



Repairs to your motor vehicle

For most people a motor vehicle will be the second most expensive purchase they will make. In terms of maintenance it will likely be the most expensive.

It is in your best interest to find a vehicle repairer who you trust, who charges only for what needs to be done and who has the knowledge and skills to do it properly.

'Shop around' until you find the best repairer for your budget and needs. If possible get a referral from a friend or family member. Make sure you deal with a licensed repair business and get value for money and reliable service.

WA law requires motor vehicle repair businesses to be licensed and employ qualified staff to supervise the repair work of your vehicle.

Before you make a decision, find out about the repairer's qualifications and the type of services they offer. Ask the repairer to provide some indicative pricing such as a vehicle service, brake pad replacement or a gearbox service and an hourly rate for labour. You can compare with other repairers to choose the one right for you.

To be sure you are dealing with a licensed repair business, look for the business name and licence number which should be displayed on the premises or 'van' if using a mobile mechanic. The repairer may also display the licensed repairer logo. You can also search online to check if your repairer is licensed on the Department of Mines, Industry Regulation and Safety website.



Repair costs and charges – Do not hand over a 'blank cheque'

Discuss with your repairer what work your car needs – is it a service or an issue?

If it is general service, they will generally have a set price. Any work beyond this service will need to be discussed with you before it can be done.

If it is an issue you may need to pay for the initial review into what is causing the problem. Make sure you request a cost estimate for this. Once the repairer has checked your car and found the problem, then discuss with your repairer about the options and costs to fix it.

Wherever possible, ask if the repairer will give you a written quote or estimate detailing the work and cost of repairs agreed to. When you accept a quote a contract is formed, binding you and the repairer to the details contained in it.

If you receive an estimate, the price stated is not fixed. The repairer must act with care when providing a price and not deliberately underestimate the cost to get the job.

However, due to the complex and technical nature of motor vehicles, it is often difficult for a repairer to give a fixed quote. In some cases, when there is a fault such as an abnormal noise in an engine or gearbox, further investigation may be required to fully determine what repairs are necessary and provide a proper price estimate.

Most reliable repairers will call and notify you if there is any additional work required. They will often use the regular service reports to note any issues or work needed in the near future such as wiper blade replacements or oil on the filter. You can always ask for an estimate when you receive the report to prepare you for the next service.

Paying for repairs

It is important for you and your repairer to be clear about what your expectations are.

You do not have to pay for repairs you did not ask for or did not authorise.

However, unless other arrangements have been agreed to, a repairer is entitled to be paid in full for the repairs before releasing the vehicle. If you refuse to pay the bill, the trader can lawfully refuse to release your vehicle.

The Australian Consumer Law (ACL) requires a business to provide receipts for all goods and services costing \$75.00 or more. You also have the right to ask the repairer to provide you with an itemised bill for services provided. This request can include a list of materials or parts used; details of the number of hours charged and even the hourly rate. Failure to comply with this request is an offence under the ACL.

Beware of extra repairs

Unfortunately there have been reports of unscrupulous repairers who charge for repair work not completed or carry out unnecessary repairs to vehicles.

The issue of over-servicing has become more prevalent since some repair businesses introduced an 'incentive scheme' for staff who can identify additional repair work over and above what the vehicle was booked in for.

We recommend you do not automatically authorise any additional repairs. Ask the repairer to justify the additional work and provide you with a written report or quote, including parts and labour for the extra repairs. It may be wise to get a second opinion and another quote if extra repairs are suggested.

Remember, the costs charged by repair businesses for labour and parts is not regulated by any law but rather is governed by the marketplace and competition.

Know your motor car

You know your car by the way it drives or sounds and if these change it may be a clue to when it needs something other than a regular service.

A regularly serviced car will need less expensive repairs less often so don't be afraid to book it in for regular maintenance. A rule of thumb is a service every 10,000 kilometres or at least once in 12 months but check with the manufacturer's recommendations.

If you need a repair, understand the language

Make sure you know what you are getting. For example, there is a difference between a 'fully reconditioned engine' and a 'serviced, rebuilt or exchange engine'.

