

Taking Action, Gaining Trust

National Indigenous Consumer Strategy Action Plan 2025 – 2027



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Acronyms

ACCC—Australian Competition and Consumer Commission

ASIC—Australian Securities and Investments Commission

CAANZ—Consumer Affairs Australia and New Zealand

CAF— Legislative and Governance Forum on Consumer Affairs

CSON – Consumer Senior Officials Network

MCCA—Ministerial Council on Consumer Affairs

NDIS—National Disability Insurance Scheme

NICS—National Indigenous Consumer Strategy

The words First Nations peoples used throughout this document refer to Aboriginal and Torres Strait Islander peoples.

The term consumer agencies used throughout this document refers to state and territory consumer and fair trading offices, the Australian Securities and Investments Commission, and the Australian Competition and Consumer Commission.

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Consumer Senior Officials Network – National Indigenous Consumer Strategy

In 1992 the Ministerial Council on Consumer Affairs (MCCA) was established by the Council of Australian Governments (COAG).

In 2002–2003 the then Standing Committee of Officials of Consumer Affairs, later known as Consumer Affairs Australia and New Zealand (CAANZ), participated in and convened a number of workshops in response to concerns about the disadvantages experienced by First Nations consumers. Subsequently, the concept of a national plan was developed, which became known as the National Indigenous Consumer Strategy (NICS).

On 1 September 2005, all Australian members of the then MCCA signed a Statement of Commitment for the development and implementation of the NICS Action Plan 2005–2010.

The Action Plan demonstrated the MCCA’s shared responsibility for ensuring that Australia’s performance in First Nations consumer affairs was continually improved and beneficial outcomes for First Nations consumers achieved.

In 2011 the MCCA became the Legislative and Governance Forum on Consumer Affairs (LGCAF), supported by CANNZ whose role was to carry out projects and activities that promoted a consistent and coordinated national approach in line with the Australian Consumer Law (ACL) and, where relevant, trans-Tasman approaches to the development, implementation, enforcement and education of consumer laws.

In October 2020 the Review of COAG Councils and Ministerial Forums in seeking greater intergovernmental efficiencies recommended, amongst other things, the disbanding of the LGCAF. The Consumer Senior Officials Network (CSON) subsequently replaced CAANZ in 2021, with NICS now reporting to CSON.

The Strategy has been implemented in all states and territories and positive progress has been undertaken by all consumer agencies. The Strategy and related Action Plan have undergone several revisions since 2009. This is the sixth iteration of the NICS ‘Taking Action, Gaining Trust’ document and contains the Action Plan for 2025–2027.

Statement of Commitment

As the CSON, we have accepted responsibility for the development and implementation of the NICS.

This Action Plan demonstrates our continued shared responsibility for ensuring that Australia's performance in First Nations affairs is continually improved. The Plan will focus our efforts in working together to improve outcomes for First Nations consumers.

Commonwealth, State and Territory consumer agencies are committed to the following strategic directions:

- promoting basic consumer rights recognised by the United Nations Declaration on the Rights of Indigenous Peoples
- building awareness, knowledge and confidence for First Nations peoples to exercise their consumer rights
- improving access to consumer protection services utilising effective outreach and engagement, and
- improving market outcomes for First Nations consumers.

We are committed to working co-operatively on the issues and actions identified in the Action Plan.

We are also committed to regularly reviewing our achievements against the actions and will further develop the plan in light of these achievements. We recognise that there are many other stakeholders who make significant contributions to improving Australia's performance regarding First Nations consumer affairs.

Our commitment is supported by Ministers responsible for consumer affairs.

Introduction

The NICS Reference Group, consisting of Commonwealth, State and Territory consumer agency representatives, was established to monitor and coordinate implementation of the Action Plan. The NICS group also includes independent members as strong advocates for First Nations Australians' consumer rights. This group continues to take responsibility for the NICS and has established an effective collaboration when dealing with issues of mutual concern and shared jurisdictional responsibility.

