

Who is the Responsible Mobile Shop Code for?

- Consumers, to understand their rights and obligations when dealing with mobile traders.
- Traders, to understand what responsible behaviour is.
- Regulators, to know what to look for when a trader is being irresponsible.

Consumers

Look at your options before buying/borrowing from a mobile trader.

- Ask, “Do I need to borrow?”. Talk to someone independent like a budget advisory service for options.
- Compare prices of goods with other retail providers.
- Compare the cost of finance (interest rate and fees) with other lenders.
- Check to see whether the trader is a member of the New Zealand Direct Selling Association or the Financial Services Federation.

Understand your rights

Responsible mobile traders will:

- Respect your privacy.
- Stop a demonstration or sales presentation or telephone call immediately if you ask them to.
- Leave your property immediately if you ask them to.
- Make calls to you only in a reasonable manner and during reasonable hours.
- Not abuse your trust or exploit you on the basis of your age, disability, illness, lack of understanding, literacy or unfamiliarity with a language.
- Make reasonable enquiries to ensure that if they provide credit or finance it will meet your requirements and objectives.

- Make reasonable enquiries to ensure that you can make the payments under the loan agreement without suffering financial hardship.
- Make sure you understand the terms and conditions, and help you to decide whether to enter into the loan.
- Make sure the terms of the loan are written in plain English and that the total amount payable over the term of the loan is written on the front page of the agreement.
- Meet all their obligations to you under New Zealand laws (in particular the Fair Trading Act and credit laws).
- Give reasonable consideration to any hardship application you may make.

Your responsibilities to the responsible mobile trader:

- Look at all your options.
- Provide real and accurate information about your financial situation.
- Keep the trader informed as soon as you think something about your situation is going to change so they can help you sooner rather than later.

Traders

Responsible mobile traders will:

- Truthfully and clearly identify themselves and provide their contact address and telephone number.
- Be easy to get hold of, return your calls and answer questions.
- Allow you to make sufficient inquiry to satisfy yourself that you are getting value for money.
- Ensure the product being delivered, including brand, size or product code, is the product that you ordered.

- Deliver your order promptly and advise you accurately of normal delivery times before you make an order.
- Include full instructions for proper use of the goods they sell and adequate safety warnings whenever necessary.
- Ensure their products comply with all relevant information, standards, and labelling requirements under New Zealand laws.
- Not ask you to sign multiple direct debits.
- Comply with legal requirements around product warranties and returns and advise you of these.
- Explain your rights with regard to any cooling-off or cancellation periods and any fees or charges that might be non-refundable, at the time of purchase.
- Ensure that any cancellation fees are reasonable and only cover the costs the trader might incur as a result of the cancellation.
- Not delay providing a refund to you if required.
- Give you fair terms and conditions if providing credit or finance, clearly explaining interest rates and fees, and making sure you understand the risks that come with having a loan, and the result of not repaying it.
- Give you the information about the loan at the time you apply, with the total amount payable under the loan clearly displayed in the loan agreement.
- Notify you when you make your last loan repayment so you can cancel the direct debit.
- Not charge for calling at your home.
- Not call at any dwelling displaying a “Do not knock” sticker, unless you have made a prior arrangement with the trader to do so.
- Not pressure you into buying anything from them or taking out a loan with them.

Other helpful resources:



See the Consumer Guarantees Act and Credit Contracts and Consumer Finance Act at www.mbie.govt.nz



www.comcom.govt.nz



www.dsanz.co.nz

The Responsible Mobile shop Code is produced by:



FINANCIAL SERVICES FEDERATION

These guidelines are for consumers to understand how mobile traders should conduct business responsibly.

They are not a substitute for reading and understanding a contract before entering into a lending agreement or a purchase agreement.

If you have a complaint about your Mobile Trader:

If talking to the trader doesn't help, and your complaint is in relation to the loan provided by the trader or fees charged you can make a complaint to an independent dispute resolution scheme. The scheme will be one of the ones listed below. Ask the trader which scheme you should contact. These complaint schemes are free for consumers.

The Insurance and Financial Services Ombudsman Scheme

Freephone: 0800 888 202

Email: info@ifso.nz

Website: <http://www.ifso.nz/>

Financial Services Complaints Limited

Freephone: 0800 347 257

Email: complaints@fscl.org.nz

Website: www.fscl.org.nz

Financial Dispute Resolution

Freephone: 0508 337 337

Email: enquiries@fdr.org.nz

Website: www.fdr.org.nz

For more information about the Financial Services Federation, head to our website, www.fsf.org.nz.

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Financial Services Federation 

RESPONSIBLE MOBILE SHOP CODE:

WHAT CONSUMERS
SHOULD EXPECT
FROM RESPONSIBLE
MOBILE TRADERS

HOW RESPONSIBLE
MOBILE TRADERS
BEHAVE



FINANCIAL SERVICES FEDERATION