



Foundation for Alcohol Research & Education

**Submission:
Credit and financial services targeted at
Australians at risk of financial hardship**

November 2018



**STOPPING
HARM
CAUSED BY
ALCOHOL**

About the Foundation for Alcohol Research and Education

The Foundation for Alcohol Research and Education (FARE) is an independent, not-for-profit organisation working to stop the harm caused by alcohol.

Alcohol harm in Australia is significant. More than 5,500 lives are lost every year and more than 157,000 people are hospitalised making alcohol one of our nation's greatest preventive health challenges.

For over a decade, FARE has been working with communities, governments, health professionals and police across the country to stop alcohol harm by supporting world-leading research, raising public awareness and advocating for changes to alcohol policy.

FARE is guided by the World Health Organization's (2010) *Global strategy to reduce the harmful use of alcohol* for stopping alcohol harm through population-based strategies, problem directed policies, and direct interventions.

If you would like to contribute to FARE's important work, call us on (02) 6122 8600 or email info@fare.org.au.

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Summary

The Foundation for Alcohol Research and Education (FARE) welcomes the opportunity to provide a submission to the Senate Economics References Committee on *credit and financial services targeted at Australians at risk of financial hardship*. We would be happy to discuss any aspects of our submission, and would welcome further engagement on the issues it raises.

Alcohol is no ordinary commodity. It is one of the leading contributors to death and disability in Australia and is a causal factor in over 200 disease and injury conditions.^{1,2} It is for this reason that alcohol should not be marketed and delivered in the same way as fast fashion online retailers.

Of serious concern is the increasing promotion and use of ‘buy now pay later’ services to purchase alcohol. This submission concentrates on this specific form of unlicensed financial service (as per term of reference (a)(ii)) however the issues raised may be applicable to other services.

These services increase availability and accessibility of alcohol products through fractional upfront payments and easy delivery options. The use of quasi-credit for addictive substances and the promotion of these online is of particular concern for vulnerable populations, including dependent drinkers, underage drinkers, and people in lower socioeconomic groups. The burden from alcohol use is 1.9 times higher in the lowest socioeconomic group when compared with the highest socioeconomic group.³ Increased availability of alcohol is also associated with harm to innocent third parties through an increase in assault,^{4,5} domestic violence,⁶ road crashes,⁷ and child maltreatment.⁸

It is well established that increases in availability and decreases in the price of alcohol lead to increased harm from alcohol.⁹ It follows that measures such as ‘buy now pay later’ have the potential to increase alcohol harm and alcohol dependency. Price is a crucial modifier in alcohol purchasing behaviour; in fact, increased price is one of the best ways to reduce consumption. The use of ‘buy now pay later’ services for alcohol subverts established mechanisms to minimise harm to public health from alcohol, by enticing the consumer with a much lower upfront price. There is a substantial risk that this will simultaneously increase alcohol and credit dependency.

These factors lead to several specific concerns, including:

- Concerns for vulnerable populations, including dependent drinkers
- Alcohol sales not being subject in a meaningful way to the responsible service of alcohol
- Undermining public health outcomes through increased availability and decreased upfront price of alcohol.

Recommendations

FARE submits a number of recommendations to the committee in regards to ‘buy now pay later’ services:

1. Prohibit the use of ‘buy now pay later’ services, or other unregulated credit-like services to purchase alcohol.
2. Prohibit the advertising and sale of alcohol with fractional costing.
3. Regulate the sale and advertisement of alcohol online to ensure that it abides by responsible service of alcohol provisions in all states in which it is available for delivery.
4. Conduct a public inquiry into the online sale, advertisement and delivery of alcohol.

The current landscape

Alcohol harm in Australia

Alcohol is no ordinary commodity. It is one of the leading contributors to death and disability in Australia and is a causal factor in over 200 disease and injury conditions.^{10,11} It is a psychoactive drug, a group one carcinogen, a teratogen, and a chemical that damages the developing brain.

