

Don't let a 'refund' leave you out of pocket

Watch out for the increasing trend of shops to charge 'restocking fees' which could leave you out of pocket.

Henri May, 18:50, Friday 21 October 2011

Shopping: pleasure or pain? Whether it's a relaxing diversion, an adrenalin inducing buzz or a chore to be endured, you have to keep your wits about you.

You may have relaxed into the knowledge that if you make a mistake while shopping, it doesn't matter. Most outlets let you return goods for any reason for a full refund.

But what if you're penalised for changing your mind? Restocking fees are sneaking in to traders' terms leaving all but the canniest devourers of small print with an unwelcome surprise. You might find you get only 80 — 90% of the value of the goods back with the rest retained for 'restocking'.

Bad decisions

Although we may believe we can always get our money back when we shop on the high street, the first thing to be clear of is that the law doesn't extend to changing our minds.

If something doesn't fit, you discover a better deal elsewhere or you have any other reason for returning a working item, legally a retailer is under no obligation to reimburse you if you bought it in-store. (Different rules apply online - see Buy on the internet, below.)

Despite this, the law will always step in to protect you if an item is not up to scratch, regardless of where you buy it. Your protection under the [Sale of Goods Act 1979](#) is extensive when it comes to goods which don't meet their description, are not fit for their purpose (including any specific purpose agreed with the seller) or are faulty.

The small print

When a shop allows you to return an unwanted item that's not defective, it's actually extending your legal rights, so it's entitled to introduce additional terms about credit notes, time limits and restocking fees etc.

Crucially, the retailer's policy on returning goods should be clearly displayed so you're fully aware of any unfavourable terms before committing yourself. The terms must be accessible and accurate or there may be an argument you've been misled.

The question "do you offer refunds?" needs to be tweaked to "do you offer full refunds?" and don't accept a waffly answer ("sort of" being the kind of response you want to avoid). To be safe, check the written terms as well as asking.

Expect a variety of conditions. For example, if you change your mind about an item from Comet that you bought in-store, you can get your money back if you're content to just gaze at the box. But as soon as you open the item, you're throwing away 10% of the cost if you don't like what you find.

Meanwhile, if you buy certain tiles from Topps Tiles - which they class as 'special order' tiles - you will incur a restocking charge of 20% of the price.

However, despite these charges being perfectly legal in-store, they should not apply if you buy these items online and return them in perfect condition within seven days.

Why?

Buying on the internet

When you buy at a distance, (e.g. over the phone or on the internet), the [Consumer Protection \(Distance Selling\) Regulations 2000](#) give you a 'cooling off' period during which you can legally change your mind and get a full refund.

You don't have long to cancel though — normally from the minute you make the order until seven working days after you receive the goods.

Cancel within this period, and as long as:

- the goods aren't personalised or perishable,

- it's not a newspaper or magazine
- it's not a CD, DVD or computer software where the security seal has been broken
- you didn't buy it from an online auction like eBay
- the service didn't start immediately (eg paid access to a website)

...then you will be entitled to a refund - no matter what the terms and conditions of the individual retailer state.

However, you've still got to be on the ball. Although an online business is not entitled to charge you a restocking fee, you may find yourself out of pocket for the cost of sending the item back. Unless an item is faulty, not what you ordered or a substitute item, a business doesn't have to pay for return delivery.

One way to get around this is to return the item to a local branch of the retailer. But be prepared to do battle with the store manager, who may not have heard of the Distance Selling Regulations. Print out this article - or [this page](#) of the Direct.gov.uk website - and take it with you!

More small print

Yes it's dull and life may be too short but make friends with small print and it might just save you money. If the online supplier wants you to be responsible for the cost of return delivery, they have to let you know in information supplied before you buy from them.

If a restocking fee is going to bite you, shop around. Plenty of shops have [very generous returns policies](#).