

HOW TO PROTECT NEW VEHICLE WARRANTY BY USING RYCO FILTERS

Consumer guarantees provided under the Australian Consumer Law are not voided if you independently service cars and trucks using quality non-genuine parts - such as Ryco filters.

Manufacturers and dealers who deny the availability of consumer guarantees, based on where a car is serviced or what parts are used, are coming under fire from the ACCC for contravening the law.*

Consumer guarantees: These are statutory guarantees that automatically apply to vehicle purchases and vehicle servicing. These apply regardless of any other warranty offered by a seller or manufacturer. There is no requirement for a vehicle to be serviced by an authorised dealer for consumer guarantees to apply. An independent repairer can service a vehicle, and use his choice of appropriate quality products, without affecting these guarantees.

Manufacturers warranties: These are promises to the purchaser that:

- the vehicle will be free from defects for a certain period of time
- defects will entitle the consumer to a repair, replacement, refund or other compensation.

The manufacturer's warranty may set out requirements that purchasers must comply with. For example, it may require them to ensure any servicing is carried out:

- by qualified staff
- according to the manufacturer's specification
- using appropriate quality parts where required

The ACCC* has confirmed that, provided you service the vehicle in accordance with any such requirements, the warranty will remain valid. While manufacturers may recommend using authorised dealers to service the vehicles, this is not always a requirement under a manufacturer's warranty. Check the terms.

In fact a manufacturer who warrants a vehicle on the condition it is serviced by an authorised dealer may be contravening exclusive dealing provisions of the Competition and Consumer Act.

Extended warranties: Extend the coverage provided under the original manufacturer's warranty. Dealers sometimes offer their own extended warranties on new vehicles on the condition the vehicle must be serviced by the dealer offering the warranty. Imposing this requirement on the owner is permitted, if the warranty genuinely extends rights not otherwise available to a purchaser. If this is a requirement of a dealer's warranty, an independent repairer is likely to void the extended warranty. However it doesn't impact on the availability of the consumer guarantees.

Quality parts: If the manufacturer's warranty requires that appropriate quality parts be used, then non-genuine parts (which are interchangeable with genuine parts) can be used if they are appropriate for the intended purpose and of an acceptable standard. So you can confidently use Ryco Filters, as long as you comply with the other requirements of the warranty.

'Holden Fails to Comply with Consumer Guarantees' (3 August 2017) ACCC; * Adapted from "To service or not to service: vehicles under warranty" by Dr M. Schaper, M. (Deputy Chair ACCC) in Australian Automotive Aftermarket Magazine, p.6. (2016, February). For more information, contact the ACCC Small business helpline on 1300 302 021 or visit www.accc.gov.au.

