

## Christmas Shopping Pros and Cons

### Fair Trading



# From the Commissioner of Consumer Affairs

Welcome to the Christmas edition of "The Consumer" for 2012.

The past year has seen significant economic changes for Territorians. The Global Financial Crisis continues to affect all Australians, while the announcement of the Inpex Gas Project brings its own benefits and challenges.

A changing market place brings additional pressures for consumers, landlords and tenants. Consumer Affairs provides free services to assist all Territorians, whether they are buying a second-hand car, a new television or looking to rent a property.

Our web site has a vast range of helpful tips and fact sheets on how to deal with everyday issues and problems. Our call centre also provides one-on-one assistance to help people be aware of their rights and responsibilities under the laws we administer.

We have recently developed a new website which makes it easier for consumers and traders to find information.



Consumer Affairs receives around 20,000 hits to our website each year. The revitalisation of the site is recognition of the importance of the services provided to all Territorians.

Consumer Affairs has also entered into the social media world. Our new Facebook page provides up-to-date

information about scams, consumer issues and other issues of interest to our friends who are steadily increasing as people become aware of the page. Search for Northern Territory Consumer Affairs on Facebook and click 'like' to stay in touch with consumer issues.

We wish all our readers the very best for the festive season. We hope you enjoy this edition and keep in mind the tips about safe shopping when looking for presents for family and friends. If you have any questions about anything within this magazine or any consumer matter, don't hesitate to contact Consumer Affairs on 1800 019 319.

*Gary Clements*

## Consumer Affairs' new look



**Consumer Affairs has a new and exciting corporate image which recognises the independence of the office. Over the next few months you will see further changes to our information flyers, corporate letterhead and all other aspects of Consumer Affairs promotional material which will reflect the new image.**

Our new website was developed in line with the new corporate style. It continues to provide important information to consumers and traders about a wide range of issues from buying goods to renting a property, plus lots more. We are progressively updating the details on the website to reflect our new look and to ensure the information presented is up to date and relevant to Territorians.

Even though we have changed our corporate image this will not change the way in which we service the community. The availability of our Facebook page and our new website increases our ability to engage with the community and deliver and share important information quickly.

*Check out Consumer Affairs Facebook page*

*@NT Consumer Affairs*

# Christmas is upon us!

Christmas sometimes leads to over-spending on presents, food and activities. Here are some helpful tips to get you through this season without paying for it in the New Year.

- Set a budget for your Christmas spending.
- Talk to family and friends and set a limit on the cost of presents.
- Make a list of who to buy for and the cost of each gift.
- Take your time and shop around for good deals.
- Use cash or lay-by instead of credit cards.
- Only do a normal grocery shop – remember, the stores are only closed for one day.

Before buying a gift, check the store refund policy as it may need to be returned after Christmas.

Did you know that signs stating 'NO REFUND' are illegal? Call Consumer Affairs on 1800 019 319 if you see a store displaying a sign like this.

**Don't forget you will have your normal expenses to pay like electricity, telephone, rent or mortgage payments. Next year, think about opening a Christmas savings account. Putting \$20 away each week can ease some of the pressure of spending next Christmas.**



## Receipts

Receipts are important as a proof of purchase to enable you to exercise your rights as a consumer if goods or services are faulty or do not meet a consumer guarantee.

Over Christmas, you might purchase items for yourself or as gifts. Make sure when you are buying an item, especially toys, electronics, clothing and whitegoods, or contracting a service, that you ask for a receipt. A business is obligated under the Australian Consumer Law to provide proof of a transaction to a consumer if a purchase exceeds \$75 in value.

If your purchase amounts to less than \$75, make sure you ask for a receipt if it is not offered to you, and keep your receipts in a safe place so you can find them if something goes wrong.

## Fading Receipts

Modern cash registers often use thermal ink to print receipts. Did you know that thermal ink can fade over time, making it difficult to read the information or rendering the receipt useless? Make a photocopy of receipts you may need in the future and staple the original receipt to the copy and file both together.

