

2013 ANNUAL REPORT



We Empower Consumers

ABOUT THE COUNCIL

Our Vision : Build an assertive consumer movement in Fiji

Our Mission : Making the consumer voice count

The Consumer Council of Fiji (CCF) is a statutory organisation established under the Consumer Council of Fiji Act (Cap 235). The Council, as a watchdog, protects the rights and interests of consumers by promoting a fair and just delivery of goods and services. First and foremost, the Council is an advocacy organisation, conducting rigorous research and policy analysis on major consumer issues. CCF's insight into consumer needs is a powerful tool for influencing decisionmakers to bring about change. The Council protects vulnerable groups - such as the rural poor, those who are physically or mentally challenged, and children and women by identifying and articulating the policy issues that are of importance to consumers. The Council tackles unfair practices and exposes companies, regulators and services that fail consumers. The Council would like to see consumers put at the heart of new policies introduced by the Government. It will do more than simply draw attention to problems faced by consumers - it will champion creative solutions to improve their lives.

International Affiliations

The Consumer Council of Fiji is a full member of UK based Consumers International (CI), a federation of consumer organisations representing over 240 organisations in 120 countries.

The Council is also a member of COPOLCO – the Committee on Consumer Policy of the International Organisation for Standardisation (ISO).

Our Values :

- Deliver effective and high quality services to consumers at all times
- Respond to consumer complaints and queries with utmost respect and human dignity
- Inculcate team work, cooperation and self-discipline
- Foster open and honest communication
- Value new ideas and seek ways of doing things better
- Exercise enthusiasm and compassion towards our work
- Maintain high standards of ethical conduct
- Be accountable, transparent and responsible
- Value and enhance the cooperation and goodwill of counterpart organisations in government, civil society organisations (CSOs) and external partners
- Provide a reliable, rewarding and challenging environment for Council employees
- Offer equal opportunity for employees to utilise their full potential for high quality performance and excellence.

Our Strategic Objective :

- Empower consumers with knowledge and information so that they can assert their consumer rights and make their voices heard in the marketplace
- Assist consumers in resolving complaints through alternative dispute resolution (ADR), advisory services and legal representation at Small Claims Tribunal (SCT)
- Identify and undertake broad-based and complaints driven research on major consumer issues and consumer protection legislation to bring about necessary policy change and improvement in business practices.
- Manage the Council's resources prudently and efficiently in accordance with good governance practices
- Maintain and adhere to a healthy work environment with a work culture that promotes organisational pride.

Council Services:

- ¹ Campaigns, Information and Media Division
- Empowers consumers and equips them with confidence, information and skills needed to make appropriate choices
- Mounts campaigns on major consumer issues to raise awareness and educate consumers to become participative, critical and competent about the delivery of goods and services.
- ² Alternative Dispute Resolution and Consumer Advisory Division
- Assists consumers in resolving complaints through ADR processes with traders and service providers.
- Provides advisory services to consumers on any enquiries on products and services
- Provides debt management and consumer credit advisory services to financially unsophisticated consumers.

³ Research and Policy Analysis Division

- Conducts research and prepares submissions on new or amended legislation or proposed price increases of goods and services
- Conducts research and prepares issue papers on major consumer concerns
- Proposes necessary changes to the respective laws, policies, practices, and standards, to ensure consumer issues are taken into consideration
- Conducts market surveillance to establish product prices, labeling and safety, etc.



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Consumer Council of Fiji

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22nd October 2014

Hon. Faiyaz Koya Minister for Industry and Trade Naibati House Goodenough Street Suva

Dear Minister,

Re: Consumer Council of Fiji Annual Report and Accounts 2013

In accordance with section 16 (1) of the Consumer Council Act, I submit herewith the Council's report for the year ended 31 December 2013, and a copy of the audited accounts for 2013 duly certified by the Auditors.

Yours faithfully

Raman Dahia Chairperson

Member, Consumers International (CI) Member, Standards Association of New Zealand (SANZ)

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BOARD OF DIRECTORS

BOARD OF DIRECTORS



Raman Dahia : Chairman

Mr Dahia is the Chief Liaison Officer of the Fiji International, a golf tournament co-sanctioned by PGA Australasia and One Asia. He is a Director / shareholder of Dahia Shoes / Footwear Industries operating entities. An accountant by profession, Mr Dahia, a Rotarian, is also a past president of the Fiji–New Zealand Business Council. He has also served on the executive boards of the Samabula Health Centre, Fiji TCF Council, Fiji Exporters Club and the Employers Manufacturing Training Group.



Dr Salesi F. Savou

Dr. Savou is now the longest serving board member of the Council, being appionted for the first time in 1989. He served the Ministry of Health as the Acting Director of Primary and Preventive Health Services from 1986 to 1988. After his retirement in January 1988, Dr Savou joined the National Food and Nutrition Council of Fiji as the Director, a post he held till December 1999.



Mrs Ilisapeci Bole

Mrs Bole is a former Principal Education Officer with the Ministry of Education and a volunteer worker with women's groups and current board member of the Consumer Council of Fiji. She has served in committees and boards of government and NGOs, including the United Nations Women's Forum for Heads of Mission Spouses in New York, the National Executive Board of the Soqosoqo Vakamarama, and the President's College of Honours.



Mr Vimal Kumar

Mr Kumar is the company director for Dai-ichi Auto House Ltd. Formerly an ANZ Bank and HFC Finance manager, Mr Kumar is a new board member who joined the Council in 2013.



Ms Deepa Mohini Lal

Ms Lal has thirteen years of work experience in the food industry. She has worked for Nestlé Fiji Limited for four years as a Laboratory Technician and as Factory Hygienist. She served at Atlantic and Pacific Packaging Company Limited (Subsidiary Flour Mills of Fiji Limited) for three years as Quality Assurance Manager. For the past six years, Ms Lal has been employed by FMF Foods Limited as the Group Quality Assurance Manager.

She joined the Consumer Council of Fiji as a new board member in 2013.

FUNCTIONS & ORGANISATIONAL STRUCTURE

FUNCTIONS OF THE COUNCIL

Section 6 of the Consumer Council Act stipulates the functions of the Council.The Council is required to do such acts and things it considers necessary or expedient to ensure that the interests of the consumers of goods and services are promoted and protected. These functions include:

- advising the Minister on such matters affecting the interests of the consumers
- making representations to the Government or to any other person/organisations on any issues affecting the interests of consumers
- collecting, collating and disseminating information in respect of matters affecting the interests of consumers
- supporting or maintaining legal proceedings initiated by a consumer, where such support is deemed necessary
- conducting research and investigations into matters affecting consumers
- advising and assisting consumers on matters affecting their interests
- co-operating with any person, association or organisation outside Fiji having similar functions and becoming a member of or affiliate to any international organisation concerned with consumer matters.

ORGANISATIONAL STRUCTURE

Chief Executive Officer



CHAIRPERSON'S MESSAGE



Chairperson's Message, Raman Dahia

It is with great pleasure that I present the Council's Annual Report for 2013.

With somewhat mixed feelings of honour and humility, I accepted the chairmanship of the Consumer Council of Fiji in 2013, for it is an organisation that is demonstrably so dynamic and successful in protecting our consumers. I, therefore, took it as a challenge to add further to the creation of a fair trading environment for both consumers and traders alike.

Together, with my board members, management and the staff of the Council, I have ensured the organisation continues to play its "watchdog" role in giving voice to consumer concerns, educating the public and providing redress to aggrieved consumers.

The Council's vision of having confident and informed consumers and trusted businesses in a thriving marketplace has continued to guide its activities reported in this annual report.

The greatest accomplishment for the Council in 2013 was the realisation of a successful outcome for our persistent lobbying for a better redress system and sound policies for consumer protection. The Prime Minister's announcement in the 2014 national budget speech that a Consumer Complaints and Compensation Tribunal will be established is the biggest win for the consumers.

With such a Tribunal in place, consumers will be able to seek redress in a timely manner with minimal costs. Similarly, the business community will benefit equally from the Tribunal because unethical actions by some businesses not only hurts consumers but also affects legitimate businesses that are genuinely based on ethics and fair play.

Another milestone for the Council is the Government's undertaking to set up a price monitoring taskforce led by the Ministry of Finance, the Fiji Revenue and Customs Authority and the Fiji Commerce Commission, to keep a tab on the prices of goods on which duties have been reduced. In previous years, Government's efforts to reduce duties to ease the financial burden on vulnerable consumers in coping with the cost of living were not effective because some traders failed to make adjustments in the retail prices of the goods or services after the budget announcements. The Council has been lobbying for sometime now for such a mechanism to be put in place, so this government undertaking is gratifying.

In 2013, consumers benefited through some relief offered by the raising of the personal tax threshold from \$15,600 to \$16,000. Also a 5% reduction in electricity tariffs helped many consumers who were struggling with their electricity bills.

The Council's new service, Debt Management and Consumer Credit Advisory Services, has provided a lifeline to consumers of financial services. The Council has a full-time staff dedicated to the handling of complaints relating to financial services. Consumers now seek assistance and advice on taking or repaying loans or when they have multiple loan accounts or when their house is under mortgagee sale. The Council has been able to assist consumers to repay their debts by creating a payment plan, and by helping them understand their rights and responsibilities as borrowers.

In realising its corporate goals, the Council received assistance from many stakeholders. I value and acknowledge the partnerships we have with government, donor agencies, public bodies, private companies, community groups and individual consumers. We recognise that these links are vital to implementing our work plan and to enhancing our reach to people who most need our support.

On behalf of the Council, I extend my gratitude to the Delegation of the European Union for their on-going support to the Council by providing funds to implement the project entitled: "Creating a Fair Marketplace for Consumers through Consumer Information and Redress Mechanisms". The objective is to create an assertive consumer movement enabling consumers to hold traders and service providers to account for substandard and defective products and poor service delivery.

I also thank Consumers International (CI), Consumers International and Regional Office of Asia and the Pacific (CIROAP) and consumer organisations in the respective countries for their never-ending support in providing technical and professional assistance and advice, and sponsorship to attend overseas workshops, seminars and conferences.

Building the profile and raising the image of any organisation is a dynamic and innovative process that demands goodwill and cooperation between the board and the management. I express my profound and sincere thanks to my Board of Directors for their input into Council's work.

On behalf of this Board, I am equally happy to expresses our sincere appreciation and gratitude to the Chief Executive Officer for leading this distinguished organisation so ably, and to her team for striving to meet the objectives and key performance indicators outlined in the Service Agreement.

Our thanks also goes to the line Minister and his staff for consultation and policy guidance.

Mr. Raman Dahia

Mr. Raman Dahia Chairperson



From our Chief Executive Officer, Premila Kumar

It is my pleasure to report on the Council's performance against the Service Agreement that was signed between the Council and the Minister for Industry and Trade for targets to be achieved in 2013.

I am gratified in particular that the Council, as in previous years, has accomplished all its targets and recorded some notable achievements. In delivering on its work plan, the Council has extended beyond its means during the year as consumers' expectations have increased. As the consumers are becoming more and more educated and have better understanding of their rights and responsibilities, the requests and demands made of the Council are ever increasing. While such rising expectations do pose challenges to our human and limited financial resources, the Council is overwhelmed by such consumer interest and support.

The Council is mandated to support and advocate for consumers and it does this by providing clear information; conducting market surveillance to ensure pricing and practices are not compromised; providing advice and support to consumers buying goods and services; solving consumer complaints through mediation; engaging with policy makers to strike a balance between producer and consumer interests; and fearlessly speaking out to promote consumers' interests.

The right to redress is a key consumer principle. When something goes wrong, consumers expect redress, whether that means rectifying the problem, securing compensation, having an investigation, or sometimes just receiving an acknowledgement of wrong doing. However, in the absence of effective consumer laws and in many instances, the refusal of redress, consumers have to be more vigilant and responsible to protect their interests in the marketplace.

The report provides statistics and detailed information on the number of complaints and their monetary value and how with Council's intervention consumers recovered \$2,118,520 million dollars through its mediation services. This amounted to 74% mediation success rate, a great result for consumers. Successful mediation is always a win–win situation for both consumers and respondents, when it comes to time and money.

Identifying trends in consumer complaints and enquiries and using these to improve services is a strategy that the Council uses to draw the attention of regulators, policy makers and the traders and service providers to emerging and intensifying problem areas. A variety of issues affected consumers in 2013: online shopping, hire purchase terms and conditions, misleading advertisements, rental car charges, unfair contract terms used by Tattslotto, missing couriered items, unreasonable stamp duty applied on tenancy and hire purchase agreements, incorrect application of the credit card levy, high airfares, interruption and loss of luggage during sea travel, poor health services, unfair treatment by Data Bureau and the increasing cost of living.

Fact sheets and newsletters were used to help consumers understand these issues, including specific feature articles, consumer tips, the 'Dollars and Sense' TV program, and talk-back shows in all three languages. Focusing on our ability to educate and engage with consumers swiftly, accurately and in desirable ways continued to be a priority.

Championing consumer rights can be strenuous and challenging. During the year, the Council highlighted the case where consumers lost their hard earned money when they placed orders with an online boutique, *The Pink Window Creations*. Indeed, online shopping has created a new genre of complaint for the Council to deal with when there are no laws to protect consumers engaged in e-commerce. It is difficult for the Council to keep pace with the rapidly transforming technology that is changing consumer behaviour. Any change in the market means a challenge for the Council to be more effective with the advocacy work so that consumers are not the victims of retail markets in a digital age.

