

DEPARTMENT OF COMMERCE — INVESTIGATION — RETIREMENT VILLAGES ACT 1992
POSSIBLE BREACHES — WILLOW CREEK VILLAGE, GREENFIELDS

5245. Mr D.A. Templeman to the Parliamentary Secretary representing the Minister for Commerce:

I refer to the ongoing investigation by your Department of possible breaches of the *Retirement Villages Act 1992* by the owners of Willow Creek Village in Greenfields, Mandurah and ask:

- (a) how long has the Department been investigating the owners of the Village with regard to possible breaches of the *Retirement Villages Act 1992*;
- (b) are any breaches of any other Acts also being investigated regarding the above Retirement Village;
- (c) if so, which breaches of which Act(s) are being investigated;
- (d) when is the Department of Commerce expected to report to you on this important matter and the associated investigation;
- (e) what actions will be taken by the Minister for Commerce and the Department of Commerce, if any breaches have been identified of any Acts associated with the operation of such enterprises; and
- (f) when can the residents expect to be informed of any actions that may be progressed by your Department against the owners of this Retirement Village?

Mr P.T. Miles replied:

- (a) The Department of Commerce's investigation commenced on 23 July 2014.
- (b) Yes.
- (c) The investigation is continuing and it would not be proper to speculate on what issues, if any, may warrant action. Alleged breaches are examined against other legislation administered by the Department, and therefore are also being examined under the Fair Trading Act 2010 (Australian Consumer Law), and the Retirement Villages Code.
- (d) The Department keeps the Minister informed of the broad progress of the investigation but as these are operational matters, he would not be informed in detail.
- (e) The Commissioner for Consumer Protection will independently decide if any of the alleged breaches should or will be pursued. There are a range of actions available to the Commissioner ranging from education through to prosecution.
- (f) Complainants and a number of affected residents may be contacted to alert them of the need to participate as a potential witness in this matter. They will be informed of the final outcome.