

Preventing Consumer Problems

Some consumer problems may be avoided by following these simple guidelines:

- ◆ *Always get different estimates for any major purchase or service contract. Shop around before you decide.*
- ◆ *Never sign a contract without reading it first. Do not sign a blank contract that a salesperson says will be filled in later. If there is anything that you do not understand, insist that this is explained to you. You can always ask to show the contract to someone who can give you advice before signing it.*
- ◆ *Always keep your receipts, warranties, contracts etc. They will be important if problems arise later.*

When Consumer Problems Arise

A complaint need not be a negative experience. Honest firms that handle consumer problems correctly stand to gain customer loyalty while consumers benefit. Remember these points when complaining:

- ◆ *Make sure that your complaint is justified; be reasonable in what you ask;*
- ◆ *First approach the person who sold you the product or provided you with the service and try to solve the problem amicably;*
- ◆ *State clearly what your problem is and what you expect to be done. For example, state whether you want a faulty product replaced or repaired, or whether you want your money back. Suggest a reasonable period by when you want action taken.*

How to make a complaint

A. IN PERSON

First approach the person who sold you the goods or provided the service. Ideally take with you a friend to witness what is said. Take copies of your documents. State what your problem is and what you want. If within a specified period you do not have a result, speak to someone with more authority. At home take notes of what happened.

B. BY TELEPHONE

Before phoning gather all the relevant information at hand. Briefly state what your problem is and ask for a person who has the authority to assist you. Keep a record of all the persons to whom you spoke, what they told you, and what action, if any, is being taken.

Before you end the call recapitulate what was agreed to in order to avoid misunderstandings. Follow the call with a letter to the same person outlining what was said and agreed to.

C. IN WRITING

This is the most effective method of complaining, if properly done. A letter should be short, neat, legible, and if possible, typed. Send the letter by registered mail. Address the letter to someone with authority or with a specific job title such as "The Manager".



Sample Letter of Complaint

Date _____ Your address: _____

Registered Mail ● *Send letter by registered mail*

Ms. R. Chetcuti
The Manager ● *Write to a specific person or authority*
Best Deal Store
(Full address)

Dear Madam/Sir, ● *Identify the date and location of the purchase*

On the 15th March, 1992, I bought a "Rap" Television ● *Give a complete description of the goods or service*
set, model XRI (serial number 3456) for Lm200 from your
shop in 1, Main Street, Valletta VLT 01. The set was
purchased under a one year warranty. A few weeks after, ● *Explain the problem*
prominent white lines started to appear on the screen
distorting the picture. I phoned at your main office and a
technician was sent. The set was repaired, however after ● *Outline the action you have taken*
a few days the same defect reappeared.

The repairs undertaken have not been satisfactory. I am ● *Specify the action you expect*
therefore writing to request that you change my T.V. set
for a new one or else refund my money.

Please reply within the shortest time possible from ● *Provide a daytime phone number*
receipt of this letter. During office hours I can be
reached at 2112 0934. I am enclosing with this letter a
copy of the sales receipt and the warranty given. ● *Enclose copies of documents*
Keep the Originals

Yours faithfully,
(Your name and surname)

It is advisable to follow these points:

- ◆ Do not delay in making your complaint. Prompt action after you become aware of the problem increases your chances for a satisfactory settlement, especially if you are dealing with a product or service which is subject to a warranty time limit;
- ◆ Complain to the right person. Start with the person with whom you initially had dealings. If you are unsuccessful take your problem to someone with more authority. Keep notes of what you do, with whom you speak and what they tell you to do;
- ◆ Be calm and self-confident. While you must not be aggressive you should neither be apologetic. If you have been provided with shoddy goods or given a poor service you have every right to complain in a polite but assertive manner;
- ◆ If you are making your complaint in writing, type your letter, keep it short and keep a copy;
- ◆ Be brief and to the point. Leave out unnecessary details. Support your case with copies of any relevant documents and **do not give away the originals!** Your organized approach shows that you mean business;
- ◆ **Be Aware that the provisions of the Consumer Affairs Act in relation to "Sale of Goods to Consumers" give the right to consumers for a remedy when the supplied goods are not in conformity with the contract. Traders must be informed in writing of the lack of conformity within two (2) months from discovery. The time limit to take action for compensation is two (2) years from the delivery of the goods.**

Disclaimer: Information in this leaflet does not amount to legal advice. For further information please contact:

INFORMATION & CLIENT AFFAIRS DIRECTORATE

Consumer and Competition Division, Office for Fair Trading, Cannon Road, Sta Venera CMR 02.

