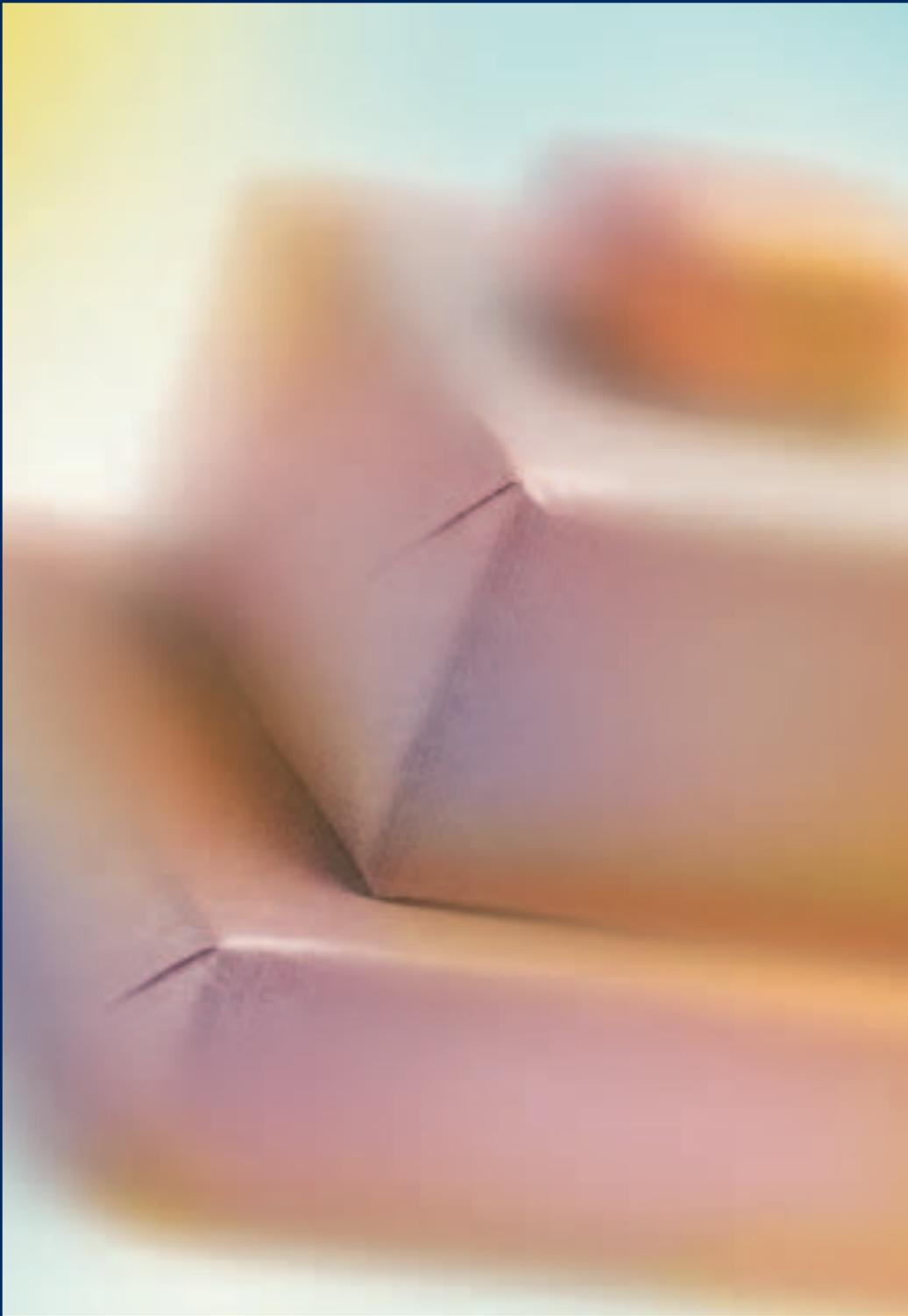


Shopping from home

Your distance shopping rights explained



This leaflet sets out general guidelines. All legal rules have exceptions and variations. How the law applies to you depends on the facts of your case. If you think that you have a legal claim and cannot get a satisfactory answer from the trader get advice from your local authority's trading standards service or a Citizens Advice Bureau or a solicitor.

