

**Consumer and
Business Services**

Head office

Chesser House
91-97 Grenfell Street
Adelaide SA 5000

GPO Box 1719
Adelaide SA 5001
DX 225
Tel: 131 882
Fax: (08) 8204 9769
www.cbs.sa.gov.au

Service SA provide limited services and
transactions on behalf of CBS in various
regional locations.

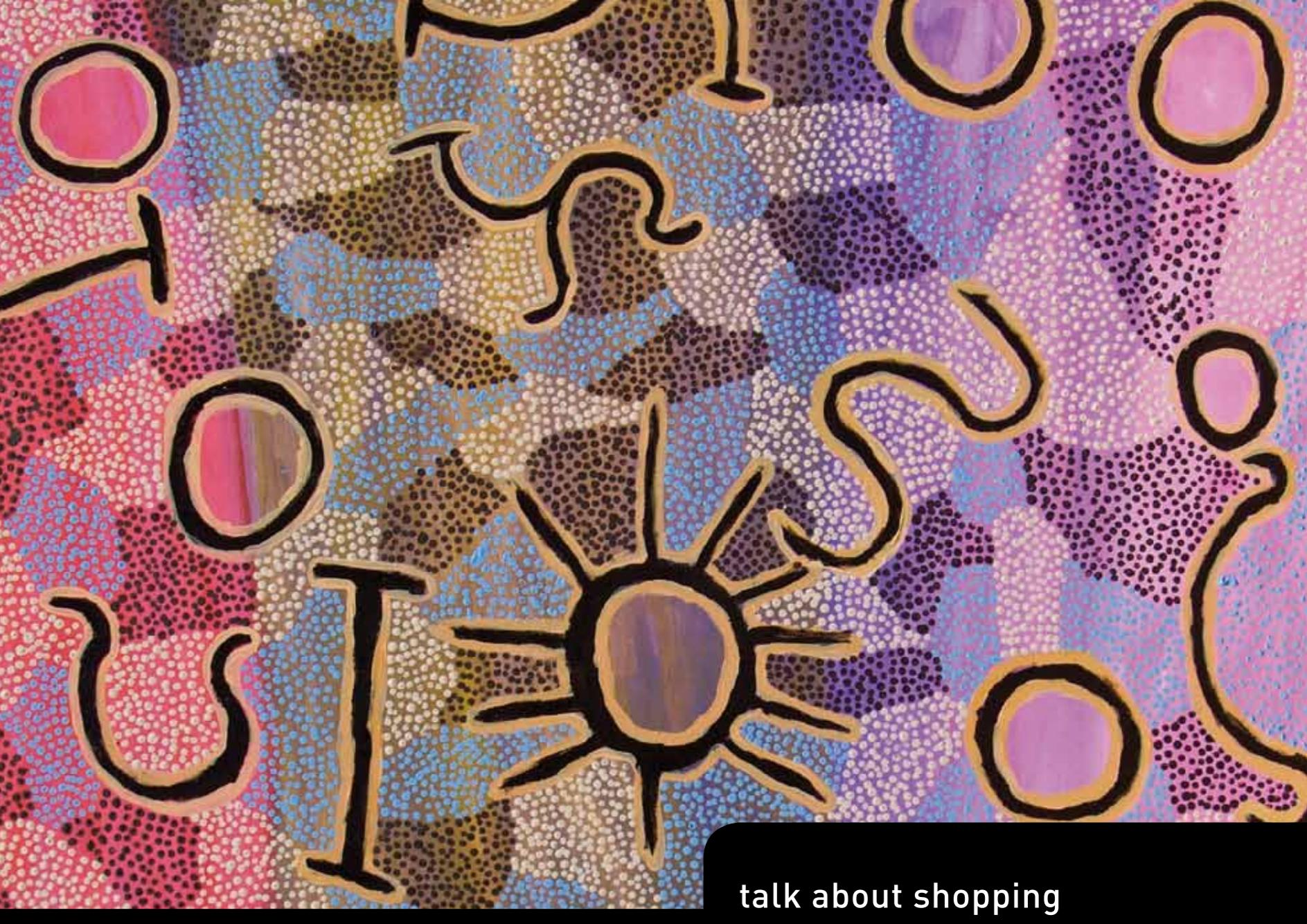
Tel: 13 18 82 for further information.

Translating and Interpreting
Service (TIS)
Tel: 13 14 50



Government
of South Australia

Consumer and
Business Services



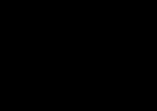
talk about shopping



The cover illustration has been reproduced from the original acrylic on canvas painted by Willie Wilson. The painting is of a Tjurkurpa (dreamtime creation) story.

Willie's language was Pitjantjatjara. He grew up in the traditional way and his wealth of traditional knowledge was used to illustrate his paintings. Willie's photograph is reproduced with permission from his family.

© Licensed by Better World Arts.



