



Fact Sheet – Obtaining a Refund

About Red Tape Busters

At Red Tape Busters we have a proud history of being regarded as specialist grant writers, tender writers, job application writers and we also provide specialised assistance to businesses and non profits via organisational development and support services. We have been in business now since May 2000 and have clients all over Australia and even internationally.

Obtaining a Refund

With every business, the law requires that they guarantee the quality of the goods and services they sell. They are required to automatically provide 'consumer guarantees' when a consumer purchases something.

Businesses are required to guarantee that any goods they sell:

- are of acceptable quality
- match the description, sample or demonstration model shown
- are fit for their intended purpose
- have clear title, unless otherwise stated
- do not have any undisclosed securities (money owing on them)
- come with a right to undisturbed possession
- will have spare parts and repairs available for a reasonable amount of time after you buy them
- will have express warranties honoured.

Businesses guarantee that any services you sell are:

- provided with due care and skill
- fit for purpose
- completed within a reasonable time.

If a good or service you sell fails to meet a guarantee, the business involved will need to provide a 'remedy' - an attempt to put right the fault, deficiency or failure.

There are nine guarantees that apply to goods. These are:

1. That goods are of acceptable quality.
2. That goods will be fit for their intended purpose.
3. That any description of the goods (for example in a catalogue or television commercial) is accurate.
4. That the goods will match any sample or demonstration model and any description provided.
5. That the goods will satisfy any extra promises made about them. These are called 'express warranties'.
6. The business guarantees they have the right to sell the goods (clear title), unless they alerted you before the sale that they only had 'limited title'.
7. That no one will try to repossess or take back the goods, or prevent you from using the goods.
8. That goods are free of any hidden securities or charges and will remain so.
9. That manufacturers and importers will take reasonable steps to provide spare parts and repair facilities for a reasonable time after purchase.

If goods a business supplies fails to meet one or more of these guarantees are not met, you will need to provide a 'remedy' to the consumer - that is, you will need to put right the fault, deficiency or failure. Depending on the circumstances, this may take the form of a refund, repair, replacement or compensation equivalent to the drop in value of the product.

There are three guarantees that apply to services. These are:

1. That services are provided with due care and skill.
2. That services will be fit for their specified purpose.
3. That services will be completed within a reasonable time (when no time is set).

If services a business supplies fails to meet one or more of these guarantees, they will need to provide a 'remedy' to the consumer - that is, will need to put right the fault, deficiency or failure. Depending on the circumstances, this may take the form of a refund, repeat service or compensation equivalent to the drop in value of the service.

If you are unhappy with the response of a business make a complaint to your local Office of Fair Trading or like entity and see if you can obtain satisfaction. Legal action obviously would be a last resort so try and negotiate a reasonable outcome that is fair but meets your needs.

Disclaimer

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