



THE MOTOR TRADE ASSOCIATION OF SA/NT

COMPLAINTS INFORMATION GUIDE

Important – please read.

The Motor Trade Association of SA/NT (MTA) is a member based association with the welfare and integrity of the motor trade as a whole at its core.

The benefit of dealing with a member of the MTA is that they must abide by the MTA's Code of Conduct. This includes integrity, professionalism, truthfulness, care, initiative, ethics and accountability. If it is found that a member is in breach of the Code then that member may face disciplinary action which may include suspension or cancellation of their membership. If you believe that one of our members is in breach of the Code then please continue to complete this paperwork.

If you are seeking a remedy to a dispute, please note that the MTA is not in a position to determine a remedy, decision, outcome or determination. Authorities with such powers are the Small Business Commissioner, Consumer, Business Services, Northern Territory Consumer Affairs and some divisions of the Courts Administration Authority of South Australia and the Northern Territory.

This guide provides information on the best way to seek a remedy.

Contents

Have you tried to resolve the problem?	3
Putting your complaint in writing	3
When the ACCC can help	5
State and territory consumer protection agencies	5
Lodging a complaint with the Motor Trade Association of SA/NT (MTA)	6



P: 08 8291 2000
F: 08 8291 2099
W: www.mtasant.com.au
E: mta@mtasant.com.au

A: Level 1, 81 Greenhill Road, WAYVILLE SA 5034
PB: GPO Box 2204, ADELAIDE SA 5001

Have you tried to resolve the problem?

The following steps you can take to try to fix the problem:

Step 1 – Contact the business directly

As soon as possible, contact the business to explain the problem and the outcome you want. In many cases a simple phone call or store visit can fix the problem.

The MTA recommends formally putting your concerns in writing – that way the member is clearly aware of the problem and what type of remedy is being sought, and you also have a record of contact.

Putting your complaint in writing

A letter or email of complaint should:

- Describe your problem and the outcome you want. Focus on the main details
- Include key dates, such as when you purchased the goods/ services and when the problem occurred
- Identify what action you have already taken to have the problem fixed (such as going back to the shop where you purchased the product or service)
- Outline the steps you will take if you and the seller cannot resolve the problem (for example; making a complaint to Consumer and Business Services)
- Ask for a response within a reasonable time – for example two weeks or 10 business days
- Attach a copy of any supporting relevant documentation such as a receipt or invoice.

Ensure you keep copies of any letters, emails or documents that you send.

Refer to the next page for a sample letter of complaint. There is more information about how to write a complaint letter on the ACCC website (www.accc.gov.au).

Sample letter of complaint:

[Your address]

[Date]

Dear Sir/Madam,

RE: concerns about a mechanical service on my car

I am writing to seek a remedy for a mechanical service I recently had on my car at your work shop [insert company name and address] on [insert date]. The car is making a noise that is continuous and it was not doing it before the car was serviced.

I feel this is not of acceptable quality and does not match the quality of service you have on your sign in your workshop. I would like you to relook at my car and advise me what the noise is and what my options are for fixing it. If the noise has come about from an action on your behalf I would like it remedied.

I have attached a photocopy of my receipt as proof of service.

I would like a response by [a reasonable time, usually two weeks]. If I do not hear from you by this date, I will consider lodging a formal complaint with [name of your local consumer protection agency].

I can be contacted on [work phone number] during working hours or after hours on [home/mobile phone number] to discuss this matter further.

Yours sincerely,

[Your name]

Step 2 – contact the ACCC or another Third Party

If you are still having difficulty resolving a complaint, you may want to seek assistance. The best place to go will depend on your circumstances.

When the ACCC can help

Where the Supplier conducts national business activities the ACCC can give you information about your consumer rights and obligations and suggest a possible course of action you might take. It can also investigate and take action on behalf of consumers when a seller or manufacturer fails to meet obligations under the consumer guarantees.

State and territory consumer protection agencies

If you cannot negotiate a satisfactory outcome with the seller, and your complaint involves a local business you can contact the relevant consumer affairs agency in your state or territory. It can provide you with information about your rights and options. It may also be able to negotiate between you and the seller to reach a resolution.

**South Australia
Consumer and Business Services**

P: 131 882 W: www.cbs.sa.gov.au

**Northern Territory
Northern Territory Consumer Affairs**

P: 1800 019 319 W: <https://consumeraffairs.nt.gov.au/>

Lodging a complaint with the Motor Trade Association of SA/NT (MTA)

Please note: the MTA is not in a position to determine a remedy, decision, outcome or determination.

If you believe that the member has breached the MTA's Code of Conduct you may lodge a formal complaint with the MTA. Please find following a complaints form for you to complete and have signed by a Justice of the Peace and return to the MTA.

Upon receipt of this complaint form, MTA will then proceed with its complaints process. This process will include:

- Contacting the member to discuss your complaint
- Investigating whether a breach of the Code has occurred
- Informing you of the outcome of the MTA's investigations



T: 08 8291 2000
F: 08 8291 2099
W: www.mtasant.com.au
E: mta@mtasant.com.au

A: Level 1, 81 Greenhill Road, WAYVILLE SA 5034
PB: GPO Box 2204, ADELAIDE SA 5001

**THE MOTOR TRADE ASSOCIATION OF SA/NT.
RECORD OF COMPLAINT AGAINST AN MTA MEMBER**

STATUTORY DECLARATION

I, of
Name Residential Address
..... the state of South Australia and

Telephone Number DO SOLEMNLY AND SINCERELY DECLARE:

1. THAT the information contained in the complaint form which relates to

.....

member of The Motor Trade Association of South Australia Inc., is true in every particular.

AND I MAKE THIS SOLEMN DECLARATION by virtue of the provisions of the Statutory Declarations Act 1959 and subject to the penalties provided by the Act for making false statements in Statutory Declarations, conscientiously believing the statements contained in this declaration to be true in every particular.

DECLARED AND SUBSCRIBED

At....., South Australia this.....day of
.....
Month Year Signed

BEFORE ME:

.....

Justice of the Peace in and for the state of South Australia.

Have you contacted Consumer & Business Services? Yes No (please tick)

Name of person you spoke with.....Date.....

MTA MEMBER DETAILS	
Name in Full	
Business Name	
Address	Telephone

**THE NORTHERN TERRITORY OF AUSTRALIA
STATUTORY DECLARATION**

(1) Insert full name and address of person making declaration

I, (1)
solemnly and sincerely declare (2)

(2) Here insert the matter declared to, either directly following the word "declare" or, if the matter is lengthy, insert the words "as follows" and thereafter set out the matter in numbered paragraphs

This declaration is true and I know it is an offence to make a statutory declaration knowing it is false in a material particular.

(3) Signature of the person making the declaration

Declared at _____ the _____ day of _____ 20

(3)

(4) Signature of the person before whom the declaration is made

Witnessed by:

(4)

(5)

(5) Here insert full name of person before whom the declaration is made, legibly written, typed or stamped

(6)

(6) Here insert contact address or telephone number of person before whom the declaration is made

NOTE: This declaration may be witnessed by any person who is at least 18 (eighteen) years of age.

NOTE: This written statutory declaration must comply with Part 4 of the *Oaths Affidavits and Declarations Act 2010*.

NOTE: Making a declaration knowing it is false in a material particular is an offence for which you may be fined or imprisoned.