

## CONSUMER AFFAIRS

### Unsolicited Goods

***Unsolicited goods are goods that you receive from a trader but you did not order or request them. What do you do if you receive goods through this process?***

#### **THE FACTS**

Some over-zealous traders use a technique called 'inertia selling'. The trader assumes that if you receive unordered goods, you may actually keep them and pay for them. Similarly, you may have ordered goods using a mail order form and then find extra goods are sent to you.

If you order goods through the mail order form you are responsible only for the goods described on the form. If the goods are unsolicited you do not have to pay for them unless you willfully damage or lose them. Do not use the goods and do not throw them away.

#### ***The trader shall not:***

- Make demand for payment;
- Threaten you with legal proceedings with a view to obtaining payment;
- Threaten to put your name on a list of defaulters or debtors;
- Threaten to make use of collection procedures in order to obtain payment;
- Send an invoice or other document stating the amount owing on the goods.

#### ***If you receive unordered goods you can do one of three things:***

- You can pay for the goods and keep them;
- You can do nothing. If you do nothing, the goods become yours to keep after three months. However, during those three months the trader may come and collect the goods from you. You must allow them to take the goods;
- You can send a written notice to the trader. The letter you send to the trader must state that the goods were unsolicited. It must also contain your name and the address where the trader may come and collect the goods. It is wise to send this letter by certified mail. If the trader comes to collect the goods within one month of the date you sent the notice, you must allow them to take the goods. If the trader does not come to collect the goods during that time, they become your property.

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#### **For further information contact Consumer Affairs**

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