

47) CHRISTMAS - The latest in a series of articles by Iain Gregory of Caithness CAB

It may have come to your attention that Christmas – the season of goodwill – is nearly upon us. Throughout the land there is a spirit of kindness and charity displayed to all. For example I notice that one or two councils in England, whom I shall not name, have recently come up with brilliant ways to tackle homelessness. Proposals have apparently been made to fine people large sums of money if they sleep rough or, in one case, (a city famous for its connection with the production of pottery) it had been suggested that if homeless people utilised a tent then fining them up to £1000 would be an appropriate response. Fortunately, this led to public outrage and the decision was reversed after a petition was raised and one or two activists set up camp outside the House of Commons. And another City (with a famous university - not Cambridge) came up with the bright idea of threatening fines of £2500 if the homeless left their pathetic bags of possessions in, for example, a doorway. I am not sure how this is going, but I think the authorities have had rather a lot of bad publicity. Apparently “Public Spaces Protection Orders” are utilised to enforce the will of the burgermeisters and one can be in all kinds of trouble if one fails to comply. It does not seem to have occurred to the authorities that homelessness is a symptom of underlying social problems and addressing the cause(s) with a little human compassion might be better. This strikes me as a marked contrast to a case a couple of Christmases ago when a chap set up temporary home in a shelter at Thurso riverside. Within hours of his arrival, concerned residents offered him blankets, food and shelter and the council reaction was that an elected Cllr personally took an interest and offered all possible help to him. And in a more recent case in Wick - equal concern was expressed by the residents about the welfare of another person in similar circumstances. Rather more in the spirit of Christmas perhaps and pretty much what one would expect in Caithness.

Anyway we all want Christmas to be a happy time, so I thought a little input from CCAB would be useful. I wrote a similar item last Christmas, but repeating the message is wise.

First of all, remember your consumer rights – If you buy from a shop then The Consumer Rights Act 2015 says that goods must be “as described, fit for purpose and of satisfactory quality”. During the expected lifespan of your product you’re entitled to the following: if your goods are faulty, you can get an immediate refund for up to 30 days; for up to 6 months (if it can’t be repaired) then you’re entitled to a full refund in most cases; and for up to 6 years, if the goods do not last a reasonable length of time, you may be entitled to some money back. Think for example of a TV – is it reasonable for a £500 TV to expire after 2 years? No, it isn’t. If you order something from home, as many of us do, then The Consumer Contract Regulations say that you have up to 14 days to change your mind and get a full refund and after that we are back to your standard consumer rights as above. What about digital content? As we all know this can go wrong and you are entitled to the same protection under

the Consumer Contracts Regulations as you are with other purchases, but if you have started a download you lose the 14 day right to change your mind (provided the seller has told you and you have acknowledged this). CCAB can help you with any issues or you can telephone our Consumer Helpline on 03454 04 05 06.

And what about paying for things? My wife and daughter have the perfect solution – I am placed in the crèche whilst they shop until I am required to pay – but protecting yourself is always wise. Clearly you can use cash, or pay by cheque, but always get a receipt and keep it safe. If you decide to use a credit card or debit card then there are additional protections in place. I have mentioned them before, but they are not widely known (or publicised) so here is a brief reminder. If you buy something with a credit card then Section 75 of The Consumer Credit Act 1974 says that “joint and several liability” applies and the card provider is just as liable as the trader if things go wrong. So long as you have spent between £100 and £30,000 – even if the card was only used as part payment – then full protection is in place. So if you bought something for £1000 and paid £900 in cash and £100 with your card and the item proves to be faulty then you can go to the lender as well as the retailer. But remember this only applies to credit cards – not debit cards. With a debit card there is a system called “Chargeback” - In some cases, if a customer disputes a transaction made on her/his card, the business who took the money will be requested by the bank to repay same to your account. This is called a Chargeback which may apply to debit card transactions for any amount and to credit card transactions for less than £100, which are not covered by the equal liability rules. A chargeback may arise where the goods have not been received or have arrived damaged or not as described or where the transaction was not authorised. A chargeback is not an automatic right and depends on the policy of the card provider. If you have a problem then contact the bank issuing the card to find out if you can make a claim under a chargeback scheme and, if so, the time limit for making the claim - typically 120 days. it can get a bit complicated, so if there is any problem please come and see us.

Sadly, we have to help quite a number of people with debt – usually peaking around the end of January when the bills start rolling in. The main thing to remember is not to panic and not to ignore the demands for payment. Things will get worse the longer you leave it so contact CCAB quickly and we will support you. The very first thing we will do is take the pressure off and notify the various creditors that CCAB are now assisting. We will carry out a budgeting exercise and advise you of the various options available – we never tell you what to do - and then, when you have made your decision, we will help you through the whole process of sorting things out and moving on with your life.

There is a lot of useful information about all these subjects, and many more besides, on our website – caithnesscab.org – and you can visit us on Twitter

and Facebook as well or look at Adviceguide.org.uk (just remember to click the button for “Scotland”).

And now I need to attend to a personal matter – I see a huge pile of parcels lying on the floor and a hand sticking out holding a melted plastic card. I think this may be Liz”