Tel: 2144 6250/5 Freephone: 8007 4400 Fax: 2148 2564 E-mail: fair.trading@gov.mt

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Kif, bhala konsumatur, tista' tevita l-problemi

Problemi li jolqtuk bhala konsumatur jistghu jiggu evitati jekk issegwi dawn il-pariri:

- ◆ *Dejjem hu stimi differenti meta tkun ser tixtri oġġett li jiswa hafna flus, jew meta tkun ser tidhol ghal ftehim dwar servizz. Aghzel sew qabel ma tiddeċiedi;*
- ◆ *Qatt tiffirma kuntratt qabel ma taqrah. Tiffirma kuntratt mhux mimli u li l-bejjiegħ qallek li ser jimlih wara. Jekk hemm xi haġa li ma tistax tifhem insisti li tiġi mfissra. Jekk għandek xi dubju itlob li tingħata l-kuntratt biex turih lil xi hadd li jifhem għall-parir tiegħu qabel ma tiffirmah;*
- ◆ *Dejjem żomm l-irċevuti, garanziji, kuntratti, eċċ. Tiġi bżonnhom jekk il-quddiem ikollok il-problemi.*

Meta għandek problema bhala konsumatur

Meta tilmenta mhux ta' bilfors ser ikollok esperjenza qarsa. Ditti serji li jieħdu hsieb b'mod xieraq l-ilmenti tal-konsumatur iżidu fil-kljentela waqt li l-konsumatur igawdi. Ftakar f'dawn il-punti meta tilmenta:

- ◆ *Ara li għandek ġustifikazzjoni għall-ilment tiegħek. Kun raġonevoli f'dak li titlob;*
- ◆ *L-ewwel mur għand min beghlek il-prodott jew tak is-servizz u pprova ilhaq ftehim amikevoli;*
- ◆ *Spjega b'mod ċar x'inhi l-problema tiegħek u għid dak li qed tistenna li jsir. Per eżempju, jekk trid li prodott difettuż jinbidel jew jissewwa, jew inkella jekk trid flusek lura. Semmi perjodu raġonevoli li fih tistenna li tinqeda.*

Kif tista' tilmenta

A. TMUR PERSONALMENT

L-ewwel mur għand min beghlek l-oġġett jew tak is-servizz. Tagħmel tajjeb jekk tiehu lil xi hadd miegħek biex ikun xhud ta' dak li jingħad. Hu miegħek il-kopji tad-dokumenti. Spjega x'inhi l-problema u għid x'qed tistenna li jsir. Jekk ma tiehux sodisfazzjon mur għand xi hadd li għandu iżjed awtorità li jaqdik. Id-dar żomm nota rigward lil min kellimt, x'gara u meta.

B. BIT-TELEFON

Qabel ma ċċempel iġbor it-tagħrif kollu li għandek dwar il-każ. Fil-qosor għid x'inhi l-problema u staqsi għal xi hadd li għandu l-awtorità li jaqdik. Żomm nota ta' min tkun kellimt, x'ingħad u x'ser isir. Qabel ma taqta' ċċara dak li ntqal u li ftehmte dwaru. Wara ibgħat ittra lil min kellimt u semmi dak li ntqal u li ġie miftiehem.

C. BIL-MIKTUB

Jekk isir sew, dan hu l-aħjar mod kif tilmenta. L-ittra trid tkun fil-qosor, li tinqara, pulita u jekk hu possibli ttajpjata. Ibghat l-ittra bil-posta rreġistrata u indirizzaha lil xi hadd li għandu kariga għolja bhal "Manager".



Eżempju ta' ittra b'ilment

Data

L-indirizz tieghek:

Ittra registrata

L-ittra ibghatha
rreġistrata

Ms. R Chetcuti
Manager

Ikteb lill-individwu
jew awtorità

Best Deal Store
(Indirizz kollu)

Ghid meta u minn fejn
xtrajt l-oġġett

Sinjura/Sinjur,

Iddeskrivi sew
l-oġġett li xtrajt jew
is-servizz li nghatajt

Fil-15 ta' Marzu 1992, xtrajt televiżjoni "Rap" mudell XRI (serial number 3456) mill-hanut taghkom 1, Triq il-Kbira Valletta VLT 01. Dan it-televiżjoni sewa Lm200, u kien mixtri taht garanzija ta' sena. Ftit ġimgħat wara, bdew jidhru sinjali qawwija bojod fuqu li bdew ihassru l-istampa.

