



What am I to do?

Electrical appliances make life so much easier - until they break down! Do you know your rights when your electrical goods start acting up?

Dealing with the manufacturer

My new vacuum cleaner didn't work. The shopkeeper told me that he couldn't do anything and that I should contact the manufacturer. Shouldn't he help me?

According to the Sale of Goods and Supply of Services Act, 1980, goods must be fit for their purpose. If they are not, the consumer is entitled to a repair, refund or replacement, depending on the situation.

When you buy a product you make a contract with the seller, not with the manufacturer. This means it is the seller's responsibility to solve any problem related with the item. If the seller cannot repair your faulty vacuum cleaner, he should contact the manufacturer for you - it's not your responsibility.

You might prefer to deal directly with the manufacturer to solve the problem more quickly, and you are entitled to do so. But this does not absolve the seller from responsibility, because if the problem persists he is still responsible for fixing it.

If a retailer refuses to honour your right to a repair, refund or replacement of a faulty product, you may bring a case to the Small Claims Court (see *Useful contacts*).

Faulty repair

My new toaster - just two months old - broke. The shop repaired it for me, but now it's broken again. Do I have to settle for another repair?

Under Irish consumer law, if a purchased item develops a fault within a reasonable period, the consumer is entitled to a refund, a replacement, or a repair at the discretion of the seller. The definition of a 'reasonable period' varies depending on the product, and can affect your entitlements: the newer the item, the more likely that you will get a replacement or refund, while with older purchase, you may have to accept whichever remedy is offered.

However, a repair should always be permanent, so if it doesn't last, you may reject the option of a further repair and insist on a replacement or a refund. If the shop denies your request you can always go to the Small Claims Court or inform the NCA (see *Useful contacts*), which is responsible for enforcing consumer law in Ireland.

Problem present

I received a kettle as a present and it doesn't work. What are my rights?

Surprising as it may seem, the recipient of a gift does not have consumer rights. This is because they have not made the purchase themselves. Usually, if a product is faulty you are entitled to a refund, a repair or a replacement, but if you are not the consumer, your rights are diminished. In this case, the best thing that you can do is to explain your problem to the person who gave you the present and ask him or her to return it to the shop on your behalf.

In this kind of situation, it is important to have also a manufacturer's guarantee, which gives you additional protection. A guarantee supplements your consumer rights and indicates that the manufacturer will offer a redress if the item is faulty. It is normally registered under the name of the owner, not of the buyer, and it gives rights to the owner during the period that it is stated. Guarantees are very useful in cases such as yours because you do not have to show proof of purchase to make a claim.

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Useful contacts

Small Claims Court
www.smallclaims.ie

National Consumer Agency (NCA)
1890 432 432
www.consumerconnect.ie