Alcohol availability in Australia

The World Health Organization (WHO) identifies price, promotion and availability as the most effective targets to reduce alcohol harm. The WHO *Global strategy to reduce the harmful use of alcohol* states that “the most effective means of enforcement is on sellers, who have a business interest in retaining the right to sell alcohol”.¹²

Advertising and promotion of alcohol results in the normalisation of alcohol and an increase in consumption, thereby increasing the risk of alcohol harm. In addition to this, there is an inverse relationship between the price of alcoholic beverages and levels of consumption and harm.¹³

The availability of alcohol through ‘buy now pay later’ services online, at reduced upfront prices, leaves consumers vulnerable to high levels of harm and increases population-wide availability and accessibility.

‘Buy now pay later’ services in Australia

‘Buy now, pay later’ services emerged in the Australian market in 2015. The Australian Securities and Investment Commission (ASIC) describes these services as allowing a consumer to “order or purchase a product immediately and delay payment [...], then pay off the product in instalments over several weeks - or, with some service providers, over a longer period of time.”¹⁴ These services have some similarities with the practice of lay-by, but these new services allow the consumer to obtain the goods at the point of sale (POS) and before the purchase is fully paid for.

Overarching concerns with ‘buy now pay later’ services

‘Buy now, pay later’ services are not regulated under the national credit code, as no fees are charged for their services, no interest is charged on the debt/payment plans to the consumer, and their loans are less than 62 days. As a result of not being regulated by the code, there are no protections for the consumer such as responsible lending provisions.¹⁵

As detailed by ASIC, providers must meet three obligations to satisfy the responsible lending provisions:

1. make reasonable inquiries about the consumer’s financial situation, and their requirements and objectives;
2. take reasonable steps to verify the consumer’s financial situation; and
3. make a preliminary assessment (if you are providing credit assistance) or final assessment (if you are the credit provider) about whether the credit contract is ‘not unsuitable’ for the consumer (based on the inquiries and information obtained in the first two steps).¹⁶

The absence of these three obligations for ‘buy now pay later’ services leaves consumers vulnerable to receiving ‘credit’ they are not in a position to repay. Despite not needing to meet these obligations,

these services are able to refer and report negative credit activity, while having taken no responsibility to ensure the debt could be repaid.

Major 'buy now pay later' companies in Australia

Over the month of October 2018, FARE used the internet to identify the number of these services available to consumers in Australia. Ten different services were identified. Services were counted if they had a payment plan of fewer than 62 days and marketed themselves as 'buy now pay later'. The services differed substantially in their terms and conditions. Snapshots of the key features of four main providers are outlined below.

Services are tied to vendors on both their own web platforms and through vendor's websites. The services are delivered through the payment systems of the vendor and integrated similarly to other financial products such as PayPal.

Afterpay

Afterpay, offer point of sale (POS) loans. Afterpay markets itself with four instalment payment plans, with 25 per cent of the cost being required at the time of purchase, and the consumer able to obtain the product at this time. Afterpay reserves the right to perform a credit check but the fact that 24.4 per cent of Afterpay's income for the 12 month period ending June 30 2018, was as a result of late payment fees, indicates that this is not a standard procedure.¹⁷

Zippay

Zippay performs credit checks but does not require payment upfront. Zippay requires a minimum \$40/month repayment and charges a monthly account fee of \$6. Zippay is related to the financial service Zip Money, which does charge interest and is regulated accordingly.

Openpay

Openpay provides services such as car repairs, home improvement and dental work. Openpay perform a credit check depending on purchases made. Twenty per cent of the purchase price must be made upfront. Consumables are not available through their service.

Oxipay

Oxipay has two payment plan options of either four fortnightly payments or eight weekly payments. An upfront payment of 25 per cent is required at point of sale. Oxipay performs a credit check.

