

Speaker's notes

What's the law – Buying a car

How to use these notes

Topic: Legal obligations and requirements for purchasing a car, contracts explained.

Resources: *What's the law?* education kit 'Buying a car', which contains a photo story (on DVD), activity sheets and answer sheets.

These notes provide guidelines for a speaker's script and information on how to use these resources when presenting to a community group. The notes include a story summary, questions and answers, key messages, areas for further discussion and referral information.

1. Preparing to present

It may be useful to read the activity and answer sheets to prepare for your presentation - they may give you ideas for additional questions and activities for your group. It is also a good idea to look at the websites and referral information given in section nine of these notes.

If you need assistance with presentation skills, engagement ideas or coordination support for the group you are preparing for you can contact communitylegaled@legalaid.qld.gov.au or 3238 3431.

2. Introduce yourself and *What's the law?*

Before you begin the presentation, introduce yourself, your role and your organisation.

For example, if you work at Legal Aid Queensland:

- Legal Aid Queensland helps the community in many different ways if they have problems with the law. We provide legal education to newly-arrived communities about their rights and responsibilities.
- Refer to the *What's the law?* education kit and its purpose by mentioning these key points:
- We see many different newly-arrived communities get into trouble with the law and often it is the same legal problems that arise. These problems can be avoided if you know some simple information about the law and where to go to for help before your problem becomes serious.
- The photo stories in *What's the law* have been made to help you learn about the law on ten different topics.
- Begin with some introductory statements and general questions about the topic:
- Today we are going to show you a photo story about buying a car.
- Owning a car is important to many people, especially if they have children, live far from public transport or far from their workplace.
- For many people, buying a car is the second most expensive purchase they will make after buying a house. Because of the price involved, it's important to think carefully about the type of car you want, financial loans for cars and how much you can afford to pay.
- Who owns a car? Did you sign a contract when you purchased the car?
- Who has signed a contract? Did you understand the whole contract?

3. Summarise the photo story

- This story is about Maryam, who decides she wants to buy a new car.

- Maryam goes to a car yard and is persuaded to purchase a car straight away.
- The salesman gets her signature on the contract of sale and loan agreement.
- Maryam has trouble paying for her car loan and the car is taken away from her. She still has to pay her loan and contacts a lawyer for help.

4. Ask questions

To strengthen engagement with the photo story and develop the group's legal literacy, ask key questions before showing the story. This will encourage the group to watch actively and think about key messages.

While you are watching the story, think about the next four questions:

- 1) **Why does Maryam have to keep paying for the car?**
- 2) **Maryam doesn't have the money for the car, so she takes a loan for the money from the car yard. What extra money does she have to pay?**
- 3) **What is a warranty?**
- 4) **If Maryam has signed a contract can she change her mind about buying the car?**
- 5) **Where can Maryam go for help?**

5. Show the photo story



6. Answer the questions

Ask the same key questions after you show the story and allow for discussion to tease out the right answers.

Why does Maryam have to keep paying for the car?

- Maryam has signed a contract – this is an agreement between you and another person or company.
- The law says once you sign a contract, you must do what is promised in the agreement even if you have not read the agreement.
- You should not sign anything if you do not understand or have not read what you are signing. It is often difficult to stop a contract after you have signed it. If you don't understand the contract, you can get free legal advice before you sign.

Maryam doesn't have the money for the car, so she takes out a loan for the money from the car yard. What extra money does she have to pay?

- Maryam must pay interest on top of the price for the car.
- Interest is an amount charged for the benefit of getting money on loan straight away.
- If you ever sign a loan agreement, always check how much interest you have to pay. It may be very high and you may have to pay a lot more in total.

What is a warranty?

- A warranty is a promise made to fix your car for a certain amount of time. Always find out how long the warranty lasts for.
- Often warranties will only fix some problems and only under certain conditions. Ask about this before you buy anything.

If Maryam has signed a contract can she change her mind about buying the car?

- A cooling off period applies to a contract to buy a used car.
- This is 1 business day that the car yard is open. This may be a Saturday or Sunday if the car yard is normally open on these days.

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- This cooling off period does not apply if you have driven the car away.

Where can Maryam go for help?

- Maryam can go to a Legal Aid Queensland office or community legal centre to see if she must keep paying for her car. They can help her understand the details of the contract.
- Maryam can then see a financial counsellor to help her work out how much she can afford to pay each week.

7. Emphasise key messages

- Do not sign anything you do not understand.
- Be careful before you buy things that cost a lot. Shop around and do not let salespeople talk you into buying things you cannot afford.
- If you are having problems with a loan, legal problems or you have to go to court, call **Legal Aid Queensland** or your **community legal centre**.

8. Further questions and discussion

- Does anyone have any questions?

You are not expected to be a lawyer to use this resource, many teachers and community workers use this resource successfully. If a participant raises personal legal issues, you can provide referral information. If you are not a lawyer, legal assessment or advice should be referred to **Legal Aid Queensland** on **1300 65 11 88** or the closest **community legal centre**.

9. Possible discussion points and referral information

Debt from buying a car

- Financial counselling may be able to assist. Search for a financial counsellor close to the group: www.financialcounselingaustralia.org.au/Corporate/Find-a-Counsellor
You can talk to a financial counsellor on the phone from anywhere in Australia by ringing 1800 007 007.
- Check if your local community legal centre offers financial counselling services: www.qails.org.au
- Legal Aid Queensland
If you are having trouble paying your loan contact Legal Aid Queensland for advice.
www.legalaid.qld.gov.au

Complaints about car dealers

- How to make a claim against a car dealer and other useful information about purchasing a car: www.fairtrading.qld.gov.au/motor-vehicles.htm

Department of Transport and Main Roads information

- Information about buying cars – the First Car List: www.tmr.qld.gov.au/Safety/School-road-safety/Student-driver-education/Buying-your-first-car.aspx
- Choosing a car that meets your needs: www.tmr.qld.gov.au/Safety/Driver-guide/Buying-a-safer-vehicle.aspx

Vehicle checks

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- You can check if there is money owing on a vehicle through the Personal Properties Security Register:
<https://transact.ppsr.gov.au/ppsr/SearchForMotorVehicle?v=Search>

Traffic offence, driving rules, fines – what are my rights and responsibilities?

You can show the 'Driving' photo story if time permits.

- Information about these issues: Legal Aid Queensland

www.legalaid.qld.gov.au/legalinformation/carsanddriving/Pages/Drivingandlicenceoffences.aspx