

NORTHERN TERRITORY

CONSUMER

AFFAIRS

Refunds

You'll want good advice

*"...Choose carefully...Traders do not have to give you a refund if you:
Simply change your mind, don't like the colour or
You see the item at a cheaper price elsewhere..."*



Consumer Affairs: 1800 019 319

REFUNDS

The law aims to give both consumers and traders a fair go. It is designed to protect consumers when they buy goods or services from retailers, service providers or manufacturers, and inform traders of their responsibilities.

Trader's refund policy

Traders should display their refund policy in a prominent position in their store.

'No Refund' signs

Signs reading '**No Refund**' are illegal as they mislead consumers about their rights.

Consumer rights

You are entitled to a repair, replacement or a refund if:

- the item you bought is faulty (and you did not know something was wrong with it when you bought it);
- the item does not do what you were told it would do; or
- the item is not the same as you asked for or the same as you were shown.

Payment by Credit Card

If you paid for the item by credit card, you are not entitled to a cash refund. The amount of the refund should be credited to your credit card.

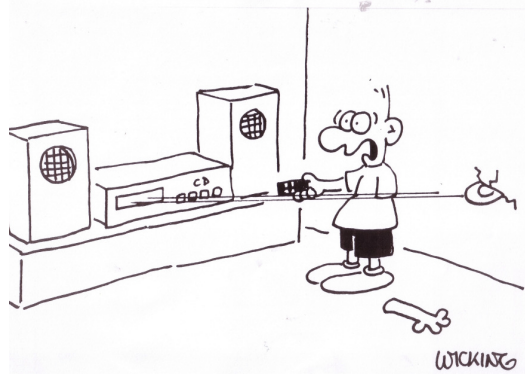
Trader's responsibilities

The goods sold must be of saleable quality, match the description or sample and be free of faults.

Saleable quality

Saleable quality means a basic level of quality that could be expected, bearing in mind the price and the way the goods were described.

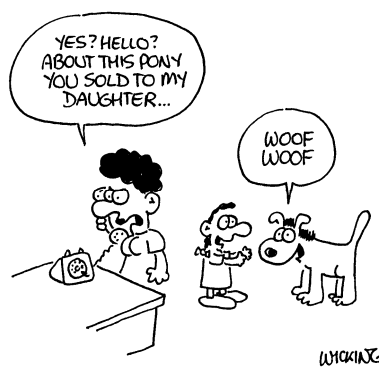
For example, a shoe shouldn't lose a heel the first time it is worn, and a new car should not have rust, but a loose door handle or badly fitted carpet would not make goods unsaleable.



Match the description or sample

Items must match any description given to you, whether face to face, on the labelling or packaging, or in any promotional material. They must also match any sample you are shown.

For example, a refrigerator must defrost automatically if that is the way it is described, and the carpet must be the same quality and colour as the sample you chose from.



Free from defects

There must be no hidden defects which affect the quality of the goods. You cannot complain about defects pointed out to you or defects you discovered before buying.

Checklist

Often it is difficult for consumers to decide if goods have faults which would entitle them to a refund.

The following checks may help you and the trader to reach agreement:

- Have the manufacturer's instructions been followed?
- Was the fault caused by something you failed to do? (for example: you didn't get the item regularly serviced as recommended by the manufacturer).
- Has the item been misused or abused? (e.g. did you drop it?)
- Could the problem have been expected, given the item's quality, age and price?

Examples

If a TV that should last five years develops a serious fault after one year, you should be entitled to have the set repaired or replaced.

If you paid \$10 for a watch at the markets, you wouldn't expect it to last as long as a good brand watches worth \$2,000.

Consumer obligations

If you are seeking a refund, you need to:

- report the fault and return the goods to the store within a reasonable time;
- stop using the faulty product and look after it until it can be returned; and
- provide proof of purchase.