Government
of South Australia

Consumer and
Business Services

September 2011

ISBN: 978-0-9803847-7-2

Copyright ©

You may copy, distribute, display, download and otherwise freely deal with this information, provided you attribute Consumer and Business Services as the owner. However, you must obtain permission from Consumer and Business Services if you wish to 1) modify, 2) change the format, 3) include in a publication or reproduce for sale, or 4) obtain profit from the information.



talk about shopping

A simple guide to help you understand
your rights as a consumer.

Published by Consumer and Business Services
www.cbs.sa.gov.au.

Illustrations by **Greg Holfeld** Panic Productions

Disclaimer
Because this publication avoids the use of legal language, information about the law may have been summarised or expressed in general statements. This information should not be relied upon as a substitute for professional legal advice or reference to the actual legislation.



Contents

Introduction	4	Shop breakages	18
Shopping	5	Getting a loan	21
Refunds	7	Store credit	24
Lay-by	9	Bank credit	26
Warranties	10	Buying a car	28
Pricing	13	Buying a mobile phone	32
Advertising	14	Scams	34
Bag searches	16	Making a complaint	36
		Publications	39
		Contact us	40

Introduction

When you go shopping you have rights.

This booklet, *Talk about shopping*, will help you to understand your rights so that you can get a fair go. Follow the tips in this booklet and you will find that you can save time, money and trouble when you shop.

Always stop and think before you spend –
Do you need it?
Can you pay for it?
Do you have enough information about it?
Can you get it cheaper from a different seller?

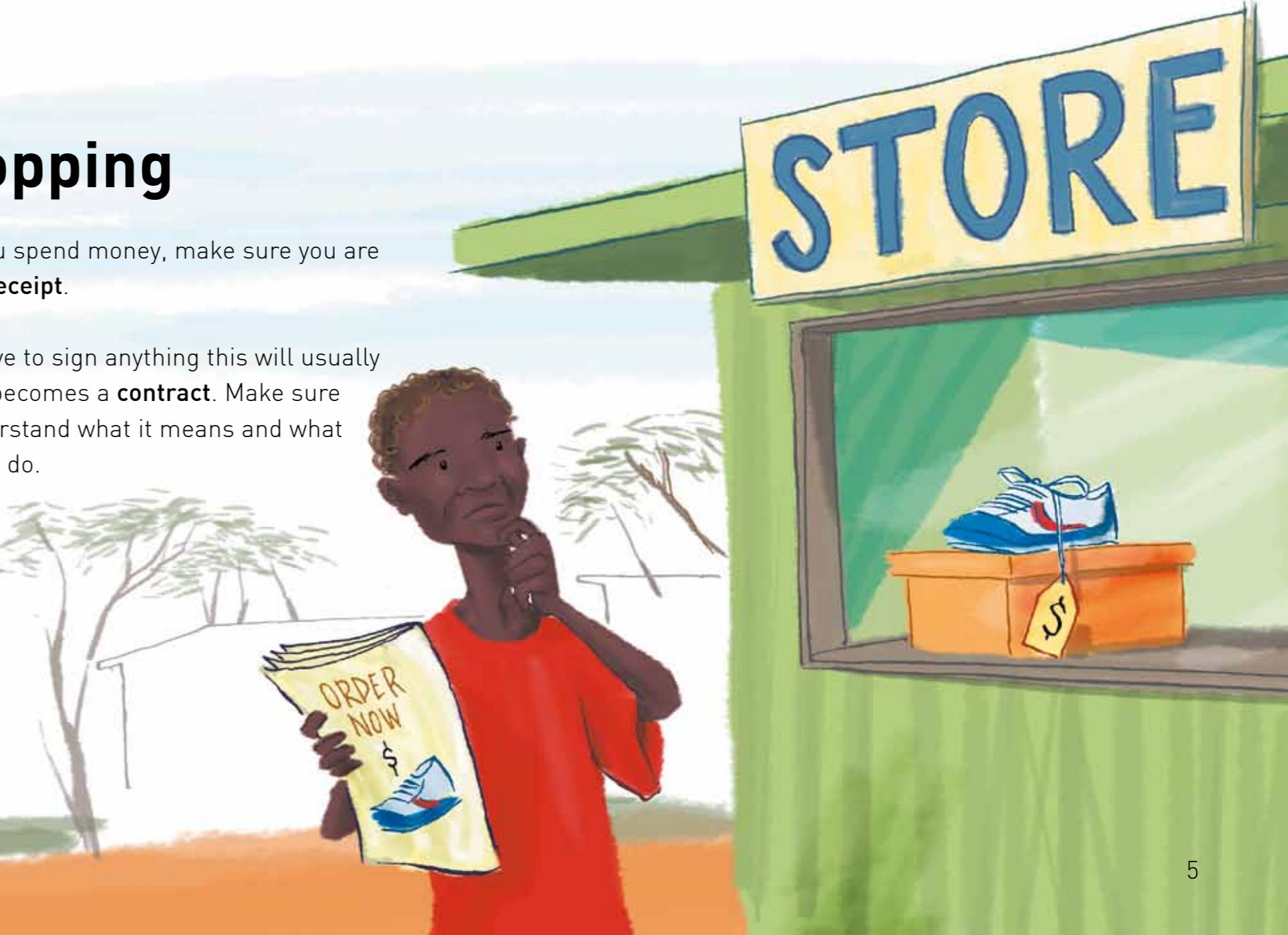
Make sure you ask enough questions of the seller so that you understand the terms and conditions. Always keep receipts.

