



## **Media Statement**

**Consumer Protection** 140 William Street Perth Western Australia 6000

Email: [cpmedia@dmirs.wa.gov.au](mailto:cpmedia@dmirs.wa.gov.au)

[www.dmirs.wa.gov.au](http://www.dmirs.wa.gov.au) [www.wa.gov.au](http://www.wa.gov.au)

4 November 2021

### **Removalist's false claim of professional affiliation results in a fine**

- Removalist fined \$3,000 for falsely claiming membership of industry association
- Association's logo and statement appeared on two identical business websites
- False affiliation claims detrimental to consumers and the industry representative

A \$3,000 fine has been handed to a Brabham removalist by the Perth Magistrates Court for making a false claim that his business was affiliated with a professional organisation.

The removalist, who was granted a spent conviction, pleaded guilty on 29 October 2021 to two charges of making a false or misleading representation in breach of the Australian Consumer Law. In addition to the fine, he was ordered to pay costs of \$418.

Two of his business websites **[www.elitemovers.com.au](http://www.elitemovers.com.au)** and **[www.elitemover.com.au](http://www.elitemover.com.au)**, which were identical, contained the logo of the Australian Furniture Removalists Association (AFRA) as well as a statement of affiliation. At no stage was either business a member of that professional organisation.

In his defence, the removalist stated that the websites were created by a contractor who was given examples of other removalists' websites which contained the affiliation and was simply copied. Magistrate Oliver stated it remained the removalist's responsibility to ensure the websites were accurate and that this responsibility wasn't taken seriously.

Commissioner for Consumer Protection Gary Newcombe said false claims about affiliations impact not only consumers, but the professional body as well.

"Consumers may favour certain traders who are members of a professional group but, in this case, they were duped into thinking that the business was an AFRA member, which gave an impression it adhered to the industry association's standards and is required to comply with consumer laws," Mr Newcombe said.



“The association also suffers if their reputation is damaged by traders masquerading as their members who then fail to maintain the required industry standards.

“It’s obvious that claiming to be a member of a peak-body will enhance a trader’s reputation and attract more customers, so it is crucial that they are indeed a current and valid member.

“In the case where a membership lapses or is revoked, the business needs to ensure that statements of affiliation and logos are removed immediately from any websites, advertising or promotions, as they will otherwise be liable to prosecution.”

Reports of false affiliations should be made to Consumer Protection by email: [consumer@dmirs.wa.gov.au](mailto:consumer@dmirs.wa.gov.au) or by calling 1300 30 40 54.

<ENDS>

**Media Contact:** Alan Hynd, (08) 6552 9248 / 0429 078 791  
[alan.hynd@dmirs.wa.gov.au](mailto:alan.hynd@dmirs.wa.gov.au)

