Controls”
5. Enter your Amazon.com password
6. If you want to use a PIN instead of your Amazon.com password for in-app purchase authorisation, select the box for “Use PIN”
7. Enter a PIN code
8. Enter and confirm a PIN code

Requesting a refund

Apple

Open iTunes and sign into your account. Click the “Purchase History” button. Click the “Report a Problem” button and choose the purchase with which you want to report an issue and choose the reason that best describes the problem, provide any relevant additional comments and submit the request.

Google Play (Android)

All refunds are at the discretion of the developer. Contact the developer of the app if you wish to request a refund.

Amazon (Android)

Amazon does not have a specific refund option. Contact Amazon or the app developer directly.

COSTS ACROSS BORDERS: THE IT PRICING DEBATE

Story: Erin Turner
Photo: Andrew Dawson

Australians are paying hundreds or even thousands of dollars more for hardware and software than people in the United States, United Kingdom or Canada. The high cost of information technology (IT) has a ripple effect on the Australian economy. For example, Australian graphic designers have to pay \$987 more for the Adobe Creative Suite software than in the US, ultimately increasing the cost of design services. This practice of pricing the same product differently in different regions is known as “international price discrimination.”

Price differences are most obvious for “digital download” products – software products that are purchased online then downloaded direct to your computer, such as the Microsoft Office 2012 Home and Student software which costs about \$50 more to download in Australia than in the US.

The Parliamentary Committee Inquiry into IT Pricing is currently exploring why these price differences exist and if anything can be done to stop Australians paying more. Consumer advocates and academics have presented a wide range of evidence to the Committee showing that price discrimination is occurring and that the unfair practice frustrates Australian consumers. However the companies who practice price discrimination have, to date, not offered any convincing explanation as to why these price differences exist.

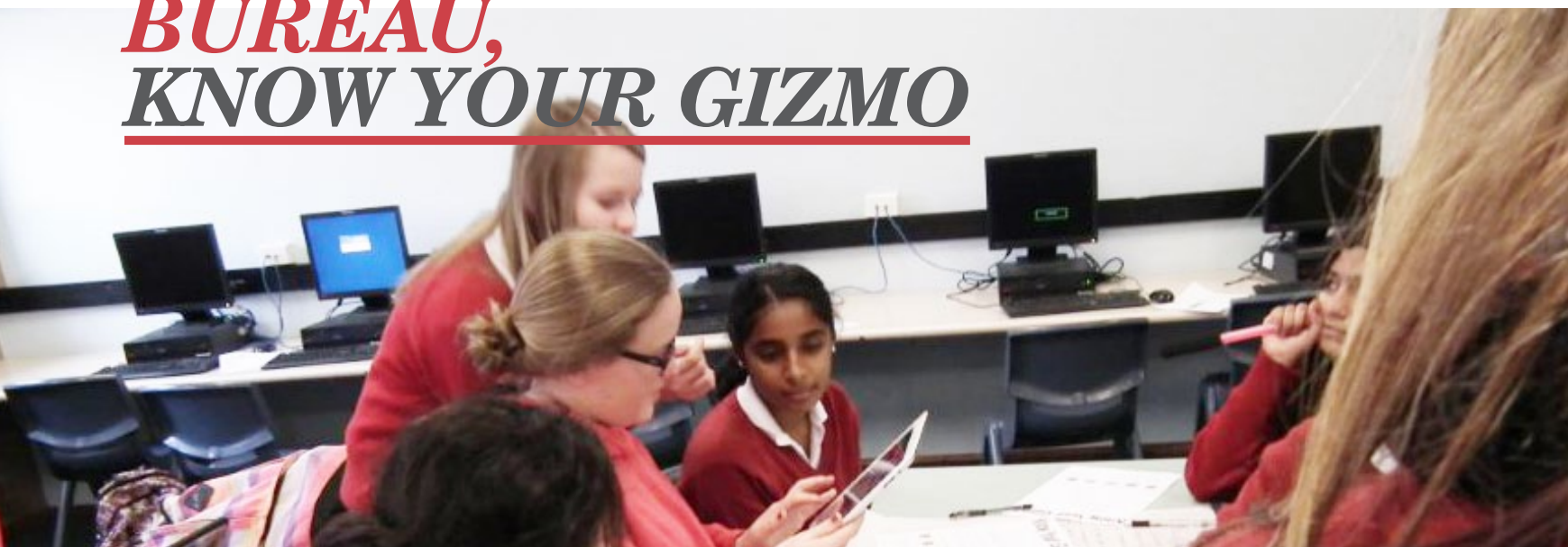
The Chair of the Inquiry, Nick Champion, has expressed frustration at companies like Apple, Adobe and Microsoft for refusing to go on the public record about IT prices. “It is not good enough for the industry to simply stonewall the inquiry—or, for that matter, to ignore interested consumers who have a legitimate public interest in IT pricing,” he said.