If you need help, contact Consumer and Business Services.

Shopping

When you spend money, make sure you are given a **receipt**.

If you have to sign anything this will usually mean it becomes a **contract**. Make sure you understand what it means and what you must do.





Refunds

You **can't** get your money back if you just change your mind about what you bought.

But you **can** get a refund, an exchange or a repair, if what you paid for –

- does not do the job it was supposed to
- had something wrong with it when you bought it and you didn't know
- isn't the same as the sample you were shown.





Lay-by

When you buy something from a shop using lay-by, you pay a **deposit** and the seller puts it away for you until you have finished paying for it.



You won't be able to take it home until you have finished paying for it.

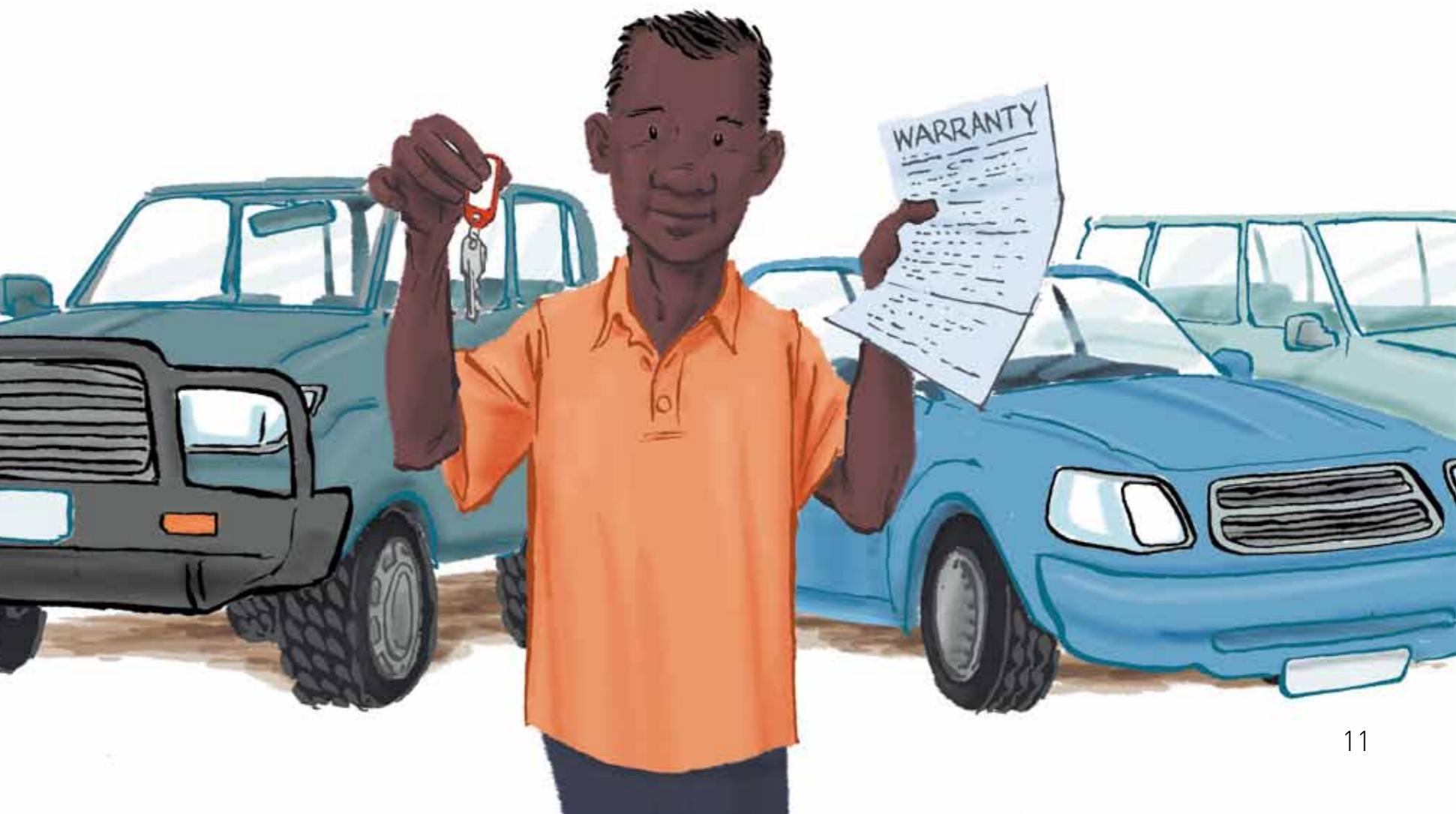
Make sure you get receipts for all payments you make, and keep them until you collect the item and you have checked that it is just as you expected it to be.