Shopping from home (or work or wherever you are...)



Whether you're shopping via the internet, TV or telephone, from a catalogue or magazine advertisement, this booklet tells you about your rights. You'll also find general advice about shopping from a distance.

Look in this booklet for

Your rights and what you are entitled to

- clear information
- cancel within seven working days for any reason
- a full refund if you don't get the goods/service on time

Simple tips to avoid problems

- know your supplier
- know where they're based
- keep a note
- pay safely
- understand your commitment

What to do if things go wrong

- the goods are faulty
- the goods aren't delivered by the agreed date
- it isn't what you ordered
- the trader has gone out of business and you haven't received what you ordered
- you receive something you haven't ordered
- the price has increased since you ordered
- you want to complain

Useful contacts and information

Your rights and what you are entitled to

- **Clear information**

Before you order you're entitled to the following information:

- the supplier's name (and address if paying in advance)
- a description of the goods or service
- the price including taxes
- delivery costs and arrangements
- how long the price will stay valid
- how you can pay
- that you have a right to cancel
- if it's a service how long you're committed for
- whether the supplier is using premium rate telephone, fax or internet charges
- whether they'll supply a substitute if your order is out of stock or unavailable. And that they'll pay the postage if you want to return the substitute.

When you've placed an order you should get written confirmation of the original information plus what is shown below. Again, you may have had this information from a catalogue or magazine advertisement. If not the supplier should give it to you in writing as a fax, email or letter.

- how you can cancel and by when
- the supplier's geographical address
- details of any guarantees and after sales service
- who will pay the postage if you return the goods

If you've ordered an on-going service that doesn't have a fixed finishing date or will last longer than a year you should be told how to cancel.



- **Cancel within seven working days for any reason**



You usually have the right to cancel for any reason, and you don't have to say why. Just tell the seller in writing (by fax, letter or email) within seven working days of receiving the goods.

There's a form that you could use on the inside back cover of this booklet.

You **don't** have the right to cancel when buying:

- from a shop rather than from home
- financial services such as insurance or banking
- from an auction
- from a vending machine
- land or property sale contracts
- everyday goods supplied by regular rounds (such as milk)
- advance booking of accommodation, transport, catering or leisure services (such as train tickets or hotel bookings)
- betting or lottery services.

There are also things you can't return, including;

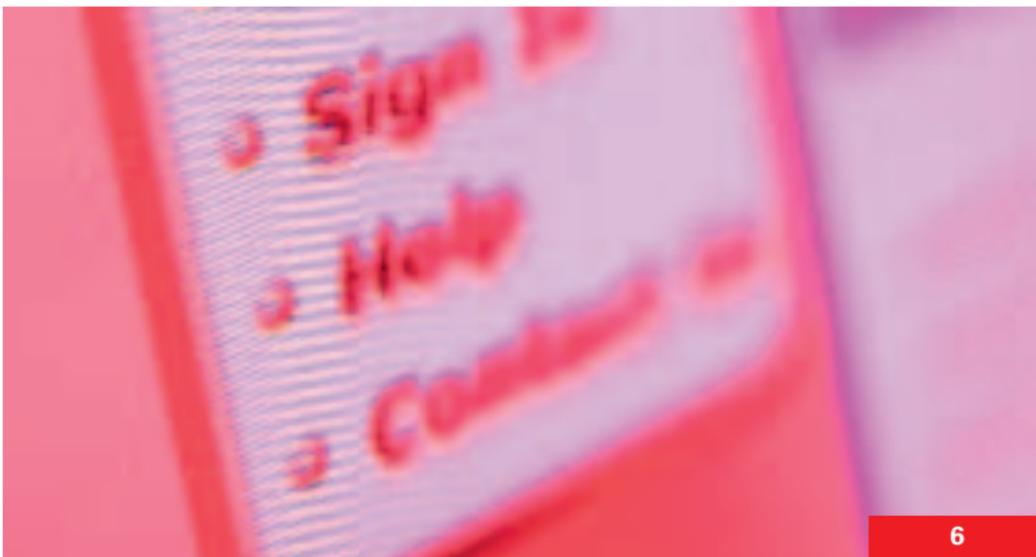
- perishables like flowers or fresh food
- personalised goods
- sealed video and audio tapes and computer software that you've opened
- newspapers or magazines.