'Buy now pay later' services and alcohol purchases

In order to understand the current landscape, the four major 'buy now pay later' companies that allowed the purchase of consumables described above (Afterpay, Zippay, Openpay and Oxipay) were assessed for their age verification policies, alcohol availability and alcohol policies. The results are detailed in table 1.

Table 1 shows the breakdown of age verification, alcohol policies, alcohol availability and credit checks of the four major 'buy now pay later' services in Australia

| Service | Age Verification | Alcohol available? | Alcohol Policy | Credit Check |
|-----------------|--|--------------------|-------------------------------|--|
| Afterpay | ID required | YES | None | Reserves the right but unclear how often is enforced |
| Zippay | ID required | YES | None | Yes |
| Openpay | ID required | NO | None apparent, but no vendors | Reserves the right but unclear how often is enforced |
| Oxipay | No ID required but a credit card is required | YES | None | Yes |

Afterpay, Zippay and Oxipay had alcohol available for purchase with their services, and retailers that sold alcohol were listed on their websites. These are seen clearly in the below images where for Afterpay, a simple search for wine generated results as seen in figure 1. For Zippay, there is a distinct category for alcohol on their website as seen in figure 2.

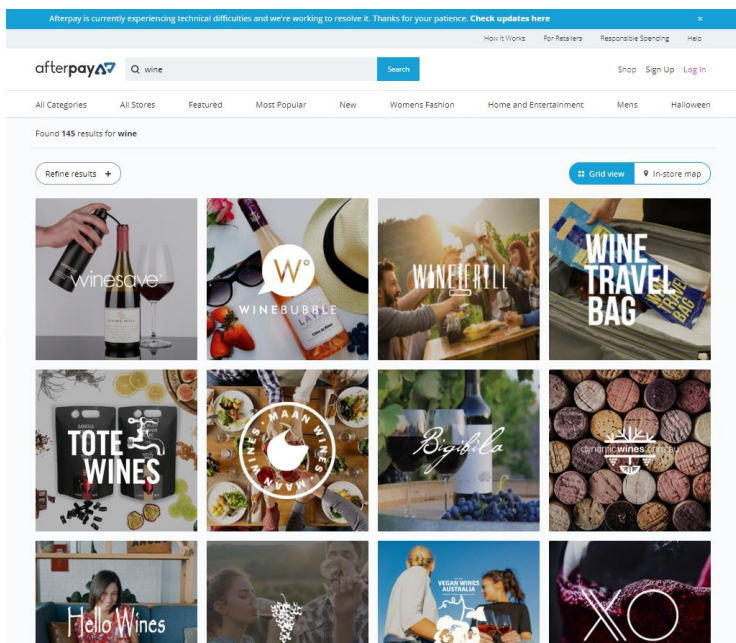


Figure 1 shows search results for 'wine' on afterpay.com

These 'buy now pay later' services are not directly advertising or promoting that alcohol is available through their services. The availability of their services on notable ecommerce sites such as Catch.com and kogan.com where alcohol is available is an issue with the large amount of traffic. Kogan.com receives 52 million unique visits each year, and Catch claims to sell an item every 2.8 seconds.¹⁸

Own Alcohol Interest Free

Choose from over 16 partners such as Cocktail Kit, Quick Bottle and Dynamic Wines that sell Alcohol interest free. Buy the things you love today and pay for them over time, interest free with Zip.

All Online In-store

Search for anything, i.e. bikes, gloves, store name

Relevancy

BROWSE BY CATEGORY

- Featured Stores
- New Stores
- In-store
- Women's Fashion >
- Men's Fashion >
- Kids >
- Electronics >
- Home & Office >
- Food & Drink** >
- Groceries >
- Alcohol** >
- Wine
- Beer
- Spirits
- Mixers
- Health Food >
- Meals >
- Health & Beauty >
- Sports & Recreation >
- Travel >
- See More... >
- See All Categories

The new Zip app is here! Click to download.