Guarantees

A consumer guarantee gives you protection if something goes wrong with what you bought and you did nothing wrong.

Speak to the seller first if things go wrong – they should arrange to have the problem fixed. Even if you have used the thing before the problem started you may still be able to get a repair or refund.

There are special laws to protect you if you buy a second-hand car, as long as you have bought it from a **licensed dealer**. Speak to Consumer and Business Services (phone 131 882) or check the website (www.cbs.sa.gov.au) for a list of licensed dealers.





Pricing

Prices should be shown on the item itself or on a shelf label near the items, and the price tag must display the truth.

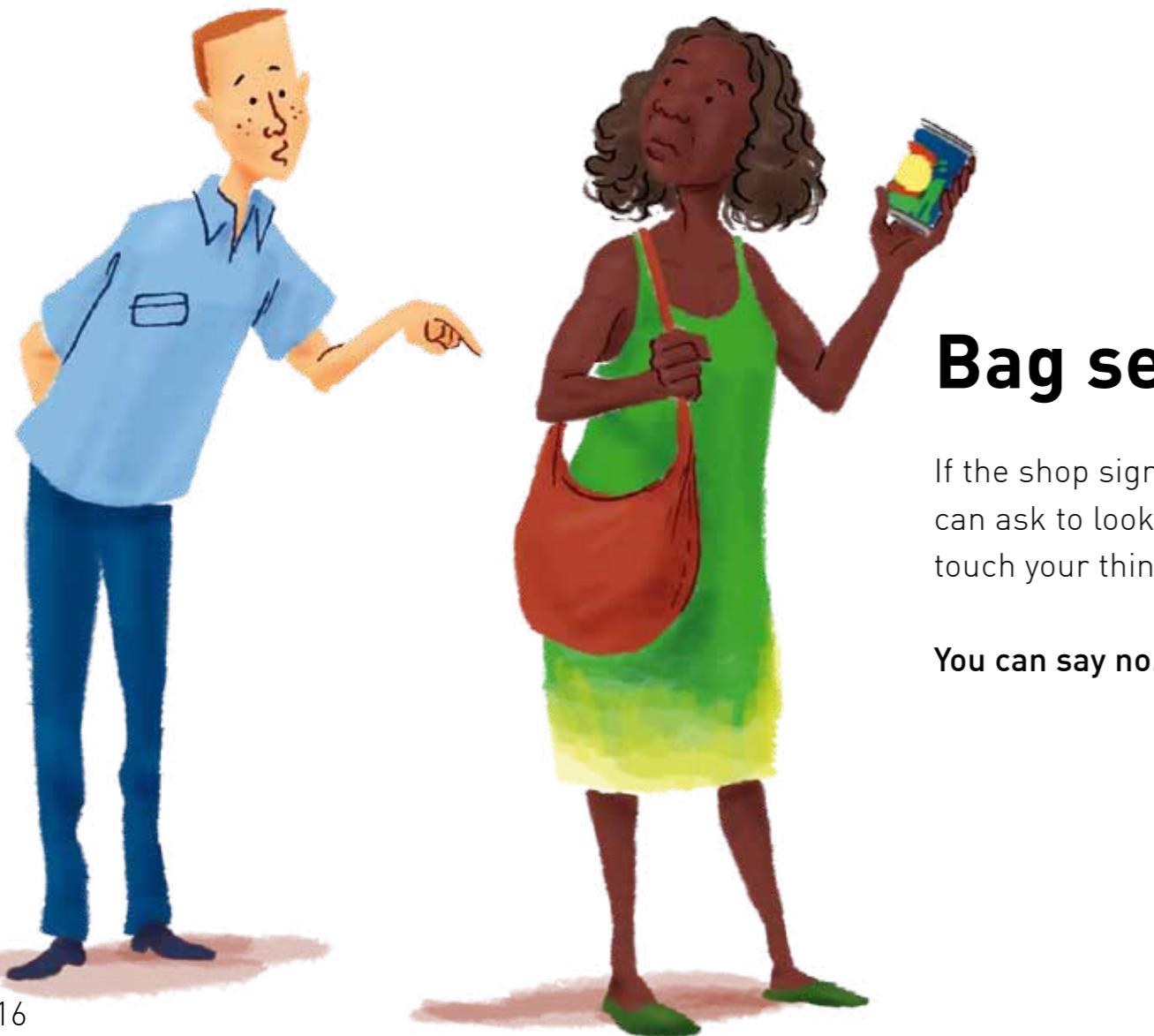
If you pick up an item with two price tags attached, the seller should not sell that item at the higher price. However, if the seller does not want to sell the item at the lower price, they can choose not to sell it at all.

Advertising

Advertising information should help you make a decision based on things like price, quality and purpose. But often advertising just confuses you.