Another pressing issue consumers faced was the quality of health services delivered to the public. Our lobbying for improvement in the health sector continued, calling on the Fiji Medical and Dental Secretariat (FMDS) to exercise a high level of responsibility and take a tougher stance against doctors and dentists failing to comply with the Medical and Dental Practitioner Decree 2010 and for medical or dental negligence.

Financial services is a critical area where reforms and better consumer protection is needed. The Council believes that abusive practices persist in the financial services sector because laws and regulations to protect consumers are lacking or inadequate. In 2013, consumers were exposed to two problems: first, incorrect application of the Government's credit card levy and second, HP companies' incorrect application of stamp duty on hire purchases (HP) agreements.

The banks' incorrect application of the 2% credit card levy, on FRCA's instructions, resulted in losses to consumers. Banks charged levy on credit card holders' accounts according to the respective bank's billing cycle rather than on the amount unpaid after the due date specified on the statement. This anomaly resulted in the consumers being overcharged. The Council's effort in 2013 was to get redress. Unfortunately, this issue has reached RBF's Complaints Management Forum without any resolution to date. FRCA is adamant that they will not reimburse the money to the banks but the banks have to re-adjust and reimburse overcharged amounts to consumers.

Banks are refusing to refund the money unless FRCA reimburses them.

From 1 January 2013, consumers who entered into hire purchase agreements were required to pay \$10 stamp duty for each agreement. The Council found that hire purchase companies had retrospectively charged \$10 stamp duty on all active accounts and also imposed penalty fees if this was not paid. The Stamp Duties (Amendment) Decree 2013 expressly stated 1 January 2013 as the effective date for the new rates. Charging \$10.00 for the agreements executed prior to 1 January 2013 is contrary to law and significantly affected low-income consumers.

Affordable housing remains a crucial issue for many Fijians, who are often caught in landlord-tenancy wrangles, having to move out of one rented premises to another. FRCA burdened residential tenants with a hefty \$500 stamp duty for each residential tenancy agreement. This seems an exorbitant, unreasonable and unfair tax. Stamp duty on a residential tenancy agreement is being imposed when there is no adequate legislation to protect consumers in case of disputes and where the majority of consumers are paying rent in the range of \$200 to \$400. The Council will work on this issue in 2014.

At the end of 2013, the Council launched an investigation into the trading practices of a popular lottery operator, Fiji Tattslotto. The Council found that the operator imposed unfair terms and conditions on its customers in Fiji. The Council's investigation had shown that the Fiji Tattslotto agent had not forwarded the numbers to the Tattersall's On-Line Gaming System in Melbourne on time; in fact, the customer's numbers were not transmitted until after the draw. The Australian Support team also advised the agent in Fiji that if the customer returns claiming a winning ticket, the following disclaimer should be pointed out on the receipt: *"This receipt does not constitute a valid game entry until accepted at the Tattersall's on-line Game System in Melbourne Australia"*.

They also advised that a refund can be offered if the customer does not wish to enter into the next draw.

Mobile phone products and services have become another major area of concern for the Council because access to mobile connectivity has become a necessity in the modern world. Yet bad business practices such as misleading advertisements, unfair terms and conditions, high call and data rates, poor customer care, spamming, and counterfeit headsets and batteries were rife in the sector. Consumer concerns related to mobile phones hit the brim of the tolerance level, mainly because of the absence of appropriate policies, laws, standards and redress mechanisms for mobile phone (and ICT) consumers.

The year 2013 will be remembered for the following pro-consumer decisions:

• Government reduced bus e-ticketing card price: The Coun-

cil successfully lobbied the Government to reduce the minimum price of the bus smart-cards from \$10 to \$2 after consumers raised their concerns over the \$10 price tag charged by Vodafone Fiji. The price reduction allowed thousands of consumers to purchase their cards for only \$2.

• Reserve Bank upholds 'No Surcharge Rule': Faced with mounting consumer complaints, RBF announced that it was upholding the 'no surcharge rule' on credit and debit card payments. The rule was in line with the merchant services agreement, which prohibits traders from charging their customers for using credit or debit cards.

• 'One Relative Policy' by Ministry of Health (MOH): The Council welcomed MOH's "One Relative" policy to improve health service delivery. The decision allows one relative to remain with an admitted patient to assist in the care of their loved ones, particularly when there is a shortage of nurses.

At the Council, our culture is one of commitment to duty and service delivery. The areas that form the core of the Council's work are consumer education, market surveillance and investigation, policy analysis and complaints resolution. All of these areas recorded creditable achievements. Unswerving dedication to our mandate led the Council in some instances to surpass the targets established for the year.

The Council therefore, zealously used consumer education and awareness programmes together with mainstream media and social media to transform the mindsets of the consumers.

The Council continued with its first ever consumer show called 'Dollars and Sense' on Fiji TV, which started in 2012 in partnership with AusAID and Fiji TV and ended in January 2013. The weekly programme was designed to empower consumers on their rights and responsibilities as stated in the Consumer Credit Act.

As confident consumers have an impact on spending and contribute to economic growth, consumer confidence is in everyone's interests. Among various strategies pursued during the year to build that confidence, the Council commissioned minor research and investigations, monitored advertisements, visited trader and service providers and issued letters when problems were discovered, made written submissions to regulators and policy makers, and interacted with government bodies, regulators, traders and service providers, including civil society groups. The Council is also represented on a number of boards and committees to ensure the consumer perspective is taken into consideration.

Conclusion

The Council maintained its excellent performance despite limited resources and major challenges, amidst the problem of attracting and retaining of skilled, high calibre and motivated staff.

Our partnerships with the European Union and Australian AID continued in 2013 and we are indebted to the two donors for their financial support in bringing a change in the lives of Fijian consumers. I also extend my gratitude to our sister consumer organisations abroad and Consumers International for their desire and commitment to help us throughout the year.

I would like to express my sincere appreciation to the chairperson and members of the Board for their vision, guidance and support during the year and also to my team whose hard work and enthusiasm make it all possible. I also thank our line Minister, the Permanent Secretary for Industry and Trade, government ministries and departments and consumer protection agencies for their support to the Council.

Special thanks go to consumers for their courage and will-power in coming forward with their complaints and

standing up in solidarity. Those who are silent supporters, I urge you to come forward and make consumerism stronger; those who are criticising our actions, I would urge you to learn from Council's various achievements over the years for the benefit of consumers.

Whilst I am very pleased with the level of interest and interaction our many supportive consumers have shown, I feel that many more consumers can do a lot to support the Council to better its delivery of services through raising their voices on issues that affect them. They need to provide evidence of instances where some traders and service providers may have treated them unfairly.

I am extremely excited about our journey ahead and look forward to listening to consumers, and representing them in the year ahead, ensuring that their voice is heard. The outlook for 2014 is an exciting one, as we plan campaigns to keep traders accountable to consumers, work with regulators to ensure they enforce legislative measures and work with government to develop policy that safeguards consumer interests.

My profound thanks to you all.

Mrs. Premila Kumar

Chief Executive Officer

THE MANAGERS



(L-R): Josua Namoce (Manager - RPA), Bindula Prasad (Manager - Projects), Mithleshni Gurdayal (Manager - CIM), and Watesoni Nata (Manager - ADR)



ORGANISATIONAL GOALS

GOAL 1

Our organisational goals help the Council to focus on effectively addressing consumer issues. A number of strategies were adopted to accomplish these goals and the achievements, as reported below

GOAL 1: Empower consumers with knowledge and information so that consumers can assert their consumer rights and make their voices heard in the marketplace

Consumer education empowers consumers with the best protection, such as the ability to choose wisely, to assert their rights, to resolve disputes on their own and to know what to do when they encounter unfair trade practices. Consumers today operate in complex markets, challenged by an expanding information base and a proliferating choice of products. Since making good choices and protecting their interests require a wider range of skills and knowledge, consumer education is critical.

The Council has taken an integrated approach to educating and sharing information with consumers, through school visits, lectures at tertiary institutions, workshops, community visits (in particular, to informal settlements and villages)and sharing information with private sector and all other major stakeholders, using social media, mainstream media and face-to-face interactions. Our hope is to create awareness of issues and how to handle them, and to reach out as widely as possible to vulnerable consumers, including less sophisticated traders. **Objective 1**: Provide consumers with the knowledge and skills that will permit them to improve their understanding of goods and services and become more aware of their rights, make better informed choices and know where to go for help.

The Council believes that well-conducted education programs can provide consumers with the best of all protections. To achieve the objective, the Council conducted the following activities:

Consumer Advisory Mobile Unit: Bringing Council personnel and expertise to the people proved to be an effective and resourceful approach to reaching out to consumers in person, so that they can access Council's services at their door step. The Council conducted 41 mobile unit visits in the Central, Western and Northern divisions, reaching out to 3,310 consumers: 1,883 males and 1,427 females benefited directly. As well as seeking advice from the Council staff, consumers were also able to lodge their complaints on goods and services.

Table 1: Counsumer Advisory Mobile Unit

2013	Central/ Eastern	' Western		Total
Number of mobile units	17	13	11	41
Total number of participants	1,619	741	950	3,310
Number of males	823	481	579	1,883
Number of females	796	260	371	1,427
Number of complaints lodged	13	7	10	30
Number of requests for advice	1,583	134	153	1,870

• **Community visits**: An important aspect of our consumer education programme is to reach out to the most vulnerable consumers where they live. The Council targeted the informal settlements, villages, women's clubs and youth groups where vernacular languages (I-Taukei and Hindi) are used. The Council also recorded complaints and provided redress to those affected. During 43 community visits in the three divisions (Central, Western and Northern), the Council staff reached out to 1,180 consumers from different communities and background, including but not limited to Wailea Squatter settlement, Salusalu Settlement, Namara Settlement, Covata Housing, Tuatua Housing, Tabia Nari centre, Lovu HART Home and Tovata Settlement.

Table 2: Community visits

2013	Central Eastern	Western	Northern	Total
Number of community visits	13	15	15	43
Number of females	191	239	195	625
Number of males	153	166	236	555
Total number of participants	344	405	431	1,180

• Workshops: Formal workshops provide a forum for public discussion and debate on pertinent consumer issues and consumer protection laws. The Council participated in 37 workshops, attracting 2,342 participants (1,043 females, 1,299 males). A range of organisations requested a total of 28 sessions for the Council to speak on consumer issues related to the respective workshop themes. For example, the Council gave presentations on: Copyright implications: from the consumer perspective at a Fiji Performing Rights Association workshop; Council's role in supporting the poor in Fiji at 2013 ODN Biennial Conference organised by USP; Consumer laws and redress in the free market economy at the Fiji Principals' workshop; Public expectations and delivery of service at a workshop for Commissioners for Oaths and Justices of Peace.

Table 3: Workshops

2013	Central Eastern	Western	Northern	Total
Number of workshops	20	8	9	37
Number of females	671	200	172	1,043
Number of males	949	108	242	1,299
Total number of participants	1,620	308	414	2,342

• School and tertiary institution visits: Schools provide an important platform for teaching children about consumer issues, and helping them to develop critical skills to act as responsible consumers is even more important. Young people are particularly susceptible to marketing pressure, have substantial spending power and are able to exert considerable influence on their parents' purchases. Taking advantage of this opportunity requires teachers to be familiar with consumer issues, and to have sufficient teaching resources available.

• The Council visited 46 schools, putting them in touch with 5,919 pupils/students: 2,963 males and 2,956 females across the three divisions were educated on issues such as healthy diets, product labelling, power of marketing, how to obtain redress and right to ask for disclosures when buying goods or services. The Council also used the opportunity to distribute its information kits (brochures, leaflets, newsletters) providing access to comprehensive information for the school teachers.

• A total of 143 students visited the Council's library or sought information for their school assignments and research projects. Economics students from two schools: Kavanagasau College, Sigatoka and Vashist Muni Secondary School, Navua, visited the Council as part of their school projects.

• The Council delivered 13 lecture sessions to 690 students (397 females, 293 males) from Fiji National University (College of Agriculture, Fisheries and Forestry; Business, Hospitality and Tourism Studies; School of Hair and Beauty; School of Maritime Studies; School of Catering), Nabua Vocational Studies, Integrated Info Systems (APTECH) and Sangam School of Nursing in Labasa on the need for ethics and values in business. Consumer protection laws and consumer rights and responsibilities, including the roles of the Consumer Council and the Commerce Commission, were also discussed at these lectures.



Members of the Early Childhood Teachers Association at Council's awareness workshop

• The Council was also invited by the Early Childhood Association of Fiji, the Early Childhood Teachers Association—Suva Branch, and the Waiqele Kindergarten Parents and Teachers Association to help them with understanding consumer rights and responsibilities.

Table 4: Consumer Education Outreach Programs

Programme	No. of People Advised
Mobile Unit	3,310
Community Visits	1,180
School Visits	5,919
Lecturer Visits	690
Workshops	2,342
Total	13,441

Objective 2: Disseminate information in respect of matters affecting the interests of consumers.

