



ASIC

Australian Securities & Investments Commission

## INFORMATION SHEET 161

# Disputes about goods and non-financial services

This information sheet explains what you should do if you have a dispute about goods or services. It explains:

- what are disputes about goods and services (or ‘contractual disputes’), and
- steps you can take to resolve such disputes.

## What are disputes about goods and services?

When you buy goods or services, you enter into a contract with the provider of the goods or services. It may be a written agreement, an oral agreement, or a combination of both. If either party breaks the conditions of the agreement, this results in a contractual dispute.

A breach of contract is not a criminal matter, and a contract is enforceable only by civil action taken by the parties to the agreement. If the parties cannot resolve the dispute even after the help of Consumer Affairs, they will need to take the dispute to court themselves.

## What you should do

It is important that you go to the right place to deal with a contractual dispute. Otherwise, you can waste time and money.

<b>Seek legal advice</b>	We recommend you seek legal advice to discuss your options or resolve the matter through mediation.  If you are unsure about how to access legal advice, contact the Law Society in your state or territory.
<b>Get more information or assistance</b>	For disputes about goods and services (including disputes with landlords), contact Consumer Affairs in your state or territory. For contact details for these agencies, go to <a href="http://www.asic.gov.au/complaining-goods-and-services">www.asic.gov.au/complaining-goods-and-services</a> .

## ASIC and disputes about goods and services

ASIC does not get involved in disputes about goods and non-financial services. ASIC’s role relates to financial services and products. If your dispute is about a financial service or product, see ‘How to complain’ on our MoneySmart website at [www.moneysmart.gov.au/tools-and-resources/how-to-complain](http://www.moneysmart.gov.au/tools-and-resources/how-to-complain).

Information sheets provide concise guidance on a specific process or compliance issue or an overview of detailed guidance.

Contractual disputes are generally about the private rights or interests of individuals and do not affect investors or consumers in the broader economy. As such, we do not have the legal right to intervene.

For this reason, our role in helping you resolve a dispute is limited to suggesting other ways you can best address your concerns. We do not give legal advice.

### **Where can I get more information?**

- For information about ASIC's role, see [www.asic.gov.au/our-role](http://www.asic.gov.au/our-role).
- For information about the laws we manage, see [www.asic.gov.au/legislation](http://www.asic.gov.au/legislation).
- For information for investors and consumers about financial services and products, go to [www.moneySMART.gov.au](http://www.moneySMART.gov.au).

### **Important notice**

Please note that this information sheet is a summary giving you basic information about a particular topic. It does not cover the whole of the relevant law regarding that topic, and it is not a substitute for professional advice. You should also note that because this information sheet avoids legal language wherever possible, it might include some generalisations about the application of the law. Some provisions of the law referred to have exceptions or important qualifications. In most cases your particular circumstances must be taken into account when determining how the law applies to you.