Don't rely only on advertising when you are looking for information about what to buy or where.



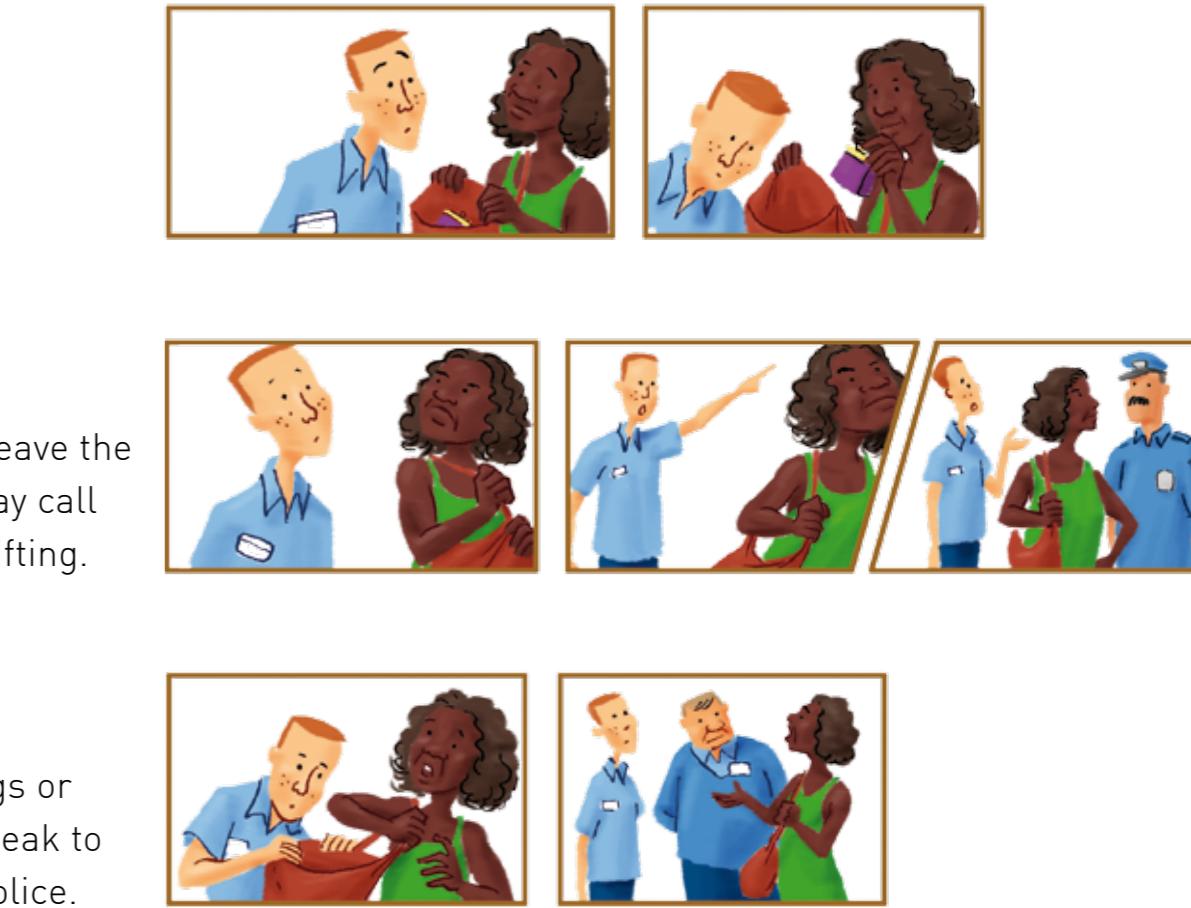


Bag searches

If the shop sign says that they check bags, the seller can ask to look inside your bags, but they must not touch your things.

You can say no.

Shop staff can look, but not touch.



Shop breakages

Who pays?

If the break was all your fault, then the seller can ask you to pay for what broke. If you don't, you could be taken to court.

If it happened because of the seller's mistakes then you should not be expected to pay for what broke.





Getting a loan

You get **credit** when you borrow money and agree to pay it back later with an extra charge – the extra charge is called **interest**.

When you buy with credit, you end up paying more because you have to pay back the amount you borrowed, as well as the interest.

The **term** of the loan is the length of time that you want to borrow the money, and it will affect the total amount you pay back.



You can compare different deals for credit. Make sure you understand all the **fees** and **charges**, the **interest rate**, the required **repayments**, whether you need to take out **insurance** or whether you need a **guarantor**. (A guarantor is someone who promises to repay your loan if you can't.)

Don't sign anything unless you know what you are signing. Don't sign loan contracts until you have first read and understood the loan document.

