



Complaining effectively

Complaining effectively: the basics



When a deal goes bad, find out your rights, prepare your evidence and go back to the trader to make a complaint and get the problem solved.

Find out your rights and collect evidence before you go back to the trader. If you don't have the receipt, you can still prove that you bought the goods or services from them.

Talk to the trader about the problem, in many cases this is enough to get the problem solved. If the shop assistant isn't being very helpful, ask to see the manager or supervisor. Listen to what the trader tells you and compare it to what our factsheet and website says.

If you don't have any luck when you go to the shop take all your evidence home with you and write a complaint letter to the trader. If talking to the trader hasn't resolved the problem, consider negotiating, going to the Disputes Tribunal or a trader association.

Understand your rights and collect evidence to complain effectively

Find out your rights and collect evidence before you go back to the trader.

Your consumer rights may be covered by the Consumer Guarantees Act, the Fair Trading Act, the Door to Door Sales Act, the Credit Contracts and Consumer Finance Act or the Lay-by Sales Act.

Find out what your rights are. You can take a print-out from our website or factsheet along to show the trader or shop assistant.

Learn more about the:

[Consumer Guarantees Act](#)

[Fair Trading Act](#)

[Door to Door Sales Act](#)

[Lay-by Sales Act](#)

[Credit Contracts and Consumer Finance Act](#)

[Find factsheets in our Publications section.](#)

New Zealand laws don't apply to overseas sales.

[Find out more about dealing with an overseas internet retailer.](#)

Collect evidence

Collect anything that will help you prove your case. This might be the faulty goods, an advertisement that misled you, or the quote the trader gave you. Remember to take the receipt to prove that you bought it from that trader. Make a note of the date, time, and what the trader or shop assistant said about the goods or service.

No receipt?

- If you don't have the receipt, you can still prove that you bought the goods or services from them if:
- that trader is the only one that sells that product
- you bought it using eftpos or a credit card and can show the purchase on your statement
- you have other evidence that shows that you bought the product from that trader.

Feeling prepared

Rehearse what you are going to say and ask a friend to come with you for support.

Go back to the trader and complain effectively

Go to the shop or trader with all your evidence. Calmly explain the problem. Some shops will sort the problem out straight away. Show them the evidence. Tell the trader what you want them to do about it. Be firm but stay calm. Try not to get into an argument.

Ask for the manager

If the shop assistant isn't being very helpful, ask to see the manager or supervisor. Be firm and insist on seeing the supervisor even if the assistant doesn't want you to. Explain the problem again to the supervisor.

The trader is responsible

The trader might tell you to go to the manufacturer to get the problem fixed. But in most cases it is the trader's responsibility to get the problem fixed.

Listen to the trader's explanation

Listen to what the trader tells you and compare it to what our factsheet and website says. It might be that you have misunderstood the situation or the trader might be telling you something that isn't true.

Writing a complaint letter

If you don't have any luck when you go to the shop take all your evidence home with you and write a complaint letter to the trader. Explain the problem again including:

- what product or service you bought
- how much it cost
- where and when you purchased it
- what the problem is
- what you want done to fix the problem
- when you want a reply by.

Keep a copy of your letter and only send a photocopy of your evidence to the trader or to the manager of the shop. Keep the originals so they don't get lost.

How to take your complaint further

Negotiating a solution with the trader

The law gives you the general principles but in the real world things are often not as clear cut. There are lots of reasons why a trader may not give you what you are asking for. The trader might not accept that there is a fault, or might think that you caused the fault by mistreating the goods. Or the trader might disagree with how the law applies to the particular situation. Sometimes, the key to resolving disputes can be by negotiation. Think about what the trader is offering you and ask yourself if this is a reasonable compromise.

Taking your claim to the Disputes Tribunal

The Disputes Tribunal may help you and the trader reach an agreement or may make a decision about what is fair.

[Find out more about the Disputes Tribunal.](#)

Involving the media

If you think other people could learn from your experience and you have tried everything else, you can try talking to the media. The media may not be interested in your story though, and going to the media could make things more complicated. So try the other options first.



JK's Big Tips

Joanne Kearney, Consumer Issues Team Leader says:

"Always ask to speak to the manager. It's amazing what you can achieve by going a couple of rungs up the corporate ladder. And then follow it up with a letter."