Other forms of proof of transactions are:

- Lay-by agreement
- Credit card or debit card statement
- GST tax invoice
- Confirmation or receipt number provided for a telephone or internet transaction
- Warranty card showing the supplier's or manufacturer's details and the date or amount of the purchase

- Serial or production number linked with the purchase on the supplier's or manufacturer's database.

Businesses are understandably concerned to make sure that claims against defective goods or services are genuine. Even if proof of purchase is lost, a business might be able to track an item's serial number to a production date which might prove the item is still within the warranty period. If in doubt, ask the business or manufacturer.

**Whatever the purchase, make sure you get a receipt – it's your proof of purchase and price paid.**

**LAY-BY** Don't forget – if you put something on lay-by for this Christmas you must receive a written lay-by agreement. It must specify the terms and conditions of the lay-by including any termination charge that may apply.

Consumers need to be mindful to collect or have the store deliver your lay-by in time for Christmas. Don't leave it to the last minute.

Last year some of the larger stores were inundated and found they were unable to deliver on time, so give yourself and the store plenty of time this year to avoid this happening.

iPhone App  
- 'My Shop  
Rights' has a  
handy way of  
storing a copy  
of your receipts.  
Check it out in  
the app store.  
It's free!

# TERRITORY SENIORS

## Mobility Scooters

As you get older you may find it difficult to retain mobility. The use and sale of mobility scooters is on the rise. Just as when you purchase a car, make sure the scooter meets your needs. It is important to check that it's not too heavy for you and that you can drive it with ease.

Unfortunately, hundreds of older people go to hospital each year suffering serious head wounds and injuries to their hips and limbs after losing control of their mobility scooter, or falling from the scooter when trying to dismount due to its unsuitability for the owner.

Before you purchase a mobility scooter, check the various models and take them for a test drive. Remember, if you buy one over the internet it might not suit your needs and you may have problems with warranty claims.

There are other things you may need to consider when owning and driving a mobility scooter. Here a few:

- Make sure to wear a helmet similar to a bicycle helmet. This will assist if you have an accident or fall off your scooter.
- Where possible, stick to the footpaths and only ride on the road as a last resort.
- Watch out for vehicles leaving and entering driveways – they might not see you.
- Keep the load down and don't take too many parcels so you don't tip over.
- Make sure you can be seen by attaching a reflective safety flag that's high enough for motorists and other road users to see you.
- When using your mobility scooter in shopping centres you need to go slowly. This will allow other people to see you and have enough time to move out of the way.
- To look after your new investment, make sure you get it serviced regularly. If you have any problems with any trader or service provider regarding the sale or service of your mobility scooter, contact Consumer Affairs.

## Seniors Month

Consumer Affairs recently participated in the annual Seniors Month activities held at the Skycity Ballroom in Darwin, in conjunction with other NT Government agencies and the Council on the Ageing (COTA).

Many senior Territorians attended this event, where speakers from Consumer Affairs, the Health and Community Services Complaints Commission, the Office of the Children's Commissioner and the Anti Discrimination Commission discussed their roles, functions and complaint mechanisms.

Consumer Affairs also participated in two seniors' forums held at the Gray Community Hall in Palmerston during 2012. Information was presented on scams, rogue traders and consumer rights under the Australian Consumer Law.

## Bait Advertising

**Beware of 'bait advertising' especially leading up to Christmas.**

Bait advertising is a technique that some traders use to lure consumers into their store by advertising catalogue sale prices but then failing to have a reasonable quantity of stock to meet the anticipated demand for a reasonable period of time.

An example is when a store is advertising a special on sewing machines: when you go to the store the trader tells you they have no stock of the special available but encourages you to buy a more expensive model.

If the trader's catalogue states that there is limited stock available, this may not be seen as bait advertising, but if not, they may be breaking the law.