Today's consumers acquire much of their information from print, TV, radio and electronic media. These sources are particularly important for attracting the attention of consumers who might not normally seek specific information. In addition, we continued to develop appropriate relations with the media to ensure that consumer issues are included in the most widely accessed media – including newspapers, current affairs, talk back shows, popular magazines and regional publications.

Throughout the year, the Council highlighted a number of important consumer protection issues using a variety of communication

tools at its disposal. The Council released 98 press releases on 91 different issues during the year. It was also able to respond quickly and strategically to many issues affecting the interests of consumers that came up in the media. Reaching consumers swiftly and accurately helped in building the confidence that consumers need to operate in increasingly complex markets.

Table 5: Press releases

Key Press Release In 2013

E-Ticketing – Reduction in prices of card and minimum top-up quota
Dental Council needs to take tougher stance
Burning Buses major concern

Alternative Medicinal Products in the Fiji market

Beware of Expired Medicines

Beware of high Credit Card surcharges

Online boutique under scrutiny (The Pink Window Creations)

Consumers have won-Council welcomes 2014 national budget

Refund advance-payment school fees

Fiji Tattslotto Games Disclaimer

Mainstream Media

Using the vernacular languages to communicate better with the listeners, the Council targeted I-Taukei and Hindi-speaking listeners and viewers by participating in Fiji Broadcasting Corporation's morning and evening talk back shows and current affairs programs, *Aaina, NavRashtra, VitiNikua, Na Vakekeli, Gauna Ni Vuvale and Nai Kuri Ni Rogo.*

The Council also took part in numerous Radio shows in English on Hope FM and Radio Pacific, as well as talkback and interview shows: *Speak Your Mind* on FBC and *Close Up* on Fiji One.



Council staff during a radio talkback show on consumer rights

Radio: Overall, 2,098 radio programs were broadcast, dealing with 387 issues or advisory articles; 711 of the programs were in English, 717 in Hindi and 644 in I-Taukei. Radio programs covered such areas as unscrupulous travel agents, second-hand vehicles, phone scams, landlord and tenancy matters, dangers of shopping online, counterfeit mobile products, price hikes of certain food items, mediation to resolve complaints, and the role of the Consumer Council of Fiji. As well as these news and talkback features, the Council recorded 26 School Broadcast Unit (SBU) programs for the students in schools.

Table 6: Radio Programs

Language	Radio Program	No. of Issues
English	711	107
I Taukei	644	161
Hindi	717	99
SBU (English)	26	20
Total	2098	387

Television: A total of 170 news features ran on television, which included the continuation of the popular consumer reality TV show, *Dollars and Sense* on Fiji One (3 episodes, ending the series). The issues covered ranged from the online boutique controversy to demanding a strict price monitoring system, food safety regulations and a rental freeze.

Table 7: Television coverage

TV Programs	No. of Slots or Episodes
Fiji One	101
FBC TV	48
Dollars & Sense	3
Aaina Talkback	8
Viti Nikua Talkback	1
Na Vakekeli	4
Speak Your Mind	4
Close Up	1
Total	170



Fiji One interviews CEO on The Pink Window Creations

Print Media: In the newspapers, 230 news articles dealt with 154 different issues, such as product labelling, shipping concerns, second-hand vehicles, knowing your rights when dealing with money lenders, 2014 budget reaction, hoax mobile phone texts and many more.

Through press releases, the Council was able to bring about positive changes by alerting consumers on issues affecting them. For instance, with Council's intervention, the E-ticketing card purchase price was reduced from \$10 to \$2; minimum top-up for E-ticketing was reduced from \$5 to \$2; consumers were also made aware of new motor vehicle recall and strongly reminded to check expiry dates when buying medicines.

The 145 advisory articles published included 58 weekly consumer advice in the business columns of Fiji Times, ranked as a high circulation publication. The consumer experience in the context of the complaints shared in the narrative and what the law says helped consumers in decision making, detecting specific trends in the market, and driving improved consumer services. This experience suggests that consumers are interested in "real life" stories, rather than hypothetical or theoretical discussions. Sixty-one Shoppers Guide and 26 Focus articles were also published to provide guidance and knowledge to consumers on important consumer issues.

Table 8: Newspaper coverage

Newspaper Articles in 2013 (Languages)	Number of Articles
English	330
I-Taukei	36
Hindi	25
Total	391

Social Media

To supplement our traditional communication means, such as media releases, the Council leveraged a variety of digital platforms to promote its services and educate the public on a broad spectrum of consumer issues. Our digital communication tools included Facebook, website, online news, and surveys to promote consumer awareness.

The Council found space on a number of distinguished websites like Fijilive, FijiVillage, The Jet Newspaper, Fiji One News and FBC website as and when our press statements were issued. The Council used social-media – website, *www.consumersfiji.org* and Facebook, *consumersfiji* – which also carried a plethora of updated resource material on consumerism and consumer issues, which have been useful to many students doing research on consumer-related matters.

• Website: With 604 articles covering 254 issues posted on 28 websites, the Council has moved more into using this medium effectively to feature consumer issues; and many consumers used this medium to seek advice on consumer-related matters and to lodge complaints. As more and more people get tech-savvy and accustomed to internet, the Council believes that this form of media will increasingly reach out to thousands of consumers.

• Facebook: Almost twice as many consumers signed up in 2013 on Council's Facebook page, joining in the conversation on various crucial consumer issues – sharing views and raising concerns on matters affecting them. For instance, the top five issues that generated much debate on the Facebook space in 2013 were: the online boutique, *The Pink Window Creations* controversy, mobile phone scam texts, Inkk mobile 1 million kb data advertisement, schools not refunding school fees paid in advance, and exclusionary notices. By end of 2013, the Council had a remarkable 3,166 Facebook friends, compared to only 1,763 at year's beginning.



A glimpse of Council's Facebook page

Publications

• **Consumer Watch:** Two issues of Consumer Newsletter, 2,000 copies of each issue were published to report on key activities, achievements, progress and success stories. This in-house production initiative is distributed to different groups including policy-makers, policy-implementers and enforcement agencies together with ordinary consumers and advocates.

Traders also use these newsletters to upgrade their knowledge on bad business practice, ethics, new products in the marketplace and the popular – 'Thumbs Up and Thumbs Down' column, which names and shames those businesses that border on bad business practices.



Fact sheets were used widely to educate consumers

• Fact sheets: Fact sheets on relevant topics can be a useful way to promote and support education initiatives. A total of 10,000 copies of Switch and Save fact sheets were distributed to encourage consumers to use energy-saver light bulbs in order to reduce electricity bills and also help ease the energy demand; and 10,000 copies of *Broadband Nutrition* Labelling were printed for consumers to demand for disclosure on speed variation, reliability, service limits and conditions, and pricing, to enable comparative shopping.

• An article on 'The challenges of combating the counterfeit goods trade in Fiji' was published in *ISO Focus Vol. 4, No.5/6,* Switzerland

• 'The Case of Fiji: Irresponsible lending practices in consumer credit markets' was published by Consumers International, which can be accessed through - www.consumersinterational.org

• A paper on "Integrity, quality and safety of food in Fiji" was submitted to the Federation of Malaysian Consumers Associations (FOMCA), to be published later.

Objective 3: Mount campaigns on key consumer issues to raise awareness and educate consumers to become participative, critical and competent in accessing goods and services.

• Switch and Save campaign: An awareness campaign was launched to encourage consumers to switch to energy-saver light bulbs in order to reduce their electricity bills, and contribute to sustainable consumption. The fact sheet gave consumers comparisons of the costs (in their FEA bills) between normal and energy-saver light bulbs. For example, a consumer who replaces 10 normal 75w bulbs with energy-savers (14w) will be able to reduce his/her monthly electricity bill by \$25.90 if each light bulb is switched on for 4 hours per day on average.

• Campaign on Broadband Nutrition Labelling: Consumers are often mired in misleading advertisements when accessing internet services. In this regard the Council launched Campaign on Broadband Nutrition Labelling, aimed at getting internet service providers (ISPs) to be truthful in the information they provide to consumers.

The Council called on the ISPs to provide a Broadband Disclosure Statement that is a summary of important or essential information to assist consumers to make an informed decision and also allow them to compare services between various ISPs in the market.

The Broadband Disclosure Statement proposed by the Council involves 5 basic components: speed variation; reliability; service limits and conditions; pricing information; and other information. The need for a Broadband Disclosure Statement is based on consumer complaints and the results of consumer surveys on broadband internet services.

The Council launched the campaign on its Facebook and website, attracting comments and reactions on this subject.



Attorney-General and Minister for Industry and Trade Aiyaz Sayed-Khaiyum at the launch of the 2013 World Consumer Rights Day (Source: The Fiji Times)

• World Consumer Rights Day (WCRD): WCRD was celebrated with the theme "Consumer Justice Now – Call for Reforms", during which the Council highlighted consumer injustices prevalent in the financial sector. We highlighted injustices consumers face in the hire purchase industry, mort-gagee sales processes, the insurance industry and data bureau operations. At the same time, the need for review of the Money Lenders Act Cap 234 and the Consumer Credit Act 1999 were also bought to the forefront.

The Council had also given an opportunity to financial service providers to rebut or present their perspective on these injustices that the forum was highlighting, keeping the forum open, fair and meaningful. The Council sees the financial arena as one that urgently calls for reform as complaints received against financial institutions allege that consumers have been led to lose either their homes or their entire life's savings. The event was a success with 105 participants focusing on the issues raised; in particular, they called steadfastly for the setting up of an independent Financial Commission.



Vinod Patel Staff attending a workshop organised by the Council

Objective 4: Encourage active participation and consumer awareness amongst traders and service providers.

Empowering traders and service providers on consumer rights and responsibilities equips them with the knowledge they need to operate in the marketplace. The Council reached out to several traders and service providers, educating and informing them on consumer rights, consumer laws, redress mechanisms and cases of unfair trade practices.

A number of traders also requested Council to make presentations to their staff on consumer issues so that they do not infringe on consumer rights when doing business. The Council made 10 presentations to the business sector in the interests of further enlightening the business community on consumer laws, consumer rights and ethical business practices.

Table 9: Awarness Programs with Traders/ Service Providers

Name of the Organisation	Topic(s) Discussed	Location
Communications Fiji Limited	What the Council Does	Suva
Rotaract Club	Ethical Business Practice and Standards	Suva
BSP Lautoka	What the Council Does Banking and Insurance complaints	Lautoka
Courts Fiji Limited	What the Council Does Consumer Rights and Responsibilities	Lautoka
Danam Fiji Limited	What the Council Does Consumer Rights and Responsibilities	Lautoka
Carpenters Fiji Limited	Consumer Credit Act	Suva
Fiji National Provident Fund	Customer Focus	Suva
Westpac Bank	Bank related complaints handled by the Council	Lautoka
ANZ Bank	Feedback Session for ANZ Managers	Lautoka
Vinod Patel and Company Limited	Consumer Rights and Responsibilities Hardware related complaints	Suva

ALTERNATIVE DISPUTE RESOLUTION

GOAL 2



GOAL 2: To assist consumers in resolving complaints through Alternative Dispute Resolution (ADR), advisory services and legal representation

For many vulnerable people, the Council provides a lifeline in resolving problems they confront when buying goods and services. The Council provides an affordable avenue for consumers who do not have the resources or time to go to court to seek redress

Objective 1: Resolve consumer complaints through 'mediation' with traders and service providers.

In 2013 the Council registered a total of 1990 complaints worth \$3,106,911.The Council through effective mediation managed to resolve 1465 complaints, which resulted in putting \$2,118,520 back into consumers' pockets. The mediation success rate for the year is at a high 73.61%. Successful mediation is always a win–win situation for consumers and respondents. This not only provides quick redress but also saves court's time in resolving the disputes.

Table 1: Summary of Consumer Complaints	Table 1: Summary	of Consumer	Complaints
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	Central/ Eastern	Western	Nothern	Total
Total registered complaints	1167	494	329	1990: 166 cases per month
Total number of cases resolved	808	409	248	1465: 122 cases per month

A total of 1,990 complaints was received in 2013, with total value of \$3,106,911. Of these, 1,465 complaints, to the value of \$2,118,520, were resolved through mediation.

At 1,990, the number of complaints received in 2013 had dropped from the 2,232 in 2012. Despite this 11% drop, the monetary value of the losses had increased from \$2,901,132 in 2012 to \$3,106,911 in 2013. The decrease in complaint numbers reflects willingness among consumers and traders to resolve the cases amicably.

Number of Mediations held in 2013

Respondents and complainants were brought together with Council personnel for mediation meetings to find solutions to 249 cases of complaint lodged at the Council. Table 2: Meetings/Mediations

ADR MEETINGS/MEDIATIONS in 2013			
First Quarter	62		
Second Quarter	81		
Third Quarter	49		
Fourth Quarter	57		
Total	249		

Top Six Complaints received in 2013



1. Clothing

The 'Clothing' complaints top the list with a total of 239 complaints, as a result of the flood of complaints received against one particular online boutique, '*The Pink Window Creations*'. The Council used social and mainstream media to highlight the issues, which resulted in consumers coming forward to lodge their complaints. As a result, 203 complaints worth \$67,871 were registered against this online boutique while 36 complaints were filed against other clothing stores. This company took payment for pre-ordered clothing items but failed to supply. The Council, having exhausted mediation, referred these cases to the Fiji Commerce Commission, which has proceeded with enforcement action against this business for the breaches under the Commerce Commission Decree 2010.



