

# Contact NSW Fair Trading

NSW Fair Trading is the state government agency responsible for protecting consumers' rights. We provide free assistance and information on shopping and renting rights. We can provide information to consumers about options to resolve disputes with traders and in some cases our staff can attempt to negotiate a settlement.

Visit the Fair Trading website for more information on these topics in English and other community languages or to lodge an enquiry or complaint. Or call 13 32 20 if you have a problem.



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## NSW Fair Trading – What we do

- Shopping and consumer guarantees
- Renting, buying, selling a home
- Home building and renovating
- Strata and community living
- Co-operatives and associations
- Product safety
- Resolving disputes
- Charitable fundraising

[www.fairtrading.nsw.gov.au](http://www.fairtrading.nsw.gov.au)

Enquiries 13 32 20

Language assistance 13 14 50 (*ask for an interpreter in your language*)

TTY 1300 723 404 for hearing impaired

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This publication must not be relied on as legal advice.

For more information about this topic, refer to the appropriate legislation.

January 2017

for international students

# Consumer guide



**Fair  
Trading**

[www.fairtrading.nsw.gov.au](http://www.fairtrading.nsw.gov.au)



In Australia, every person has consumer rights and responsibilities, and our trade practices are different from many overseas countries. Every person has the right to be protected from unfair business practices.

This brochure gives basic tips about your consumer rights and responsibilities in NSW. You can find more information on the Fair Trading website.

## Shopping and refunds



As a shopper you have certain rights. The information you get about a product or service must be accurate and the product must be labelled correctly. You are entitled to a receipt upon request as a proof of transaction when you buy goods and services. The law gives you consumer guarantees in case things go wrong. It is a promise about what supplier or manufacturer will do against defects under the Australia Consumer Laws (ACL).

### Refunds

In some situations you are entitled to a refund for a product you buy. For example, you bought a vacuum cleaner but it does not do the job that it is supposed to do. However, there are also situations where you may not be entitled to a refund for example, if you damage the vacuum cleaner by not following the instructions or using it incorrectly.

To make a claim for faulty products or services you need to show a receipt or other proof of purchase such as a credit card or bank statements so traders can provide a remedy. Read more about refunds and when they do and don't apply on the Fair Trading website.

### Shopping online

Here are some tips to protect yourself when shopping online:

- Check the seller's business details by calling them before your first purchase.
- Compare prices, postage, delivery, refund and return policies.
- Read customers reviews about the seller.
- Check if the site is secure before paying. Look for a key or closed padlock icon at the bottom or top of the computer screen.
- Never give out your password or personal bank details.
- Check the exchange rate, sales tax and import duties (overseas seller).
- Print out the payment or order confirmation and keep it in a safe place.
- Check out the Fair Trading website for more information.

## Buying a car



Before buying a car privately follow these tips:

- Shop around and check prices.
- Check the car's service history (log book) if buying a used car.
- Ask the seller for a drive to test the car.
- Pay a mechanic to do a car safety inspection for you as there is usually no warranty.
- Do a Personal Property Securities Register (PPSR) search online at [www.ppsr.gov.au](http://www.ppsr.gov.au) and check if the car has money owing (debt) from a previous owner. A car with debt could be repossessed (taken away) from you.

For more information watch the *Buying a used car* video in 6 community languages at [www.youtube.com/user/NSWOFT](http://www.youtube.com/user/NSWOFT) or at [www.fairtrading.nsw.gov.au](http://www.fairtrading.nsw.gov.au)

### Roads and Maritime Services

Car registration

Tel: 13 22 13 or [www.rms.nsw.gov.au](http://www.rms.nsw.gov.au)

### My next car app

*My next car* is a free app that helps you choose your next car.

Compare cars you are interested in, compare loans and get tips and advice. (For android and iphone).



## Renting



When you start renting a house or unit you must be given the Fair Trading fact sheet *New tenant checklist* which has important information about your rights and responsibilities. This fact sheet is in community languages on the Fair Trading website. Some of the important things to know are:

- **Renting advertisements** - Check renting advertisements are real by visiting the property and checking the company or person's details. If you are overseas, ask a friend or a relative to check for you.
- **Agreement or lease** - To rent a house or unit you have to sign a Residential Tenancy Agreement with a landlord or agent. This is a legal document called a lease. It explains what the tenant (you) or landlord can do and cannot do. It includes the amount of rent you need to pay, and how and when to pay it, and the lease term - which is usually 6 or 12 months.
- **Rental bond** - When you agree to rent, you must pay a rental bond which should be no more than the amount of 4 weeks' rent. This must be lodged with Fair Trading and your agent or landlord must offer you the option of doing this online.
- **Other costs** - You will be required to pay up to 2 weeks' rent in advance.

### Having trouble with your landlord or agent?

Contact our free complaint service if you have a tenancy issue or dispute. We can assist with a range of matters and can help negotiate an agreement.

Watch our videos ([www.youtube.com/user/NSWOFT](http://www.youtube.com/user/NSWOFT)) in community languages for more information:

- *Renting a home: a tenant's guide to rights and responsibilities*
- *Rental Bonds Online: the smart way to manage your bond*
- *Help with tenancy problems*

### Are you a boarder or lodger?

If the landlord, or 'operator', keeps control over your room and the rest of the accommodation, you may be a boarder or lodger.

