

# THE WORLD'S YOUR OYSTER

The growth of on-line trading and internet auctions has made the world market as accessible and convenient as the local shopping centre for today's consumers.



While buying goods from overseas can mean significant savings on selected items and a broader range than what might be available locally, it also comes with its own set of risks that shoppers need to be aware of.

When buying products from an Australian business, either in person or over the internet or telephone, Australian residents are automatically protected by the Trade Practices Act and mirror legislation enforced by the states and territories. These laws ensure consumers are protected against goods that are faulty, do not match their description or do not turn out to be suitable for the job they were advertised to do.

All consumer transactions in Australia are automatically given warranty protection by these laws. These statutory warranties and statutory conditions are sometimes referred to as implied warranties or statutory rights.

When buying from overseas, however, Australians may not get the same level of protection and may become targets for those outside the reach of Australia's laws. Other countries may not place the same warranty obligations on their traders. Even when the other country's consumer protection laws are as strong as Australia's, it may be difficult for authorities to enforce them on behalf of foreigners.

To protect themselves, the first step shoppers should take before buying is to check the refunds policy the seller has and how they can exercise their right to a warranty if something goes wrong.

Scammers also target overseas shoppers with misleading trading sites because it is easier for them to avoid prosecution if shoppers are from another country. If you are not confident about the business you wish to deal with, try to establish its legitimacy by asking for references and checking with the main consumer protection body in the country where the seller is based.

A simple search of the internet can often yield useful information about a business. Many overseas consumer organisations will also be able to advise you if they have had significant concerns or complaints about a particular trader.

Avoid sending cash or using direct debit to pay for goods before you see them. Credit card companies may be willing to refund your money if you fall victim to an overseas fraud if you use their card for payments.

Reputable businesses wanting to sell to international customers will often also comply with internationally accepted best practice guidelines. Many countries including Australia publish those guidelines. Australia's are available at [www.ecommerce.treasury.gov.au](http://www.ecommerce.treasury.gov.au).

Other information to ask for if it is not initially supplied is a trader's street address, phone and fax details and business registration number. These will all be important pieces of information if something goes wrong.

In the unfortunate event that a purchase turns out to be unsatisfactory, your first step should be to contact the business in writing, asking for the matter to be dealt with.

If you are unsuccessful, a complaint can be lodged with the ACCC's Infocentre on 1300 302 502. It may also be worthwhile contacting the equivalent consumer protection body in the trader's country with your complaint.

The International Consumer Protection and Enforcement Network (ICPEN) runs a multilingual website at [www.econsumer.gov](http://www.econsumer.gov), which is accessed by law enforcement authorities in a number of countries to report complaints about cross-border e-commerce transactions.

The best advice is: do your homework on an overseas trader before sending them your money. It's much easier to keep your money in your pocket until you are sure than it is to try and get it back once it's gone.

## Useful websites:

[www.accc.gov.au](http://www.accc.gov.au)

[www.consumersonline.gov.au](http://www.consumersonline.gov.au)

[www.econsumer.gov](http://www.econsumer.gov)