**AUSTRALIAN LAW ON BUSINESS TRANSACTIONS**

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**Introduction**

In Australia, the Department of Social Services provides information on the laws and values of the community. In my opinion, the Australian citizens are united by having shared values. This is particularly interesting because in as much as Australia is made up of people from all over the world but they all live by the rule of law.

**Parliament**

The Parliament of Australia also known as the Parliament of Commonwealth consists of 226 individuals who are elected to the House Representatives and Senate to make laws for the peace, order and a good nation. This is done while the parliamentarians represent the citizens of Australia. The parliament is based in Canberra, the Australian Capital Territory (Acts of Parliament: a narrative history of the Senate and House of Representatives Commonwealth of Australia, 1988). Parliament consists of, the House Representatives, the Senate, and the Queen who is usually represented by the Governor-General. The Australian Parliament has four major functions, which include; representing the people of Australia, providing a place where the government is formed, keeping a check on the work of the government and finally making and changing the federal laws (Maddox and Uhr, 2000).

In Law Making, the Parliament makes any new laws and amends the existing ones. Before this is done, a bill must be introduced and after that, it is debated and voted on by the members of the parliament. If the bill is passed with a majority vote, it becomes a law and it is after that signed or approved by the Governor-General who usually represents the Queen.

Parliamentarians are required to represent the Australians. They often represent their electorates, state or territories. This is done by the members of the parliament finding out about people’s concerns, interest and speaking about it in parliament with the other House Representatives.

Forming of the government is one of the other essential functions of the house. Parliament provides an institution in which the government is formed from a party or coalition with the support of the majority members of the parliament. The government manages important national issues such as immigration, trade or the environment. Any law that is passed in the parliament is therefore put into action by the government.

Finally, to ensure that the laws are put into action by the government, the parliament has to scrutinize the work of the government thoroughly (Thomas, 2009). This is done in various ways including; participating in senate meetings and hearings, questioning of the government, analyzing the government’s decisions in the main debates and examining bills in parliamentary committees and chamber debates. This is done to ensure that the government acts responsibly when, serving people’s interest, the spending of public money and when managing Australian affairs.

**Business Law**

Business law is an area of law that deals with issues that arise in existing business as well as the new businesses, interaction with the government, other companies and the public(Keenan and Riches, 2007). Business law has to include other legal disciplines such as the intellectual property, employment law, sales, tax law, bankruptcy and others. I would say that business law enables us to see or perceive companies as entities (Lucadou-Wells and Bourke, 2015). All business entities are subject to legal rules which are intended to give every business owner a fair opportunity to succeed.

Often, businesses can be made as corporations, partnership, limited liability companies as well as other entities. When a company is formed, it must ensure that it takes steps towards complying with the law. Business law attorneys on behalf of the business owners have to make sure that all the necessary documents are filled with the Secretary of State. Most entities are usually important to shield the owners of the business from individual liability.

In business, there often arises a complex transaction in which the business owners ought to navigate. Some of these commercial operations, the owner, can choose to handle but the complicated and complex business transactions such as internet commerce or scrutiny regulations, it is important for the attorney to come in. An attorney provides mostly provides relevant intuitions into an operation because of their nature and transactions.

**Australian Consumer Law**

The Australian Consumer Law provides guides and slips to explain the Australian Consumer Law in a simple manner (Consumerlaw.gov.au, 2016). This law applies to all Australian Businesses nationally. The aim of this law is to provide a fair trade as well as regulate the national infrastructure services. The Australian Consumer Laws prohibits restricts the types of business to consumer transactions, any harmful practices, providing basic consumer rights for goods and services.

The consumer rights, which are called customer guaranteed, are set out by the Australian Consumer Laws. These rights include an individual’s rights to replacement or funds, repair and compensation for damages, loss and finally being able to cancel a faulty service.When one buys a product or service under the Australian Consumer Law, they have to come with a guarantee that they will work and do what you had initially asked for. If the product or service that you bought doesn’t function as intended, one has consumer rights. The goods and services that are guaranteed should be goods and services that are sold at under$40,000 and over $40,000 which are mostly household items and items and products for personal use. Regardless of any other warranties that an individual is given, one must still automatically be given guarantee. If a business fails to give a consumer guarantee, the consumer has the right to cancel the particular goods or service, receive compensation for damages or loss or finally be able to replace, repair or get refund of the cost of goods and service.

