



## Complaint form

This form is effective from 1 January 2020

### OFFICE USE ONLY

Date received

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#### National Relay Service

If you are deaf or have a hearing or speech impairment, contact us through the **National Relay Service (NRS)**

Ask the NRS to connect you to **13 QGOV** (13 74 68)

#### Interpreter assistance

Contact the **Translating and Interpreting Service (TIS National)** on 131 450

### Instructions

This form is used to lodge a complaint with the Office of Fair Trading (OFT). Please fill out to the best of your ability.

When completing this form print neatly and:

- if possible, supply the full name and address of the business/trader
- send **copies** of relevant documents to us **not originals**.

### Privacy statement

OFT is collecting your personal information on this form to process your complaint under the *Fair Trading Act 1989* and the Australian Consumer Law. OFT usually discloses this information to the business/trader and other Australian and New Zealand fair trading agencies. Your complaint may be transferred to another agency.

Only personal information to ensure your complaint is appropriately dealt with, is provided to the business/trader you are complaining about.

### Talk to the business first

If you have not already approached the business/trader you should do so before lodging a complaint with us. Our experience is this will increase the likelihood of you obtaining the outcome you seek. You can find information on how to complain to a business/trader at **www.qld.gov.au/fairtrading**, search 'Talk to the business first'.

Have you contacted the business/trader to resolve the issue?

- No  Yes

### Previous complaint

Have you complained in writing to OFT or another government agency about this?

- No  Yes—whom .....

.....

If yes, what was that agency's decision regarding the matter? .....

.....

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**If your complaint is resolved after lodging this form, please advise OFT as soon as possible by calling 13 QGOV (13 74 68) or visit [www.qld.gov.au/fairtrading](http://www.qld.gov.au/fairtrading)**

## Part 1—Complainant details

### Your details

If you do not provide us with your name on this form we will assume you wish to remain anonymous. In this situation we will not be able to provide you with any information about any action we may or may not take in relation to the complaint you have lodged for privacy reasons, as we will not know who lodged the complaint.

If you have provided your name on the form but do prefer to remain anonymous please note that this will reduce the options we have to progress the matter. We will record your complaint on our database, and we may investigate any possible breaches your complaint raises, however we will not be able to assist you in obtaining a refund or other redress.

Do you want to remain anonymous?  Yes  No

Submitting an anonymous complaint may reduce the options available to us to assist you with any possible conciliation or enforcement action.

Are you lodging this complaint on behalf of yourself or an organisation?  Individual  Organisation

Organisation name (if applicable) .....

Preferred Title  Mr  Mrs  Ms  Miss Other (specify) .....

First name ..... Last name .....

Address .....

Suburb/town ..... State  Postcode

Daytime contact number (include area code) .....

Alternate contact number .....

Fax (include area code) .....

Alternate contact number .....

Mobile .....

Email address\* .....

\* Under the *Information Privacy Act 2009* OFT may not transfer your information outside Australia without your consent. OFT is not aware of the location of the server on which your emails are stored nor the route they travel to reach there. If you provide us with your email address you are consenting to us using that address to correspond with you about your complaint.

## Part 2—Business/trader details

### Business/trader details

Please complete as many details as possible.

Send only **copies** and retain original documents in a safe place.

We will contact the business/trader about the complaint so be as accurate as possible.

Look on your invoices, receipts or contracts to get the correct name and address of the business/trader. If you supply incorrect details it could take us longer to address your complaint.

Business/trader's name .....

ACN or ABN number (if known) .....

Salesperson .....

Address .....

Suburb/town ..... State  Postcode

Phone ..... Fax .....

Website .....

Email .....

Description of goods or services .....

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THIS AREA HAS BEEN INTENTIONALLY LEFT BLANK.

**Part 3—Transaction details**

How did you pay the business/ trader? (if relevant)

- |  |  |
|--|--|
| <input type="checkbox"/> Buy now/pay later (Afterpay, ZipPay, etc)     | <input type="checkbox"/> Online payment (Paypal, eWay, Securepay, etc.)            |
| <input type="checkbox"/> Debit card                                    | <input type="checkbox"/> Money order   |
| <input type="checkbox"/> BPay/Direct debit                             | <input type="checkbox"/> Cheque/bank cheque  |
| <input type="checkbox"/> Cash  | <input type="checkbox"/> No payment  |
| <input type="checkbox"/> Credit card                                   | <input type="checkbox"/> Money transfer (direct bank transfer, Western Union, etc) |
| <input type="checkbox"/> Other (gift card, cryptocurrency, etc.) ..... |  |

How did you first deal with the business/trader?

