



COMPLAINT INFORMATION PACK

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Which department should I be making the complaint to ?

The Office of the Technical Regulator (OTR) administers the Electricity Act 1996. This Act governs electrical safety. All investigations the OTR undertake are to ensure electrical safety and compliance with the relevant standards. The OTR does not administer licencing, nor can the OTR take disciplinary action against Electricians to remove their licence. Licencing is administered by Consumer and Business Services (CBS).

Consumer and Business Services can assist you with disputes concerning purchases of consumer products and services. If your complaint involves issues regarding payment, quality of work or non supply of agreed services, then please refer to the consumer complaints fact sheets attached to this document.

ELECTRICAL SAFETY ISSUES

If you are concerned about the condition of the wiring in your premises you should:

- Contact a licenced electrical contractor to test and inspect your installation.

If you are concerned about the safety of a recent installation by an electrician at your premises (e.g. exposed live parts):

- Telephone the OTR for advice. The OTR may visit the premises and disconnect and make safe if a risk to public safety exists.

GENERAL COMPLAINTS AGAINST ELECTRICAL CONTRACTORS, WORKERS, SUSPECTED UNLICENCED WORKERS AND LICENCING CONCERNS:

- Contact CBS



Complaint request for investigation form

DATE:

NAME:

ADDRESS:

TELEPHONE:

MOBILE:

COMPLAINT ADDRESS:

POSTCODE

NATURE OF THE COMPLAINT:

RELATIONSHIP TO INSTALLATION: OWNER / OCCUPANT / 3RD PARTY
(Please circle one)

NAME OF ELECTRICAL CONTRACTOR (IF APPLICABLE)

ADDRESS:

POSTCODE

Electrical licence number:

TELEPHONE:



Complaint request for investigation form

PLEASE PROVIDE THE FOLLOWING DETAILS (where possible)

CHECKLIST

- Detailed statement outlining complaint (dates, address, what occurred, who was involved etc) (this statement is **mandatory**)
- Copy of invoices / receipt / proof of payment
- Copy of any electrical certificates of compliance
- Photographs of the area of concern
- Any other supporting information

Please forward the information by one of the following means:

POST: the Office of the Technical Regulator, GPO Box 320 Adelaide SA 5001

FAX: 08 82265529 **EMAIL:** otrmail@sa.gov.au **TELEPHONE** 08 82265518

PLEASE NOTE

The OTR administers the *Electricity Act 1996* and is responsible for the monitoring and regulation of safety and technical standards with respect to electrical installations. The technical standards are designed to ensure that an electrical installation is safe to connect to the electricity supply and safe to use.

Possible actions undertaken by Authorised Officers are intended to protect persons, livestock, and property from electric shock, fire and physical injury hazards. Due to this, inspections undertaken by the Office of the Technical Regulator may result in **disconnection** of the electrical installation (or part thereof) if found to be unsafe, or high risk.

This is for your safety, and the safety of others.



Government of South Australia
Department of State Development

STATEMENT OF WITNESS

Statement of

Age: **Over 18 years**

STATEMENT

STATEMENT BY:

Telephone:

Address:

Date:

This statement consisting of pages signed by me is true to the best of my knowledge and belief. I know this statement may be used for the purpose of legal proceedings, and that if it contains material that I know to be false or misleading, I may be guilty of an offence.

Dated the:

Signed:

Witness by (name)Signature of Witness.

Of (address):

.....
.....
.....

Signed:

Signature witnessed by:

STATEMENT OF WITNESS

Continuation of statement of:

Page of

Signed:

Signature witnessed by:

Consumer complaints

If you have a problem with a business, Consumer and Business Services (CBS) may be able to help you resolve it. We can inform you of your rights and obligations and provide advice about how to negotiate with the business. These services are free of charge.

CBS mainly handles disputes related to consumer purchases such as motor vehicles, domestic building services, household goods, travel arrangements and gym memberships.

