

Electrical and Electronic Domestic Appliances (Trade Practices) Regulations 1989

GN No. 106 of 1989

THE FAIR TRADING ACT

Regulations made by the Minister under section 8 of the Fair Trading Act

1. These regulations may be cited as the Electrical and Electronic Domestic Appliances (Trade Practices) Regulations 1989.
2. In these regulations—

“cash price” does not include hire purchase price, credit terms or any charge for home delivery.

“dealer” means a person who imports or sells, by wholesale or retail, electrical and electronic domestic appliances.
3. (1) Every dealer shall indicate, by means of a clear and conspicuous notice displayed in his shop—
 - (a) the cash price at which any domestic appliance is offered for sale;
 - (b) the discount, if any, offered in respect of the appliance.

(2) Where a dealer accepts an advance payment or deposit for any domestic appliance offered for sale, he shall indicate in writing the period, not exceeding 15 days, within which delivery will be made to the customer.

(3) Where a dealer fails to make delivery within the period specified, the customer shall be entitled at his option to an immediate refund of the amount paid or deposited.
4. Every dealer shall—
 - (a) give the customer as much information as possible about the goods, including the correct pre-usage checks, the correct method of installation, the correct usage and details of guarantee and service contracts;
 - (b) provide the manufacturer's handbook or instructions in English or French;
 - (c) state the exact terms of the contract for the goods, including any additional costs for delivery and installation;
 - (d) provide customers with documentary evidence of proof of purchase and the date of purchase, including the amount paid and any discount granted.
5. (1) The terms of any guarantee given by a dealer to a customer shall be clearly set out in writing at the time of the sale.

- (2) Every dealer shall, during the guarantee period and within 10 days of the notification of a defect by the customer, repair the appliance.
 - (3) Where the dealer is unable to comply with paragraph (2), he shall—
 - (a) send to the customer a similar appliance for his use until the repair is effected;
 - (b) be liable to make good to the customer a sum of money representing 5% of the cash price of the appliance every month during which the customer has foregone the use of the appliance; or
 - (c) refund to the customer the cash price of the appliance or replace the appliance by a new one, if the repairs have not been properly completed within 3 months of the notification of the defect.
 - (3) The amount specified in paragraph (3) shall be deductible from any payment due to the dealer in respect of the repair or the price of the appliance.
6. (1) Every dealer shall clearly specify—
- (a) the exact terms of the contract for any repairs or servicing work to be carried out;
 - (b) on the invoice the details of the work carried out and the materials used.
- (2) Subject to regulation 7, every dealer shall provide service and spares to the best of his ability.
 - (3) Where any appliance is handed in or collected for repair or service, the dealer shall provide the customer with a receipt.
 - (4) Where a customer requests a service visit, the dealer shall arrange to provide the service within 3 working days of receiving the request.
 - (5) Where a request for service is received from a customer, the dealer shall advise the customer of any minimum service charge which is to be made.
 - (6) Where the fault is not repaired, either in the workshop or in-situ, the technician shall inform the customer of the suspected fault and the reasons why a repair has not been effected.
 - (7) Where an appliance is handed in for service or repairs the person accepting the appliance shall, when requested, arrange for the user to be provided with an estimate of the cost and a date for collection or delivery after completion.

- (8) Where a promised completion date cannot be honoured, the customer shall be advised in writing and as quickly as possible.
- (9) Where the equipment is beyond economic repair the customer shall be advised in writing and as quickly as possible.
- 7.
 - (1) Every dealer shall keep a comprehensive stock of commonly used parts.
 - (2) Spares shall be made available within two months from the time a appliance is first offered for sale to the public.
 - (3) Every dealer shall ensure the reasonable availability of spare parts for the models marketed by him unless he can show that the manufacturer has stopped manufacturing the spare parts anywhere.
- 8. These regulations shall come into operation on 3 July 1989.

Made by the Minister on 30 June 1989.