



MCCAA

THE MALTA COMPETITION AND
CONSUMER AFFAIRS AUTHORITY



A CONSUMER'S GUIDE ON HOW TO LODGE A COMPLAINT

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Consumers often face problems with products or services they purchase. The best way to resolve these problems is through knowledge of one's legal rights and available redress mechanisms.

KNOWLEDGE OF LEGAL RIGHTS

Before complaining to a trader, consumers should first gather information about their legal rights to make sure their complaint and resolution claimed are legitimate. If unsure about their rights, consumers can reach out to the Office for Consumer Affairs for assistance.

This office can be contacted:

By phone:



23952000

Online via the Contact Us form on:



mcaa.org.mt

COMMUNICATION WITH TRADER

The next step is to contact the company or seller from where the product or service was purchased. This can be done informally, such as with a phone call or message.

It's important for consumers to clearly explain the problem and state the solution they want. Staying calm and avoiding aggressive behaviour is key, as being rude can make it harder to resolve the dispute.

Consumers should be prepared when communicating with the trader by providing all relevant documents, including proof of purchase and, if applicable, a copy of the commercial guarantee and sales contract.

Traders should be given a reasonable time to verify the complaint and provide a solution. If the issue remains unresolved, consumers should submit a written complaint.

For faulty products covered by the two-year legal protection, the written complaint must be submitted within two months of noticing the problem.

The complaint should include:

- + Details of the product
- + A brief description of the problem
- + The desired resolution

Copies of receipts, sales agreements, or guarantees should be attached. Traders should be allowed at least one week to review the complaint and offer a solution.

CONCILIATION PROCESS

When a dispute remains unresolved, the consumers' next step is to register a complaint with the Complaints and Conciliation Directorate within the Office for Consumer Affairs.

Important: Before submitting a complaint, consumers must ensure that the trader's contact details are correct.



Consumers can register a complaint:

Online:

By completing the form on the MCAA website:

mcaa.org.mt/home/complaint.

Physically:

By visiting the MCAA offices at 'Mizzi House', National Road, Blata I-Bajda.

Gozitan consumers can visit the MCAA offices in Xewkija at St Elizabeth Street.

In writing:

By writing a letter to the Director, Complaints and Conciliation Directorate, MCAA, Mizzi House, National Road, Blata I-Bajda, HMR 9010.

Registered complaints are evaluated and then assigned to a complaint handler to carry out conciliation. The role of the complaint handler is to facilitate communication between the consumer and the seller, with the aim of reaching an amicable resolution.

If conciliation is not successful and an agreement cannot be reached, the consumer is given the option to either withdraw the complaint or escalate the case before the Consumer Claims Tribunal.

ALTERNATIVE DISPUTE RESOLUTION (ADR)

ADR is an out-of-court mechanism where a neutral third party assists consumers and sellers resolve disputes. It is cost-effective, efficient, and encourages open dialogue, allowing parties to shape their settlement terms. ADR is especially useful for complex disputes.

ADR is available to consumers throughout the European Union, including Malta, with registered ADR entities assisting in settling disputes across different sectors. In Malta, the Complaints and Conciliation Directorate within the Office for Consumer Affairs, acts as the country's residual ADR entity, providing consumers access to out-of-court dispute resolution regardless of the purchase type or origin.

To initiate the ADR process, both consumers and traders must agree to use ADR. However, either party retains the option to withdraw from the ADR procedure at any point and for any reason. If a dispute remains unresolved, the parties can still proceed to seek legal redress in front of the competent court or tribunal, including the Consumer Claims Tribunal.

THE ADR PROCESS

1. Dispute is opened online - adr.mccaa.org.mt or at the MCCA A Offices.
2. Trader invited to accept and participate in ADR process.
3. ADR officer assigned.
4. Provision of ADR meeting details.
5. Submission of documentation and evidence by the parties.
6. Proposed solution by the ADR officer.
7. Acceptance of solution.

The ADR process typically takes 90 days, unless an agreement for extension is reached among involved parties.

More information on the ADR mechanism may be found on the ADR website: adr.mccaa.org.mt or by sending an email at: adr@mccaa.org.mt.

The ADR process is free of charge.

The information published in this leaflet is for informational purposes only. Any legal claim should be based on the relevant legal texts. For more information, please contact the Office for Consumer Affairs within the MCCA A on **23952000** or visit: **www.mccaa.org.mt**.