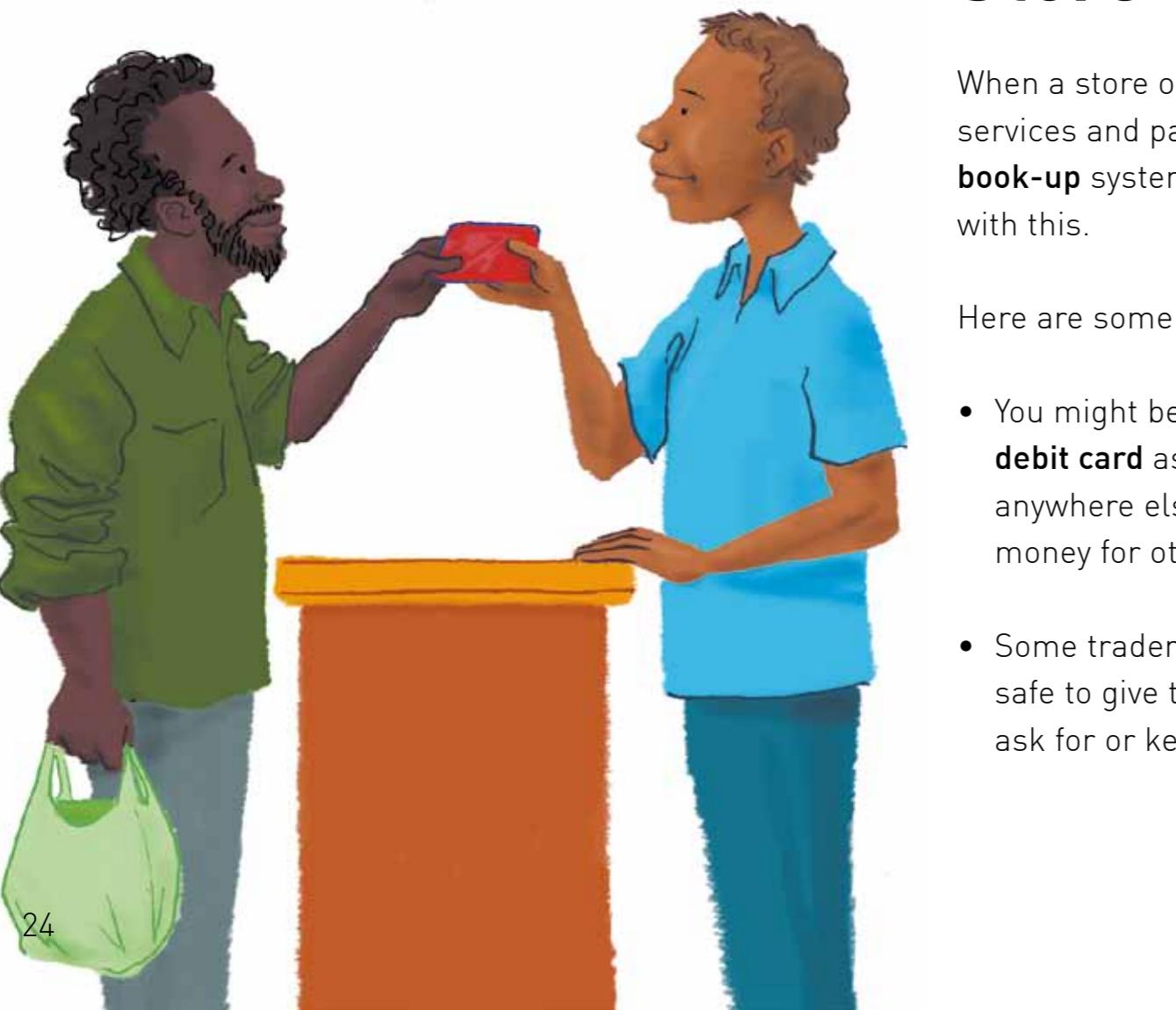
It is really important to add up all the costs before you sign a contract. Make sure you borrow an amount of credit that you can afford to pay back.

Once you have taken out a loan, keep your documents in a safe place, and always check the **statements**, which should come regularly in the mail – read and check that everything is correct.

If you have trouble paying a loan then you should speak first to your credit provider. You can also talk to a financial counsellor who may be able to help you to manage your money better or who can negotiate with the credit provider.



Store credit



When a store offers credit it lets people get goods or services and pay the store later. Some stores use the **book-up** system, but many people get into trouble with this.

Here are some problems that can happen –

- You might be asked to leave your **key card** or **debit card as security**. This means you can't shop anywhere else using the card, and can't get to your money for other purposes.
- Some traders ask for your PIN number – it is **never** safe to give this to anyone and stores should not ask for or keep your PIN.
- If you don't get receipts you may not know what you are spending.
- The store might have very high prices and you might be unhappy with what they sell.
- You might find it very hard to pay off your debts. You could end up paying high book-up fees and have high **bank fees** because of many transactions.
- You could end up not knowing what money is being taken out of your account. This means trouble for you.



Bank credit

Only use credit if you have to. But ask about **fees** and **charges** – there might be fees for using a credit account or other charges for late payments.

Don't let other people borrow your card and PIN number. You can easily lose control of how much money you have or owe.

Keep receipts, contracts and statements.

