

Takata airbag recalls affecting Australian consumers

In 2015 Members were advised in various VACC bulletins that the Australian Competition and Consumer Commission (ACCC) published a list of vehicles subject to a recall involving cars fitted with airbags supplied by Japanese parts supplier, Takata. You can view one of the bulletins by [clicking here](#)

Recent mainstream media contain reports [1] that faulty Takata airbags have been linked to 18 deaths globally. It is further reported that the old Takata airbags have been replaced by new faulty airbags. Investigation by consumer group CHOICE allegedly found some manufacturers replaced the airbags with identical devices.

It has been further reported that more than two-thirds of the 2.1 million cars recalled in Australia still have not had their faulty airbags replaced, with car owners being told by manufacturers there is up to a six-month wait to remove the potentially lethal safety devices. Feedback from industry indicates that this is not the case for all brands and that some recalls can be rectified by making an appointment at a dealership service centre.

Further guidance for LMCTs

LMCTs should follow the instructions of manufacturers for all vehicles held in stock included in this recall.

Care should be taken with all vehicles included in this recall, as there will be heightened consumer attention to these vehicles. Consumers are likely to ask and to be reassured that the vehicles you are selling have been identified and checked in the recall if required.

Owners of recalled vehicles should have been notified of the recall by mail from the vehicle manufacturer. In 2015 VACC received advice from VicRoads that the manufacturers affected by this recall have an agreement in place with National Exchange of Vehicle and Driver Information System (NEVDIS), who hold information of the current registered owner of vehicles. It is our view that the manufacturers use this information from NEVDIS to communicate the recall notice to these current owners.

However, we advise that in the interim, LMCTs use the following process when dealing with recall issues:

- Check all vehicles in your stock and arrange for the recall to be processed by the appropriate new car dealer workshop
- Book the vehicle in for the recall work
- Record the action taken, even if the necessary recall work that has yet to be done
- As an independent used car trader when selling a vehicle subject to this recall, advise the consumer in writing if the recall has been done or if it is booked in at a dealer of that brand to be done. If the car cannot be booked in and the work has not been done prior to sale, advise the consumer in writing to contact the manufacturer or dealer.
- For all cars sold that are subject to the recall, but yet to be assessed, the LMCT should confirm in writing to the consumer that the consumer must make arrangements to contact the manufacturer to have the vehicle taken to a new car dealership of that make to have the recall issue attended to.
- When trading these vehicles, continue to use the ACCC website to determine whether any potential traded vehicle is subject to recall.

The ACCC advises that recalls of vehicles affected by Takata airbags are being managed by the manufacturers or their Australian representatives.

The remedy is offered by the manufacturers or their Australian representatives. Vehicle recalls occur where there is the possibility of a safety concern with one or more of the parts used in vehicles that are part of the recalled model range. A recall applies to all vehicles and models that use the part. Consumer guarantees continue to apply to goods irrespective of any recall that may apply to them. However, a recall is not evidence that any particular vehicle that is subject to recall is unsafe or defective.

By taking [this link](#), members will also find further information generated by the ACCC regarding

- The Takata airbag recall
- Consumer guarantees
- Your rights when there is no recall
- Frequently asked questions

VACC members should visit the ACCC website [here](#) to view the list of recently advised Takata airbag affected recalled vehicles and click on the vehicle make and model where you may have concerns. Please be aware this is a fluid web page where recalls are updated daily.

Please click through and take note of the recommendations of the manufacturer and follow instructions as to what you should do.

Regards

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References

1. Psaltis, E. (2017). *Takata airbag recall process leaves drivers with 'ticking time-bombs', Choice says*. Retrieved 24 July 2017 from <http://www.abc.net.au/news/2017-07-24/takata-airbag-recall-process-choice-report/8736198>