The consumer guarantees on products should be of high quality. This mean that the product should look acceptable, do all the things that one should expect it to, and it should be very safe, have considerable durability with no faults. The products must contain also much any sample or model the client was show prior to the purchase, and it should not carry any hidden charges. The product should also have spare parts and repair facilities that can be used after a reasonable time of purchase unless one is told before the acquisition. Also, the product should meet any extra promises made on performances, quality, guarantee and money back offer.

When it comes to services, the consumer guarantee must actually include; acceptable care and skill and taking all the necessary steps to avoid loss or damage. The clients should receive the results that they were promised they would achieve as well as delivery should be done in the reasonable time when there is no agreed end date. Consumer guarantees of products and services therefore applies to gifts with proof that one had purchased it, sale items, bundles products, and services, a second had products from businesses and finally all online e-products and services that have been bought from any Australian business.

Remedies that an individual can seek from the retailer who sold the products include replacement, refund, and in some minor cases compensation for damages and loss. In cases where the products do not meet acceptable quality, unavailability of spare parts, and the description’s mismatch, an individual can choose to claim a remedy directly from the importer or the manufacturer.

In as much as products and services have guarantees, there are exceptions to the particular said guarantees. The guarantees do not apply in cases where an individual got the product that they had asked for initially but only choose to change their mind maybe because they found a cheaper product elsewhere. This guarantee does not also apply in instances where the product or serve is misused and when one knew of the faults of the product but still bought it. In a nutshell, therefore, the Australian Consumer Law helps all the business and legal practitioners to understand its key elements in a simple manner (Nottage, 2010). The ACL helps in avoiding unfair trading practices. This covers quite a vast area including deceptive conduct, false and misleading representation and fraudulent conduct. When it comes to consumer guarantees, it applies to all goods and services and when remedy, a refund, repair or replacement available.

The national consumer product safety includes; mandatory safety standards, product safety recalls, mandatory reporting of deaths and injuries as well as product liability. This covers all aspects of safety including children suffocating from polythene bags covering their faces or a child swallowing a battery. Unsolicited supplies, pyramid schemes, lay-by agreements, multiple pricing, referral selling as well as harassment and coercion are all included in the sales practices (Sengayen, 2002). The consumer law also includes terms of a contract that individuals are required to sigh.

When it comes to signing the contract, both entities should be aware of what agreement they are settling for. If language barrier can be the problem, an interpreter should be included to expound vividly on then contract terms. A guide was developed by the National, state and territory consumer protection agency to help legal practitioners and consumers to recognize unfair terms in contracts.

**Morals and Values of the Society**

Australians value their success in being able to have a society that is rich in culture (Fisher and McDonald, 2016). The values and principle that Australians have are what is uniting them. There are several religions and cultures from all over the world, which makes this nation a multicultural country, existing side by side with a secular legal system. Having a mutual goal enables individuals to come together for the greater good of the society. The nation’s interest should come first, and all the past differences should be seen as by gone to be able to enable the community as well as the country success.

The entire Australian citizens have their rights (Campbell, Goldsworthy and Stone, 2006). One of the rights includes a right to vote. This gives every individual has a chance not only to be able to practice his or her rights but also to choose a representative in Parliament. The law ensures that no one faces discrimination regardless of an individual’s gender, sexual orientation or even religion. Australians have a duty to the nation by accepting the principle and values of the society. These therefore include; the rule of law, equality of opportunities, freedom of speech and religion, use of English as the national language, the democratic principles of the government and finally, accept the cultural diversity and ethnic backgrounds. It is unlawful to offend, insult, humiliate or intimidate another person or group because of their race. The Australian community believes that to express one’s culture and beliefs, they must accept the rights of others to voice their views and values.

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