The strategic priorities for the 2025-2027 Action Plan are:

- predatory sales practices
- second hand motor vehicle sales, financing and maintenance
- scams
- product safety, and
- improving the effectiveness of the NICS Reference group.

The collaborative NICS National Project will be managed by a lead agency with input and assistance from other NICS members, coordinated by way of detailed project plans that identify clear outcomes against stated timelines. Updates will be provided by the NICS Chair to CSON at its bi-annual meetings.

The theme of the 2025 – 2027 National Project is *'Outreach Amplified: Advancing Consumer Education Through Collaboration'*.

The 2025-2027 Action Plan folds in the previous Plan's priority *'Knowing Their Consumer Rights'* into the National Project, reinforcing and embedding the work undertaken within consumer agencies to understand and address those consumer issues most relevant to First Nations communities.

Statement of Principles

Consumer agencies recognise that:

- the rules that regulate traders and service providers need to be fair and responsive to the needs of First Nations peoples
- cultural and operational settings in consumer agencies should be continuously reviewed and refreshed as necessary to ensure enquiries from First Nations consumers are responded to in the most effective ways
- education in First Nations communities on the provisions of the ACL remains a priority to ensure First Nations consumers are empowered with knowledge of their rights and responsibilities when purchasing goods and services
- best practice includes employment of First Nations staff in key positions in consumer agencies
- it is important for consumer agencies to continue to advocate on behalf of First Nations consumers
- although jurisdictions have differing priorities, the Action Plan is a template for measures to improve First Nations consumer awareness, especially around consumer rights.

The priority areas and actions identified in the Strategy's new Action Plan recognise that consumer agencies need to continually monitor and adapt the way they deliver their services to First Nations peoples.

Continuation of the NICS Reference Group as a forum for information sharing and activity coordination will ensure best practice in education and compliance strategies for First Nations consumers.

Progress in implementing the Strategy's Action Plan will continue to be monitored, evaluated and reported on annually.

The NICS Action Plan defines a set of national priorities spanning multiple industries and operational practices. As such, there will be specific priorities for which individual agencies will have a limited mandate or reduced responsibilities, and therefore, it is not expected that all action items will be equally met by all agencies. The Strategy is an agreed way for consumer regulators and other stakeholders to collaborate under the single-law, multi regulator model to identify and address emerging First Nations issues requiring a national strategic approach, and to coordinate appropriate responses.

Section 1: Strategic Priorities for NICS 2025 – 2027

The NICS Reference Group has used the opportunity of the new Action Plan to restate the Strategy’s principles to enable all jurisdictions to refocus on joint practice areas which will be used to inform jurisdictional responsibilities and actions.

The priorities in this Action Plan adopt key fair-trading issues as a framework within which individual practice behaviours or issues of vulnerability are identified.

The priorities for this Action Plan will cover the following areas:

- predatory sales practices
- second hand motor vehicle sales, financing and maintenance
- scams
- product safety and
- improving the effectiveness of the NICS reference group.

The following table details the consensus view of NICS members of priority fair trading matters and the specific issues most relevant to First Nations consumers.

NICS members have agreed to use these priorities to inform both priority setting and activity development for matters within their jurisdiction. These priorities will also be used as the basis for evaluation and reporting on Action Plan related progress.

	First Nations consumer specific issues	Strategic approach
1.1 Predatory sales practices and consumer rights	<p>There are a number of specific trading behaviours that are either unique to First Nations consumers or affect them disproportionately. The following areas within trading practices need particular attention when considering the consumer rights of First Nations Australians.</p> <ul style="list-style-type: none"> • ‘Book up’ practices especially in situations where the practice results in perpetuating consumer disadvantage. • Unconscionable debt collection behaviour. • Unsolicited selling, including unauthorised access to remote communities for the purposes of unsolicited and high-pressure selling. 	<p>Individual agencies will use these strategies to inform jurisdictional priority setting and activity development as appropriate.</p> <ul style="list-style-type: none"> • Engage with book up operations to identify consumer vulnerability and exploitative behaviour. • Maintain consumer education resources in relation to book up practices. • Include specific information around debt collection and consumer rights within the collection process as part of ongoing information and education outreach into First Nations communities. • Engage with community service providers when developing and distributing information around

	<ul style="list-style-type: none"> Limited awareness and understanding of consumer rights in relation to NDIS, aged care and childcare service agreements, including where high pressure or unconscionable tactics are used. 	<p>debt collection issues within First Nations communities.</p> <ul style="list-style-type: none"> Focus education and outreach activities on consumers’ rights regarding unsolicited selling, particularly the existence of cooling off periods. In particular: <ul style="list-style-type: none"> continue to support the ‘Do Not Knock informed’ communities campaign and extend it into additional communities that wish to participate seek engagement support through community partnership approaches. Reduce the impact of gratuitous concurrence: <ul style="list-style-type: none"> proactively deliver information about gratuitous concurrence to traders that consumer agencies are monitoring within First Nations communities promote the ‘can say no’ message into First Nations communities through outreach information and education activities. Increased education and awareness of consumer rights within the establishment and performance of NDIS, aged care and childcare service agreements. Promote consumer education and complaint pathways to First Nations NDIS recipients and the First Nations Disability Network. Identify systemic or concerning conduct which may be in breach of the ACL, pursuing investigations where required and enforcement actions where possible.
<p>1.2 Second hand motor vehicle sales, financing and maintenance</p>	<p>Within the broad topic of second hand motor vehicle sales, financing and maintenance, a number of key issues and behaviours were identified as having specific relevance to First Nations consumers. These were:</p>	<p>Individual agencies will use these strategies to inform jurisdictional priority setting and activity development as appropriate.</p> <ul style="list-style-type: none"> Focus consumer engagement on empowering First Nations

	<ul style="list-style-type: none"> • problematic sales of second hand motor vehicle goods and services, including high pressure sales tactics, bundling of motor vehicles sales with credit and the lack of or problematic provision of consumer guarantees to consumers • the signing, agreement to, and understanding of contracts across all selling channels • the need to target and reinforce trader obligations when entering into contracts with First Nations consumers, especially where the practice results in perpetuating consumer disadvantage • potentially problematic credit and financing, including: <ul style="list-style-type: none"> - Consumer leases - Short term, high fee finance - Fee harm, including when low-fee alternatives are not available - Irresponsible lending to vulnerable First Nations consumers - Lack of access to culturally appropriate and sensitive banking services, such as First Nations calls centres and remote banking channels given the impacts of bank branch closures • targeted selling to First Nations consumers based on known payment schedules e.g. royalty disbursements • the negative effects of necessity, urgency and lack of competition on vehicle purchases and maintenance for First Nations consumers, particularly those in rural and remote areas. 	<p>consumers to enforce their consumer rights and guarantees when purchasing a second hand motor vehicle.</p> <ul style="list-style-type: none"> • Engage with second hand motor vehicle dealers to ensure legislative compliance, and achieve regulatory outcomes as needed. • Address harm and misconduct impacts of high cost credit arrangements and consumer leases, including informal credit arrangements. • Identify stories and case studies that illustrate both positive and negative outcomes around contracts within First Nations communities, including where possible ones that reference operational case law. • Review poor and harmful credit product designs and distributions impacting First Nations consumers. • Share information through outreach and education mechanisms within each jurisdiction, focusing on empowerment messages. • Promote the role of intermediary agencies in identifying poor practice around contracts within First Nations communities. • Undertake proactive information delivery to traders that consumer agencies are monitoring for their trade practices behaviour within First Nations communities. • Engage with financial service providers to ensure legislative compliance and encourage improvements in the appropriate provision of products and services to First Nations consumers. • Promoting the embedding AUSTRAC alternative ID guidance into banks policies and procedures to increase responsible lending options for First Nations consumers. • Promoting access to culturally appropriate and sensitive banking
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		services, such as First Nations calls centres and remote banking channels.
1.3 Scams	<p>Scams remain an important priority within the NICS Action Plan. There are numerous and ongoing scam activities that affect First Nations consumers.</p> <p>A particular focus of this Action Plan is to promote the National Anti-Scam Centre’s scam prevention messaging to First Nations consumers.</p>	<p>Individual agencies will use these strategies to inform jurisdictional priority setting and activity development as appropriate.</p> <ul style="list-style-type: none"> • Focus on empowerment and prevention messages in outreach and education activities. • Develop strategies and approaches that create awareness within First Nations communities of the risks associated with scams and the need to adopt protective behaviour. • Work towards a collaborative campaign targeting First Nations communities on scams with a particular focus on: <ul style="list-style-type: none"> • romance scams • employment scams • investment scams • false government services notices.
1.4 Product safety	<p>Many product safety and recall communications fail to reach First Nations communities.</p> <p>As such there is a need to recalibrate and refocus product safety messaging into these communities through reinforcing trader responsibilities and undertaking consumer agency education activities.</p> <p>The issues identified as relevant to First Nations consumers are:</p> <ul style="list-style-type: none"> • product recalls • safe use information and education • product warnings. 	<p>Individual agencies will use these strategies to inform jurisdictional priority setting and activity development as appropriate.</p> <ul style="list-style-type: none"> • Give priority to the issue of product safety, particularly in the short to medium term. • Use proactive communication methods and tailor the messaging specific to First Nations communities. • The characteristics of this approach include: <ul style="list-style-type: none"> • crafting specific messages around rights within the product safety environment • developing communications and media strategies that are effective in reaching and engaging First Nations audiences which include the use of First Nations specific TV,

		<p>press, radio, and audio-visual options</p> <ul style="list-style-type: none"> • enhancing regional and jurisdictional engagement and activity • reinforce the obligations on suppliers to ensure First Nations consumers are communicated with during product recalls.
<p>1.5 NICS Reference Group effectiveness</p>	<p>The NICS Reference Group recognises that due to a range of barriers, First Nations consumers have limited access to appropriate and culturally sensitive educational materials regarding consumer issues.</p> <p>NICS Reference Group members agree that work to improve the effectiveness of the network as a collaboration and engagement forum to achieve genuine educational outcomes for First Nations consumers will be a strategic priority during this Action Plan period.</p>	<p>To produce meaningful improvements for First Nations consumers, individual agencies agree to:</p> <ul style="list-style-type: none"> • facilitate greater interagency access to materials and information relevant to First Nations consumer issues • promote consistent messaging from regulators, including the ability to support access to regulators through local networks and contacts • contribute to the delivery of an improved resource library for consumers, agencies and advocacy groups via the NICS website.

Section 2: National Project 2025 – 2027

Participating agencies will focus on a National Project that spans the life cycle of this current Action Plan. The National Project will not only deliver results for First Nations consumers, but it will also deliver an increased level of organisational competency and capacity to integrate First Nations consumer affairs issues into the activities of consumer agencies.

The central theme of the 2025 – 2027 National Project is *‘Outreach Amplified: Advancing Consumer Education Through Collaboration’*.

Through the NICS National Project, members will strengthen interagency collaboration by improving communication methods that facilitate timely and responsive discourse. To further enhance the outreach capabilities of NICS members, agencies will collaborate to produce joint consumer education resources specifically tailored to First Nations audiences that address a topic insufficiently covered by existing materials.

Taken as a whole, the National Project will deliver a level of consistency, competency, and service reliability across all agencies. The National Project will be managed by a lead agency responsible for the:

- Development and maintenance of a comprehensive project plan that includes a communications strategy, agreed milestones and dates for deliverables.
- Regular updating of NICS members including by way of bi-monthly NICS member meetings.
- Preparation of updates for the CSON bi-annual meeting which will be delivered by the NICS Chair recognising the work of the lead agency.