Boarders living in 'registrable' boarding houses have a basic set of rights called occupancy principles. For more information, search for 'boarding houses' on our website.

### Tenants' Union

Find your local Tenancy Advice and Advocacy Services

Tel: 1800 251 101 or [www.tenants.org.au](http://www.tenants.org.au)



## Credit card chargeback



Chargeback is a refund facility available from credit card providers. It may be possible for you to request a chargeback from your credit card provider if:

- goods or services that you have ordered have not been provided, yet your credit card has been charged
- a transaction is made with your credit card without your approval or authorisation
- the transaction is illegal such as a forged signature, use of an expired credit card.

A time limit may apply for the use of this facility. For further information regarding chargeback, contact your credit card provider.

## Strata laws



If you live in a unit or townhouse you may be living in a strata scheme. There are rules, called by-laws, which people who live in strata and their visitors must follow. For example, these may affect where you can smoke, and where you can park your car (tenants should also refer to the conditions of their lease).

Recent strata law changes give tenants more ways to find out what is happening in their strata scheme.

Learn more about your rights and obligations.  
Enquiries 1800 214 023 or visit [stratalaws.nsw.gov.au](http://stratalaws.nsw.gov.au) to access information in five community languages.

## Gym memberships



Gyms are not allowed to ask you to pay for a membership of more than 12 months at a time. If you are planning to join a gym, visit the Fair Trading website for tips on finding a suitable gym, understanding the contract before you sign, cancellation policies and membership options.

### Fitness Australia

For problems with gyms that are members of Fitness Australia

Tel: 1300 211 311 or [www.fitness.org.au](http://www.fitness.org.au)

## Education and training

Here are some tips for when you are planning your study:

- Check if the institution you wish to study with is registered to deliver training Visit the CRICOS website at [cricos.education.gov.au](http://cricos.education.gov.au)
- Do not pay any course fees to a training provider until you have signed a written agreement.
- Read the agreement and the terms and conditions carefully before you sign any paperwork with a training provider.
- You may not be entitled to a refund if you decide to leave your current education provider.
- If you want to transfer from one training provider to another and you have not yet completed 6 months of your main course then you must ask for permission to do so from your current provider.
- Don't pay any money to the new provider until you have received your letter of release.
- If you are released, only then can you complete your enrolment and sign a written agreement with the new provider.

Contact the **International Students Office** of your institution or call **Australian Education International** on 1300 615 262 if you have questions or problems.



## Mobile phones and data plans



If you are planning to buy a mobile phone or use an internet service provider, follow these tips:

- **Shop around** – Look at different types of plans, compare prices, services, network providers. Consider using pre-paid mobile phones or internet services.
- **Read the contract** – If you decide on a plan (pay monthly), read the terms and conditions, including the small print, before signing the contract. Also, check the terms for cancellation of the service contract.
- **Check the payments** – Find out what your monthly payments will be and if you are charged at a higher rate if you exceed its call or data quota.
- **Check network coverage** – Check coverage maps on the provider's website and contact the provider to find out the quality of reception in the areas you will use the phone or internet.
- **Keep your contract** – Make sure you keep your receipts, warranty and other paperwork. You may need them if you have an issue with the phone or internet service provider.

### Telecommunications Industry Ombudsman (TIO)

For problems with phone cards, phone and internet services.  
Tel: 1800 062 058 or [www.tio.com.au](http://www.tio.com.au)

## If things go wrong

If you have a problem with something you have bought, follow these steps:

1. Contact the seller:
  - Explain the problem and how you want it resolved.
  - Keep the receipt and any other paperwork.
  - Write down the names of the people you speak to, what was said and the date you contacted them.
2. Call Fair Trading or lodge an online complaint, if you can't come to an agreement with the seller. We may contact the seller to help negotiate a resolution.
3. Contact the NSW Civil & Administrative Tribunal (NCAT) if the problem remains unresolved. Call 1300 006 228 or visit [www.ncat.nsw.gov.au](http://www.ncat.nsw.gov.au)

## Scams



A scam is a trick or a fraud when you pay money but get nothing back for it, or you get something that is worth much less than the money you paid. Scams can be anywhere – in the mail, email, internet, in person or over the phone. Scams can include offers of work, requests to transfer money, rental scams, mobile phone scams and online shopping and auction scams.

Here are some tips to avoid scams:

- If an offer sounds too good to be true then it probably is.
- Never send money or give personal details to a person or business you do not know.
- Never use public computers to do shopping or banking online.
- Do not respond to or open unknown emails or click on the links provided in them.
- Do not be pressured to make a decision on the spot. Take time to do your own research and ask lots of questions.
- Keep your computer secure with up-to-date anti-virus software.
- Always check if the site is secure before paying online.

### SCAMwatch

Report scams

Check the latest scams

[www.scamwatch.gov.au/report-a-scam](http://www.scamwatch.gov.au/report-a-scam)

### Australian Cybercrime Online Reporting Network (ACORN)

If you have been the victim of a cybercrime such as hacking, an online scam or fraud, identity theft or an attack on your computer system, report it.

[www.acorn.gov.au](http://www.acorn.gov.au)