If you believe you have come across this illegal sales technique, contact Consumer Affairs to speak to one of our Fair Trading Officers.



For good advice email:

[consumer@nt.gov.au](mailto:consumer@nt.gov.au)

# FAIR TRADING

During the last financial year, more than 17,800 enquiries were received by Consumer Affairs regarding various consumer issues.

The enquiries were received in person or via telephone or emails. A large proportion of these enquiries were resolved through conciliation. Some enquiries were referred to legal service providers when no resolution could be achieved through the conciliation process.

If you are seeking assistance with any consumer issue, or just want free information on your rights and responsibilities, call Consumer Affairs on 1800 019 319.



## Domestic Travel Insurance



During the festive season many Territorians fly to their holiday destination and hire motor vehicles from hire companies. A large proportion also accept the car hire companies' offer to reduce their insurance excess from several thousand to a few hundred dollars at a substantial cost. But there is another, cheaper way.

The car hire companies often charge around \$25 per day to reduce the excess on your car hire if you have an accident. However, if you check the internet or contact a travel insurance company, you may be able to purchase domestic travel insurance for significantly less, which also contains an added bonus for holidaymakers.

Some domestic travel insurance policies can cover the high excess on hire cars of up to \$6000 in the event of a car accident, plus you get the other benefits of travel insurance such as protection from flight cancellation, lost luggage, personal liability, disability or having to cancel your holidays because of illness.

Anything that saves you money and gives you peace of mind is worth having a look at, so go online or give a travel insurance company a call, check out the various domestic travel insurance packages available and select the one that best suits your needs.

## Trader Visits

Consumer Affairs has recently conducted trader visits to local businesses in Darwin, Palmerston and Alice Springs to inform the traders about their rights and responsibilities under the Australian Consumer Law and other laws administered by Consumer Affairs.

Many of these traders have expressed their concerns in relation to uncollected goods – remember, when you take an item to be repaired and you fail to retrieve your goods once repaired, the trader may dispose of the goods in accordance with the *Uncollected Goods Act* (NT).

## Gift Vouchers

Gift vouchers are a very useful present to give at Christmas, especially if you just don't know what to buy for someone.

If you receive a gift voucher for Christmas, make sure you avoid disappointment by checking the expiry date. The store is not obliged to extend or honour any voucher that is out of date.

Always remember – if you purchase something with the gift voucher and it is the wrong size or you change your mind, the store is not obliged to give you a refund or exchange.

You have a 10 business day "cooling off" period for unsolicited sales from the time you receive your contract.

# Online Shopping



**Be aware of the risks when you do your Christmas shopping online. Make sure the seller is based in Australia as this protects your basic rights under the Australian Consumer Law.**

If you buy from an overseas seller you may not have any avenue available for a remedy if something goes wrong. To find out more about online shopping and your rights, check out our Facebook page or website and follow the link to online shopping.

Here are some timely tips to keep your computer safe and get that present delivered in time when shopping online:

- Keep your PC protected by ensuring your computer is equipped with the latest operating system, browser and up-to-date anti-virus software.
  - Pay securely. Only use websites that your browser recognises as secure. A secure address begins with <https://>, or an image of a padlock will appear in the bottom right corner of your browser window.
  - Never send your bank or credit card details via email.
  - Always log out after shopping online and save the confirmation email as a record to confirm your order.
- Only deal with reputable sellers – use sites you can trust or ones you know or that have been recommended to you.
  - Be sure you know who you are dealing with – always access the website you are planning to buy from by typing the address into your web browser. Never go to a website from a link in an unsolicited email.
  - Trust your instincts – if an offer looks too good to be true it probably is. Be suspicious of prices that appear to be too low. A really cheap price might mean an inferior product.
  - Check delivery times. If the site says 10 working days for delivery and you are ordering on 20 December, it is NOT going to arrive on time for Christmas. Also be aware that there is a huge volume of mail at Christmas time so 10 working days may stretch to 15 or more.
  - Keep records – print out your order and keep copies of the retailer's terms and conditions, returns policy, delivery conditions, postal address (not a post office box) and phone number (not a mobile number). Having this information will help if you subsequently encounter difficulties with your order.
  - Keep receipts and check these against your bank statement – if you spot a transaction you did not authorise, speak to your financial institution immediately.
  - You may have chargeback rights when you make a purchase using a credit card and something goes wrong, such as you not receiving the goods or the goods not being what was described. You can make a request to your bank or card company to get your money back from the trader or shop where you bought the goods. To find out when, and how, to request a chargeback, see the terms and conditions of your credit card or ask your bank or card issuer.

