Remedies relating to Guarantees:

"Major Failure"
(s 260)

Goods with "major failure" (s260):

i. would not have been acquired by a "reasonable consumer" fully acquainted with the nature and extent of the failure;

ii. significantly depart from "description" or "sample";

iii. unfit for purpose including disclosed purpose;

iv. unsafe

If "major failure" consumer may:

i. notify supplier of rejection & with reasons (s259(3));

ii. commence action against supplier to recover compensation for any reduction in the value of the goods;

iii. recover damages (s259(4))

Consumer may require supplier to:

i. replace goods with identical type; or

ii. refund money paid and an amount that is equal to the value of any other consideration provided by the consumer. s 261