

Lemon Vehicle's In Aus Submission New car retail study.

Introduction

I'd like to say thank you to everyone who has made this possible and to everyone who have made submission to the study.

lemon vehicle's in Aus is supportive of the recommended changes to the ACL as per the final report.

It is important that changes to the current laws will be fair but also allow the consumer to clearly be able to exercise there rights under Australian consumer law.

I still believe that much more could be done to clarify the definitions between major and minor faults.

This is important otherwise consumers will be left in the hands of the dealerships and manufacturers to interpret the laws.

Point of Sale

Lemon vehicle's in Aus believes there is much needed change in this area and would support mandatory requirements that all new sale contracts include your basic consumer guarantee rights on the rear of the contract and a website link to the ACL.

It would also support the requirements that it be made mandatory that it is illegal not to supply a copy of the contract and all documents relating to the sale at the time of purchase.

Since becoming a consumer advocate many consumers have mentioned not being supplied all there paperwork.

After sales and service

I do believe more competition in the market would be a great step forward and allowing more flexibility to the consumer to be able choose who services there vehicle.

Many consumers believe if they don't service the vehicle with the Authorised brand they void the warranty which in many cases I am of the opinion they are led to believe.

It should be made mandatory that service information, parts and tools be made readily available to the aftermarket Industry and repairers.

Dealerships would still be able to retain business in after sales service and repair by offering competitive servicing agreement with the consumer at the point of sale.

Contracts between manufacturers and dealerships.

lemon vehicle's in Aus believes contracts between manufacturers and dealerships should not interfere with a consumer being able to exercise there rights under the ACL and any contract that does should be deemed illegal under the ACL.

It was quite interesting to see this was a topic that came to light on my lobby group page with comment made that dealerships have a legal binding agreement with the manufacturer when questions where asked about consumer law compliance.

other areas in need of consultation

vehicle compliance

A number of manufacturers have had 4wd drive vehicle's complied as on road vehicle's.(HA)

I do believe such compliance creates further issues with war

ranty and insurance and believe it also affects the modifications and tyres for off-roading.

Then begs the question does it also mislead the consumer that purchased a vehicle to be taken off road when they are being marketed as off road vehicle's in add campaigns.

I do believe this really needs to be addressed or the consumer needs to be made aware at point of sale.

vehicle recalls

recalls that could cause fire or serious injury or makes the vehicle defective should be made mandatory.

It has been knowledge that it has been months before some manufacturers recall the vehicle's here in Australia when previously recalled overseas.

TSB'S

It should be made a requirement that manufacturers list or be required to share this information to be publicly listed. This already happens in the US and would also be valuable information for aftermarket repairers.

Conclusion

The motor Industry has been able to self regulate and it needs to stop. The FCAI claimed that there was no issue in the motor industry not so long ago when Queensland government held the enquiry into the need for lemon laws.

The new retail study has shown different after much consultation but not only the study.

The number of consumers we deal with on a daily basis as consumer advocates is alarming and 90% on average have not lodged complaints with the governing bodies.

Many consumers are not aware of there rights and I believe much more can be done in this area to educate the consumer.

It is always great to have strong laws but what good are these laws if no one is enforcing them on the consumer level.

It is of my opinion that the Industry has not been complying with the laws because there is no enforcement at the consumer level and this has to be addressed.

Stewart Lette

Lemon Vehicle's In Aus