If you are worried about credit or book-up, talk to others in the community and discuss your problems. Get advice from Centrelink, from banks or credit unions, from financial counsellors, from ASIC (phone 1300 300 630) or from Consumer and Business Services (phone 131 882).



Buying a car

Owning a car means paying for regular services, repairs, registration and sometimes insurance.

You also need to think about the price of fuel – an efficient car engine is cheaper to run.

If you aren't paying cash for a car, look for the best loan to suit you. The best loan deals are usually from a bank or credit union.

Work out how much you can afford to pay in loan repayments and remember the extra charges such as interest and fees.

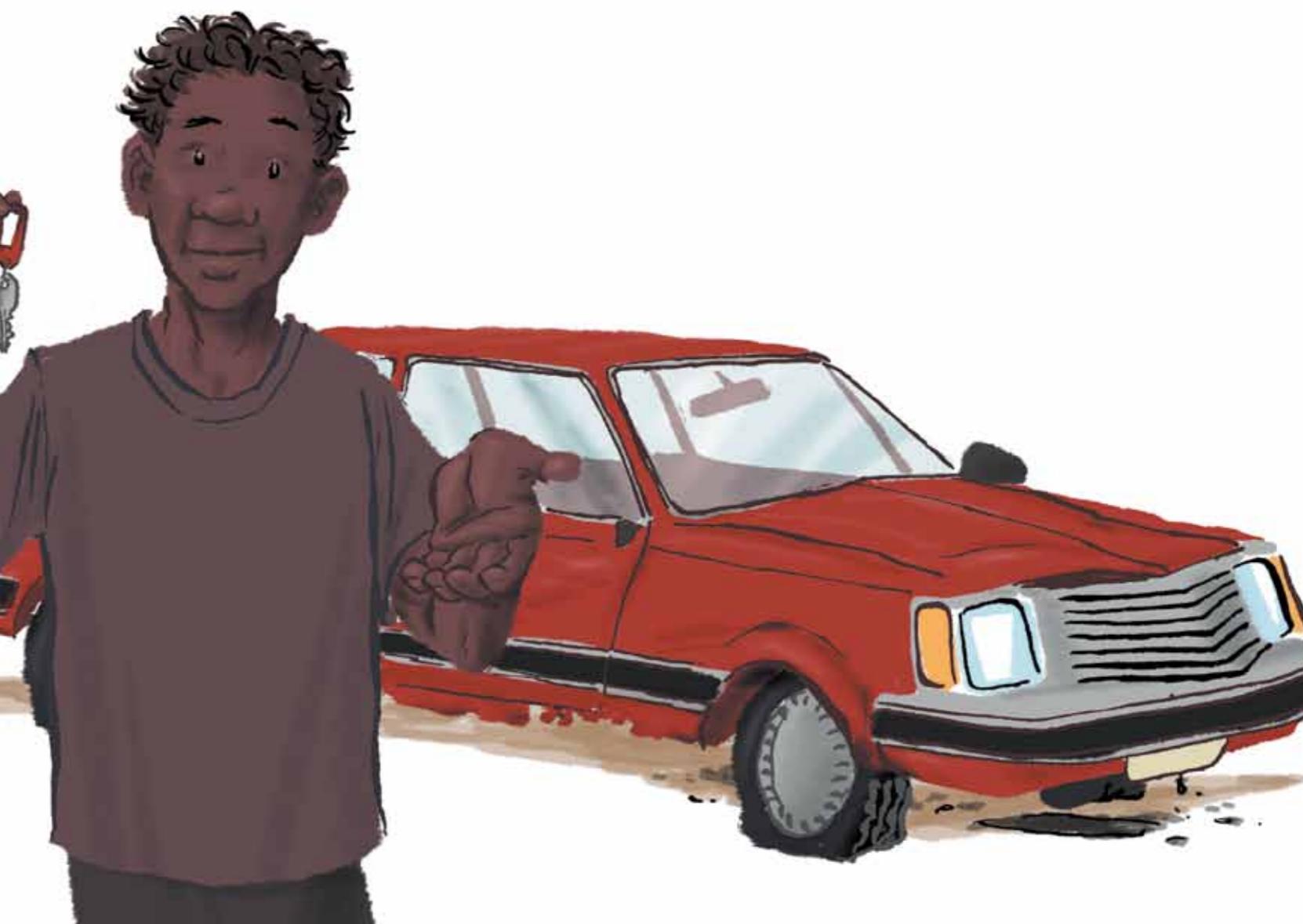
If you are buying a second-hand car then choose from a licensed second-hand dealer with a good reputation – they will usually provide service if problems arise.

You can check if the dealer is licensed from Consumer and Business Services.

Remember – **don't sign** anything until you are sure you are going to buy. Take time to read and understand all the documents before you sign them. Don't sign blank or incomplete documents; and initial all changes.

In South Australia, if you buy from a licensed second-hand vehicle dealer you have a **cooling-off** right. This means that once you sign a contract you have two full business days to change your mind if you want to.