Available on the App Store

GET IT ON Google Play

Stores > Food & Drink > Alcohol

Figure 2 shows alcohol category on zip.co

A further analysis into Zippay and Afterpay was conducted and a cost breakdown on alcohol purchases was performed, as detailed in table 2. What is revealed by this cost breakdown is that alcohol can be purchased for an upfront cost (and with Zippay, 0 upfront cost), at a minimum of 20 cents AUD.

Table 2 showing cost breakdown of alcohol products available through the two leading 'buy now pay later' services

| Vendor | Service | Product | Price | Full price per STD drink | Price per bottle at POS | Price per STD Drink at POS | Delivery time |
|---------------------|----------|--|-------|--------------------------|-------------------------|----------------------------|---------------------|
| Catch.com | Zippay | Novel White Mixed - 12 Pack ¹⁹ | \$69 | \$0.85 | \$0 | \$0 | 2 day dispatch |
| quickbottle.com.au | Zippay | Odd Socks Shiraz, Yenda NSW ²⁰ | \$12* | \$1.45 | \$0 | \$0 | Two hours in Sydney |
| Hellowines.com | Afterpay | Vistamar Brisa Chardonnay 750ml Santiago, Chile - 12 Bottles ²¹ | \$99 | \$1.07 | \$2.0625 | \$0.267 | 2-5 business days |
| mollyscradle.com.au | Afterpay | Molly's Cradle Verdelho - WAREHOUSE FIND 6 Packs ²² | \$60 | \$15 | \$2.91 | \$0.3787 | 2-5 business days |
| Kogan.com | Afterpay | Distinguished Red Mixed Wine (12 Bottles) ²³ | \$75 | \$0.81 | \$1.56 | \$0.201 | 2 day dispatch |

*Minimum \$30 purchase

Case study regarding alcohol and 'buy now pay later' as a form of promotion

A key concern with 'buy now pay later' services being used to purchase addictive consumables is that the product may still be being paid off after it has been consumed. This creates the potential for snowballing debt in dependent drinkers, with the next purchase being made before the previous purchase has been paid off. Below we have modelled a hypothetical scenario for the purposes of illustrating the potential impact on a dependent drinker.

Assuming that a single person was purchasing 12 bottles of wine using Afterpay, as detailed in the bottom row of table 2, they would be making four payments in total for their purchase. Each payment of 25 per cent would be due every fortnight with the first payment occurring immediately. Based on a 750ml wine bottle with 11.5% alcohol volume, this would mean that they would have purchased a total of 81.6 standard drinks at a price of \$0.201 per standard drink at the point of sale.

Based on the national average rate of consumption of 2.6 standard drinks per day per capita, it would then take 31.38 days for the alcohol to be consumed. ²⁴

However, if we hypothesise a higher rate of consumption at 5.2 standard drinks per day (double the average), for the purposes of modelling the impact on a more dependent drinker, then it would take

15.69 days for the alcohol to be consumed, yet only half of the alcohol would have been paid for at this point, leaving half of the debt outstanding after the alcohol has been consumed.

Although this is only hypothetical modelling, it is easy to see how ‘buy now pay later’ services could create the potential for snowballing debt in dependent drinkers. It is also a significant concern, that some providers of ‘buy now pay later’ services offer alcohol delivery within two hours. Coupled with the issues outlined in the case study above, this amounts to an unacceptable level of accessibility to cheap (at POS) alcohol. The potential negative impact on vulnerable consumers is clear.

Health concerns regarding ‘buy now pay later’ services and alcohol purchases

Alcohol available at reduced prices at the point of sale is akin to drastic discounting and promotions. FARE’s 2018 Annual Alcohol Poll showed that 54 per cent of drinkers bought a particular type of alcohol because its price was discounted and 36 per cent of drinkers bought more alcohol than planned because the price was discounted.²⁵ With ‘buy now pay later’ services showing the cost breakdown of their products, this is likely to have the same impact on the consumer as advertising the product at a quarter of the price. In addition to this, with ‘buy now pay later’ services being widely used in Australia for other goods - such as a pair of shoes, electronics, or even car repairs and dental work - the availability of alcohol through these services normalises alcohol as an everyday item and expense.

