

SECTION 2: IS THIS RIGHT?

ACTIVITY 4: RIGHTS AND RESPONSIBILITIES OF CONSUMERS AND BUSINESSES

Education

ACE Consumer



Rights and responsibilities of consumers and businesses

Activity

- Explain to the class that, when the consumer has made the purchase, they may have some rights under consumer law if the purchase goes wrong.
- Ask the students to look at the consumer guarantees and rights on the bottom half of the **Fair play?** scenario.
- Discuss each right or guarantee with the students using the information provided here.

Consumer rights	Example you could discuss with students
<p>Consumers have the right to expect that</p> <p>1) goods that they purchase from a trader are of acceptable quality.</p> <p>Acceptable quality includes goods being fit for normal purpose (use), safe, durable (able to last), and free of minor defects (problems).</p> <p>Consumer Guarantees Act</p>	<p>Acceptable quality:</p> <p>If the second time you wear a new jacket the zip breaks, or the stitching comes undone, then it is not of acceptable quality.</p> <p>Goods of acceptable quality must be:</p> <ol style="list-style-type: none">fit for their normal purposes (uses) eg, the zip must zipacceptable in finish and appearancefree from minor defects (problems)safe to usedurable, eg, must function for a reasonable time after you bought it. <p>Standards of acceptable quality can vary for different products and the consumer needs to consider the nature of the goods, how they are used and the price paid for them to determine whether a fault is acceptable or not.</p>
<p>2) goods they purchase from a trader are fit for a particular purpose (use) that the consumer has discussed with the seller.</p> <p>Consumer Guarantees Act</p>	<p>Goods must be fit for a use the consumer has specified (stated or described).</p> <p>You are going to do lots of outdoor activities during winter and want a waterproof jacket. You tell the shop assistant this and they help you select a jacket. When you go out in the rain, water seeps through the jacket and your clothes get wet. The jacket is not fit for its particular purpose.</p>
<p>3) consumers have the right to redress (to have the problem 'put right') if the goods and services they bought do not meet their guarantees (eg, if the goods are faulty).</p> <p>Consumer Guarantees Act</p>	<p>Sam has the right to have his problem with the new CD player solved or 'put right.'</p> <p>The consumer who bought the jacket that was not waterproof after they asked for a waterproof jacket has a right to have the problem 'put right'.</p>



Consumer rights	Example you could discuss with students
<p>Consumers have the right to expect that</p> <p>4) Consumers have the right to expect NOT to be misled or deceived (tricked or lied to) about the goods or services they are buying.</p> <p>Fair Trading Act</p>	<p>Under law, businesses must make sure they do not mislead or deceive (trick you or lie) in advertising a product or in information supplied with a product.</p> <p>You could use buying a cellphone to explain this right. You are attracted to a particular cellphone by the advertising. The cellphone has to do what it says in the advertising. Before you use the cellphone for the first time you have to do a number of things to make it operate. The information supplied with the cellphone has to tell you what to do to make it work.</p>
<p>5) Consumers have the right to expect that goods they purchase will be safe to use.</p> <p>Fair Trading Act (specific product safety rules) Consumer Guarantees Act (acceptable quality includes goods being safe)</p>	<p>You could use a new car for an example of a product that is safe to use. The consumer has to know that the car's brakes will work, that the engine won't burst into flames etc.</p>
<p>6) Consumers have a right of redress (to have the problem 'put right') if the goods they purchase are short weight or measure.</p> <p>Weights and Measures Act Fair Trading Act Consumer Guarantees Act (goods match description)</p>	<p>If you buy a 3 kg bag of potatoes you can expect to receive 3 kg of potatoes not 2.5 kg of potatoes.</p>

- d) Ask the students to look at the consumer rights on the **Fair play?** scenario sheet and decide which rights apply to the **Fair play?** scenario.
- e) Discuss with the students the idea that when we have **rights** we also have **responsibilities**. Consumer rights are provided by law to protect the consumer, but the consumer has the responsibility to be an honest and responsible consumer.
- Introduce the discussion with the **Fair play?** scenario. For example, what if Sam and his friends were listening to the portable CD player, then they all made a grab for it to change the track and the player dropped onto the floor.
- Ask the students these questions:
- 1) *At that time were Sam and his friends acting as a responsible consumers?*
 - 2) *When the CD player doesn't work does Sam have the right to ask the shop to fix the problem?*
- f) Ask the students to think of other examples of situations when the consumer does not act responsibly and the seller should not have to be responsible for the problems that the consumer causes.
- Include in the discussion situations where consumers:
- investigate or modify the parts of products that make them operate, and
 - where consumers don't read the instructions and misuse the product.
- g) Ask the students to work in small groups and complete the **Consumer rights and responsibilities chart** by providing an example of when a consumer right does or does not apply. Suggest that they start with the **Fair play?** scenario but think of other examples as well and use the provided consumer responsibilities to help them.

Some possible answers are provided in the **Consumer Rights** chart.