



18 August 2009

The Secretary
Senate Economics Legislation Committee
PO Box 6100
Parliament House
CANBERRA ACT 2600

Dear Secretary,

**Inquiry into the Trade Practices Amendment (Australian Consumer Law) Bill 2009
Application of unfair contracts terms provisions to insurance contracts**

We note that the current draft of the legislation before the committee effectively excludes contracts of insurance from the provisions which apply to unfair contract terms.

This exclusion is a relatively late change to the policy intention behind the bill, is at odds with the findings of the Productivity Commission Report on which the legislation is based (Report 45 April 2008) and has not been the subject of consultation.

We note and endorse the submission of the Legal Aid Commission of NSW on this matter. There is no reason for insurance contracts to be exempted from the proposed unfair contract laws.

We would be happy to discuss this issue further. You can contact me on (02) 9577 3246 or at grenouf@choice.com.au.

Yours sincerely,

Gordon Renouf,
Director, Policy and Campaigns

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