Spjega sew
il-problema

Ċempilt l-uffiċċju taghkom u baghtuli bniedem tekniku.

Ghid x'ghamilt
s'issa

Is-sett ġie msewwi, imma ftiit ġranet wara reġa' deher l-istess difett. It-tiswijiet li saru ma kienux sodisfaċenti. Għalhekk qieghed niktbilkom biex nitlobkom li jew ittuni sett ġdid flok dak li għandi jew ittuni l-flus lura.

Speċifika
xi trid

Jekk jogħġbok tini risposta fl-iqsar żmien possibli minn mindu tircievi din l-ittra. Waqt il-hin ta' l-uffiċċju tista' ċċempilli fuq 2112 0934.

Agħti numru tat-telefon
fejn jistgħu isibuk

Ma' din l-ittra qieghed nibghat kopji ta' l-irċevuta taghkom u tal-garanzija li tajtuni.

Ibghat kopji ta' xi dokumenti
żomm l-oriġinali

Dejjem tieghek,
(Ismek u kunjomok)

Ikun aħjar jekk issegwi dawn il-punti:

- ◆ Iddumx biex tressaq l-ilment tieghek. Jekk tiehu passi malli ssir taf bil-problema, iżjed ser ikollok ċans li tasal fi ftehim. Dan jghodd l-aktar jekk il-prodott jew is-servizz mogħti hu taht garanzija għal żmien fiss;
- ◆ Ilmenta ma' min jista' jaqdik. Ibda mill-persuna ma' min kont tkellimt fil-bidu. Jekk ma tasalx mur għand xi hadd li għandu aktar awtorità. Żomm nota ta' dak li tagħmel, ma' min titkellm u x'jghidulek biex tagħmel;
- ◆ Kun kalm u fiduċjuż fik innifsek. M'għandek qatt tkun aggressiv. Jekk il-prodott li xtrajt huwa difettuż jew ingħatajt servizz hażin, għandek kull dritt li tilmenta' b'mod edukat imma sod;
- ◆ Jekk ser tagħmel ilment bil-miktub, tajjeb li tikteb l-ittra ċara, tikteb fil-qosor, u żżomm kopja;
- ◆ Tkellem fil-qosor u ssemmix hwejjeġ li m'għandhomx x'jaqsmu. Sahħaħ il-każ tieghek b'kopji tad-dokumenti li għandek dwar il-każ u qatt thalli minn taht idejk l-oriġinali. Jekk tkun ippreparat turi li taf x'għandek tagħmel;
- ◆ **Kun af li skond l-Att dwar l-Affarijiet tal-Konsumatur fejn għandhom x'jaqsmu "Bejgħ ta' Oġġetti lill-Konsumaturi", il-provedimenti jagħtu d-dritt lill-konsumaturi għal rimedji meta l-oġġetti kkunsinnati ma jkunux jaqblu mal-kuntratt tal-bejgħ. Il-Konsumatur għandu jinforma bil-miktub lin-negozjant bin-nuqqas ta' konformità mal-kuntratt fi żmien xahrejn minn meta jinduna bin-nuqqas, u l-konsumatur jista' jieħu azzjoni għall-kumpens fi żmien sentejn mill-kunsinna ta' l-oġġetti.**

Nota: L-informazzjoni f'dan il-fuljett m'hijiex parir legali. Għal aktar informazzjoni ikkuntattja lil:

DIRETTORAT INFORMAZZJONI U SERVIZZ LILL-KLIJENT

Diviżjoni tal-Konsumatur u tal-Kompetizzjoni, Uffiċċju għal Kummerċ Ġust, Triq il-Kanun, Sta Venera CMR 02.
Tel: 2144 6250/5 Freephone: 8007 4400 Fax: 2148 2564 E-mail: fair.trading@gov.mt

Parti mit-'Twinning Light Project' imħallas mill-Kummissjoni Ewropea.