CBS generally will not handle a complaint where:

- you have not made a reasonable attempt to resolve the matter with the business first
- the dispute is between two businesses
- the complaint is handled by other authorities – eg health, tax, credit
- goods or services are bought for business purposes
- legal action has commenced

Steps you could try:

Step 1: Talk to the business

Remember to:

- quote details from your receipt, order form or contracts
- explain the problem and suggest a solution
- be calm and courteous, but firm
- keep a record of conversations (who, date and time)

Step 2: Write to the business

Include:

- specific details of the problem, your name, contact details, invoice and account numbers
- a copy (keep the original) of receipts, order forms, other proof of purchase, an independent expert report (where appropriate)

Sample complaint letters are available from our office and www.cbs.sa.gov.au

Remember to:

- write promptly as delays can affect your rights
- be clear about the solution you want and set a deadline for a response – eg 10 days.
- keep a copy of your letter

You must give the business a reasonable opportunity to fix the problem

Step 3: Contact CBS to lodge your complaint

If you are unable to resolve the dispute, we may be able to help you through our dispute resolution process.



Dispute resolution process

Our dispute resolution processes involves a CBS case officer acting as an objective third party. We provide independent advice to help reach a solution that is acceptable to both parties.

Most disputes are resolved satisfactorily. However, we cannot force a resolution and everyone needs to agree on the outcome. Only the courts can impose a legally binding decision.

The resolution process and timing may vary depending on the complexity of your case. However, we will provide you with regular progress updates.

In most situations, the officer you first contacted at CBS will be the person you continue to deal with...

Lodge a complaint

- Contact us to discuss your complaint
- If we can assist, we will send you a 'Request for Assistance' form
- Complete the form and send to CBS with copies of relevant documents – eg receipts and contracts.

Preparing to negotiate

Your case officer will:

- contact you to acknowledge receipt of your complaint
- clarify with you the facts and explore realistic solutions with you
- not release information gathered from you. Although, it may be necessary to share some information with the business during negotiations. Let your case officer know if you don't want this to happen

You may be asked to get an expert report at your own cost.

Negotiation process

- Your case officer will contact the business
- The response from the business will be discussed with you

Depending on the issue, a compulsory conciliation conference may be called, where the problem is not likely to be resolved through the initial conciliation process.

Outcome

- Each party is expected to fulfil the terms of any agreement reached
- Once your matter is finalised you will be advised that your case is closed
- If an acceptable solution cannot be reached the case officer will provide you with advice and suggest alternative solutions

Any breach of consumer law detected during conciliation will be dealt with by CBS separately and will not generally affect the outcome of your dispute.



Next steps

If your problem has not been resolved through CBS conciliation, you will be offered advice and other options if you want to take the dispute further.

Remember:

- if a dispute cannot be resolved, reports, letters and information may be useful as evidence if the matter proceeds to court
- it is best to seek legal advice if you think you may take the matter to court
- if a written agreement is made through a CBS conciliation conference and one party does not fulfil their obligations, the other party may go to the Magistrates Court to enforce the agreement
- if you wish to use your case file in a court action you will need to ask the court to subpoena the file

Standards of service

We aim to finalise most disputes within 30 working days, but difficult or more complex disputes may take longer to resolve.

We aim to respond to letters within five (5) working days and telephone messages within 24 hours.

We will vary the conciliation process to accommodate the needs of the parties including non-English speaking people, older people and people with a disability.

Special assistance can be arranged to ensure all customers can access our services in a fair and equitable way.

Consumer and Business Services

Ground Floor, Chesser House 91-97 Grenfell Street
Adelaide SA 5000
Telephone **131 882**
Facsimile (08) 8204 9570

GPO Box 965
Adelaide SA 5001
www.cbs.sa.gov.au

Regional Office

Port Augusta
9 Mackay Street
Port Augusta SA 5700
Facsimile (08) 8648 5155

Translating and Interpreting Services (TIS)

Telephone 131 450
National Relay Service
Telephone 133 677 (hearing impaired)

The information provided in this brochure is of a general nature and should not be regarded as a substitute for professional advice and/or reference to the appropriate legislation.

