



with
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PUBLIC DEFENDER

Water tank turning septic

WHEN Kilsyth retiree Tom Skelly spent \$2500 on a rainwater tank he thought it was an investment in the future.

But less than a year after purchase the tank started leaking, and now its replacement has also sprung a leak.

And the supplier isn't paying up.

"What am I going to do with the tank now?" Mr Skelly asked.

He said he had been phoning provider GGN Urban Solutions daily but no one was taking his calls.

Public Defender joined the trail this week and discovered faulty tanks had helped force the company into receivership.

A company director said GGN had been forced to replace many leaky slimline tanks in the past 12 months because of quality problems with the Chinese manufacturer, which was refusing to stand by a workmanship warranty.

GGN switched to locally made tanks to counter the problems, but the financial damage was done.

Wes Hosking

It is facing out-of-pocket costs of about \$100,000.

Public Defender has been assured Mr Skelly will next week receive a letter advising the company is going out of business.

He must then decide whether to pursue costs for the tank's replacement as an unsecured creditor.

"I reckon there must be a lot of people in the same situation," Mr Skelly said.

A Consumer Affairs Victoria spokeswoman said prospects for customers varied when a company went bust.

"If the business was placed into liquidation and wound up, consumers owed money, goods or who had a legal claim would stand in line with the other unsecured creditors," the spokeswoman said.

"To register as an unsecured creditor, consumers should contact the administrator or the liquidator."

Administration notices often appeared in newspapers or on the company's website, she added.



Water shed: Tom Skelly has sprung a leak with his water tank and its replacement.

Safety must be first

PRINCIPAL LAWYER,
MAURICE BLACKBURN

ANDREW DIMSEY



YESTERDAY'S *Herald Sun* carried the story of Tony Abbott's plan to force many long-term unemployed back to some form of work.

Among Mr Abbott's observations was that the disability pension be reviewed to distinguish between disabilities that are likely to be lasting and those that could be temporary.

The impact of unsafe workplaces can be catastrophic and long-term.

Whether caused by an employer cutting corners when it comes to safety, a lack of employee training or an unforeseen accident, employees' rights must be protected and sufficient funding available for their rehabilitation and living expenses whether the disability is short-term or lasting.

Different workplaces present different risks.

This includes professional athletes such as former Melbourne player Daniel Bell, who has revealed he is seeking compensation from his old club amid claims he received a brain injury caused by a history of concussions sustained while playing.

Different jobs carry different vulnerability to workplace injury. What's your experience with the Victorian WorkCover compensation scheme? Is there enough in place to assist with a proper rehabilitation and return to work?

Legal information is general in nature and is not be regarded as legal advice from Maurice Blackburn

NEED LEGAL ADVICE?
BLOG NOON-1PM
heraldsun.com.au/opinion

Q WE had a \$4000 oven installed last October and have had problems ever since.

The retailer's service people have been out about six times trying to determine what is causing condensation, which drips on to the joinery and floor.

We've even had the retailer's national service manager down from Sydney and he couldn't work out what was wrong.

Everyone now seems to give us the brush-off.

Can you provide any advice or suggestions to make them replace this oven?

Sharyn Searle,
Blackburn South

Q&A YOUR QUESTIONS ANSWERED

BURNING ISSUES

A WRITE to the retailer's complaints department or managing director, saying the oven is not of merchantable quality and demanding a replacement within a reasonable period, say, 21 days. After five months of attempted repairs you are entitled to a

refund or a replacement, and should not be charged for further installation or delivery. The letter needs only explain the problem and what you want the company to do to fix it. Otherwise you can issue proceedings in VCAT. Answers by Andrew Dimsey, Maurice Blackburn.

COMPLAINT OF THE WEEK

Q LAST November I bought a battery charger online from SoldSmart International for \$100, including freight, but it never worked from day one. The store offered a refund of \$10 and then \$15, which I declined.

They then asked me to buy the charger elsewhere, saying I would be compensated, but it wasn't stocked.

I've since been offered \$58 provided I send the charger back, which I did a month ago.

I still haven't received a

refund. This company can be contacted only via email.

Robert Murray,
Drouin West

A PUBLIC Defender's attempts to contact SoldSmart International have also been ignored.

The company's offer of compensation does not appear good enough, let alone their inability to return the \$58 offered. Consumer Affairs Victoria may be the best option in pursuing your money.

If you have to fight the system, don't fight it on your own.

Maurice Blackburn
Lawyers

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