

Fact Sheet

Consumer Guarantee Directions (CGD)

What is CGD?

NSW Fair Trading provides free, voluntary dispute resolution to seek a mutual resolution to consumer complaints in an efficient and effective way.

If a dispute is not resolved through our dispute resolution (DR) process, under certain circumstances the Commissioner for Fair Trading can consider a CGD requiring the business to repair, replace or refund the good.

Eligibility for a CGD

A dispute must meet the following criteria:

1. it has been through our DR process and the business did not offer an outcome in line with the Australian Consumer Law (ACL)
2. it is about a product (not a service)
3. the product purchase price is between \$25 – \$3,000 (excluding GST)
4. the consumer bought the product within the 6 months before making a complaint to Fair Trading
5. both the consumer and business are based in NSW (corporations only need to have an Australian presence – they do not have to be based in NSW)
6. it is about ACL consumer guarantees relating to the product:
 - a. being of acceptable quality; or
 - b. being fit for its disclosed purpose, or
 - c. matching the description, sample, or demonstration model.

Matters not eligible include disputes about:

- false and misleading representations
- unsolicited sales or bait advertising

- excluded products, such as motor vehicles, second-hand goods, solar batteries, products relating to a home building claim, or products subject to a review by the court or Tribunal.

The CGD process

The process includes 7 steps:

1. A consumer makes a complaint to NSW Fair Trading.
2. Fair Trading will contact both parties to encourage them to resolve the dispute.
3. If the business did not offer an outcome in line with ACL, we will tell the consumer of their options, including requesting a CGD assessment.
4. Fair Trading will review the eligibility of the CGD assessment request.
5. If eligible, Fair Trading will invite both parties to respond to the complaint. Information we receive will be shared with the other party, so they have a chance to respond.
6. Fair Trading will assess the case and decide whether to make a direction. We will tell both parties the assessment outcome.
7. If appropriate, the CGD is issued.

At any time, the business and consumer can work together to reach a resolution without Fair Trading making a direction.

More information

Visit [Consumer guarantee directions, NSW Fair Trading](#) for more information about:

- the CGD assessment process; and
- Options after a CGD has been issued.