



Consumer Information Notice

CONSUMER RIGHTS AWARENESS

'Black Friday' is coming up and sees the commencement of the most intense annual period of consumer spending which continues with the run-up to Christmas and the annual January sales thereafter. In light of this the Office of Fair Trading (OFT) is issuing the following guidance and recommendations to local consumers with a view to minimising disappointments during the festive season.

Remember your statutory rights

Any goods that you buy, whether in the high street or online must fit the description given, be of satisfactory quality and suitable for purpose. If they are not you may be entitled to refunds, repairs or replacements.

Shop around for the best prices in town

Look around for the best price before you buy. Refund and return policies are not obligatory and you may not be able to return an item just because you have found a cheaper price elsewhere.

Check if retailers have refund and return policies

Refund policies are only obligatory where goods are not as described, are of unsatisfactory quality and/or are not suitable for purpose. Many retailers nevertheless offer additional refund and return policies which differ from store to store. Make sure you check whether refunds, exchanges or credit notes are available and how long you have to make use of these. Remember, you do not automatically have the right to return unwanted purchases.

Guarantees

Many goods will come with a free warranty which offer consumers protection in addition to their statutory rights. Make sure you read the terms and conditions and follow instructions to validate your manufacturer's warranty. Please note however that manufacturer's warranties may not necessarily be applicable to goods sold in Gibraltar. You should therefore ask the retailer what warranty applies locally to each good.

Keep your receipts

If you wish to return your goods or make a claim against a retailer you will need proof of your purchase, so keep your receipts. You may also use any relevant bank and credit card statements where necessary.

Gift receipts

If buying a gift for a loved one ask for a gift receipt. These enable the recipient of the gift to exercise their rights to return the goods or make a claim against the retailer if something is wrong with the goods without revealing the price of the item.

Gift vouchers

Gift vouchers are a popular present, however you need to be aware of the terms and conditions of each voucher, often found in small print. If a voucher has an expiry date this information should be communicated to you.

Act promptly if something is wrong

Check your purchases at the store or as soon as you get them home if they have been delivered. If something is wrong you will need to act promptly if you wish to exercise your statutory right reject the goods and claim a full refund.

Repairs or replacements

If goods are naturally defective (as opposed to being misused or suffering from normal wear and tear) and you've had them for some time, you may still be entitled to a free repair, like for like replacement or partial refund.

Do your online shopping in time

Retailers have up to 30 days to deliver goods unless otherwise agreed, so it's worth doing your online shopping early to ensure your goods arrive in time for Christmas. If you want your goods to arrive before Christmas make sure this is guaranteed by the retailer.

Remember your additional online shopping rights

In addition to your statutory rights, consumers also have additional protection when shopping online. In most cases consumers will have a 14 working day cancellation period, from delivery, to change their mind and get a full refund, including the basic delivery charges. You may be asked to cover the reasonable costs of return carriage but these must be made clear in the terms and conditions of sale.

January sales

Remember you have exactly the same rights on sale items as you do on full price goods. If a reduction is offered as a result of a fault that is pointed out to you however you will not be able to make a claim for this fault later.

We hope that you will find these tips useful and will help you avoid any unfortunate surprises during the festive season. Should you nevertheless encounter any problems or have doubts about your consumer rights please contact the OFT's Consumer Protection Team:

Email: consumer.protection@gibraltar.gov.gi
Tel: 20071700
Web: www.ofg.gov.gi
Address: Office of Fair Trading, Suite 975 Europort

Follow us on Facebook (OFT Gibraltar) and Twitter (@OFTGib).

Please note

These guidance notes are for general guidance on your rights and does not constitute legal advice nor should it be relied upon as such. If you need legal advice about what action to take, please contact a lawyer. Please refer to the full text of the legislation on www.gibraltarlaws.gov.gi