

Key Messages

Message One

All providers should ensure their marketing complies with Competition and Consumer law.

Message Two

Special attention should be made to programs generating referrals which claim to be independent.

Message Three

You should refer to the ACCC website or seek independent legal advice to ensure your marketing is compliant.

For further information

Visit our website at
www.hearingservices.gov.au

or email us at

hearing@health.gov.au

Phone: 1800 500 726



Australian Government
Department of Health

Australian Government
Hearing Services Program

Contracted Service Provider Notice

Marketing and Advertising

(CSPN – 2019/01)

Over the past two years, the Australian Competition and Consumer Commission (ACCC) has put the hearing industry on notice regarding advertising and related conduct.

The Department of Health would like to remind all contracted service providers (providers) of their obligation under clause 39 of the [Service Provider Contract](#) to comply with all Commonwealth laws. This includes laws under the [Competition and Consumer Act 2010](#).

Further, as required by Rule 8 of the [Hearing Services Rules of Conduct 2012](#), providers must not engage in advertising that is misleading or deceptive or which brings the program into disrepute.

Providers should review all their marketing and client information, both written and oral, to ensure it is compliant with the relevant laws. You should ensure any information given is current and correct and creates an accurate impression. You should be prepared to be able to substantiate any claims made. This includes websites or programs designed to generate referrals that state they are independent.

To assist you with your review of your marketing and sales information you may find the ACCC's [advertising and selling guide for businesses](#) useful. If you are unsure as to whether your marketing complies with relevant laws then you should consider seeking independent legal advice.

For further information regarding competition and consumer laws, please contact the [ACCC](#). For program related questions please email hearing@health.gov.au

30 January 2019