The Pink Window Creation's Facebook page

2. Mobile products

Complaints related to mobile products ranked second on our list with a total of 202 complaints. It is foreseeable that these complaints will continue to increase since Fiji does not have the necessary standards to prevent the importation of such shoddy products into the country.



Mobile phones on display at a local store

3. Electronic goods

The Council received 197 complaints in this category, following closely on the heels of mobile products. Problems that arise from electronic products somewhat reflect the quality of the goods that are sold in the market today. Consumers were dissatisfied with the after sales service, often having to wait for months to get the product fixed. Warranty terms and conditions were not clearly explained, which resulted in disputes when traders demanded repair costs despite extended warranty.

4. Landlord and Tenancy

Landlord and tenancy was next, taking a rather more background position than in the past 5 years, when landlord and tenancy complaints always topped the list of complaints. The slight decrease may be attributable to more consumers being aware of their rights and obligations. Issues brought to the Council under this category were: non-refund of bond

ALTERNATIVE DISPUTE RESOLUTION

money; landlords not issuing receipts; not giving a month's notice to vacate; utility bills incorrectly apportioned; premises not suitable for habitation; and illegal increase in residential rent despite the residential rent freeze.

5. Utilities

Utility companies also came in for an appreciable share of the spotlight. Complaints were received against the Water Authority of Fiji (WAF) and the Fiji Electricity Authority (FEA). Complaints against WAF related to high billing; water supply disruptions; and water pipe leakage issues. Complaints against FEA clustered around the general quality of customer service; lack of clarity in billing; high billing; inaccurate metres; estimated readings; and disruptions to power supply. Complaints against FEA continue to trickle in and unfortunately, remedies available to consumers are quite limited as the outdated Electricity Act does not provide consumer protection.

Impacts

The impacts of mediation are numerous but we wish to share few cases that indicate that despite poor consumer protection legislation and redress mechanisms, the Council had considerable success in mediating disputes.

• Life Insurance Corporation of India (LICI) overturned its previous decision to reject a claim for an insurance cover on disability grounds. Mr Jack was paid a sum of \$1580.00 and he will receive \$260.00 a month as a result of the Council's mediations

• Max Marketing & Publishing in Suva was not responding to Mrs Rakai's request for a refund. She had paid \$700 for the supply of hats but she received hats in the wrong colour. After the Council's intervention, Max Marketing & Publishing agreed to refund the full amount to Mrs Rakai

• Tomasi purchased a vehicle that developed mechanical problems only four months after it was purchased. The warranty offered was for 3 months or 6000km, whichever came first. When the faults developed in the vehicle the mileage was 3067km. Tomasi lodged a complaint with Carpenters Motors, and he was advised to take the vehicle to a particular garage in Vatuwaqa for diagnosis. However, after the diagnostic report was generated, Carpenters took no further action. Tomasi then lodged a complaint with the Council. Upon Council's intervention, Carpenters Motors offered to repair Tomasi's vehicle without any costs.

Objective 2: Advising and assisting consumers on matters affecting their interests.

There was a noticeable upsurge in consumers seeking advice on products and services. In 2013, a total of 4,222 consumers sought advice from the Council on a range of issues, an increase by 200% when compared to 1,953 pieces of advice issued in 2012. Some 1186 consumers sought advice in the Central, 546 in the Western and 628 consumers in the Northern divisions. In all, 1862 advisories were issued face-to-face during Mobile Units. **Objective 3:** Refer cases that come under the jurisdiction of other consumer protection agencies for their intervention.

When mediation is unsuccessful, we refer complaints to other consumer protection agencies, depending on the facts of the case and the jurisdiction of the particular agency to handle that complaint. In this way, 116 complainants were referred to other authorities as shown below:

Table 3: Other consumer protection agencies

Authorities to whom consumer complaints are referred			
1.	Fiji Commerce Commission		
2.	Ministry of Industry and Trade		
3.	Fiji Police Force (CID Unit)		
4.	Ministry of Health (Food Unit)		
5.	Fiji Medical and Dental Secretariat		
6.	Department of Forestry		
7.	Land Transport Authority		
8.	Department of Trade, Measurement and Standards		
9.	Reserve Bank of Fiji (Complaints Management Forum)		
10.	Department of Justice		
11.	Registrar of Money Lenders		
12.	Registrar of Valuers		
13.	Legal Practitioners Unit		
14.	Real Estate Licensing Board		

Objective 4: Supporting and maintaining legal proceedings contemplated or initiated by a consumer, where the Council deems such support or maintenance necessary.

The Council referred 204 complainants to the Small Claims Tribunal (SCT). Consumers who were referred to SCT were assisted with completing the SCT claims forms. In preparing consumers' claims, the Council advised them appropriately of the procedures to follow and what to expect when their cases are heard at the Tribunal. Thirty-five consumers were given assistance in preparing their 'statements of defense'.

Objective 5: Provide debt management and consumer credit advisory services to financially illiterate consumers.

Since the introduction of the Debt Management and Consumer Advisory Services at the Council, we have received a steady flow of consumers seeking information about their rights and responsibilities under the Consumer Credit Act. The Council's work revolves around providing financial advice on financial products; understanding financial contracts; tips on borrowing; what to look out for when looking for a home loan, why demand a pre-disclosure statement; preparing budgets to understand income and expenditure; and restructuring of consumer credit accounts with the relevant credit institution. Fifty consumers sought advice from the Council in relation to either taking or managing loans. A further 21 consumers were assisted with the restructure of their credit accounts because of financial hardship, to a total value of \$216,325.

When compared to 2012, more consumers sought assistance under the Council's Debt Management and Consumer Advisory Services. Not only did more consumers seek advice on financial products and the Consumer Credit Act, but they were also assisted with their loan restructure.

Case Study 1

Mr Nelly, a businessman, inherited a property from his father. For business purposes he drew a loan against his home for a sum of \$171,928 with monthly repayments of \$1,599.

Unfortunately, his business was not performing well and he was unable to keep up with repayments. His property was put on mortgagee sale with advertisements appearing three times in the local dailies. His arrears accumulated to \$14,844.83 and Mr Nelly was given 14 days to clear off the total arrears.

The Council intervened and mediated for an account restructure with the bank. The bank gave Mr Nelly an opportunity to clear the arrears but decided not to restructure the loan. The bank also removed the property from a mortgagee sale list. Mr Nelly was able to save his home from being sold by the bank.

Case Study 2

Mr Manu financed the purchase of his vehicle with a loan of \$9,828.00 in January 2011. His repayments as per the credit contract were \$273 per month. Unfortunately, in November 2012, Mr Manu lost his job. Following this, he immediately paid a visit to his credit-provider advising them of his current employment status. The credit provider advised Mr Manu that he should continue to pay whatever amount he could afford. Mr Manu had no choice but to continue with his repayments using his personal savings. His payments ranged from \$100 to \$350 a month from November 2012 till April 2013.

In May 2013, Mr Manu was lucky to find employment but at a lesser salary than what he had earned at his former job. Since his repayments had been inconsistent when he was in financial hardship, Mr Manu received an Arrears Notice for the sum of \$953.56, giving him 30 days to pay the same.

Following Mr Manu's request for assistance, the Council liaised with Credit Corporation (Fiji) Limited for an account restructure on the grounds of hardship. The Credit Corporation agreed to assist Mr Manu under section 66(2) (a) of the Consumer Credit Act 1999. As a result, Mr Manu's account was restructured and his repayments were reduced to \$200 a month.

GOAL 3

RESEARCH & POLICY ANALYSIS



Some goods/services under watch during Council's market surveillance

Goal 3: To identify and undertake evidence-based research on key consumer issues and consumer protection legislation to bring about necessary policy change and improvement in business practices

For a thorough understanding of the root causes of the problems that arise, the Council engages in evidence-based research, prepares issues papers on key consumer concerns, and conducts market surveillance to protect consumers from unscrupulous traders and service providers.

Objective 1: Advising the Minister on matters affecting the interests of consumers.

In 2013, the Council prepared three issues papers with recommendations, after carrying out in-depth research to highlight consumer concerns. One issue paper dealt with consumer injustices occurring in financial services, specifically focusing on hire purchase; mortgagee sales; Fiji Data Bureau operations; insurance; money lending; and the Consumer Credit Act where consumers needed better protection in financial services. Another paper was prepared on the management of security deposits collected by the utility companies, where interest generated on the payments made as security deposits are not passed on to consumers. The third dealt with wrongful application of the credit card levy. The Council used these papers as the basis for lobbying the Minister for necessary policy change.

Impacts

• The Council submitted a draft cabinet paper to the Ministry of Industry and Trade on the establishment of a Consumer Tribunal. Cabinet approved this proposal and in the national budget speech, 2014, the Prime Minister announced the intention to set up such a tribunal.

• The application of the credit card levy treated unfairly those card holders who paid up their account before the due date as stated on the credit card statement. In practice, consumers were expected to pay the 2% levy based on their bank's billing cycle, not according to the due date stated on their statement. It was ironical that consumers did not know the bank's billing cycle and yet they ended up paying the 2% levy despite clearing the outstanding debt before the statement due date. In light of this anomaly, in May 2013, the Government amended the Income Tax Act (Cap 201) by Decree No 16 of 2013 termed Income Tax (Amendment) Decree 2013 to ensure the levy was charged on the outstanding amount after the due date and not according to bank's billing cycle.

Objective 2: Making representations to the Government or to any other person(s) or organisation(s) on any issues affecting the interests of consumers

The Council strives to see consumers put at the heart of policy making, giving priority to consumer issues, to ensure there is fairness in the trading system. The Council regularly makes submissions and representations to the Government, policymakers, regulators and other relevant bodies on issues affecting the interests of consumers. The Council's submissions ensure that the consumer voice is heard in the formulation of policies, the enactment of laws and regulations, and other reforms.

These submissions are initiated either by the Council or by other institutions. Submissions initiated by the Council are often based on consumer complaints on systemic issues or from the Council's market surveillance work. For example, in its 2014 National Budget submission, the Council highlighted two examples in which reduction or removal of duties was not being passed on to consumers through a decrease in retail prices. The first was for smart phones that had zero duty; and the second was for new vehicles on which, in 2011, the Government reduced duty from 32% to 15% for engine capacity of 2500cc and below. The Council's surveys found no marked decrease in retail prices.

Representation

During the year, the Council made representation to various forums to influence positive change for consumers who are either dissatisfied with the services provided by public or private institutions or new policies being introduced by the government. A few examples are given below:

• The Council made representation at the Health Policy Technical Support Group (HPTSG) established by the Ministry of Health to highlight poor health services to consumers and the ineffectiveness of the Fiji Medical and Dental Secretariat in solving complaints

• At the PM's Talanoa Session, the Council made representation on issues such as the high cost of living; the need to set up a monitoring unit to ensure reduced duties are passed on to consumers; and the need to protect consumers' security deposits collected by FEA, WAF and the telecommunications sector, which are in millions of dollars. An independent Securities Commission on the model of the Data Bureau was recommended to manage security deposits

• The Council also wrote to the Chairman of FRCA on the wrong application of the 2% credit card levy, which is not in line with the May 2013 Income Tax (Amendment) Decree.



Submissions

In 2013, 12 written submissions in all were made to various government authorities, regulators and policy makers (see Table 1).

Table 1: Written submission to authorities

2013 Submissions	
Issue	Submitted to
1. National Energy Policy	Department of Energy
2. Objection to Regulating Driving School Fees	Land Transport Authority
3. Draft Self-Regulating Guideline:	Fiji Commerce Commission
Advertising and Selling	
4. Draft Self-Regulating Guideline:	Fiji Commerce Commission
Financial Services	
5. Draft Self-Regulating Guideline: Landlord and	Fiji Commerce Commission
Tenancy	
6. Draft Self-Regulating Guideline: Towing Services	Fiji Commerce Commission
7. Draft Self-Regulating Guideline:	Fiji Commerce Commission
Second-Hand Motor Vehicles	
8. Draft E-ticketing (Bus) Regulations	Land Transport Authority
9. Draft National Energy Policy 2013	Department of Energy
10. 2014 National Budget	Ministry of Finance
11. Draft Information Standards for Consumer	Department of National Trade
Goods and Services	Measurement and Standards
12. Draft Volatile Substance Abuse Control	National Substance Abuse
Decree 2013	Advisory Council

Impacts

• Most of these submissions were initiated by regulatory agencies in response to the Council's advocacy work from previous years and could be deemed as positive impacts, achieved as part of our role in safeguarding consumer rights. For example, the Fiji Commerce Commission's (FCC) draft self-regulation guidelines on advertising and selling, financial services, landlord and tenancy, towing services and second-hand motor vehicles all target issues that the Council had been highlighting for the past several years

• Government accepted three requests included as part of the Council's budget submission. Zero fiscal duty on adult diapers will assist consumers coping with incontinence and mobility impairment. The Government also agreed to set up a Monitoring Task Force to monitor duty concessions and to ensure consumers enjoy decreased prices at retail level. In November, the Council's submission that vehicle towing service fees be regulated won approval, with the FCC imposing rules and minimum fees and charges for towing service providers. Prior to the FCC's undertaking, the Council was already highlighting the issue of exorbitant fees and unfair trade practices prevalent among towing services

• Finally, the crowning gain for consumers was the Government's undertaking to set up the Consumer Compensation Tribunal for speedy redress.

