

Online Review Laws Australia

Australian Consumer Law (ACCC Guidance) Summary for Trade Businesses

Under the **Australian Consumer Law (ACL)** contained in the Competition and Consumer Act 2010 (Cth), trade businesses must not engage in misleading or deceptive conduct.

When it comes to reviews, this means you must not filter which clients can leave a public review, suppress or delay negative reviews, selectively invite only satisfied clients, or present ratings that do not reflect genuine client experience.

The Legal Foundation: Section 18 (misleading conduct), Section 29 (false representations), Section 34 (misleading representations about services). *Your Google rating is legally treated like advertising.*

1. **Reviews must be genuine:** No fake reviews, no staff/family reviews without disclosure, no editing client wording.
2. **No review-gating:** Cannot filter clients before giving them a review link based on satisfaction.
3. **No selective invitations:** Cannot only invite "happy" clients to leave reviews.
4. **No suppressing negatives:** Cannot hide, delay, or selectively moderate negative feedback.
5. **Incentives must not distort:** Any incentive must apply regardless of rating and be disclosed.

What This Means for Trade Businesses

YOU CAN:

- ✓ Send the same Google review link to every client
- ✓ Invite clients to provide feedback
- ✓ Run client satisfaction surveys
- ✓ Provide a complaints pathway
- ✓ Respond professionally to negative reviews

YOU CANNOT:

- ✗ Decide who gets a Google review link
- ✗ Require positive response before showing review platforms
- ✗ Divert unhappy clients away from public review sites
- ✗ Inflate ratings through filtering
- ✗ Present ratings that don't reflect real client experience

1. Reviews Must Be Genuine

You must not: Write reviews for your own business, ask staff/family to post without disclosure, edit client wording, or publish fabricated testimonials.

ACCC guidance makes clear that fake or manipulated reviews breach consumer law.

2. Review-Gating is Illegal

This is where many trade businesses unintentionally breach the law.

ILLEGAL EXAMPLE (VERY COMMON)

SMS: "Were you happy with our work?" → Client rates → 5 stars goes to Google, 1-3 stars goes to private feedback form.

You are controlling which clients can publicly review your service. This creates a rating that appears more favourable than the real client experience.

3. No Selective Invitations

Illegal conduct includes:

- Only sending review links to clients whose jobs went smoothly
- Emailing review links only to long-term clients
- Sending review requests only after positive survey responses

Even without fake reviews, this may breach the law because it distorts the overall public impression.

4. Cannot Suppress Negative Reviews

You must not: Delay publishing negative feedback, hide negative reviews, display only positive testimonials, or selectively moderate feedback.

If the public sees only favourable feedback, the rating becomes misleading.

5. Incentives Must Not Distort Reviews

ILLEGAL

"Leave us a 5-star review and receive a discount on your next job."

POTENTIALLY LEGAL

"Leave a review (any rating) to enter a draw." (Must apply regardless of rating and be disclosed.)

Real Cases Relevant to Trade Businesses

ACCC v HealthEngine Pty Ltd

Federal Court found that editing and selectively publishing client reviews misled consumers. Clients may choose service providers based on online reviews, making accuracy important across all industries including trades.

Penalty: \$2.9 million

ACCC v Meriton Serviced Apartments Pty Ltd

Federal Court found that preventing certain guests from receiving TripAdvisor review invitations was misleading. Manipulating review access itself can breach consumer law—even if no fake reviews are written.

Penalty: \$3 million

THE ONE-SENTENCE RULE FOR TRADE BUSINESSES

If your system changes which clients are able to publicly review your service, it likely breaches Australian Consumer Law.

(This guide provides general information only and is not legal advice. Refer to ACCC guidance for full regulatory detail.)

Summary by TrueBlueReview | Based on ACCC Online Reviews Guidance | Official guidance: [accc.gov.au/business/advertising-and-promotions/online-product-and-service-reviews](https://www.accc.gov.au/business/advertising-and-promotions/online-product-and-service-reviews)