

Making a Complaint

Whether your problem is a defective appliance or a leak in your newly installed roof, the first step in resolving your problem is to contact the business or organization who sold you the product or service.

Before making your complaint, make sure you know what you want to achieve. Do you want a refund or compensation, or do you simply want an apology from the person or organization to which you are complaining. Whatever it is, make it clear from the outset.

Complaining in Person

- **Stop using the item** – you may lose the right to reject the goods if you continue to use them once you discover they are defective
- Know your rights before you complain
- Tell the business or traders person as soon as you discover the fault
- Complain to the right person, someone who has the authority to resolve the problem. This may be the owner of a small business or the manager of a large store.
- **Do not** lose your temper, swear or become personally abusive. Be firm, polite, but insistent. Explain what the problem is and how you want it resolved.
- Be patient and give the business or organization the chance to sort out your problem before resorting to court action
- If your complaint is not resolved by talking to the business then you will need to put your complaint in writing.

Complaining in Writing

If you have problems with a business or organization then a carefully worded letter may help you to obtain redress.

- Find out the name and position of the person you need to write to
- Give a brief outline of the complaint i.e. where and when you bought the goods or services and what the problem is. Avoid being rude or sarcastic however tempting this may be

- Provide clear and appropriate grounds for your claim i.e. **Sale of Goods Act 2002 (as amended)** or the **Supply of Services Act 2003**.
- A clear request for the redress you are seeking and set a reasonable deadline for the response. This might be 14 days in the case of a request for a refund, but longer if you want a major problem put right.
- Make sure the letter is clear and legible
- Include your full address, post code, order number or account number
- Tell them where you can be contacted during office hours
- Keep a copy of the letter for your records
- Do not send original documents, always send photocopies
- Send the letter by registered post or hand deliver it.

If you are not satisfied with the response to your letter, or if you get no response, then you may have to consider using the **Small Claims Courts** procedure at **Magistrates Court**.

For more information, visit our website at www.ca.gov.bm or call 297-7627.



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