Objective 3: Conducting research and investigations into matters affecting consumers.

The Council recognises that the vast majority of businesses provide valuable goods and services and actively support consumer protection by complying with consumer protection laws. There are, however, some problematic high-risk businesses that continue to be in the greatest need of oversight.

Minor research and investigations

The Council takes up the issues of relevance and interest to consumers, using research to identify problems while engaging with consumers and organisations to develop policies that help. Research and evidence-based advocacy allows the Council to tackle unfair practices and expose companies, regulators and services that adversely affect consumers.

The Council completed a total of 74 minor research and investigation tasks in 2013. Some were complaints-driven and others were based on findings from regular market surveillance. The Council also undertook research or investigations on issues that were raised by consumers through the media and other forums. Some of the note worthy research/investigations of 2013 are noted in Table 2.

lssues	
Differences in trade-in value and pricing practices of local jewellers and foreign jewellery buyers	Service station surveys on the air pressure, toilet and water facilities
Survey and comparison of customer security deposit management and practices	Imposition of insurance and other levies by school administrators and management despite Government's efforts to reduce cost of education.
Lumps in Rewa Life liquid milk and other quality issues	FNU fee structure – discriminatory fees, unsubstantiated fees, inconsistency in fees, poor services
Non-disclosure of ingredients – unknown gelatin fat type (vegetable or animal) in marshmallows	Insurance payout on cyclone affected residences in Vomo Street, Lautoka
Monitoring of chicken stock and size availability in supermarkets	Mobile phone repair outlets taking too long to deliver repair services
Sale of fake ABRO RED RTV silicone sealer by Rups	Dentist operating 5 clinics despite Fiji Dental Council revoking her practising licence

Social welfare recipients were given MH own-brand tinned fish despite availability of other brands	Consumer concerns over customer loyalty programmes, e.g. lack of in- formation, lack of consumer gains
Unfair application of stamp duty on hire purchase contracts	Price survey on new motor vehicles (2ltrs and less) to asce- rtain any positive impact of duty reduction in 2011 Budget policy
Use of unsubstantiated claims in marketing of Quantum energy products	Consumer concerns on animal fat content of gelatin in ice cream
Annual July Price Survey of basket of goods-1 July 2012–30 June 2013	Survey of pharmacies –display/ disclosure of FCC medicines price control list and tags
Poor services and business practices of inter-island shipping operators, e.g. MV Lomaiviti Princess	No topping up of subsidised student bus e-ticketing cards
Unsubstantiated claim –RAMBO sandals 'STYLED IN CZECH REPUBLIC'	Price difference between butter and margarine
Comparative analysis of exchange rates offered for AUD, NZD and USD by banks and foreign exchange agents	Research on the expiry date of Mobil engine oil products
Tracking of changes to terms and conditions of banks savings, transactions and lending products for the awareness of consumers	Research on 4G mobile network systems
Survey of diabetic food availability	Price monitoring of imported fruits and vegetables
Unfair auto-renewal of subscription by Vodafone and Digicel, for prepaid internet bundles	Monitoring of price and availability of palm oil
Flyer on \$55 Registration charge, guarantee of place in any Australia or New Zealand university - unsubstantiated "guarantee" claim and non-recognition by Fiji Higher Education Commission	Problems with Vodafone Fiji prepaid credit purchase via BSP SMS Banking – bank accounts debited, but no credit received on phone
Price monitoring survey of baby feeding bottles	Receipts using foreign language print-out, contrary to Section 79 of VAT Decree 1991
Price monitoring survey of adult sanitary diapers	\$99 Sky Pacific promotion started on 01/11/13 but full terms and conditions were not available to consumers



Unsubstantiated claims on sandals were of a concern

Impacts from Minor Research and Investigation

The following are impacts from the Council's minor research and investigations:

• Fake ABRO RED RTV silicone sealer was removed from shelves by Rups Big Bear after the Council's investigations found this to be counterfeit. Rups was unable to substantiate the authenticity of the product

• Surveys and surveillance on pharmacies' non-compliance

with price control display rules created a lot of publicity and prompted Fiji Commerce Commission and Fiji Pharmaceutical Society to reaffirm the price control requirements. Pharmacies not in compliance rectified the problem by properly displaying the price control lists

• Impacts from service station monitoring: TOTAL service stations now regularly post notices to inform consumers on corrective actions, which was previously not done

• Good World Supermarket amended its receipts to be printed in the English language. Previously, these were in Chinese script, contrary to Section 79 of Value Added Tax Decree 1991.

• Sky Pacific provided full terms and conditions on its \$99 promotion after the Council found that these were not being made available to consumers.

Advertisement Monitoring

Unfortunately, consumers are not immune to exposure to the misleading or deceptive advertising some businesses use. Forty-nine advertisements were monitored in 2013, including print, radio, television and in-store advertisements and information. A large part of the advertisement monitoring work is on ad-hoc gimmicky promotions that appear from time to time, particularly with mobile phone operators and supermarkets.

Impacts of Advertisement Monitoring

• Out of the 49 advertisements monitored, 31 were either amended or removed after the Council's intervention. It is important to note that the amendments and removal of the misleading advertisements means that possible consumer abuse has been averted, benefiting thousands of consumers

• CJ Patel printed 2,000 stickers to cover a reference to a "Scratch and Win" promotion that had ended though products sold were still bearing the promotion message

• Vodafone improved the terms and conditions of the i-Pass prepaid internet bundle subscription, in a bid to clarify the auto-renewal function to consumers

• Fiji Football Association issued a public apology in the Fiji Sun (Fiji FA lift out) on 24 October, after a raffle it had organised and promoted was cancelled without prior notice to ticket buyers

• Inkk Mobile removed its \$19 Flashnet web advertisement, which was still on its website although the introductory offer had ended and the normal price of \$29 was being charged

• Nag's Fashion Footwear, Suva removed a CEBO sandals flyer with an unsubstantiated or false claim, which read "made in the Czech Republic"

• New World Lautoka amended labels on hand towels,

which had the words "SET OF FOUR" despite only one hand towel being provided

• Prouds acknowledged an error on its advertisement in the Fiji Times where it incorrectly advertised a Sony Xperia E smartphone as having 2GB RAM instead of 512MB RAM. Prouds amended the advertisement and provided 2GB RAM to the complainant who was misled by the advertisement

• Kasabias Lautoka amended its advertisement on garden hoses, which incorrectly stated the dimensions as "15mm x 30m" when the hose was only "12mm x 20m".

Objective 4: Conduct research in partnership with Regional and International organisations.

The Council partnered with Consumers International (CI) to conduct two surveys. One was a CI survey on *Effective Approaches in Financial Consumer Protection* and the other a CI Members Survey on *Consumer Indebtedness*.

The Organisation for Economic Co-operation and Development (OECD) had launched a survey to identify '*effective approaches for implementing the OECD principles on financial consumer protection*' and asked for input from consumer organisations. When CI turned to its members to provide their input in the survey in March 2013, the Council responded. The survey covered national issues and examples on: complaints handling and redress; disclosure and transparency; and responsible business conduct. It also looked at regulatory and self-regulatory measures as well as practices in low, middle and high income countries.

The survey on consumer indebtedness aimed to assess the tools that countries use to address consumer indebtedness. It covered such issues as: the role of the national financial services regulator (in our case, RBF); measures (if any) put in place to address consumer indebtedness; monitoring of unscrupulous financial activities such as pyramid schemes; and the operation of credit bureaus.

These surveys and other activities undertaken with CI and other regional and international organisations ensure that consumer issues in Fiji are taken into account in the international agendas of consumer issues.

Objective 5: Conduct market surveillance to establish product prices and compliance with product labelling and safety requirements or misrepresentation.

Market surveillance conducted by the Council was to check for



Examples of market surveillance findings

or detect suspected or alleged market manipulation and price rigging, or check on insider trading information (dobbing in), to ensure integrity and fairness are upheld for consumers in the trading environment. Market surveillance allows the Council staff first-hand observation and insight into business practices (both good and bad). This activity is not only confined to mystery shopping but also involves proactive interaction with traders when problems are identified. Market surveillance has become a preventive measure; promptly rectifying problems to ensure consumers are not cheated has had a strongly deterrent effect. The Council's market surveillance work in 2013 continued to produce results with positive impacts for consumers.

Trader and Service Provider Visits

A total of 215 trader and 94 service provider visits was undertaken in 2013, allowing Council staff to monitor retail outlets as well as follow up on complaints and tip-offs from consumers and members of the public. As a result, 220 letters were issued to traders and 132 letters to service providers where problems were discovered; 207 letters (including emails) were sent to or copied to regulatory agencies to keep them in the loop in regard to non-compliance. As many as 202 traders and service providers responded to our letters and emails, most of them writing to acknowledge the problems and report undertakings to rectify them.

Impacts of trader and service visits

• In all, 236 traders and service providers immediately rectified problems (expired food items, damaged items, labelling issues, etc.). The trader and service visits now involve proactive direct on-site discussions with store managers and meetings with management for effective rectification of issues that our surveillance team discovered. In the past two years, as well, the Council has seen an increase in Ministry of Health action on restaurants and health matters after they have seen our market surveillance reports

• Nine exclusionary notices—"Goods Once Sold Cannot Be Returned"— were discovered during market surveillance and from complaints lodged with the Council. These were all removed by the traders. It is illegal for a trader to impose a condition that prevents consumers seeking redress if products purchased are not of merchantable quality

• Nasinu Town Council temporarily closed and initiated legal proceedings against Nita's Car n Fast Food (restaurant) after Council's market surveillance found the restaurant to be a public health hazard

• Nausori Town Council (NTC) took enforcement action against Taras Supermarket, Lokia Shopping Centre and MH Nausori after the Council's trader visits found damaged food packaging. NTC condemned a total of 87kg food items

• Food and non-food items with damaged packaging were removed by MH Korovou. This action prevented vulnerable rural consumers from purchasing these items since traders in the small towns are often not subject to regular monitoring by enforcement agencies.

Objective 6: Engagements with Government, regulators, private sector and NGOs and civil society groups

This year the Council continued to consult actively with a variety of stakeholder groups with an interest in furthering consumer protection, education and sound business practices. Policymakers and industry groups often consult the Council on matters affecting consumers in Fiji and in 2013 the Council undertook a total of 112 engagements with government bodies, regulators, traders and service providers, including NGOs and civil society groups.

Government boards and committees: Twenty-one meetings were held with various government boards and committees. The Council's status as the statutory representative of consumers in Fiji has made it an important partner for various Fiji consultative and policy-making bodies. Some of the consultative groups that the Council serves on are:

- Trade Standards and Advisory Council (TSAC) of the Ministry of Industry and Trade
- Central Board of Health (Ministry of Health)
- Fiji National Codex Committee
- Food Task Force –Technical Advisory Group (Ministry of Health)
- Fiji Medicinal Products Board (Ministry of Health)
- National Industry Working Group (NIWG) of Telecommunications Authority of Fiji
- Reserve Bank of Fiji Complaints Management Forum
- Fiji Pharmacy Profession Board (Ministry of Health)
- Health Policy Technical Support Group (HPTSG) (Ministry of Health)
- Diabetes Fiji.

Stakeholder consultations and forums: These are important stakeholder forums to which the Council is often invited as the representative of consumers. The Council attended the following 41 consultations and meetings during the year (see Table 3).

