

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

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ENFORCING CHRISTMAS SHOPPERS' RIGHTS

South Australia's consumer watchdog is focusing on retailers' refund practices and 'bait advertising' during the busy Christmas shopping period.

Minister for Consumer Affairs Gail Gago says "December is an exciting and hectic time for shoppers looking for Christmas gifts and items, and we want to make sure that retailers are not misleading them about their refund rights or about the availability of sale items."

Monitoring by the Office of Consumer and Business Affairs (OCBA) leading into Christmas last year found almost 10 percent of traders visited did not understand their obligations under fair trading laws or were displaying illegal signage.

"That's not good enough. All traders must be aware of their responsibilities under fair trading laws and make sure they are practising them to the letter," says Minister Gago.

"The law doesn't allow for traders to add their own criteria or qualifications to a consumer's right to a refund or to only stock small quantities of sale items to entice consumers in to purchase other items. The purpose of this monitoring program is to clamp down on such behaviour."

Last year 42 of the 470 stores visited were found to be misleading consumers, either with incorrect refund policies or price scanning inaccuracies. These stores were caught displaying incorrect refund signs, such as 'no exchange on sale items' and 'no refund on lay-bys'.

Minister Gago says "Retailers are on notice that their trading practices are about to come under scrutiny, so if for any reason they're unclear about their legal responsibilities then now is the time to sort it out."

"Shoppers who spot any incorrect refund signs or unusual supply issues should raise their concerns with the store and also report the problem to OCBA."

Stores found to be in error will be issued with a formal warning and followed up to ensure that the issue has been addressed. Repeat offenders risk prosecution.

Traders that make misrepresentations to consumers about their refund rights or about the availability of sale items risk a maximum penalty of \$100,000 under the *Fair Trading Act 1987*.

To report any concerns about store refund policies or supply problems consumers can contact OCBA on 8204 9777, or 131 882 for country callers.