

Know your rights about buying online

Online shopping was given a boost by the extreme weather conditions before Christmas. The Law Society of Scotland has advised consumers to be aware of their rights when it comes to returning any unwanted or faulty gifts which have been purchased online.

Frank Johnstone, member of The Society's Consumer Law committee says that while there are greater protections in place for consumers who make online purchases than consumers who purchase goods in a face-to-face shop transaction, there can, in certain circumstances, be a lack of certainty about just what these are.

Mr Johnstone, comments: "It is important to read the returns policy before completing an online purchase as you can't assume that you will have the same rights as if you had gone shopping on the high street.

"It could easily be assumed that goods purchased from a website with the '.co.uk' suffix would be governed by English or Scots Law, however this is not always the case and consumers should ensure they are aware of the important points regarding return and warranty on goods when shopping online. Indeed, the law governing the contract may even provide more generous rights than English or Scots contract law, which would apply if you went into a shop.

"Amazon's UK website for example, is governed by Luxembourg contract law which provides a two year warranty on received faulty goods and this may be more generous than a warranty offered by some other retailers.

"Under English and Scots law a cooling off period of seven working days is allowed with online consumer purchases. This

applies whether the goods are faulty or not, and entitles the consumer to cancel the transaction and recover the sum paid. However this varies from country to country, such as in Germany where, by law, a two week cooling off period is allowed. These are legally required minimum protections and an individual retailer may have more generous policy in place which is worth checking when you make a purchase."

Mr Johnstone also warns that care should be taken when online shopping outside the EU.

He said: "Most importantly, consumers should be aware of their rights when purchasing goods online from a country outside of the EU. Here, the minimum EU protections will not apply and everything will depend on the law governing the contract – it's definitely worth reading the small print to avoid any expensive mistakes."