It is common for organisations to take part in parliamentary inquiry hearings that investigate matters of public importance. In this instance Deputy Chair of the Committee, Paul Neville, said they may subpoena the IT companies to give evidence to the Committee.

ACCAN has argued that the government should address high IT prices by encouraging competition to promote lower prices; encouraging the development of warranties that apply beyond national borders; and informing consumers of the limits of their rights under the Australian Consumer Law. For further information about the inquiry see www.aph.gov.au/itpricing



ALBURY WODONGA VOLUNTEER RESOURCE BUREAU, KNOW YOUR GIZMO



The Project

The Know Your Gizmo project connected young people confident with communications technology with older people lacking in confidence in a supportive environment. The younger people, over a series of workshops, taught the older people how to use a “gizmo” or “gadget” of their choice. Although there are many training courses available, older people often find these to be too involved, expensive and not practical enough. In response, the Albury Wodonga Volunteer Resource Bureau recruited some keen teenagers from the local high school and advertised in the local paper for older people who wanted help learning how to use a particular device.

The Workshops:

The students who took part in the workshops gained useful skills in volunteering and training others and appreciated making friends with older members of their community. The older people rapidly became confident users of a range of online applications as well as their favourite gizmos such as iPads, smartphones and laptops.

Older participants brought along their chosen gizmo each week and the students helped them work out how to use them. A session was also given by the local police on online safety and privacy to give the participants extra confidence online.

Following is some of the feedback from those involved:

“Some people went home so excited they were unable to sleep that night!” – Jemma Toohey of the Indigenous Volunteer Resource Bureau

“No question was too silly... they solved all our problems. They had more patience than our own children!” – participant

“I volunteered because it sounded interesting and fun, and it was.” – student

“We’re the generation that grew up with it; it’s good to help them with stuff they’ve missed out on. I learnt a lot from it too!” – student

“If it goes to other states around Australia it would be really helpful for the community.” – student

“I found it very worthwhile and recommend it to everyone I see.” – participant

More information on the Albury Wodonga Volunteer Resource Bureau is at: www.vrb.org.au



About ACCAN Grants:

ACCAN awards \$250,000 annually to projects that provide consumer education and research that contributes to communications consumer advocacy. Visit www.accan.org.au/grants

FIONA GUTHRIE

FINANCIAL COUNSELLING AUS.

EXECUTIVE DIRECTOR



Tell us about Financial Counselling Australia

Financial Counselling Australia (FCA) is the peak body for financial counsellors in Australia. Our members comprise of each of the eight state and territory financial counselling associations. Financial counsellors assist people with credit and debt issues. They provide information, support and advocacy to help people understand their options and get back on track. There are about 900 financial counsellors in Australia – not enough of course, but they do an amazing job.

How do financial counsellors help people?

People from all walks of life can find themselves in financial difficulty. The reasons why people seek financial counselling include loss of a job, illness, relationship breakdown and poverty. A financial counsellor might advocate with creditors such as banks, telcos or utilities to reduce or waive debts, access Ombudsman schemes, provide information about bankruptcy and its consequences or develop a budget for their client. Just as importantly, a financial counsellor can help reduce the enormous stress that people feel when they are unable to pay their debts. Knowing that you have options gives people a sense of relief. It saves sanity and relationships.

What are some of the big issues FCA is working on at the moment?

We're putting together a new consumer website with heaps of information and a self-help tool. And we're working with the banking industry to set up a free debt repayment service in Australia. For the financial counselling sector, there is a huge amount of work going into better training and consistent standards.

How can telecommunications providers better meet the needs of people who are struggling financially?

We are heartened by the industry's willingness to work on developing best practice hardship policies. There is still more work to be done however in improving mobile phone selling practices and having fair mobile phone plans. The issue of the cost of calls from 1800 and 13 numbers is huge for people on low incomes and these changes can't come soon enough.

Why is FCA a member of ACCAN?

ACCAN provides us with a voice we wouldn't otherwise have. We can provide grassroots evidence about issues affecting consumers and ACCAN can then take these issues up. The "Free Calls for All" campaign is an excellent example. ACCAN's expertise and advocacy are invaluable and ultimately lead to a fairer marketplace.

You can contact a free, independent and confidential financial counsellor by ringing 1800 007 007 from anywhere in Australia.

AND MEET A NEW MEMBER

National Organisation of Tenant Organisations (NATO) is a federation of state-based tenants' unions and tenant advice services across Australia. Its membership includes the Tenants' Unions of Queensland, Victoria, Tasmania, ACT and NSW, the Western Australia's Tenants Advice Service, and Shelter SA.



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