‘Buy now pay later’ acts upon the consumer’s need and the want of an item/s and reduces the barriers to purchase by reducing/eliminating the upfront cost. This enables people to make purchases that they cannot afford at the time, or potentially will not be able to afford in the future. This is concerning in regards to consumables, as these items will have been at least partially consumed before payment is due. It is particularly concerning when extended to addictive substances such as alcohol.

Dependent drinkers

Particular concerns exist regarding dependent drinkers or those who are struggling with addiction. A reduction in the barriers at the point of sale may have a particular impact on people who struggle with dependant drinking, exacerbated by the delayed financial burden on the consumer. This is counter to public health measures that exist to increase barriers to harmful consumption of unhealthy commodities.

Responsible Service of Alcohol

All states and territories require that licensees and their staff undertake responsible service of alcohol (RSA) training. Such programs focus on the attitudes, knowledge, skills and practices of people serving alcohol at licensed venues and aim to prevent intoxication and underage drinking.²⁶ Responsible service of alcohol licensing varies state by state and the requirements for those who can provide alcohol (i.e. couriers) will vary by jurisdiction, but the same underlying public health principle stands - to reduce alcohol harm through responsible service.

The ease with which underage people can use ‘buy now pay later’ services to bypass these safeguards and obtain a controlled substance is highly concerning. In one recent example, an underage adolescent was able to purchase and receive seven bottles of champagne. The whole process of

signing up and making the purchase reportedly took less than five minutes. The adolescent had no means of making the repayments.²⁷ This is a clear infringement of responsible service of alcohol, and the availability and accessibility of alcohol through these payment services raises further questions about compliance with responsible service requirements.

Another concern is the supply of alcohol to people who are already intoxicated. Through the use of Zippay and the vendor quickbottle.com.au, someone who is intoxicated would be able to purchase and have alcohol delivered within two hours (in a city), with no upfront cost for the purchase.

Public health

The most effective way to reduce alcohol harm is to decrease alcohol affordability, availability and advertising, in line with the World Health Organizations 'Best Buys'.^{28,29}

However, as 'buy now pay later' have this fractional upfront cost of products, this creates an incentive to purchase bulk alcohol, and disregards the health and social costs associated with these sales. The use of 'buy now pay later' services for alcohol subverts established mechanisms to minimise harm to public health from alcohol, by enticing the consumer with a much lower upfront price. There is a substantial risk that this will simultaneously increase alcohol and credit dependency among vulnerable consumers.

Harm to Others

Alcohol also contributes to significant harm to people other than the drinker. As a result of other people's drinking, there are more than 360 deaths, 14,000 hospitalisations and more than 70,000 victims of alcohol-related assault in Australia each year.³⁰

Increased availability of alcohol is associated with harm to innocent third parties through an increase in assault,^{31,32} road crashes,³³ and child maltreatment.³⁴ It is also well-established that increases in the availability of alcohol contributes to increases in alcohol-related violence. Research in Melbourne has found that there is a strong association between family violence and the concentration of off-licence (packaged or take-away) liquor outlets in an area. The study concluded that a ten per cent increase in off-licence liquor outlets is associated with a 3.3 per cent increase in family violence. Increases in family violence were also apparent with the increase in general (pub) licences and on-premise licences.³⁵ In Western Australia (WA), a study concluded that for every 10,000 additional litres of pure alcohol sold at an off-licence liquor outlet, the risk of violence experienced in a residential setting increased by 26 per cent.³⁶

The ability of 'buy now, pay later' services to increase both the physical and economic availability of alcohol is therefore of grave concern in regards to an increase in harm to others.

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