

What the ACCC says about new car statutory warranties.

Can you get your car serviced by someone other than the business or an authorised agent of the business that sold the car without voiding the warranty? Yes, you can! Here are some of the conditions:

New Vehicle Warranty. Where a problem arises with the vehicle that is covered under the warranty, the vehicle should be taken to the dealer for repair. These repairs should be done free of charge under the warranty.

New and Used Vehicle Servicing. In relation to general servicing, motor vehicle dealers are entitled to insist that any servicing performed on cars they sell is carried out by qualified staff, according to the manufacturer's specifications, and using genuine or appropriate quality parts where required. Provided these conditions are met, regardless of where you choose to get your car serviced, your warranty will remain intact. So shop smart and shop around.

Qualified Staff. Qualified staff is a party or parties, other than an "authorised dealer", who is capable of performing car servicing. Some servicing venues display qualification certificates, but if you are not sure the staff are qualified, just ask.

Manufacturer's Specifications. If an independent agent implies that it can perform general car servicing to manufacturer's specifications and does not perform that function satisfactorily, then you have rights and remedies against the agent regardless of whether the agent has factory qualifications or not.

Genuine or Appropriate Quality Parts. The issue here is not who manufactured the parts, it is whether the parts are fit or appropriate for the purpose intended. If a part is non-genuine, but is interchangeable with the genuine part, it could be seen as being fit or appropriate for the purpose and would therefore not void the manufacturer's warranty. However, it must also be noted that should the parts installed fail or not perform satisfactorily, the consumer then has rights against the fitter and/or manufacturer of those replacement parts. If the non-genuine parts fail, and causes some other damage to the vehicle, the dealer and vehicle manufacturer will not be liable for damage caused by the failure of that part.

The above information is extracted from Australian Competition and Consumer Commission (ACCC) Consumer Express publication, April 2005, Issue 1445-9671.