

MONTHLY GATESHEAD HEALTH STAFF ADVICE BULLETIN

ISSUE 25: Post Christmas Clear Out

Welcome to the first bulletin of 2024! We hope you all enjoyed the festive period in whatever way you chose to celebrate it. During the last few months many would have purchased seasonal gifts and utilised sales, unfortunately sometimes these purchases can go wrong, items are faulty, or there are issues with the sale. Therefore, for this edition we want to offer advice on some consumer problems, supplying you with the knowledge to safeguard your rights. We will look into the realm of fake and counterfeit goods, guiding you through your entitlements, refund options, and the steps to take if sellers prove uncooperative. Changing your mind about a purchase? we unpack the intricacies of refund policies, cooling-off periods, and return procedures. Lastly, we unravel the complexities of unused subscriptions, explaining your rights in stopping future payments on your debit or credit card.

Fake and counterfeit goods

If you find yourself stuck with a fake or counterfeit purchase in England, don't worry, you do have some rights. First things first, you're entitled to a full refund within 30 days of buying the item. If it's been more than 30 days but less than 6 months, the seller should either give you a genuine version of the item or refund you. After 6 months, it gets a bit trickier, but you might still be eligible for a partial refund depending on the usage and condition of the item. Your consumer rights last for up to 6 years, but things do get a bit more complicated over time.

If the seller is being difficult, remember, you can contact the Citizens Advice consumer helpline for assistance.



0808 223 1133

For those who paid with a debit card, you can use the 'chargeback scheme,' while credit card users have options like 'chargeback' for items under £100 and 'section 75' for items between £100 and £30,000. PayPal users can report disputes within 180 days.

But that's not all – you can also report the seller to Trading Standards or for fraud through platforms like Action Fraud or Crimestoppers. By doing so, you're not just helping yourself, but also preventing others from falling into the same trap.

Changed your mind about something you've bought?

Changed your mind about something you've bought? In England, your rights to get a refund simply because you've had a change of heart are limited. Whether the item is a splurge or a steal, it ultimately depends on the seller's discretion whether they offer any solution. However, different avenues are available depending on where and how you bought the item.

If you bought the item from a shop:

Start by checking the shop's return policy. While they're not legally obligated to accept returns for non-faulty items, many shops provide a window, often 14 or 30 days, for returns on unused items. Even if you couldn't check or try the item before buying it, your rights remain intact.

If you bought the item online, over the phone, or by mail order:

For purchases made online, you usually get a 14-day 'cooling-off period' starting the day after you receive the order. This period allows you to return the item without any specific reason. However, some items like personalised or perishable goods may not be eligible for this cooling-off period.

Use your cooling-off period:

Inform the seller within 14 days of receiving the item that you wish to return it. You have an additional 14 days to actually send the item back. Keep a record of your communication, and if possible, use a template letter provided by consumer rights resources.

Minimum cooling-off period:

While 14 days is the minimum cooling-off period, some sellers may offer a more extended period. Ensure to check the terms and conditions.

How to return the item:

Follow the seller's instructions for returns, often provided with your order. You might be responsible for the return postage cost unless stated otherwise in the terms and conditions. It's advisable to package the item securely to prevent damage during transit. Remember to obtain proof of posting.

If you paid through a Buy Now Pay Later provider:

Inform the provider about the return to prevent further payments. Check their website for the return process.

If you bought the item from a seller outside the UK:

If you paid VAT, customs duty, or delivery fees, you can apply for a refund of these fees on GOV.UK.

For additional assistance, contact the Citizens Advice consumer helpline. Keep in mind that while changing your mind might not guarantee a refund, understanding your rights and the available options can help navigate the process.

Unused subscriptions and your rights

It's essential to keep track of your subscriptions and ensure you're not paying for services you no longer use. In England, if you've agreed to a continuous payment authority, allowing someone to take payments from your credit or debit card for one-off or regular expenses like gym memberships or magazine subscriptions, you have the right to cancel these payments.

Stopping a future payment on your debit or credit card:

- You can cancel continuous payment authority for both one-off and regular payments.
- This doesn't apply to card purchases for goods or services, such as in-store transactions or hotel bills.

Withdraw your consent:

- You can withdraw your consent and stop a future payment under a continuous payment authority until the end of the business day before the payment is due.
- Inform your card issuer (bank, building society, or credit card company) that you do not want the payment to proceed, either by phone, email, or letter.

Making a request to stop a payment:

- The card issuer should investigate each case individually and not have a blanket policy for refusing refunds.
- Remind the card issuer to follow Financial Conduct Authority (FCA) guidance on unauthorised payments.

Cancelling the payment by phone:

- Follow up a phone call with written confirmation for proof, though the company should act on your phone instruction immediately.

Dealing with a reluctant card provider:

- If the card provider refuses to stop payments, escalate the matter to a senior representative and request a record of the call for future reference.
- If the card provider allows an unauthorised payment, you're entitled to a refund, including cancelled interest and charges.

Getting your money back:

- If your bank or card company fails to refund an unauthorised payment, follow the company's complaints procedure.
- If dissatisfied, you can file a complaint with the Financial Ombudsman Service.



If you received a **new electronic appliance**, it's always a good idea to be mindful of its energy consumption in order to save money and to reduce your environmental impact. You can use this energy [calculator](#) to estimate the running cost.



Scams can be tricky, but there are telltale signs you can watch out for. If you've come across something suspicious online, in an email, or text, our online [tool](#) can help. It guides you through questions to determine if something is a scam and offers advice on what to do if you've been scammed.

Remember you can get in touch with your Citizens Advice Gateshead team for impartial advice, information, and guidance.

Email gestaffswa@citizensadvicegateshead.org.uk or call 0191 490 4231 and we'll be back in touch with you within 1 working day Monday to Friday.