Table 3: Stakeholder consultations

Consultation Issue	Stakeholders	
Fiji Commerce Commission – Consultation on WAF industrial liquid waste	FCC, WAF, manufacturers, business representatives	
Fiji Commerce Commission – Consultation on domestic shipping services fares and freight charges	FCC, shipping companies, government and business representatives	
Consultation on review of National Food and Nutrition Centre	Consultant Dr Winsome Parnell, Associate Professor, Dept. of Human Nutrition, University of Otago, NZ	
Consultation on battery standards	PS-MIT, DNMTS, stakeholders	
Consultation on Fiji real estate industry development	Ministry of Strategic Planning	
Consultation with Transparency International (TI) on how the Council can work with TI	Transparency International	
Review of Food Unit roles	Consultant and A. Momoka, Food Unit MOH	
Stamp duty on hire purchase agreements and credit card levy application by banks	FRCA –MoalaNata, Raj Gounder; FCC–Bobby Maharaj	
E-ticketing issues	LTA	
Auction and trading on Buying in Fiji website by real estate agents	CEO – REALB	

Challenges faced by consumers in the Northern Division	Managers of restaurants, hotels and supermarkets and Police representatives at Northern Division Police HQ, Labasa		
Advocacy and Legal Advice Centre (ALAC) Database Analysis stakeholder meeting	Transparency International (Fiji) Limited and stakeholders		
Pacific Islands Development Forum–Briefing of facilitators	Ministry of Foreign Affairs		
Research on consumer issues- microfinance	Prof. Milind Sathye, University of Canberra, Australia		
Consultations on development of Fiji Trade Policy Framework	Prof. Robert Scollary consultant and staff of Ministry of Industry and Trade		
Final stakeholder consultation on Fiji National Laboratory legislation	Karen Nahapetyan, WHO consultant; Laboratory Technical Working Group, MOH; state hospital lab managers; private lab representatives (Suva Private Hospital, Dr De Asa, Van Med Labs)		
Fiji Sodium Intervention Assessment (FSIA)	Focus Group meeting for civil society (Salvation Army and faith based organisations), National Food and Nutrition Centre and FT-TAG members		
Consumer issues and establishment of network of external stakeholders–Pacific Research Centre	Dr. Malakai Koloamatagi, Director, Pacific Research, Massey University		
Consultation workshop on Draft National Energy Policy 2013	Department of Energy, UNDP, FEA, FCC, energy companies and other stakeholders		
PM's 2014 National Budget Talanoa Session -views on current government policies and advice on 2014 Budget	Prime Minister, cabinet and stakeholders		
Draft salt reduction strategy and food industry consultation	Ministry of Health/NFNC		
4th consultation on NCD prevention and control – food industry	MOH/NFNC Food Task Force – TAG, food businesses, UNDP and other stakeholders		
Tobacco control and taxation – consumer issues	Mr Ledua Tamani, WHO		
Volatile Substance Abuse Control Draft Decree	Mr Misaele D., Director National Substance Abuse Council		
National Transport Consultative Forum 2013	Ministry of Works, Transport and Public Utilities and stakeholders		
2014 National Budget (lock-up)	Ministry of Finance, FRCA, stakeholders, media		
Workshop – Review of Fiji National 3R Policy	Department of Environment and stakeholders		
Consultation on Food Establishment Grading Regulations	Food Unit and Lautoka food operators		
ADB's Strategy 2020 Mid-Term Review consultation	Senior government officials, representatives of development partners, civil society (CSO) and non-government (NGO) organisa- tions, and the private sector		
Draft Decree on Transplantation of Human Organs	Ministry of Health and stakeholders		



E-ticketing was high on Council's Agenda in 2013

Private Sector Engagement: In recent years, the Council has increased its engagement with the business community in an effort to address problems with goods and services. These engagements have for the most part been on particular issues related to complaints or problems discovered during market surveillance. However, we have found an increasing number of traders coming to the Council seeking our advice on their products, services, promotions and business practices (see Table 4).

Table 4: Private sector engagement

Table 4. Filvate sector engagement		
Issue	Trader	
Angel Mackerel in tomato sauce mislabelled as Skipper Tuna Premium Flakes in vegetable oil 425g	Viti Foods Ltd Quality Control Manager – Elvish A.	
Gelatin in Rattan's marshmallows	Shankar P. – Director, Rattan's Sweets	
CFL Maggie promotion	CFL Sales Executive - Anilesh S.	
Vodafone e-ticketing system	Vodafone– CEO Aslam Khan and Manager Corporate, Shailendra Prasad	
Stale cake sold in Shop n Save bakery, Nabua; market surveillance issues	Shop n Save CEO Kavishay Abhimannu	1
New stamp duty application on insurance services	Sun Insurance – CEO Lolesh Sharma and Claims Manager Thomas Naua	
Westpac Saturday branch closure and other issues	Adrian Hughes, GM Westpac Fiji	
Quality of liquid Life milk (white packet) -processing and storage issues	Vishwa Sharma, CEO Fiji Dairy Ltd	Ì
E-Ticketing complaints and related issues	James T. (Foneology), Shailendra P. (Vodafone)	,
Compensation to complainant (food poisoning case) and other issues	Shop n Save CEO KavishayAbhimannu and management team	Ì
ACC Quantum Energy Products – pendants, water flasks	ACC Quantum Energy suppliers – Raymond Angco and Pauliasi T.	
Lumps in 1litre Rewa Life milk (white) packets	Vishwa Sharma, CEO, Fiji Dairy Ltd	
Brand new motor vehicle recall	Alvin Sharma - Fiji Traders Motor Association President	١
Current import law of Euro 4 standard on second-hand vehicles	Irshad Jain – President, Motor Vehicles Dealers Association Association President	
E-ticketing top-up quota to be reduced	Vodafone-CEO Aslam Khan, Manager Corporate Communications Shailendra Prasad	
Long queue at Westpac, Challenge Plaza, Lautoka	Westpac staff –Harry Solomon, Area Manager Retail Banking and Amitesh Singh, Bank Manager	
Pharmaceutical issues	Fiji Pharmaceutical Society –Arnold Ram (President), Reenal Chand (Secretary)	(

CHES Fiji/IELTS Test Centre test procedures and grading system	Parmeshwar P. Mohan (Ministry of Education) Ateca D. Williams(Director, College of Higher Education Studies (CHES)
Policies and procedures of financial services in Fiji; Westpac issues	Mr Jonathon Wardle –Senior Manager, Government and Industry Affairs, Westpac
Vodafone subscription packages offered for bulk texting	Vodafone ATH Foundation coordinator Ambalika Kutty
Information and issues on plywood products	Chanan Singh, Quality Control Manager, Tropik boards and retail suppliers.
Fiji Beverage Group initiative for healthy food choices	Jane Dodd, (Fiji Beverage Group)
E-ticket card care	Mr Watisoni Bukalidi, Manager, Vodafone Labasa
Stakeholder consultative meeting on promoting healthy living through use of low kj non-alcoholic beverages	Verity Trevenen (WHO), Dip Chand (Food Unit) Jane Dodd (Consultant/Coca Cola Amatil)
Fiji Gas–inability to meet supply of 4.5kg cylinders for swap with 12kg cylinders	Edmond Yee, Fiji Gas Manager Sales and Business Development
Campaign for healthy living from the beverage (soft drinks) companies	Coca Cola Amatil Consultant Jane Dodd, WHO representatives Peter Hoejskovp, VeretyTrevenen, Ministry of Health representatives Dr Isimeli Tukana, Ravinesh Chetty, NFNC representative Ateca Kama, Alvina Deo, FNU/FSM representative Dr Wendy Snowdon
Changes in bank terms and conditions	Bank of Baroda Chief Operations Manager Rajinesh Gupta
Engineering services in Fiji	SP Chung (Home of Compassion)
Courtesy visit and Telecommunications Fiji – Consumer Issues	TFL CEO –MothiLalDesilva, Former Acting TFL CEO – Ivan Fong, Financial Controller –Vinit Chand
Sky Pacific decoder changeover and EPL advertisements	NiteshLal and Serai Roxburgh
Automatic Teller Machines/Complaints	Rajesh Mudaliar, Senior Personnel Banker ANZ Labasa branch - Operations of ATM and factors disturbing the operation of machine
Foreign labelling on pesticide	Pest Control Association of Fiji
Labelling, packaging, unit sale of BBC sweets	Viraa K. Lad, director Bhikha Bhai and Co Ltd
Broadband Disclosure Statement and Consumer complaints issues	P. Rigamoto (Digicel)
SCA presentation, factory visit, product advert analysis	Jeetesh, Joseph, Eldon – SCA Executives
Second-hand vehicles – standards, complaints and related issues	Irshaad Ali president Second Hand Car Dealer Association
Poor quality liquid shoe polish	Sky Glory Manager: Jotishma Devi and Accounts Officer Shalini Brij
Crest chicken prices and related issues	Chris Zaayman, General Manager Goodman Fielder Fiji
Kamal Shiu Singh vs Dominion Insurance/Aarkay Motors	K. S. Singh, Vikash (Dominion Insurance), Raju Chauhan (Aarkay Motors)



Council held talks with Fiji Pharmaceutical Society on issues affecting pharmacies/ medicine supply

Engagement with Regulators: The Council had one-on-one engagement with regulators in 2013 (see Table 5). Apart from discussions on new regulations and policies, these engagements also involved exchange of information and dialogue on problems faced by consumers and how to address these effectively.

Table 5: Engagement with regulators

Issue	Regulator
Introductory meeting and discussion of food related issues	Dip Chand, Alipate Momoka- Food Unit
Draft e-ticketing regulations	Land Transport Authority and Fiji Commerce Commission
Fiji Commerce Commission Draft Self-Regulated Guidelines on: advertising and selling; financial services; landlord and tenancy; towing services; and second-hand motor vehicles	Fiji Commerce Commission CEO Bobby Maharaj and managers
Banks' unfair method of applying government's 2% credit card levy	Deputy Governor – Reserve Bank of Fiji
Review of Telecommunications Authority of Fiji (TAF)	Consultant Davender Jain and TAF staff Jone Cagialau
Special meeting on Draft Self- Regulation Guidelines on Towing Services	Fiji Commerce Commission CEO Bobby Maharaj and managers
Food Safety Awareness	Department of Agriculture and Ministry of Health Food Unit

International and Regional Engagements: On the regional and global front the Council participated in 4 events— in New Delhi, India; Manila, Philippines; Papeete, French Polynesia; and Port Vila, Vanuatu. The Council was represented at these conferences, which dealt with various issues affecting consumers (see Table 6). In most of the conferences the Council was requested to make a presentation on the Fiji scenario and the Council's experiences on consumer issues. These conferences were funded by donor agencies and conference organisers. Our inclusion is thus a reflection of the Council's profile and important position as a leading consumer protection agency in the South Pacific region.

Table 6: Consumer Council's engagement in international and regional meetings

Objective 7: Co-operating with any person, association or organisation outside Fiji having similar functions and becoming a member of or affiliate to any international organisation concerned with consumer matters

In its efforts to strengthen its work and enhance its lobbying capacity, the Council scrupulously undertakes networking and cooperation with organisations, individuals and stakeholders outside of Fiji.

ISO Committee on Consumer Policy (COPOLCO): The Council maintains contact with COPOLCO in the important area of standards. COPOLCO provides a valuable resource point for the Council as it lobbies for better standards and ensures effective consumer participation in national and international standardisation.

Federation of Malaysian Consumer Associations (FOMCA): FOMCA is an organisation that has assisted the Council by providing expertise, knowledge and information resources in our efforts to improve consumer protection in Fiji. FOMCA regularly provides information and advice to the Council on consumer issues, particularly on standards and consumer protection.

Singapore Mediation Centre (SMC): The Council has engaged the services and assistance of the Singapore Mediation Centre in its effort to improve the consumer redress process through mediation and alternative dispute resolution. In 2013, the Council engaged SMC for a 4-day workshop on "Managing Conflicts and Resolving Disputes through Mediation".

Vanuatu Telecommunications and Radio communications Regulator (TRR): The Council has established a close relationship with TRR as part of its work in the ICT sector. TRR's success in Vanuatu has prompted the Council to learn more from and exchange information with this regulatory agency. The Council sees TRR as a good example of an effective ICT regulator and something that the Fiji TAF can learn from.

Date Venue	Event	Presentation Topic	Presenter/ Attendee	Funding Source
22 February – 1 March New Delhi, India	Global conference on Revision of United Nations Guidelines for Consumer Protection and CI Regional Meeting for Asia and Pacific	Discussion Topic • Expert Committee of the CI - Consumer Justice and Protection (CJP) Programme • Review of United Nations Guidelines for Consumer Protection	Consumers International (CI) Member and Expert, Premila Kumar	Cl in collaboration with CUTS International and the Ministry of Consumer Affairs
25– 26 September Manila, Philippines	Informal Consultation on Reducing the Harmful Impact on Children of Marketing Foods, Beverages, Tobacco and Alcohol	• Reducing the Harmful Impact on Children on Marketing Foods, Beverages, Tobacco and Alcohol	Temporary Advisor, Premila Kumar	World Health Organisation - Regional Office for the Western Pacific Bureau
3 – 5 October Papeete, French Polynesia	Regional Conference for the Promotion of Quality Nutrition for All in the Pacific	• Protecting Consumer Interests: The Role of the Consumer Council in improving the quality of food in Fiji	Premila Kumar	Ministry for Health and Employment – French Polynesia
22 – 25 October Vanuatu	TRR National Events – Telecommunications/ ICT Consumer Affairs	 Consumer Education and Awareness on ICT products and services a gateway to boost Vanuatu's economy Consumer Protection is critical in the competitive environment leading to cost versus value of services and products provided by the service provider 	Premila Kumar	Telecommunications and Radiocommunications Regulator – Vanuatu

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GOVERNANCE

GOAL 4



Council played a crucial role in organising Mediation workshop in Suva

GOAL 4: Foster a High Performance Organisation

To achieve our overarching goal of providing outstanding service to consumers, we understand that our organisation needs to focus on outstanding service, supporting our employees and ensuring that we have the proper tools to make progress in pursuit of our vision

Governance and Management

The Council's corporate governance framework continues to equip the organisation with the necessary management processes to achieve its strategic goals, while complying with policies and legislation, maintaining performance standards and making the most cost-effective use of resources.

Board Appointment

Under the Consumer Council of Fiji Act 1976, the Minister for Industry and Trade appoints the board members, whose primary responsibility in the Council is to provide governance and stewardship. The Board owes its loyalty first and foremost to the Council itself, whose best interest must be the basis for all its decisions. The Minister duly appointed a new board on 20 February 2013 for a term of two years.

The Board is also responsible for the overall governance of the Council. Section 4 (9) of the Act empowers the Council to make rules governing its procedures. For the smooth running of the Council, the Board reviewed its 5-year-old Charter, which sets the rules and procedures under which Board members provide leadership and direction to the management team. This Charter underlies the Board's commitment to excellence, transparency and accountability.