## Credit Card Pitfalls

**In August 2012, Australia had \$36 billion in credit card debt, which equates to \$4,700 for each person. Unfortunately this debt spikes during the Christmas period, which puts more families under pressure to meet their normal financial obligations.**

If you have a credit card debt of \$4,700 and you only pay the minimum payments it will take you 49 years to pay off the debt. In July 2012, new rules regarding credit cards came

into force and credit card issuers are now required to give you a 'key fact sheet' when you apply for a credit card. The fact sheet contains:

- The minimum repayment (or how it will be calculated)
- The interest rate that applies to purchases and cash advances
- The interest rate that applies to balance transfers (and for how long)
- The promotional interest rate (if any)



- The length of the interest-free period (if any)
- Any annual and late payment fees.

For advice on how to manage credit card debt and tips and tools to help you make the most of your money go to [www.moneysmart.gov.au](http://www.moneysmart.gov.au)

For good advice contact Consumer Affairs on

[www.consumeraffairs.nt.gov.au](http://www.consumeraffairs.nt.gov.au)

# Security Deposits and Rent

Darwin's rental market is hotting up, so it's important you know your rights if you intend renting a property. The Consumer Affairs tenancy unit can assist with any query you may have. Give us a call on 1800 019 319 for more information. Here are some tips when renting.

1 Security Deposit: A security deposit is usually four times the weekly rental amount, eg: \$600 a week equals \$2,400. The security deposit is to be held in trust by the landlord or agent for the tenant.

2 You will often be required to pay rent in advance when renting a property. For example, if your rent is payable fortnightly and the tenancy commences on 1 January 2012, rent is paid in advance to 14 January 2012, and then regular rent is due to be paid again on 15 January 2012.

3 It is a term of the tenancy agreement that the tenant must pay the rent as specified in the tenancy agreement or as agreed in writing by the tenant and the landlord.

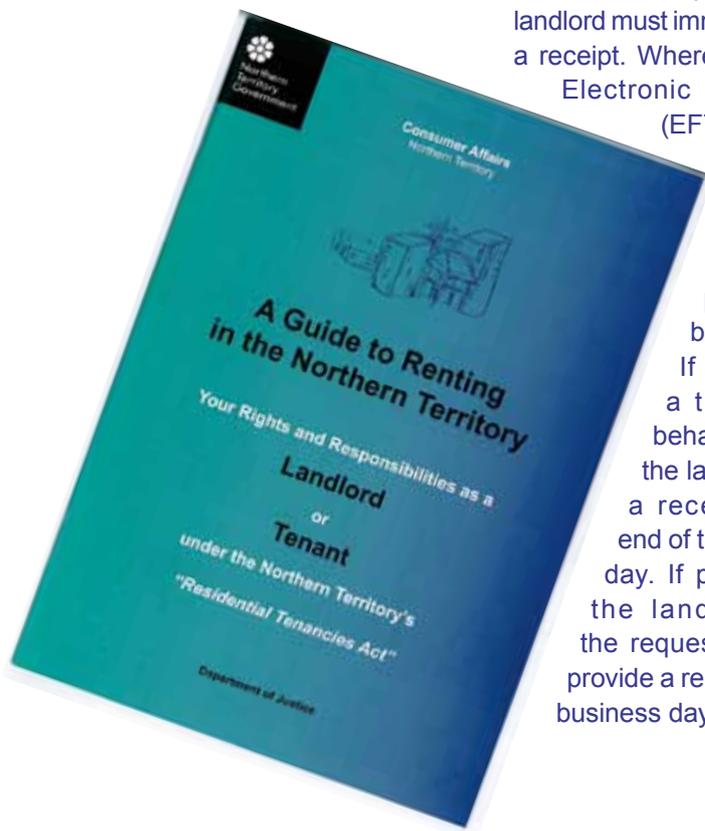
4 Where rent is paid in cash, the landlord must immediately provide a receipt. Where rent is paid by Electronic Funds Transfer (EFT), the landlord is not required to give a receipt as you will have a record of payment on your bank statement. If rent is paid by a third person on behalf of the tenant, the landlord must give a receipt before the end of the next business day. If paid by cheque, the landlord must, at the request of the tenant, provide a receipt within three business days.

