

# News Release

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**Hon Gail Gago**  
Minister for State/Local Government  
Relations  
Minister for the Status of Women  
Minister for Consumer Affairs  
Minister Government Enterprises  
Minister Ast Minister for Transport, Infrastructure & Energy

Sunday, 4 January 2009

## **BE AWARE OF REFUND RIGHTS WITH NEW YEAR SPENDING**

More than 40 shops have been found to be misleading customers about their refund rights during the Christmas shopping period, prompting a warning to retailers and consumers continuing their trading spree into the New Year.

Consumer Affairs Minister Gail Gago says the Office of Consumer and Business Affairs had monitored the refund practices and price-scanning accuracy of 470 retailers in the busy pre-Christmas period and 43 were found to be misleading customers.

A number of refund signs were found displaying misleading statements such as:

- No exchange on sale items
- No refunds due to hygiene reasons (eg swimwear & earrings)
- No refunds, exchange only
- No refund on lay-bys
- No refund on interest free items

“Retailers need to understand their legal obligations with regard to fair trading. Signs that say no refund are illegal,” says Ms Gago.

“Stores cannot limit a consumer’s right to refund, either through their own ignorance of the law or their efforts to dodge their responsibilities. If the law says that someone is entitled to a refund, then stores cannot add their own criteria or qualifications to that.”

Consumers are entitled to a refund if goods are defective, do not match the description or do not do what they are supposed to.

“But I also remind consumers that they are not entitled to a refund just because they change their mind,” says the Minister.

“If buying a gift for someone consumers should ask about the store’s return policy, because many traders offer generous conditions above the minimum legal requirements, but others do not.”

Incorrect signs have been removed and OCBA will revisit non-compliant stores. If problems are not corrected then OCBA will take further action. Most stores fared well with price scanning checks, but at one store four items scanned at a higher price, with the overcharge amounts ranging from 49 cents to \$7.95. OCBA is following up this non-compliance. The monitoring program has been conducted in addition to the product safety inspections and weights and measures checks leading up to Christmas.