Board Meetings

The Consumer Council of Fiji Act, requires the Board to meet at least four times in a calendar year. During 2013, the Board met on four occasions, discussing a total of twenty-four (24) papers. One special Board orientation session was held to ensure that new members are aware of their roles and responsibilities and understand the organisation's objectives and operations. The idea was to assist the new members to grasp the processes, procedures and aims of the organisation, which will in turn help them in making informed decisions. The orientation session also assisted in building a working relationship among board members and the management team, good for the better protection and promotion of consumer interests in the marketplace.

Policies and Plans

The new Board approved a set of policies and plans for the smooth running of the Council. The following policies were reviewed and introduced in 2013:

• Strategic Plan 2013–2014: This is a dynamic document that highlights the strategic objectives the Council will endeavour to achieve, keeping in view the limited resources available to it. Developing the plan has been a real challenge, particularly with the level of awareness that the Council has created in the last seven years, which has led consumers to have greater expectations of the Council

• Work Plan 2013: Based on the Strategic Plan, the Council developed the year's work plan to ensure emerging issues are captured, activities are planned and performance indicators are set for the year

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• Service Agreement 2013: The Council signed a Service Agreement with the Minister for Industry and Trade, which outlined the services to be delivered for the public based on the monies allocated. To deliver the targets, the Council received a grant of \$700,000 (VAT inclusive)

• **Social Club Policy 2013:** This policy, developed for the first time, explains the need for the social club, the rules governing it and the contributions made by the staff. The policy also contains the purpose, mission, and objective of the club

• Board Charter (revised) 2013: The Board Charter was revised to include, amongst other things, performance assessment for Board members

• Finance and Asset Management Policy Manual (reviewed) 2013: The need to revise this manual became apparent after the Board made a decision in the first quarter to improve the Council's efficiency. The Board increased the procurement limit to a more realistic one, to avoid delays and disruptions to the payment system. Other changes were also made on the advice given by the auditors and the recommendation from the 2012 EU audit coaching report

• Policy on Board/CEO Entitlement (reviewed) 2013: In light of the major changes PSC made to entitlement and allowances for public servants, on the basis of the cost of living, it was appropriate for the Council to review Board and CEO entitlements and allowances to align them better with the market rate.

Staffing

The Council has 21 staff working in its three offices in Suva (Central/Eastern Division), Lautoka (Western Division) and Labasa (Northern Division). As the demand has grown, the Council has been increasingly reliant on volunteers, student interns and proactive consumers to accomplish the job.

In 2013, seven graduates were recruited and two staff members were on temporary contracts. On the other hand, 9 staff members resigned.

Staff Training

The Council has invested in up-skilling its staff. In 2013, staff attended four short training programmes to upgrade their skills and knowledge.

Table 1: Summary of Training Conducted

Date	Training Programs/In-House Training
21 - 25 January	Induction for the newly appointed Regional Co-ordinator for Labasa Office
11 July	In-house training by Australian Youth Volunteer, Ms Elizabeth, on the development of basic Excel. Attended by staff at the Suva office
8 – 9 July	Business Writing Skills, conducted by Prime Vision. Attended by Rayvin and Evlyn
16 – 19 September	Staff training on mediation was held at Novotel,Lami, which was conducted by the Singapore Mediation Centre

Performance Management System

The Council conducted a review of the performance management system, to ensure that essential elements are



Council staff at the Mediation workshop in Suva

considered in assessing employees, encouraging a culture of continuous learning and performance improvements. Staff performances were also assessed using the performance appraisal form staff members sign, which outlines the targets to be achieved.

Internship/Attachment

• Ms Elizabeth Campbell from Australian Youth for Development (AYAD) was attached to the Council's Research and Policy Analysis Division from 28 March to 1 November 2013.

• Ms Valentine Wakanengo from New Caledonia joined the Council from 5 November to 18 December 2013 for seven weeks as an "Executive Assistant" Intern.

Job Evaluation Exercise

The Council has experienced high staff turnover over the years; to retain staff and reduce the turnover rate, a thorough job evaluation was needed. In June 2013, a tender was called for a job evaluation exercise (JEE) and in August, the Council commissioned Pricewaterhouse Coopers (PwC) to carry it out. On 12 November 2013, PwC interviewed Council staff on their job responsibilities. This activity was ongoing till the end of December and will be completed in 2014.

Staff and Management Meetings

Four staff briefings and seven management meetings were held during the year. These meetings strengthen work relationships among different divisions, and also keep teams on track regarding work matters. All employees are constantly updated through such meetings on new policies, plans, and consumer and Board expectations, including the assessment of the targets.

Council's IT, Registry and Database Services

The Council has outsourced its IT services to Datec Fiji Limited on a yearly contract basis. The Council has maintained a registry where all printed and e-copy materials are kept. In 2013, the Council decided to upgrade the complaints management database for better complaints reporting. On 18 December 2013, Council signed a consultancy agreement with Datec Fiji for the upgrade of the Complaints Management Database System. This activity commenced in December 2013 and is expected to be completed by March 2014.

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Donor Funded Projects

In 2013, Council secured a sum of F\$98,172.14 from the European Union and Consumers International to assist the Council in achieving its corporate goals and objectives, as tabulated in the summary.

The Delegation of the European Union for the Pacific (EU) has supported the Council and its projects in the past, which has had remarkable impact on consumerism. With the Delegation funding, the Council has been able to conduct various awareness programs throughout Fiji to empower consumers to exercise their rights and understand their responsibilities as consumers. The project has enabled the Council to develop links with the Judiciary, businesses, regulators, policy makers and other stakeholders, with an objective of demanding accountability in enforcement and redress mechanisms for consumers.

ment the project entitled: "Creating a Fair Marketplace for Consumers through Consumer Information and Redress Mechanisms". The overall objective of the project is to create an assertive consumer movement where consumers can hold traders and service providers to account for shoddy products and poor service delivery.

Table 2: Summary of Donor Funding

Donor Agency/parties	Amount Recieved	Project
European Union	\$95,835.66 (implemented in 2013)	Creating a Fair Marketplace for Consumers through Consumer Information and Redress Mechanisms
Consumers International	\$1,045.04	Final payment for the Green Action Fund project
Consumers International	\$1,291.44	Broadband research



Council conducted several training programs around the country with the support of the two donors - EU and Consumers International

In 2013, the Council received funding from the EU to imple-

CORPORATE SOCIAL RESPONSIBILITY

CORPORATE SOCIAL RESPONSIBILITY

The Consumer Council of Fiji is strongly committed to corporate social responsibility. The Council believes that it is essential to embed the consumer role in all considerations on sustainability issues, thus encouraging consumers to change their behavior in ways that benefit everyone today and in the future.

The total impact of household consumption is a highly significant contributor to a number of environmental problems, including air and water pollution, and climate change. Consumers can and must play a crucial role in defining problem areas and modifying consumption patterns, so as to reduce environmental damage.

Our educational programs enable consumers to make responsible choices in the marketplace, where consumers are encouraged to engage in prudent spending, and make environment friendly choices as their responsibility towards protecting the environment. Our challenge is to help consumers to understand how our choices will affect tomorrow's world and how little steps could make a big difference.

The Council has produced a brochure for businesses and consumers, to develop a better understanding of what corporate social responsibility is, in an effort to encourage responsible consumer and business behaviour. The Council partners with businesses and community groups to develop awareness on sustainability issues.

The Council continues to contribute to the debate on responsible consumer choices to create a better understanding of responsible consumerism. We also ensure that consumers' needs are kept at the centre of attention in the sustainability agenda and that innovations to promote more responsible consumer behaviour are encouraged.

The Council, for instance, participated in the formulation of the Green Growth Transformation Framework for Fiji, to ensure that consumer protection and consumer empowerment are included in this framework.

The Council also participated at the inaugural meeting of the Pacific Islands Development Forum (PIDF) which was held at the Sheraton Fiji Resort, Nadi, 5–7 August 2013, with the theme "Leadership, Innovation and Partnership for Green/Blue Pacific Economies". The Council participated as a panelist to spark real and meaningful consideration toward the inclusion of sustainable production and

consumption.

It must be the goal of every organisation to use a proactive strategy where they do what is right for their clients. In the absence of an effective consumer redress mechanism, the Council, despite budget limitations, organised a mediation workshop to assist the public when transactions go wrong. The Judicial Department of Fiji and the Fiji Commerce Commission assisted by sharing resources to hire the services of the Singapore Mediation Centre (SMC) to provide training to local mediators.

This initiative of the Council brought the Small Claims Tribunal Referees, Legal officers from the Legal Practitioner's Unit, the Fiji Commerce Commission, lawyers from the private sector and the Consumer Council staff under one roof to learn the skills of mediation. The aim of the training was to strengthen and enhance skills to enable mediation to resolve consumer complaints efficiently and effectively.

The Council, being the only independent consumer organisation in the Pacific region is aware of having a social responsibility toward consumers not only in Fiji but also in other Pacific Islands countries.

As part of its corporate social responsibility, the Council assisted French speaking countries by sharing knowledge and expertise in the area of food safety, quality and integrity, to help them develop a strategy for French speaking countries.

The Council was invited by the Telecommunication and Radio-communication Regulator (TRR) based in Port Vila, Vanuatu, to promote consumer protection not only in the Telecom/ICT sector but also generally with other stakeholders. It was the first time for Vanuatu to invite a consumer advocate to promote the concept of consumer protection and consumer rights.

The Council fulfilled its corporate social responsibility by assisting Vanuatu in the preparation of a concept paper to establish a Consumer Council in Vanuatu. The Council is seen as a role model in the Pacific when it comes to consumer protection.

During the year, the Council took into account the needs of not only Fijian consumers but also the Pacific consumers for the overall improvement of Pacific societies.

OUR COMMITMENTS TO CONSUMERS FOR THE YEAR AHEAD

The Council has achieved many positive results in 2013 andit is ready to take up more challenges in 2014 to make the consumer voice heard and make it count. The Council will promote and safeguard the interests of consumers by continuing to work toward the creation of a fair marketplace for all in 2014. Our commitment to consumers is to lobby for change, focusing on the priority areas listed below.

Top Eight Priorities for Action

1. Consumer Complaints and Compensation Tribunal

Years of lobbying for a simple, efficient and affordable redress system bore fruit when the Government announced, during the 2014 National Budget on 8 November 2013, the setting up of the much awaited Consumer Complaints Compensation Tribunal. This tribunal will ensure a cost effective, efficient and timely complaintresolving process. The Council will assist the Ministry of Justice in the consultation and drafting of the legislation including anawareness raising programme so that consumers can use the facility at ease.

2. Workshop for Judges and Magistrates

Although consumers are an important sector of the economy, their voices are too often unheard. Sensitising judges and magistrates on national and international consumer protection legislations and latest developments in this area will ensure that Fiji's consumers are given an adequate hearing. Having a well-trained, educated and sensitive judiciary will enable the judges and magistrates to make effective decisions. The Council will engage consumer experts to conduct workshops to sensitise judges and magistrates on the new international trends in policies, practices, laws, and in particular, redress mechanisms used in safeguarding consumers in the marketplace. These workshops will assist the judges and magistrates in their decision-making processes while handling consumer complaints. The European Union will fund this activity. The Council's intention for such workshops is to create a well-informed judiciary to promote consumer protection in Fiji.

3. Formation of Community Consumer Advisory Group (CCAG)

Unfortunately, some businesses continue to hoodwink Fijian consumers into purchasing defective, poor quality or expired items. Consumers living in the remotest areas of the country face a bigger risk. The need to educate them and assist them is of the utmost urgency.

Keeping consumer protection at the heart of its advocacy work, the Council will embark on setting up a Community Consumer Advisory Group (CCAG). The European Unionsupported initiative will assist the Council to empower under-privileged and/or illiterate or less literate consumers by protecting them against deception, fraud and exploitation at the hands of some traders and service providers in remote and rural areas. Setting up such a group is all the more necessary in light of the absence of consumer advocacy organisations in these remote areas. As these could guide the aggrieved consumers.

4. World Consumer Rights Day

In today's digital world consumers are coming to depend increasingly on access to reliable, affordable and safe communication networks. Despite the high rate of mobile phone subscriptions in Fiji, bad business practices, high prices and misleading information are rife in the domestic mobile market. The Council will be observing World Consumer Rights Day in 2014 with the theme "Fix Our Phone Rights". This theme is of interest to many young Fijians, most of whom are tech-savvy and are high users of mobile phones. The Council will be highlighting issues relating to mobile services, such as quality, reliability, accessibility, fairness, and even integrity of mobile service providers. The intention is to bring in some significant changes to the way mobile consumers are treated.



5. Campaign

The Council has a vital role to play in promoting consumer protection standards when accessing broadband services, and in holding these services to account when they fall short. The broadband campaign titled "Holding Broadband Providers to Account" will continue, with the aim of lobbying Internet Service Providers (ISPs) to provide fair and accurate information to consumers on the reliability, service limits and conditions, pricing, speed variations and any other information about their service. The Council will call on ISPs to provide a broadband disclosure statement summarising essential information that will assist consumers to make informed decisions. Beyond providing this basis for informed choice, such a statement will allow consumers to compare services of various ISPs in the market.



