

The Consumer

Acts Protecting Consumers

The Sale of Goods and Supply of Services Act 1980 • The Consumer Protection Act 2007

The Sale of Goods and Supply of Services Act 1980

1. Goods sold must be of merchantable quality, and not break after a short time
2. Goods must be fit for the purpose intended, and do what they are supposed to do
3. Goods must be as described by the packaging or salesperson
4. If goods are sold by sample, they must correspond to sample
5. Suppliers of services must have the necessary qualifications and any products used must be of merchantable quality.
6. Retailers can't put up signs that take away from these consumer rights

Stages of Seeking Redress with Breaches of this Act

1. Identify the problem and gather all proof of purchase
2. Contact the seller indicating the action required, and ask to see the manager if the seller doesn't resolve the problem
3. Put the complaint in writing and enclose copies of receipts. State your rights and redress
4. Contact the seller's trade association if possible and give full details
5. Contact the media
6. Bring the seller to the small claims court
7. Contact the public services ombudsman if it is a dispute with a public service, or contact the financial services ombudsman if it is a dispute with a financial institution
8. Hire a solicitor and go to district court

The Consumer Protection Act 2007

- Ensures manufacturers and retailers act fairly
- Protects against unfair practices such as:
 - Running a competition and not awarding any prizes
 - Saying a product is recommended when it's not
- Retailers can't say anything false or misleading about a product or service
- Prices must be displayed and weighing scales provided for unpacked food
- Protects against aggressive practices
- With sales: must be at previous price for 28 consecutive days within the past 3 months to be on sale
- Advertisements can't say anything confusing, offensive or misleading

Stages of Seeking Redress with Breaches of this Act

1. Identify the problem and gather proof of breach
2. Contact the seller/manager indicating action required
3. Put complaint in writing and state your rights and redress

4. Bring it to the attention of the Competition and Consumer Protection Commission
5. If it is in relation to advertising, go to the Advertising Standards Authority of Ireland
6. Contact the seller's trade association or the media

Guarantee

A guarantee is a legal promise from the manufacturer to offer a refund, repair or replacement if the product you purchased was faulty

Warranty

A warranty is an additional promise to repair or replace a faulty product. It is offered by the seller, usually for a fee, and it lasts longer than a guarantee

Being an Informed Consumer

- Creating and keeping to a budget
- Shopping around for the best value and not making impulse decisions
- Knowing your rights under consumer law
- Knowing what agencies to contact
- Being aware of your responsibilities
- Keeping receipts and guarantees

Responsibilities of Consumers

- Paying the agreed price on time for the good or service
- Protect the environment when disposing of the packaging
- Protect the environment when using the product
- Use the goods as instructed and for the purpose intended. Use properly and follow safety advice
- Buy products that are environmentally friendly and can be recycled
- Reuse and repair products

Ethical

Ethical is concerned with right and wrong and is a set of moral principles that people follow when making decisions that affect others, society and the environment. It would mean adhering to laws, but also making the morally right choice whether or not the laws are there to influence our decisions.

Sustainable

Being sustainable means having a balanced approach to economic activity by taking the environment into consideration. It is where resources are capable of being maintained at a steady pace without being exhausted.

How can Consumers be Sustainable?

- Buy products that can be used again

E.g. Buy reusable water bottles instead of the use-once bottles that you throw away when you have finished your drink

- Buy products that are produced in a sustainable way to encourage the protection of these resources

E.g. Buy line-caught tuna as no nets were used, hence, doesn't deplete other fish stocks such as dolphins

- Use more energy efficient products to reduce fossil fuel consumption

E.g. Buy LED light bulbs as they use less power and they last longer, which means less energy in producing them and less wastage too

- Be more energy conscious and use less power

E.g. Dry clothes outside instead of using a tumble dryer. Turn off lights and electronics when not in use

- Use more sustainable energy sources for heating your home

E.g. Use solar panels, increase insulation or use sustainable wood burning to heat your home

- Don't buy items that you don't use as it is wasting resources

E.g. Don't buy newspapers that you don't read because it is wasting wood