

9 January 2025

With Senior Regional Officer for Midwest – Natasha Pirrottina

Granny's gift not so great? Here's what you can do

Twelve days of Christmas has passed, the tree has been taken down and you're left looking at some unwanted gifts and wondering what to do with them.

Before you shove them in the back of the drawer, check the retailer's refund policy. If a gift is not your preferred colour, is the wrong size, or it's not what you asked for then it's considered a "change of mind" and is not covered by the Australian Consumer Law. It is up to the business whether they will exchange it, offer a refund or provide store credit as a gesture of goodwill.

Businesses want to keep their customers happy, so even if change of mind returns isn't mentioned in the policy, it's worth asking anyway.

However, if you think you can get away with a sneaky return without upsetting your Granny, then you might have some trouble. Depending on the retailer's refund policy, it's likely you'll have to show proof of purchase like a receipt or bank statement.

And with "change of mind" returns, you should keep the item in its original packaging – as the business will want to opportunity to re-sell it.

If Christmas morning and the days that followed were a bit of a disappointment with gifts that were broken, faulty or not as described, you'll be relieved to know you have rights under the Australian Consumer Law (ACL).

You are entitled to a refund, repair or replacement if there is an issue with your item. The remedy you're entitled to will depend on whether the issue is major or minor. You do not have to accept a credit note instead of a refund and no longer having the packaging is not a reason to refuse you a remedy.

Proof of purchase is required and this can be a receipt (or photograph of), a credit or debit card statement, a lay-by agreement, a warranty card with details about the purchase or some combination of these which supports your claim.

So long as you can reasonably demonstrate that you or the gift giver purchased an item, a business may be breaking the law if it denies your right to a refund, repair or replacement for an item that fails to meet a consumer guarantee.

These rights apply regardless of whether the item was purchased in-store, online, or on sale.

If the item was bought from an online business based overseas that provide goods or services directly to consumers in Australia, they must also follow the Australian Consumer Law.



Unfortunately, it can sometimes be difficult to get a repair, replacement or refund from an overseas business.

If you do experience a problem with a product or service, you should always talk to the business first. Most retailers want to do the right thing and fix any problems for their customers. If you are unable to resolve the problem, you can lodge a complaint with Consumer Protection via the website consumerprotection.wa.gov.au, call 1300 30 40 54 or email consumer@demirs.wa.gov.au