



## How we can help you

Consumer Protection, a division of the Department of Mines, Industry Regulation and Safety, promotes fair trading and consumer protection in Western Australia.

From the simple act of purchasing the weekly groceries at the supermarket to the complexities of signing a contract to buy a house, we are all consumers almost every day. Being a consumer can be a risky business. It's important that we get what we pay for, that whatever we purchase does what it is supposed to do and that if something goes wrong we know what remedy to seek.

All consumers and traders in Australia have rights and responsibilities under the Australian Consumer Law (ACL) and need to consider those carefully when buying, selling, or agreeing to contracts. Those rights and responsibilities extend to after-sales services such as guarantees, quality issues, maintenance and repairs. Some matters may arise well after a contract has been signed or a purchase has been made, so knowing your rights is important.

Some areas, like residential tenancy or buying real estate, have additional laws in place to further protect your interests.

Consumer Protection is here to help you by:

- providing information and advice to consumers, shops and businesses about their rights and responsibilities;
- helping consumers resolve disputes with shops and businesses;
- investigating complaints about unfair trading practices;
- prosecuting unscrupulous traders;
- regulating and licensing some business activities; and
- developing legislation, codes of practice and guidelines that protect consumers.

If you need information or advice on any consumer protection issue you can contact our Consumer Protection Advice Line on 1300 304 054 from anywhere in Western Australia for the cost of a local call, or visit our website at [www.consumerprotection.wa.gov.au](http://www.consumerprotection.wa.gov.au).

## Who can we help?

### Consumers

Consumer Protection can help consumers with information on their rights when shopping, conciliation for disputes, product safety information, tenancy issues and more. In addition, our Community Education team can present information sessions to community groups (including multicultural groups). If you are interested in booking a presentation for your group please email [consumereducation@dmirs.wa.gov.au](mailto:consumereducation@dmirs.wa.gov.au).



## **Culturally and Linguistically Diverse consumers**

For consumers from non-English speaking backgrounds we are able to provide a [translation service](#) to assist when consumers are making a complaint. We also have a number of publications in languages other than English on the [Consumer Protection website](#) as well as translated videos on our [Vimeo channel](#). We can also provide links to translated resources on the [ACCC website](#).

## **Aboriginal consumers**

Consumer Protection has specialist Aboriginal officers who can answer questions, give advice or help you make a complaint. Just ask us. Our website also contains a wealth of information specifically for Aboriginal and Torres Strait Islander consumers as a part of the National Indigenous Consumer Strategy.

From [our website](#) you can also print a wide range of brochures for Aboriginal consumers, including 'Door-to-door sales', 'Mobile phones', 'Unfair trading', 'Book up', 'Buying big ticket items', 'Your rights when shopping' and 'Quotes and estimates'.

## **Regional and remote consumers**

Regional consumers face a wide range of unique issues, particularly those living in remote areas. Our regional officers are there to assist you with Consumer Protection's full range of services. We have [regional offices](#) in Perth, Albany, Broome, Bunbury, Geraldton, Kalgoorlie and Karratha.

## **Shops and businesses**

Consumer Protection also provides [information for traders](#) in a variety of industries to help them understand their rights and responsibilities. We can provide advice on the Australian Consumer Law as well as assisting with such specifics as setting up complaint handling procedures and establishing voluntary industry codes of practice.

## **Consultations**

Consumer Protection deals with consumers, shops and businesses every day, therefore it's important for us to regularly seek input so we can continue to contribute effectively to the Western Australian community.

Consumer Protection produces and amends legislation, codes of practice, guidelines and general consumer information. An important part of this process is seeking public and industry opinion. The latest consultations can be found on the [public consultation page](#).



## **Advisory committees**

Consumer Protection has two industry advisory groups so the relevant industries can have timely input into related policy and regulatory issues. These are the [Motor Vehicle Industry Advisory Committee](#) and the [Property Industry Advisory Committee](#).

In addition, Consumer Protection seeks the guidance of the [Consumer Advisory Committee](#). This committee advises the Minister and the Commissioner for Consumer Protection on:

- how the activities and policies of Consumer Protection affect consumers;
- current and emerging consumer issues;
- research and education projects relating to consumers; and
- any matter referred to the Committee by the Minister or the Commissioner.

## **What can we provide assistance with?**

### **Shopping**

It is important to be aware of [your rights when shopping](#), whether at a store, online, door-to-door, by mail or phone.

