

Car need a service? 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? The short answer is 'yes'. Though there are some 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 manufacturers' 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're not sure the staff are qualified, just ask.

Manufacturers' specifications

If an independent agent implies that it can perform general car servicing to manufacturers' 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 part/s, it is whether the part/s 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 manufacturers' warranty. However, it must also be noted that should the part/s 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 part fails, 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.

What is a statutory warranty?

Statutory Warranties are implied by law and give consumers a minimum level of protection for goods and services. Statutory Warranties are different to **Express Warranties**. A dealer or manufacturer may give an Express Warranty to a customer, such as a 1 year or 20,000 km warranty on a new car. An Express Warranty will have its own conditions which you should review. However, these conditions cannot override Statutory Warranties. Further information on warranties is available from the ACCC.