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How to Complain Successfully?

You may feel dissatisfied about some newly bought but defective product, or unhappy with some badly performed service. But before you rush back to the shop to complain, ask yourself the following:

- What precisely are you complaining about? It has to be something specific that you can spell out.
- Is it really not your fault? Are you sure you followed instructions listed?
- Is the law on your side? If you are still unsure, check with the Fiji Commerce Commission or the Consumer Council of Fiji.

If you can answer “yes” to all the above questions, then you can proceed.

What are the steps to take?

- Gather all the relevant facts and evidence about your complaint; when, why and how the complaint came about. Evidence could include a receipt, an invoice, a bill etc. If you have witness, get their names and addresses. If your complaint involves the neighborhood, you could get the neighbors involved.
- Complain as soon as possible. If you delay, you might lose some of your rights.
- Follow the proper procedure. Try to find out first the proper procedure for your particular problem. By complaining to the wrong authority or body or even someone too senior, for example, you may find your complaint ignored or misdirected.
- It is best to start by complaining to the shop where you bought the goods and if the shop manager does not have the authority to give your refund, then he/she will contact his head office.
- Record all your verbal complaints. Make sure you keep a record of what was said, as well as the date and time, the name and designation of the person you spoke to.
- Take the faulty item with you, if it is easily portable, when you visit the shop. But do not give back the original documents to the seller until your complaint has been satisfactorily dealt with.
- Be persistent: don't take “no” for an answer, especially if you know you have the law on your side

There are three ways you can lodge your complaint:

1) Either you come in person to use to lodge your complaint:

- Take your receipts or proof of purchase with you.
- See the right person at the shop who can handle your complaint – Manager/Supervisor
- Make sure you keep a record of what was said, as well as the date and time, the name and designation of the person you spoke to.
- Stay calm and be polite in your approach.
- Be reasonable in considering an offer.
- If you can't settle your problem in person, follow up your complaint with a letter.

2) How to write an effective letter?

Whether your complaint is about a defective product or an unsatisfactory service, put down the name and address of the person (if known) or shop which sold the product or provided the service. Include the date you bought or contracted the services supplied, as well as the receipt number.

- Give the specific details of the complaint. Keep to the point and to the relevant facts when you give a brief description of your problem. Avoid personal remarks and insults. If the problem concerns a product, give its exact description, including brand name, model, serial number, grade, quantity or size, if it is not already mentioned above.
- State the justification for the complaint and, in this case, the redress. State the legal basis if your claim if you can.
- Don't send the original receipt. Make photocopies and send these. Include copies of other documents like warranties, hire-purchase agreements.
- State what you want: a replacement, the free repair of a defective item or your money back.
- Give a time limit but set a reasonable deadline.
- Always keep a copy of your letter and a record of the copies of documents accompanying it in case you need to take further action.

3) By Telephone

- Ask to speak to the right person in the shop – Manager
- Get the name of the person you dealt with
- Keep a record of your conversation
- Talk to the point and give specific details of the complaint. Have all the required documents near you to quote references.
- Confirm your telephone conversation by writing a letter.

4) Your Redress

- Before you proceed to complain, decide first what you are entitled to. Ask yourself whether you just want a replacement, a repair, or even compensation.
- Be reasonable in considering an offer. If the other party makes a reasonable offer, it might be worth accepting it even if it is not exactly what you wanted.
- For a defective product, the seller may agree to refund your money, or offer you a replacement, allowing you to buy from the same company goods of the same value as the ones you have returned.
- He might offer to repair the faulty goods for free of charge.

5) Getting help from the Consumer Council of Fiji (CCoF)

- Receives formal complaints from consumers
- Investigates the complaints
- Conducts mediations between the parties concerned
- Resolves the complaint and provides advice
- If mediation fails, the complaint is referred to SCT or other agencies.

6) Going to the Small Claims Tribunal (SCT)

A claim can be taken to the SCT if it is less than \$5,000. Legal representation is not required. The fee for a claim in the SCT is \$5.63. For the hearing no lawyer is allowed to represent you or the other party. Small Claims Tribunal is an easy, cheap and quick legal redress and the Consumer Council of Fiji can assist with your claim.