Consumer Protection can help you understand your rights and provide advice about faulty goods, lay-bys, refunds, warranties, guarantees, after sales service and retail trading hours. Business owners can also contact us to find out about their legal responsibilities.

### **Repair, replace or refund**

Under the Australian Consumer Law you have the right to ask for a repair, replacement or refund if the items you purchase are faulty, unsafe, look unacceptable and/or do not do what they are supposed to do. You also have certain statutory entitlements including warranties and 'cooling-off' periods for particular transactions.

More information can be found on both the Consumer Protection website at [www.consumerprotection.wa.gov.au](http://www.consumerprotection.wa.gov.au) and the Australian Competition and Consumer Commission website at [www.accc.gov.au](http://www.accc.gov.au).

### **Product safety**

As a consumer you have a right to expect that products you buy work properly without any risk of causing illness or injury. Consumer Protection enforces the safety standards for a wide range of products that you purchase.

Each year our officers visit hundreds of retailers and inspect thousands of products to make sure any banned or unsafe items are removed from sale. Infringement notices and formal warnings are issued to retailers and suppliers who fail to comply with product safety standards.



Product Safety Australia's website at [www.productsafety.gov.au](http://www.productsafety.gov.au) provides valuable information on standards, recalls and bans. You can also register to be notified about all the latest product safety news.

### **Service industries**

Consumer Protection can supply advice and assistance when you deal with [service providers](#) such as funeral organisers; drycleaners; employment agents; furniture removalists; motor vehicle repairers; pest control operators; and travel agents.

## **Housing**

### **Renting a home**

If you rent a house, flat, unit, park home or on-site caravan, or if you are an owner or managing agent of a rental property, make sure you are aware of your rights and responsibilities. We can help by providing information on:

- starting and ending a tenancy;
- lodging a bond;
- rent increases; and
- the notice required to vacate.

Consumer Protection's [Renting a home](#) page also provides information on how to handle tenancy issues in family and domestic violence (FDV) situations.

### **Buying or selling a home**

Buying or selling a house is a complicated and expensive business. Consumer Protection can provide you with advice information on all aspects of buying and selling a property, from dealing with real estate agents and contracts of sale to transfer duty and termite inspections.

If you are buying your first home, you may be entitled to a subsidy or grant. We can also assist you with information about the fees and charges involved in buying a home.

For up to date information on grants available and other topics related to buying and selling, visit Consumer Protection's [buying and selling a home page](#).

### **Seniors' Housing Advisory Centre**

As we get older many of us will look to change our housing arrangements to better suit our lifestyle, particularly as children leave home and full-time work commitments change. The Seniors Housing Advisory Centre (SHAC) provides free and independent information on the range of over-55s housing options open to Western Australians, including modifying or re-developing existing homes, renting or moving into a residential park, retirement village or strata titled community housing. For more information call 1300 367 057 or email us at [seniors.housing@dmirs.wa.gov.au](mailto:seniors.housing@dmirs.wa.gov.au).



### **Residential parks**

For many Western Australians, moving into a caravan park or lifestyle village is becoming an increasingly popular housing option. The [Consumer Protection website](#) provides a variety of information regarding residential parks.

The *Residential Parks (Long-stay Tenants) Act 2006* and the accompanying regulations outline the responsibilities of park operators and their tenants.

When tenancy issues cannot be resolved, Consumer Protection may be able to assist with further information on what is expected of you and others.

### **Retirement villages**

If you are planning to move into a retirement village, or if you already live in one, Consumer Protection can help you to understand your rights and responsibilities. We can provide advice and support on the many important issues associated with retirement village living. We can even help you to resolve disputes. Visit [Consumer Protection's retirement village](#) webpage for more information.

### **Scams**

Each year Australians lose over a billion dollars to scammers. Scams target people of all backgrounds, ages and income levels. New varieties of scams appear all the time and it's important for you to remain vigilant.

If you want to stay on top of the latest scams, register to receive our free alerts or report a scam visit WA ScamNet at [www.scamnet.wa.gov.au](http://www.scamnet.wa.gov.au).

Some common types of scams include:

- Email scams
- Online sales scams
- Charity scams
- Dating and romance scams
- Investment scams

Consumer Protection developed WA ScamNet to help combat this growing problem.