As a general guide, if something is referred to as 'reconditioned' it is regarded as being in 'as good as new' condition. Something which has been 'serviced or overhauled' is regarded as having been repaired to make it serviceable.

'Second-hand' items are likely to have had nothing done to them.

Getting an 'exchange' engine means you have to supply your old engine or part to the trader in exchange for theirs. The exchange engine or part could be reconditioned, second-hand or serviced so check the supplier's description.

The repairer didn't fix it – ask the repairer to look again

If a problem arises with the repairs, always contact the repairer first and explain the problem or return the vehicle.

If you are unable to return the vehicle, discuss alternatives with the repairer. For example, if the vehicle cannot be driven, arrangements may have to be made to tow the vehicle back to the repairer or to take it to another repairer near you. If the problem with the vehicle is due to the repairer using faulty parts or carrying out defective repairs then the cost of either of these actions, and any further repairs, should be paid for by the repairer.

If, however, the problems are not related to anything the repairer did or did not do, you will have to pay for all costs.

A repairer does not have to give you a courtesy car while fixing your vehicle. Some repairers choose to do so to maintain customer goodwill.

What about time frame? What if a mobile mechanic or repairer is fully booked for weeks?

Consumer guarantees under the Australian Consumer Law

The Australian Consumer Law (ACL) places certain obligations on a repairer. This means all work is to be carried out with due care and skill and services are fit for purpose and provided within a reasonable time.

The repair should be free of any defective parts, even if second-hand parts are used, and be reasonably fit for its normal purpose having regard to the nature and type of repair.

Some repairers may try to limit their responsibility by displaying signs or using documents which contain phrases such as 'all care taken but no responsibility accepted'. These statements are misleading and do not relieve a repairer of their responsibility for faulty parts or defective repairs. These statements are a breach of the law and you should inform Consumer Protection.

In addition to the guarantee implied under the ACL, some parts used in the repairs, for example a reconditioned engine, may also carry a manufacturer's warranty. In these situations you may be required to follow servicing requirements to maintain the manufacturer's warranty.

Whatever the situation, it is the repairer's responsibility to address and attend to any claims you have regarding faulty or defective repairs.

Need help?

The Automotive, Marine and Trading Hours Branch offers a conciliation service to help resolve disputes between repairers and consumers. We are unable to force a particular outcome but are generally successful in negotiating resolutions. However in rare occasions some matters may need to be referred to the Magistrate's Court.

The *Motor Vehicle Repairers Act 2003* also provides for a 'Compensation Fund'. Owners of motor vehicles, who have suffered a loss as a result of incompetent repair work by a licensed repairer or incomplete work as a result of a licensed repairer becoming insolvent, may claim compensation from the fund. However, the fund will only compensate customers if they have attempted to resolve any claim or made a reasonable attempt to exercise their legal rights to recover their losses.

Consumer Protection provides a free telephone advisory service to consumers and businesses on their rights and obligations under consumer laws.

For advice or assistance ring the Consumer Protection Contact Centre on 1300 304 054 for the cost of a local call statewide.

Disclaimer – The information contained in this fact sheet is provided as general information and a guide only. It should not be relied upon as legal advice or as an accurate statement of the relevant legislation provisions. If you are uncertain as to your legal obligations, you should obtain independent legal advice.

Consumer Protection | Department of Mines, Industry Regulation and Safety

1300 304 054

8.30 am – 4.30 pm Mon, Tue, Wed and Fri

9.00 am – 4.30 pm Thurs

Gordon Stephenson House

Level 2, 140 William Street

Western Australia 6000

M: **Locked Bag 100, East Perth WA 6892**

W: www.consumerprotection.wa.gov.au

E: consumer@dmirs.wa.gov.au

Regional Offices

Goldfields/Esperance (08) 9021 9494

Great Southern (08) 9842 8366

Kimberley (08) 9191 8400

Mid-West (08) 9920 9800

North-West (08) 9185 0900

South-West (08) 9722 2888

National Relay Service: 13 36 77

Translating and Interpreting Service (TIS): 13 14 50

This publication is available in other formats on request to assist people with special needs.

