

THE RIGHTS OF THE CONSUMER  
CONTENTS

Introduction	
1. Consumer Protection Generally	13
The Law of Contract	
The Contract of Sale	
2. Defective Goods	19
3. Other Consumer Transactions	25
Use of Materials When Carrying Out Repairs	
Example	
The Consumer Protection Act 1987	
4. Guarantees and Warranties	35
Warranties	
Legal Protection With Guarantees and Warranties	
Frequent Problems	
5. Denying Liability For Products	39
The Effect of European Decisions	
6. Unsolicited Goods	45
Civil Law	
Criminal law	
7. Purchasing Goods at Home	47
The Right to Clear Information	
Your Right to Cancel	
8. Consumers and Credit	53
Credit Cards	
Obtaining Loans	

9. Withdrawal from an agreement Cancellation of Cooling Off period	63
10. Defective goods purchased on credit Inability to Meet Repayments The Consumer Credit Act and Extortionate Credit Bargains The Position When Purchasing Credit Bargains	65
11. Trade Descriptions Defences to Trade Descriptions Claims	69
12. Unsafe Goods	73
13. Package Holidays The Package Travel, Package Holidays and Package Tours Regulations 1992 The Definition of Package Holidays Information to be Given by Tour Operator Statements Made in Holiday Brochure Liability-Terms and Performance of the Contract Alterations to a Holiday Overbooking of Flights Insolvency of the Tour Operator Consumer Remedies Recent Developments in the Law	77
14. Food Safety	83
15. Controlling of prices Price Comparisons Introductory Offers Comparison to prices	85

Related to Different Circumstances  
References to Worth or Value  
Actual price to the Consumer  
Service Charges  
Price Marking  
Consumer Remedies  
The Small Claims Court

16. Consumer remedies	89
17. Other Remedies	99
18. Consumer Law in Scotland	101

Sample letters of complaint

Useful Addresses

Index

## INTRODUCTION

This book has a number of audiences: the general public and the student of the law as it affects the consumer.

The aim of the book is to outline the rights of the consumer when entering into a transaction with a seller of goods. Many people do not know their rights when encountering problems at the point of sale or after. What, for example, are your rights if goods turn out to be unsuitable or substandard and the seller refuses to let you have your money back or generally try's to tell you that there is nothing that can be done.

There are three legal systems in the United Kingdom: English Law, which covers Wales as well, Scottish law and Northern Irish law. In practice there is very little difference between English law and Northern Irish law so reference throughout this book will be to English law. Scottish law differs significantly. Courts have different procedures and some laws are different. There will be a brief resume of Scottish law in chapter 16.

A main area which causes problems, and is always in the news, is that of consumer credit. At the current time, the Government has put forward a White Paper which seeks to impose a greater regulatory framework on all areas of consumer credit as it is feared that individual borrowing is reaching unacceptable levels.

Hire agreements are also covered along with the sale of unsafe goods. Food safety and general hygiene are also outlined.

The rights of the consumer are quite considerable and yet most of us live in complete ignorance of exactly what they are. The obligations on those who sell us goods generally are considerable, corresponding with consumer rights.

The primary purpose of this book is to educate the consumer and to empower that person by fostering an understanding of the responsibilities of the seller.

It is hoped that all will benefit by reading this book. The rights of the consumer are of paramount importance and it is one area where general education leaves a lot to be desired.