If you've bought a service, you can't cancel it once it's started.

- **A full refund if you don't get the goods/service on time**

The seller must deliver goods or services within 30 days unless you agree something else. If this doesn't happen you must be refunded within 30 days.

If you haven't paid and nothing arrives you can treat it as though you had never placed the order.



Simple tips to avoid problems

Here are some simple tips to help your home shopping go smoothly:

- **Know your supplier**

The more you know about the company, the better. It seems obvious - but companies with good reputations usually have them because they give good service. Try to find out about a supplier before giving them cash.

If the supplier is a member of a trade association it's usually easier to resolve any disputes fairly. You could also contact the trade association for more information.

You'll find a list of mail order trade organisations and regulators at the back of this book.

- **Know where they're based**

Get their geographical address you'll need it if you want to complain and your rights vary depending on where you're buying from. A uk internet address doesn't always mean the firm is uk based.

EU countries have similar rights to these uk ones. But you'll find it much more difficult to solve problems or disputes outside the EU. If you want to be extra cautious you could look at government consumer rights internet sites for the country concerned.



- **Keep a note**

Again it sounds obvious - but we all forget sometimes when we're in a hurry. A record of names, addresses and dates will save you a lot of time if you have a problem or query.

- **Pay safely**

It is rare that you will be asked to send cash before you receive goods. Be very cautious if you are.

Using a credit card has some advantages. You're protected against home shopping fraud - if your card is used for this purpose you'll get a refund from the card issuer. Also you may have rights if the trader ceases trading before you get your order.

For safer internet shopping look out for the closed padlock symbol (secure sites on Microsoft and Netscape browsers) and the TrustUK logo (it means the trader has agreed to abide by certain standards).

- **Understand your commitment**

Always check the small print before joining a book or music club. Find out what you have to buy, for how long and how easy it is to cancel.

If it looks too good to be true, it usually is.

What to do if things go wrong

- **The goods are faulty**

If the goods are faulty, not as described or of unsatisfactory quality you can ask for a repair or a replacement or reject them and get your money back.

If you don't find the fault for a while you can usually still claim for a free repair or replacement plus the cost of returning the goods.

If the goods develop a fault in the first six months, it will be assumed that the fault was there when you bought it unless the seller can show otherwise.

Don't forget that guarantees only add to your legal rights; they don't replace them.

- **The goods aren't delivered by the agreed date**

If you didn't agree a date it must be within 30 days of your order unless you accept something different.

If they don't arrive you're entitled to a full refund or to ignore the order if you haven't paid.

- **It isn't what you ordered**

Perhaps you weren't given the chance to agree a change to your order or you decide you don't like the goods when you get them. Whatever the reason, if the goods aren't what you ordered you're entitled to a full refund and the trader pays the cost of return.

- **The trader has gone out of business and you haven't received what you ordered**

If you pay in advance and the firm goes bankrupt you will probably lose your money, unless you paid by credit card.

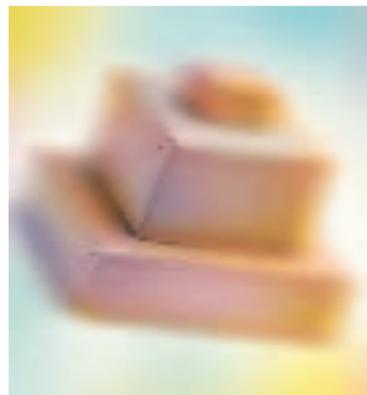
If you bought from a newspaper or magazine (but not a classified advertisement) they may be members of a scheme that will repay you. You'll find contacts for advance payment protection schemes at the back of this booklet – look for MOPS (national daily newspapers), the Newspaper Society (regional and local papers), the Scottish Newspaper Society (Scottish daily newspapers) and the Periodical Publishers' Association (magazines).

- **You receive something you haven't ordered**

If the trader sends you goods you haven't ordered you are under no obligation to pay for them or send them back.

In fact it's against the law to send unsolicited goods or provide services you haven't asked for and then ask for payment.

