



MEDIA RELEASE

RICHARD O'SULLIVAN

Commissioner of Consumer Affairs

4 November 2004

COMPLAINTS AGAINST POOL BUILDER

A local pool builder has come to the attention of NT Consumer and Business Affairs.

The Consumer Affairs Commissioner Richard O'Sullivan says he has received an unacceptably high number of consumer complaints regarding Olympic Pool Constructions (NT) Pty Ltd and companies associated with Brian Julius Rigby Smith and the construction of swimming pools.

Olympic Pool Constructions (NT) Pty Ltd also advertises under the names Olympic Pool Constructions Pty Ltd and Olympic Pool Construction Pty Ltd.

Brian Julius Rigby Smith is a director of Olympic Pool Constructions (NT) Pty Ltd.

The complaints against Olympic Pool Constructions (NT) Pty Ltd include allegations of poor quality or standard of work, failure to comply with contractual obligations such as warranties and failure to observe relevant Australian Standards.

Engineering reports in relation to swimming pools associated with Olympic Pool Constructions (NT) Pty Ltd indicate the workmanship is of poor quality and does not comply with the relevant Australian Standard.

This appears to contradict express statements made by Olympic Pool Constructions Pty Ltd which state: "Beyond 2000 Technology is the intellectual property of Brian JR & Rocky A Smith and is a method of constructing reinforced pools to comply with relevant Australian standards (*sic*)...".

Mr O'Sullivan said consumers are reminded to always take great care when entering into such contracts. In particular consumers are reminded to:

- ensure that legal documentation is in place before money is exchanged and work starts;
- seek independent legal advice in relation to contracts;
- obtain references from past customers.

Consumers can contact Consumer Affairs on 8999 1999 should they require any assistance. (NOTE: History fact sheet on Olympic Pool Constructions NT Pty Ltd following)

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F A C T S H E E T

- ❖ Darwin Swimpool Sales and Service Pty Ltd named twice in Commissioner of Consumer Affairs reports (1981 and 1985) for substandard work and successful court action by the Commissioner. Brian Julius Rigby Smith was a director of Darwin Swimpool Sales and Service Pty Ltd.

- ❖ Brian Julius Rigby Smith prohibited from being a director of a company by the Australian Securities and Investment Commission (ASIC) in 1989.

- ❖ Brian Julius Rigby Smith convicted in 1993 of managing a corporation without leave of the court.

- ❖ 25 consumer complaints over workmanship and warranty issues to Consumer Affairs relating to Brian Julius Rigby Smith and associated companies (either as a Director or having a significant interest in these companies).

- ❖ Recent successful court action and judgment against Olympic Pool Consultants Pty Ltd of which Brian Julius Rigby Smith is also a company director.

- ❖ Three independent engineering reports had confirmed poor quality of workmanship and non compliance with Australian Standards.