- |   |  |
|---|--|
| <input type="checkbox"/> Social media   | <input type="checkbox"/> Online retail   |
| <input type="checkbox"/> Mail/catalogue | <input type="checkbox"/> Telephone       |
| <input type="checkbox"/> In person      | <input type="checkbox"/> No payment made |

Date of purchase of goods or services   /   /

Date you contacted business/trader regarding problem   /   /

Name and stated position of person to whom you complained

.....  
.....

Product/service price \$ ..... Amount paid \$ .....

Amount you want refunded (if applicable) \$ .....

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## Part 5—Declaration and signature

### Declaration and signature

Do you consent to OFT contacting you in the future, including notifying you of the outcome of your complaint?

Yes  No

If you choose Yes, you consent to the use of this email address by OFT for any or all correspondence relating to your complaint.

Do you consent to OFT disclosing your name and any other relevant details about your complaint, for example, what you bought and the date you bought it, during discussions with the business/trader about this matter?

Yes  No

Please note, our conciliation process, where we attempt to negotiate an outcome on your behalf with the business/trader, will not be able to go ahead if you do not agree for us to disclose relevant complaint details.

If we decide that the business/trader has breached fair trading legislation and the case goes to court, are you prepared to assist us during that process (e.g. as a witness)?

Yes  No

**Please note:** We encourage you to share information with us to enable a full and prompt assessment of your complaint. Please understand we may not always commence action on your behalf. We must carefully manage the use of public resources to ensure maximum efficiency is achieved. This will result in a range of outcomes for complaints lodged with us, including some matters being investigated, some matters conciliated and some matters returned for self-resolution by the consumer.

All matters will be placed on record for information and intelligence purposes.

Most complaints we receive do not proceed to court as they do not involve a breach of legislation. In these instances we may attempt to conciliate the matter with the business/trader on your behalf to try and have the matter resolved.

Are you prepared to be contacted in future for customer satisfaction or other research that can help us improve our services?

Yes  No

I declare that the information I have provided is, to the best of my knowledge, true and correct. I agree that my name and the information I have provided may, if necessary, be revealed to the business/trader in correspondence or investigations concerning my complaint. I acknowledge that OFT may:

- use information provided or later obtained to resolve, investigate or otherwise deal with the complaint, take enforcement action (if appropriate), and monitor the marketplace for investigative and law enforcement processes; or
- where more appropriate, refer the complaint and that information to the other party or another government agency, for the purpose of resolving the complaint.

I understand that submitting an anonymous complaint may forgo any possible conciliation or enforcement action and the purpose of this complaint is for information purposes only.

Signature ..... Date signed  /  /   
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## Part 6—Demographic data

### Demographic data

This information is used to help us better understand who uses our services and identify groups targeted by unscrupulous businesses. You can complete this section in full, in part or not at all.

Tick all that apply.

#### Gender:

- Male  Female  
 X (intersex, transgender or gender diverse)  
 Prefer not to say

#### Age:

- 17 or under  18–24  25–34  35–44  
 45–54  55–64  65 plus

#### Country of birth:

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#### Employment status:

- Student  Self-employed (business owner)  Full-time employed  
 Care-giver/home maker  Retired  Part-time employed  
 Unemployed

#### Background:

- Have a disability  Aboriginal  Torres Strait Islander  
 South Sea Islander  From a non-English speaking background

#### Gross annual income:

- up to \$10,399  \$10,400 – \$25,999  \$26,000 – \$41,599  
 \$41,600 – \$77,999  more than \$78,000

Preferred language if not English .....

Do you need an interpreter?  Yes  No

## Lodgement details

### Lodgement details

Please lodge your complaint with OFT at the address below or complete an online form at [www.qld.gov.au/fairtrading](http://www.qld.gov.au/fairtrading)

#### By mail:

Office of Fair Trading  
GPO Box 3111  
Brisbane QLD 4001

Visit [www.qld.gov.au/fairtrading](http://www.qld.gov.au/fairtrading) or call **13 QGOV** (13 74 68) for information and to find your nearest Fair Trading Office.

We normally contact you within 10 working days after receiving your complaint. If you have not heard from us by this time, we recommend you call us on **13 QGOV** (13 74 68) or email us at [Brisbane.OFT@justice.qld.gov.au](mailto:Brisbane.OFT@justice.qld.gov.au) to confirm we have received it.