

APPENDIX C

EUROPEAN CONSUMER CENTRE

QUESTIONNAIRE

Scenario 1: A washing machine

A consumer buys a washing machine at a local shop. After one week, the washing machine stops working. What is the consumer entitled to?

- A full refund?
- Repair?
- Replacement?
- Any other remedy? Please give details:

Would the consumer's rights be different if the washing machine stopped working after eight weeks?

Would the consumer's rights be different if the washing machine stopped working after six months?

If clothing inside the washing machine was damaged when the washing machine stopped working, would the consumer be entitled to any compensation for the clothes?

Scenario 2: Faulty cars

A faulty steering pump

A consumer buys a new car, and a fault arises one week after purchase. The power steering pump stops working, so that the steering wheel becomes very heavy. The consumer immediately takes the car back to the garage from which it was bought.

The consumer wants a replacement car. If the garage says that repair is the only proportionate remedy, must the consumer accept this?

Yes No

Please explain your answer:

The garage offers a repair, but they cannot fix the car for two weeks. In view of the delay, can the consumer demand:

a) A full refund?

Yes No

b) A new, replacement car?

Yes No

Is there a maximum amount of time that each repair should reasonably take, before the consumer can demand another remedy?

Is there a maximum number of repairs that the garage can attempt before the consumer can return the car and demand a refund or a replacement?

- Only one attempt at repair
- Only one attempt at repair, for each fault that arises
- Only two attempts at repair
- Only two attempts at repair, for each fault that arises
- No maximum number
- Other (please explain below)

A more dangerous fault

A consumer buys a new car. After two months the engine blows up while the consumer is driving the car. There is nearly a serious crash, and the consumer feared that they would die. The consumer has lost all confidence in the car and the car's manufacturer. Is the consumer entitled to refuse both repair and replacement, and demand a refund?

Yes No

If not, what is the consumer entitled to?

- Repair
- Replacement
- A partial refund, with some reduction for the consumer's use of the car

If so, how would the partial refund be calculated?

Scenario 3: An expensive fridge-freezer

A consumer buys a large and expensive fridge-freezer from a department store. When it is delivered by the department store, the consumer notices a dent at the side. What is the consumer entitled to?

	Legally entitled	Some shops will offer
A full refund?	<input type="checkbox"/>	<input type="checkbox"/>
Repair?	<input type="checkbox"/>	<input type="checkbox"/>
Replacement?	<input type="checkbox"/>	<input type="checkbox"/>
A reduction in price?	<input type="checkbox"/>	<input type="checkbox"/>

If so, how would the reduction be calculated?

If the consumer accepts a replacement and that is also delivered with a dent, what is the consumer entitled to then?

How many replacements is it reasonable to expect a consumer to accept before the consumer is able to obtain another remedy?

General Questions

- a) When replacement is offered as a remedy, is the consumer required to accept an exact replacement or is the consumer given the choice to accept a different model?

- b) In terms of repair or replacement:
 - i. Is it the consumer or the retailer who chooses the remedy?

 - ii. What amounts to significant inconvenience or an unreasonable time to carry out repairs or to provide a replacement?

- c) In your experience, do shops sometimes offer other remedies even if they are not required by law, for example refunds, exchanges or credit notes? Please explain your answer: