

LIVING GUIDE MORIOKA

MORIOKA INTERNATIONAL RELATIONS ASSOCIATION

〒 020-8531 MORIOKA-SHI WAKAZONO-CHO 2-18

TEL 019-626-7524

e-mail moriintl@nifty.com

<http://www.e-morioka.com/~moriintl/top.html>

Do you know about Cooling-Off Rule?

There might be a time when you thoughtlessly signed a door-to-door or telemarketing sales contract, but later realize that you want to cancel the contract. In this case you can get a full refund because of the cooling-off rule.

What is the cooling-off rule?

When you make a contract for the purchase of goods or services through door-to-door or telemarketing sales, etc., the contract can be canceled unconditionally within 8 days (20 days in the case of multilevel marketing scheme, etc.) including the day of signing the contract under the cooling-off rule.

In principle, a contract should be observed. But in cases

like door-to-door sales, etc. sometimes consumers would enter into a contract because of their not being able to judge a situation calmly by the salespersons' solicitation. Therefore under the cooling-off rule, consumers are given the opportunity to reconsider and can cancel the contract without penalty as long as certain conditions are met.

Cases to which the cooling-off rule is applicable

▼ Since salespersons' sudden visits and trained solicitations place consumers at a disadvantage, the consumers' rights should be protected by the cooling-off rule.

Even when you made a contract at the seller's business location, the rule is applicable to the service contracts for beauty salons, foreign language classes, private preparatory schools, tutors, personal computer classes, marriage partner introduction.

* Multi-level marketing plans

Be cautious not to be involved in the network marketing. Some distributors would ask you, "Why don't you buy this product first, and then sell our goods to your friends? You will surely gain a profit." These distributors may encourage you to become a distributor. These plans, often called "multilevel marketing plans," sometimes promise commissions or rewards that will never materialize. It creates lots of problems in relationships and your family or friends might get into trouble. There is not a way to make money quickly.

*Job offer inducement sales (side jobs, product test responder)

Be aware of Job offer type of solicitations such as "easy

▼ The contract can be canceled unconditionally within 8 days, 20 days in the cases of job offer inducement sales (side jobs, product test responder), multilevel marketing scheme, etc. (*) including the day of signing the contract.

▼ Even after the cooling-off period has expired, the cancellation of a contract might be possible in some cases. So be sure to contact Morioka Consumer Affairs Center.

and profitable job at home" or "You can make more money than you pay for this product." In the end you might have to pay for expensive educational materials, or for the products which you are forced to buy as essential tools for the job and the registration fee, etc. Work-at-home ads usually don't pay off.

There are other sales methods to sell "opportunities" with a product. The distributors might say, "If you buy this product and be a product test responder, you will get paid for it.", "You only have to write reports or return the questionnaire." If you make a contract with them, you risk losing your money and wasting a lot of time and energy, what's worse, being in debt.

Providing written notice of cancellation

For the cancellation of the contract, you should provide written notice (postcard) to avoid future troubles. Oral notice is not recommended. It is important to keep evidence, therefore documents should be sent by acceptance-recorded mail. And you should photocopy both sides of the postcard and keep them.

If you paid for your purchase with a credit card, you should notify the credit card company that you want to cancel the purchase.

- Paid cash is refunded in full.
- It is not necessary to pay compensation for damage or penalty.
- The seller should bear the cost for retrieving the item.

Notice of Cancellation of Contract

Date of Contract: MM / DD / YYYY

Name of item: ×××××

Contract Amount: ××××× yen

I hereby cancel the contract above.

I demand a full refund of ×××××yen paid by me under the contract, and collection of the item by you or your representative.

Date: MM / DD / YYYY

Address of purchaser: ××××××

Name of purchaser: ××××× Seal

↑ « Description example »

Cases to which the cooling-off rule is not applicable

The cooling-off-rule only applies to cases defined by law. Be aware that there are cases where the cooling-off rule doesn't apply.

For example,

- ▼ When you purchased a product that cost less than 3,000 yen and paid the full amount in cash at the same time
- ▼ When the product is an automobile
- ▼ When the products were purchased by mail order (Some stores have return policies. In this case the consumer should

bear the sending-back cost but can get a refund of the product.)

- ▼ When you have consumed part of a consumable product, such as cosmetics or detergents. (If sellers didn't let you know their return policies in written form, you can write your own cancellation notice.)

When you don't want to buy, you should decline firmly. Let's say to the seller, "I don't need it. I don't buy it." You should tell him/her in no uncertain terms. If you say "I i desu." in Japanese when you want to decline, it might be difficult for a seller to understand your intention. He/she may take it as "OK, I will buy." because "ii" can be interpreted "good" depending on the situation.



In case you get into trouble, be sure to consult an expert advisor.

If you become a victim of vicious business practices, immediately consult an expert advisor.

<Consultation Desk>

- Morioka Consumer Affairs Center: 2F, Morioka City Sakana-cho Branch Office (in Japanese language only)
- Public-interest Corporation Iwate International Association: Aiina 5F, Iwate Prefecture Citizen's Cultural Exchange Center

- Specialist Consultation (Fixed time)

Third Wednesday of each month, 15:00~18:00, (Prior booking essential)

*Providing confidential counseling, Free of charge

- Consultation in Foreign Languages

English and Spanish: Saturday and Sunday, 9 : 00 ~ 16 : 00

Chinese: Monday through Friday (every other week), 17 : 30 ~ 21 : 30

Korean: Monday through Friday (every other week), 17 : 30 ~ 21 : 30, Saturday and Sunday, 16 : 30 ~ 21 : 30

*In case that the consultant or support personnel are absent, the service is not available.