5 A landlord may increase the rent under a tenancy agreement, if the right to increase the rent, the amount of the increase in rent or the method of calculation of the increase is specified in the agreement.

**Be aware that most tenancy agreements contain a clause that allows the landlord to increase the rent after six months – however this can only be done once every six months.**

If you have a dispute with a landlord regarding repairs or where the landlord does not carry out repairs within a reasonable timeframe, do not stop paying rent as the landlord may then serve a notice for non-payment of rent and may be able to terminate the tenancy. Contact Consumer Affairs for advice on 1800 019 319.

Rent is required to be paid promptly and in accordance with the tenancy agreement. If you fail to pay rent on time and fall more than 14 days in arrears, the landlord may issue you with a notice to remedy the breach for non-payment of rent. If you do not remedy the breach within the timeframes specified in the notice, the landlord may lodge an application with the Commissioner of Tenancies (Consumer Affairs) seeking an order to terminate the tenancy. The landlord may also seek compensation for unpaid rent.



## Residential Tenancy Hearings

During the last financial year, Consumer Affairs heard 798 Residential Tenancy matters at Inquiry.

If you have any concerns or just want information regarding your rights and responsibilities as a tenant or landlord, contact Consumer Affairs on 1800 019 319 or get your free copy of 'A Guide to Renting in the Northern Territory' from any of our offices or online at [www.consumeraffairs.nt.gov.au](http://www.consumeraffairs.nt.gov.au).

# Know Your Rights

Consumer Affairs staff regularly visit remote communities throughout the Northern Territory to supply information about rights and responsibilities under the Australian Consumer Law and other laws administered.

During 2012, the Indigenous Liaison and Education Officer visited 38 remote communities throughout the Northern Territory to conduct presentations at schools, with elder groups and with the wider community. Communities visited included Ramingining, Ali Curung, Lajamanu, Yuendumu, Papunya, Kalkaringi, Maningrida, Gapuwiyak, Wadeye, Peppiminarti and Dargaragu.

Consumer Affairs staff also presented radio segments through Top End Aboriginal Bush Broadcasting Association (TEABBA), which reaches 29 communities from Dargaragu in the west to Galiwinku in the east and south to Borroloola. These segments are targeted at providing information pertaining to specific consumer issues facing remote communities.

Consumer Affairs staff wish to thank TEABBA Radio, especially Nevanka, for the opportunity to present these segments.

Consumer Affairs staff also conducted a number of presentations for participants of the Future Stars program, a pre-employment course for Indigenous youth which is delivered by Karen Sheldon Training and Development.

The presentations were conducted in Darwin, Katherine and Alice Springs and participants were provided with valuable information about rights under the Australian Consumer Law and the *Residential Tenancies Act* (NT).

Consumer Affairs is looking forward to conducting further presentations for Karen Sheldon Training and Development course participants in 2013.



Photo is courtesy of Karen Sheldon Training and Development and includes participants of the May 2012 class in Alice Springs.

## 'THE CONSUMER'

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