### **Motor vehicles**

Buying a motor vehicle or recreational boat can be a major expense, but it is possible to avoid potential problems by getting advice from [Consumer Protection](#) before you buy. We can provide ideas on what to look out for and give advice on who is responsible for fixing any problems.





Consumer Protection offers information and advice on:

- buying and selling a new or used car or boat;
- buying privately or from a dealer;
- handling disputes and complaints;
- finding licensed dealers and repairers;
- obtaining a dealer's or repairer's licence;
- servicing or repairing your vehicle; and
- warranties, quotes and estimates.

Motor vehicle dealers and repairers are required to be licensed with Consumer Protection. The licensing process includes aspects such as qualifications, experience, membership of professional organisations and references. The business must also employ certified repair staff for each class of repair work that they carry out. You can check if a motor vehicle repairer is licensed on the [Consumer Protection website](#), or you can 'look for the tick' (a licence sticker), or ask to see their certificate. For further information contact the Automotive and Trading Hours Branch on 1300 304 054 or [consumer@dmirs.wa.gov.au](mailto:consumer@dmirs.wa.gov.au).

### **PPSR**

You may remember that Consumer Protection use to administer the Register of Encumbered Vehicles or REVs check. This has now been transferred to the national Personal Property Securities Register (PPSR). If you are buying a new or used car or boat or other valuable goods you should access the national PPSR. The PPSR is an online database that shows all items that have been used as security for a loan and can be accessed at [www.ppsr.gov.au](http://www.ppsr.gov.au). However, when you buy from a registered dealer, the dealer must guarantee title so you do not need a PPSR check.

### **FuelWatch**

Thanks to Western Australia's unique laws you can benefit from being a day ahead of any fuel price hikes and access consistent prices throughout the day.

Western Australian fuel retailers are required to notify FuelWatch of their fuel prices for the following day by 2pm and to sell at these prices for a fixed 24 hour period.

FuelWatch helps you to find the cheapest fuel in Perth and most country areas (we cover 80 per cent of Western Australia).

The next day's fuel prices are available from FuelWatch after 2.30pm. If you subscribe you will receive a personalised daily FuelWatch update. To find out the lowest prices on any given day and to save money you can visit the FuelWatch website at [www.fuelwatch.wa.gov.au](http://www.fuelwatch.wa.gov.au).



### **Commercial tenancy**

In WA, the Small Business Development Corporation (SBDC) provides a specialist small business guidance, awareness and education service on all aspects of commercial and retail tenancy lease negotiations and operations. To contact them, call 131 246 or visit [www.smallbusiness.wa.gov.au](http://www.smallbusiness.wa.gov.au).

The State Administrative Tribunal on 1300 306 017 is responsible for providing a mediation service and determining disputes in relation to retail and commercial shop lease matters.

### **Licensing and registration**

By requiring certain occupations to be registered or licensed, Consumer Protection ensures only fit and proper persons, with appropriate qualifications and skill levels, can operate in Western Australia.

Licensing and registration also helps protect consumers from suffering financial loss as a result of defective workmanship, non-completion of work, or the insolvency of the trader by providing a structured dispute resolution system, which helps resolve consumer complaints without the need to go to court.

Consumer Protection can help if you have a question or complaint about a person or business operating in one of these industries, or if you want to know how to become licensed or registered.

People working in the following industries must be licensed or registered with Consumer Protection:

- [Property industry](#)
- [Settlement industry](#)
- [Land valuer industry](#)
- [Employment agent industry](#)
- [Debt collector industry](#)
- [Motor vehicle dealer industry](#)
- [Motor vehicle repair industry](#)

### **Associations, charities, co-ops and partnerships**

Many social, sporting and community groups incorporate under the *Associations Incorporation Act 1987*. This Act provides an inexpensive and simple way to set up a legal entity with the capacity to carry on business in its own right.

We can help your organisation or club become incorporated. It is not compulsory, but there are important benefits for members, including the protection of limited liability.



Any organisation or club collecting money or goods from the public for charitable purposes must be registered with Consumer Protection. There is no cost to register and you can check [our website](#) to see if a charity is registered.

### **Complaints and conciliation**

Consumer Protection can play a key role in helping you to obtain a fair result if you have a dispute with a trader or business. These four steps may help you resolve your problem:

- Know your rights and responsibilities
- Talk to the trader or business involved
- Put it in writing
- Make a formal complaint.

To make a complaint visit [Making a complaint](#)