

OFFICE OF PUBLIC COUNSEL

GUIDELINES FOR FILLING OUT COMPLAINT FORMS

1. The consumer should state/provide the following information - First name, initial of middle name and surname. Full address(es), telephone number(s). The name, address and telephone number(s) of the supplier/manufacturer.
2. Indicate whether or not he/she jointly contracted with more than one supplier and if so the names and addresses etc., of the suppliers.
3. State whether the contract was oral, in writing or part oral and part writing and whether the contract was witnessed and if so by whom.
4. Specifically what the supplier was contracted to do and whether the agreement stipulated that the supplier would be paid in stages or in full at time of contract (If applicable).
5. Whether he/she provided the materials, parts etc., and where applicable whether the supplier had permission to import parts or to travel abroad for parts and at whose expense.
6. In a case where the supplier walked off the job without completing the work whether complainant was fully responsible or partly responsible for the supplier walking off the job.
7. In cases where the supplier started the work and the work up to that stage was not done properly did consumer draw it to the attention of the supplier and if so what was the supplier's response?
8. In cases where the work/goods appear to be defective the consumer should take photographs of the defective work/goods and the photographs taken should be properly numbered and dated.
9. Where complaints relate to cell phones, computers or other appliances, the consumer should not attempt to repair or have someone attempt to repair the defect unless the supplier refuses to rectify or gives permission for another supplier to rectify the problem.
10. Where complaints relate to vehicles and some other appliances the consumer should not remove them from the supplier's premises unless a reasonable time has passed without the work being done and that fact is made known to the supplier.
11. In cases where the complaints relate to any foreign substance contained in drink or food etc., the product should be photographed and preserved if possible and it should be taken to a laboratory for testing and analysis. The consumer should also provide a certificate from a medical practitioner to support his/her medical condition if the product was ingested.
12. The consumer must provide and produce all relevant documentation if available to support the claim against the supplier/manufacturer.

13. State whether or not the goods, vehicle, computer, cellphone, contaminated food etc., is in his/her possession or with supplier.
14. Where the consumer is expected to be out of the island for a long time, the consumer should in writing authorised someone to act on his/her behalf.
15. Where complaints relate to defective work done by mechanics, electricians, painters, contractors, carpenters, masons etc., signed and dated reports will be required from other suppliers who rectified the work and in some cases reports done by chartered quantity surveyors will be needed. The reports should specify what the defective work was and what was rectified or to be rectified showing a breakdown as to cost. Where the complaint relates to the drawing of plans, did the consumer request the supplier to submit the drawings to the Town and Country Development Planning Office?
16. Dates of events should be stated in sequence as far as possible.
17. Consumers should be aware that a strict contractual agreement if breached has to be dealt with under the law of contract and not under the Consumer Guarantees Act, Cap. 326E.
18. Consumers please note that invoices etc., not properly documented may be rejected.

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