You won't be able to take the car until after the two days are up – although there is a form called a **waiver form**, which you can sign to take the car immediately if you are sure you don't need a cooling off period. If you sign the waiver form you won't be able to change your mind.



Tips:

- If you buy from a licensed dealer you have more protection than when buying from a private seller. All people who sell cars for a business in South Australia must be licensed as a dealer.
- If you buy privately rather than through a dealer then there is no warranty.

- Get a **mechanical inspection** done by an **independent** mechanic that you trust.
- If the car costs less than \$3001, or if it has travelled over 200,000 kilometres, or if it is over 15 years old then there is no statutory warranty if anything goes wrong. This means you have to pay yourself for everything that needs fixing.



Buying a mobile phone

Mobile phones can cost you a lot. Some services may seem cheap but can quickly add up and may be hard to cancel.



Tips:

- Don't let someone borrow your phone unless you know how it will be used.
- Keep **receipts** and **contracts** so you have proof of purchase in case you have a problem.

How will you use your phone?

- Do you want a **fixed term** call plan or a **pre-paid** call plan? A pre-paid service means you pay first so you can't over-spend. But the actual calls may be more expensive on a pre-paid plan.
- Check if the phone will work in your local area or where you will be travelling regularly. Ask friends or people who use phones in the area, don't rely only on coverage maps.

- Read the **contract** and find out what it means. Once you sign the contract you must pay the bills, so make sure you read and understand it. If you don't understand it, don't sign it.
- Get as much information as you can about **services** and **charges**; get it in writing so that there is no misunderstanding.
- You should find out what happens if you want to change or break a contract, or if your phone is lost, broken or stolen.

Scams

A scam is a trick by someone wanting your money or information.

Be careful if it seems 'too good to be true'.



Tips:

- Don't give out personal information to strangers or people you don't trust
- Take time making decisions about money; don't be rushed
- Never give out your bank account or credit card information to someone you don't know and trust
- Keep receipts and other papers
- Say 'NO' if you don't understand.

Making a complaint

If you are unhappy with something you have bought or with a service you have paid for, you have a right to complain. This can be a difficult thing to do sometimes – you may feel too angry, or perhaps you feel that it's just bad luck and you have to put up with the results.

But there are things you can do.

First:

- Make sure you speak to the seller or manager of the business first. Calmly state what the problem is and what you would like them to do to fix it.
- Have all receipts, warranties and quotes with you because you may need to show them.
- Be polite, but firm. Don't let them ignore the problem.
- Write notes, if you can, but at least make sure you know the name and position of anyone you speak to, and the date that you speak to them.

Next:

You could follow up with a letter. The letter should contain information about:

- where and when you bought the item or service
- how much it cost
- what is wrong and what action you have already taken
- what you want done to fix the problem e.g. a refund or repair, or the job done again without charge.

Keep copies of any letters you send, and **don't send originals** of receipts or guarantees, send copies.



If that doesn't work:

If you can't resolve the problem with the business, then you can telephone or write to us at Consumer and Business Services. Explain the problem and tell us what actions you have taken. Someone else can write a complaint for you if you sign it.

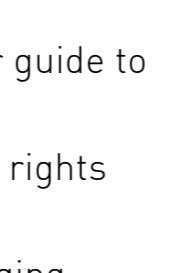
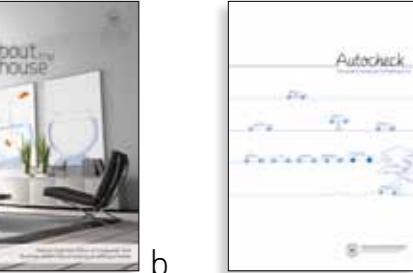
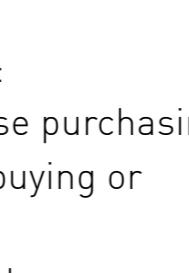
Telephone: 131 882

Further information is available on the website at:
www.cbs.sa.gov.au

Publications

For more information, get a free copy of:

- a. The smart consumer – a guide to wise purchasing
- b. It's about the house – your guide to buying or selling a house
- c. Autocheck – your guide to buying and maintaining a car
- d. The little black book of scams – your guide to scams, swindles, rorts and rip-offs
- e. Savvy seniors – a guide to consumer rights for seniors
- f. Consumer complaints – steps to lodging a complaint.



Phone 131 882 for copies to be posted to you or order online at www.cbs.sa.gov.au

Contact us

Consumer and Business Services can give you free information to help you make the right choices.

Before you buy a car, rent a home or apply for credit, you will need information about your rights and responsibilities. If you have problems with shopping, refunds or credit, it is important to know where to go for help.

Head Office

Consumer and Business Services
Chesser House
91-97 Grenfell Street
Adelaide SA 5000

Postal address

Consumer and Business Services
GPO Box 1719
Adelaide SA 5001
website: www.cbs.sa.gov.au

Telephone: 131 882