

LESSON 8: Activity 2

Teacher resource sheet: Role play scenarios

Harry's Headphones

Where goods are faulty it is up to the seller to put things right as you have a contract with the seller of the goods. In Harry's case the seller is the shop who sold him the headphones. Harry is entitled to a repair, replacement, or refund. He did the right thing returning the headphones to the shop with proof of purchase (the receipt) as it is the shop's responsibility to resolve the issue for him, and it is not the responsibility of the manufacturer.

In terms of next steps Harry should return to the shop again and inform them that he is aware of his rights under consumer law. The shop sold him faulty headphones, they are responsible and must deal with the problem. Harry doesn't have to deal with the manufacturer. If he is unhappy with the retailer's response, he should make a formal complaint to them in writing. Harry should make sure his letter, or email, is sent to the right person or department, so he should ask for the name and address of their most senior person to contact who deals with written complaints. Further details on how to complain to a retailer are available at www.consumerhelp.ie

Ciara's Cooker

When you buy a good or a service, your contract is with the seller of the goods, in this case the shop who sold Ciara the cooker. If there is a problem with the product, it is up to the seller to put things right. If a fault appears within six months of you buying a product, it is assumed under legislation to have been there when you first bought it. Ciara is therefore entitled to ask for a repair, replacement, reduction in the price or refund.

In terms of next steps Ciara should make a formal complaint to the shop in writing. Further details on how to complain to a retailer are available at www.consumerhelp.ie

If Ciara still cannot get a satisfactory response from the retailer she can consider using the small claims process or given that she needs a working cooker, she could decide to use her guarantee. A guarantee is the document from the manufacturer confirming that they will repair or replace an item if something goes wrong within a certain amount of time after you buy it. However, a guarantee does not replace your consumer rights and retailers should be aware of this.

Susan's Sofa

It is often hard to resist a bargain. Price promotions or special offers should be accurate and not mislead consumers. It is against the law for businesses to give a false or misleading previous price. For example, if a retailer crosses out one price and replaces it with a lower price, the goods in question must have been on sale in the same outlet (or in the case of a chain a significant number of outlets) at that previous price for a reasonable time. The definition of "a reasonable time" is not specified by law, but a rule of thumb is that goods should have been on sale for 28 consecutive days in the 3 months before the price was reduced.

In terms of next steps Susan should contact the retailer and ask about the validity of the offer. If she is not satisfied with the explanation she receives, she should contact the Competition and Consumer Protection Commission on 1890 432 432.