Contact your trading standards department if this happens to you.





- **The price has increased since you ordered**

If you don't want the goods at the higher price then use your right to cancel (see page 6).

Contact your trading standards officer or your local Citizens' Advice Bureau if the written information you were given was incorrect or the supplier's terms imply they have wide and unlimited rights to increase the price, they could have broken the law.

- **You want to complain**

Tell the trader about your problem first. If they don't sort it out to your satisfaction then go to a mail order trade association. You will find the contacts for the Mail Order Traders' Association at the back of this booklet.

Your local trading standards office or Citizens' Advice Bureau may also be able to help you. You could also contact the Office of Fair Trading.

This booklet gives general guidance about shopping from home regulations, it isn't intended to be a full description of the law. If you want to know about the regulations in more detail contact your trading standards department.

Useful contacts and information

Advertising Standards Authority

2 Torrington Place
London WC1E 7HW
Tel: 020 7580 5555
Minicom: 0845 609 6677
Website: www.asa.org.uk

Contact the ASA when:

- you want to complain about an advertisement that you think is misleading
- if an advertiser has not refunded your money when goods have been returned
- if delivery has taken longer than 30 days and you haven't agreed to the extra time (except plants and made-to-measure items).



Community Legal Service

Tel: 0845 608 1122 (local rate)
Fax: 0207 210 8780
Website: www.justask.org.uk

The CLS aims to ensure that people can get information and help about their legal rights and understand how to enforce them in the right place and at the right time.

Consumer Gateway

Website: www.consumer.gov.uk

This government website is the door to official information for consumers.

Direct Marketing Association (DMA)

Direct Marketing House
70 Margaret Street
London W1W 8SS
Tel: 020 7291 3300
Fax: 020 7323 4165
Website: www.dma.org.uk
www.tpsonline.org.uk
(Telephone preference service)
www.fpsonline.org.uk
(Fax preference service)
www.e-mps.org/en/
(Email preference service)

Many companies that sell to you by direct marketing (for example by mail or via newspapers or TV/radio or posters) are members. They can conciliate and adjudicate on disputes.

You should contact them if one of their members hasn't given you clear information or if you want to stop getting junk faxes, mail, telephone calls or email.

econsumer.gov

Website: www.econsumer.gov

This is a joint effort between enforcement bodies in a number of countries to gather and share cross-border ecommerce complaints.

The website provides an online complaint form for consumers and general information about consumer protection in all countries that belong to International Consumer Protection Enforcement Network (ICPEN).

Financial Services Authority

25 The North Colonnade
Canary Wharf
London E14 5HS
Tel: 020 7676 1000
Website: www.fsa.gov.uk

The Financial Services Authority is an independent body that regulates the financial services industry in the UK. It aims to help retail consumers achieve a fair deal.

Independent Committee for the Supervision of Standards of Telephone Information Services (ICSTIS)

4th Floor, Clove Building
4 Maguire Street
London SE1 2NQ
Tel: 020 7940 7974
Fax: 020 7940 7456
Email: secretariat@icstis.org.uk
Website: www.icstis.org.uk
Freepost: ICSTIS Freepost
WC5468 London SE1 2BR

The Independent Committee for the Supervision of Standards of Telephone Information Services regulates the content and promotion of premium rate telephone services.

They will investigate your complaints.

Mail Order Protection Scheme (MOPS)

18A King Street
Maidenhead
Berkshire SL6 1EF
Tel: 01628 641930
Website: www.mops.org.uk

National daily newspapers advance payment protection scheme. See 'If the trader goes out of business.'

Mail Order Traders' Association (MOTA)

Drury House
19 Water Street
Liverpool L2 0RP
Tel: 0151 227 9456
Fax: 0151 227 9678

Many mail order catalogue companies are members of MOTA. They agree to give clear information, prompt refunds and so on. They offer an arbitration service.

Citizens' Advice

Website: www.citizensadvice.org.uk

You can contact your nearest Citizens' Advice Bureau by writing to them, telephoning or dropping in during working hours. You'll find them in your local telephone directory. Some also offer advice by email.



