

## **MEDIA RELEASE**

# **Commissioner of Consumer Affairs**

29<sup>th</sup> November 2011

### **NEW LAWS PROTECT CHRISTMAS SHOPPERS**

Christmas shoppers in the Northern Territory will have greater protections this Christmas thanks to new laws that came into force at the beginning of the year.

The Australian Consumer Law (ACL), which came into effect on 1 January 2011, provides that suppliers and manufacturers guarantee that goods are safe, durable, free from defects, acceptable in appearance and finish and will work properly.

The Commissioner of Consumer Affairs, Gary Clements, said there is also a guarantee for services under the ACL.

“When consumers buy a service, which could be anything from a haircut to house painting, the business that supplies the service automatically guarantees to use an acceptable level of skill or technical knowledge and duty of care,” Mr Clements said.

“Under the ACL it is up to the retailer to deal with the issues of faulty goods and services.

“If the product has a major fault, the consumer is entitled, under the ACL, to determine what remedy they want - replacement goods, repair or a full refund,” he said.

Mr Clements said the retailer should not be directing consumers to manufacturers and consumers should not accept this as a suitable action as the retailer is obliged to assist the consumer to resolve warranty issues.

“Consumers should be aware that these rights apply without the need to pay extra for an ‘extended warranty’ as the ACL relates to all products and services purchased in Australia and are in addition to any express warranty or written guarantee provided by the manufacturer,” he said.

Consumer Affairs in the Northern Territory will join the Australian Competition and Consumer Commission (ACCC) and State and Territory agencies in a co-ordinated national campaign to ensure that retailers are honouring these guarantees.

“The campaign will be targeting stores which sell mobile phones, white goods and electronics to ensure their refund policies are legal, and that retailers are adhering to the ACL when consumers have faulty goods,” the Commissioner said.

Mr Clements has also reminded consumers to be careful when signing up for goods and services this Christmas and to make sure that the contract terms and conditions are fully understood before signing or agreeing to anything.

“Shoppers may not be aware that uninvited approaches made by traders from outside the designated area of a temporary stall in a shopping centre may amount to unsolicited trading,” he said.

“This can trigger additional contractual obligations on the trader such as allowing a 10 day cooling off period.”

Consumers who are having problems with warranty claims or require any further information regarding shopping rights and the new ACL should contact Consumer Affairs on 1800 019 319 or email [consumer@nt.gov.au](mailto:consumer@nt.gov.au).