The Newspaper Society

Bloomsbury House
74-77 Great Russell Street
London WC1B 3DA
Tel: 020 7636 7014
Fax: 020 7631 5119
Website: www.newspapersoc.org.uk

Regional and local newspapers advance payment protection scheme. See 'If the trader goes out of business.'

Office of Fair Trading

Fleetbank House
2-6 Salisbury Square
London EC4Y 8JX
Tel: 08457 22 44 99
Email: enquiries@oft.gov.uk
Website: www.oft.gov.uk

The Office of the Information Commissioner

Wycliffe House
Water Lane
Wilmslow
Cheshire SK9 5AF
Information line: 01625 545 745
Fax: 01625 524 510
Email: mail@dataprotection.gov.uk
Website: www.dataprotection.gov.uk

Periodical Publishers' Association Ltd

Queens House
28 Kingsway
London WC2B 6JR
Tel: 020 7404 4166
Fax: 020 7404 4167
Email: info1@ppa.co.uk
Website: www.ppa.co.uk

Magazines advance payment protection scheme. See 'If the trader goes out of business.'

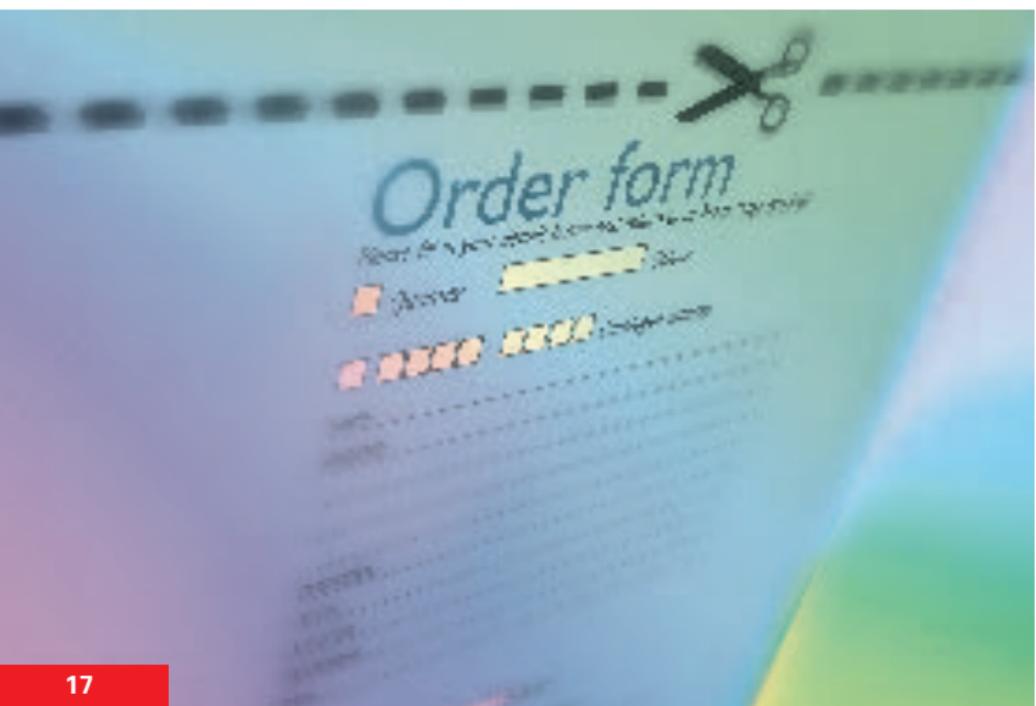
Trading Standards

Website: www.tradingstandards.gov.uk
Look in your local telephone directory for access.

TrustUK

Website: www.trustuk.org.uk

TrustUK is a government backed hallmark used by internet sales sites. If a site shows the TrustUK logo it means that it belongs to a trade association or subscriber body that operates under an agreed code of conduct.



Cancellation Form

To:

Trader's name

Address

From:

Name

Address

I/we* hereby give notice that I/we* wish to cancel my/our* contract.

Trader's reference number/code/
other identifier*:

Signed:

Date:

* delete as appropriate

- Consumer tips
- Consumer knowhow
- Consumer credit

The information contained in this booklet is available in other formats. Please contact 0870 60 60 0321 for details.

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