6. Investigate Second-Hand Vehicle Trade

The trade in second-hand vehicles seemingly continues to boom, despite, or perhaps fuelled by, this sector's aura of unfair trade practices, abuse of consumer rights and lack of legal and institutional protection for vehicle buyers. The Council will undertake an urgent investigation to prepare an issues paper with recommendations that will be used to launch a campaign on "second-hand vehicles". The intention is to highlight issues that confront consumers in dealing with the second-hand vehicle industry. While consumers are urged to be vigilant and responsible, it is time to put a stop to such devious practices. It is intolerable that many hapless buyers end up losing thousands of dollars because of someone else's lack of responsibility and non-compliance with the Land Transport Act. The Council wishes to see the reinstatement of mandatory inspection through the Japan Export Vehicle Inspection Centre (JEVIC) and Supplier Information Notice (SIN) for second-hand vehicles.



7. Marketing of Junk Food to children

The need for concerted national action to protect and promote healthy diets has never been more urgent.

Prompt precautionary measures must be undertaken to put the brakes on sales of sugar-sweetened beverages, by means that include enforcing strict oversight of the advertising and marketing of unhealthy foods to children. Unfortunately, draft legislation,"The Advertising and Promotion of Unhealthy Foods and Non-Alcoholic Beverages to Children Regulations", has still not been enacted by the Cabinet, because of pressure from the strong commercial interests. The Council will work with like-minded institutions to promote practical ways to address non-communicable diseases (NCDs) in Fiji. Appropriate measures might include high taxation on sugar-sweetened drinks; lobbying for the enactment of the laws to control the irresponsible marketing and promotion of unhealthy foods and beverages to children; and pushing for reduction of import duties on healthier food options.



8. Cost of Living

Despite the 2013 Budget initiatives – such as the increase in the income tax threshold from \$15,600 to \$16,000, the reduction in personal tax, the drop in import and excise duty on vegetables, and others- the cost of living continues to increase for consumers. While much of this increase arises from global economic conditions, it is important to consider the home-grown effects of the 2011 VAT increase of 2.5% and the Fiji Electricity Authority's (FEA) tariff alignments, application of VAT on insurance, increase in stamp duty for rental properties, devaluation of Fiji dollar by 20%, introduction of green tax and telecommunication levy in keeping the cost of living high for consumers. The Council will continue with price surveys to monitor price movements for basic food and non-food items. The results of these surveys and analysis of price movements are valuable tools for the Council to make the case for price reduction through the annual national budget.



2013 HIGHLIGHTS AT A GLANCE

We draw attention to major accomplishments for the year, which have contributed towards the development of confident consumers and trusted businesses in a thriving marketplace and to the meeting of our Business Plan goals of improving consumers' ability to make informed decisions, resulting in the reduction of the incidence of unfair trade practices and consumer complaints

• Biggest win for consumers

Fiji was recognised by Consumers International (CI) – a world federation of consumer groups, with over 240 member organisations in 120 countries – in its top five "biggest wins for consumers" for 2013. The right to effective redress is one of the fundamental consumer rights and CI applauded the Bainimarama Government for recognising this and for showing its commitment to overhauling the country's consumer protection laws in a bid to improve the lives of ordinary Fijian consumers. CI, in its statement, mentioned:

"Our Member, the Consumer Council of Fiji, campaigned for major changes in the law to improve the lives of consumers – and their advocacy worked. Firstly, the government has announced a Consumer Compensation Tribunal that will adjudicate over claims on third-party insurance and other consumer complaints. Secondly, a taskforce to monitor prices of duty-reduced items will be established. The Council has long argued that duty reductions often do not translate into lower retail prices for consumers."

• 2014 Budget submission

Government has accepted three requests made as part of Council's budget submission. (i) With respect to duty reduction on adult diapers to assist consumers with various conditions, such as incontinence and mobility impairment, Government announced zero fiscal duty on adult diapers; (ii) Government will set up a monitoring task force to keep an eye on effects of duty concessions, so that consumers benefit from the reflection of them in price drops at retail level, and (iii) Government has undertaken to set up a Consumer Compensation Tribunal for speedy, cost-effective redress.

• Consumer Education

At a time when consumers are struggling to adjust to a high cost of living, the Council has a very important role to play in educating consumers on their rights when shopping for goods and services. During 2013, the Council staff conducted 41 mobile units, 43 community visits, 37 Workshops, 46 school visits, and 13 lecture sessions. All these contributed toward making people aware of steps they can take to protect their money, how to stretch their dollar and what they can do when transactions go wrong. The focus was also on consumers' rights, and how each right comes with a responsibility.



School visits remain a popular awareness exercise for the Council



Students benifit via Council-organised mobile units

• Awareness raising

Consumers benefited from awareness raising. Some 13,441 consumers (6448 females and 6993 males) reaped direct benefits, through 180 awareness raising activities in the form of mobile units, school visits, lectures, workshops and community visits conducted during the year. This is an increase of more than 27% over 2012 figures, which showed 10,544 consumers availing themselves of consumer awareness raising activities.

Thirteen lectures were delivered at tertiary institutions, with 690 students (397 females and 293 males) who were familiarised with various consumer protection laws, the need for ethics and values in businesses and how Consumer Council and Fiji Commerce Commission can assist consumers who have been affected by the traders and service providers.

• Consumer information

Radio Programs: A total of 2098 radio programs were conducted during the year; 711 programs were in English, 717 in Hindi, 644 in I-Taukei and 26 programs were for the Schools Broadcasting Units, where overall 387 issues were highlighted to the listeners. The Council's radio programs is in demand and therefore the Council is able to use the commercial radio stations such as Radio Sargam, Mix FM, Radio Fiji Two including Hope FM (religious based radio station) to reach out to the consumers to educate listeners on pertinent consumer issues affecting them.

2013 HIGHLIGHTS AT A GLANCE

Print Media: A total of 230 news articles (184 in English, 27 in I-Taukei and 19 in Hindi) on 154 issues were published in the newspapers; issues covered included product labelling, shipping concerns, second-hand vehicles, money lenders, 2014 budget reaction, hoax mobile phone texts and many more.

• Advisory Articles: A total of 145 advisory articles were published, which included 58 weekly consumer advisories in the business column of Fiji Times, a high circulation publication. The consumer experience in the context of the complaints shared in the narrative and what the law says helped consumers in decision making, detecting specific trends in the market, and driving improved consumer services. The Council's experiences suggest that consumers are interested in "real life" stories rather than hypothetical or theoretical discussions. We also published 61 shoppers' guides and 26 focus articles to provide guidance and knowledge to consumers on important consumer issues.

• **On-line:** A total of 604 articles covering 254 issues were posted on 28 websites featuring consumer issues and many used this medium to seek advice on consumer-related matters and also to lodge complaints.

• **TV Programs:** During the year, 21 TV programs featured consumer issues were featured: *Dollars and Sense, Aaina, Viti Nikua, Na Vakekeli, Close-Up* or *Speak Your Mind*. Coverage also included 149 news items featuring with 70 issues on Fiji TV, Mai TV and FBC. The increasing number of TV programs (including talkback shows) has resulted in consumers becoming more aware of current consumer issues and their rights and responsibilities.

Dollars and Sense

The Council completed the series of its first ever consumer show, called *Dollars and Sense*, on Fiji One TV, which started in October 2012 and ended in January 2013. This weekly program, broadcast in partnership with AusAID and Fiji TV, was designed to educate and empower the general public on their rights and responsibilities when accessing credit.

Increasing number of consumers turn to the Council for advice

In 2013, a total of 4,222 consumers sought advice from the Council on a range of issues. This was more than 200% increase over 2012 in one-to-one advice given to consumers.

• Increasing number of consumers turn to the Council for dispute settlement

In 2013, the Council handled 1990 consumer complaints worth around \$3,106,911. Although the total number of complaints had dropped, the monetary value of the losses had increased from \$2,901,132 in 2012 to \$3,106,911 in 2013. The number of complaints in 2013 had dropped by 11% (from 2,232 complaints in 2012), the decrease reflecting greater willingness among consumers and traders to resolve cases amicably.

• Settlement through successful mediation

The Council through effective mediation managed to resolve 1465 complaints, which resulted in putting \$2,118,520 back in consumers' pockets. The mediation success rate for the year 2013 was a high 73.61%. A total of 249 mediation sessions were held with respondents and complainants to resolve the

issues and to provide redress to consumers.

Nature of complaints

The 'Clothing' category shot up to the top of the category of complaints for 2013 with a total of 239 complaints. This boost in total resulted from the influx of complaints received against a particular online boutique, The Pink Window Creations. Following on the 'black list' were mobile products (in second place with a total of 202 complaints), electronic goods, landlord tenancy, and complaints received against the Water Authority of Fiji (WAF) and the Fiji Electricity Authority (FEA).

• Debt Management and Consumer Advisory Services

Under the Council's Debt Management and Consumer Advisory Services, 50 consumers sought advice on financial products and 21 consumers were assisted with their loan restructure, to a total value of \$216,325.

• Market surveillance

Market surveillance is an important activity the Council undertakes to detect bad business practices and non-compliance with relevant laws and regulations. It allows the Council to gain insight into business practices, to ensure consumers are not short-changed. A total of 309 traders and service providers were visited, of whom 236 immediately rectified problems related to such things as expired products, labelling and pricing.

• Advertisement monitoring

Out of the 49 advertisements monitored, 31 were either amended or removed after the Council's intervention. It is worth noting that the amendments and removal of the misleading advertisements means that possible consumer abuse has been averted potentially benefiting thousands of consumers.



More and more consumers are now accessing Council's Debt Management Services

2013 HIGHLIGHTS AT A GLANCE

• Research and investigation

The Council's evidence-based research and policy analysis work contributes toward better understanding of the root cause of the problems and the policy interventions needed to protect consumers. The Council conducted 74 minor research/investigations based on consumers' complaints and concerns. This is an increase of 42% as compared to 2012. Research and evidence-based advocacy allows the Council to tackle unfair practices and expose companies, regulators and services that fail consumers.

• Submissions

The Council is obliged to represent consumers' interests in policymaking or pricing issues with either the Government or industry groups to improve consumers' quality of life. Council submissions were all made to ensure consumers' interests were taken into account during policy making processes. Twelve formal submissions were made to various government authorities, regulators and policymakers to ensure consideration is given to consumer issues.

Boards and Committees to ensure consumer interest is protected

The Council represents consumers on 10 boards and committees, to ensure consumers are represented in policy changes or new issues that have an adverse effect on them. These were:

- Trade Standards and Advisory Council (TSAC) (Ministry of Industry and Trade)
- Central Board of Health (Ministry of Health)
- Fiji National Codex Committee
- Fiji Medicinal Products Board (Ministry of Health)
- National Industry Working Group (NIWG) of Telecommunications Authority of Fiji
- Reserve Bank of Fiji (Complaints Management Forum)
- Fiji Pharmacy Profession Board (Ministry of Health)
- Health Policy Technical Support Group (HPTSG) (Ministry of Health)
- Diabetes Fiji.

Key achievements

• Water Authority of Fiji withdrew its billing policy under which 100 units minimum charge was imposed on customers whose bills were estimated

• Fake ABRO RED RTV silicone sealer was removed from shelves by Rups Big Bear after the Council's investigations found these to be counterfeit. Rups was unable to substantiate the authenticity of the product

• Brand Star increased the warranty period for all Ninja Pro Products from 6 months to 1 year, which is now consistent with the manufacturer's warranty period

• Stinson Pearce Limited trading as Prouds took into consideration and implemented suggestions put forward by the Council in their Hire Purchase Agreements, Pre-disclosure and Hire Purchase Application forms

• Nausori Town Council took enforcement action against Taras Supermarket, Lokia Shopping Centre and MH Nausori after the Council's trader visits found damaged food packaging. A total of 87kg of condemned food items were removed

• Vodafone Fiji improved terms and conditions of iPass prepaid internet bundle subscription for clarity to consumers in regard to auto-renewal function

• Food and non-food items with damaged packaging were removed by MH Korovou after the Council's surveillance on 18 November, 2013, preventing vulnerable rural consumers from purchasing these items

• CJ Patel printed 2,000 stickers to cover reference to a "Scratch and Win" promotion that had ended (though products sold still showed the promotion)

• Fiji Football Association made public apology in Fiji Sun (Fiji FA lift out) on 24 October 2013 after not drawing the raffle that it had initiated

• Sky Pacific provided full terms/conditions for its \$99 promotion after the Council found that this was not available to consumers.



Council staff during stakeholder meetings and workshops

CONSUMER COUNCIL OF FIJI FINANCIAL STATEMENTS FOR THE YEAR ENDED 31 DECEMBER 2013

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REPUBLIC OF FIJI

OFFICE OF THE AUDITOR GENERAL



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Excellence in Public Sector Auditing

CONSUMER COUNCIL OF FIJI FINANCIAL STATEMENTS FOR THE YEAR ENDED 31 DECEMBER 2013

INDEPENDENT AUDIT REPORT

I have audited the accompanying financial statements of Consumer Council of Fiji, which comprise the Statement of Financial Position as at 31 December 2013, the Statement of Income and Expenditure, Statement of Changes in Accumulated Funds, Statement of Cash Flows for the year then ended and a summary of significant accounting policies and other explanatory information as set out on pages 11 to 16.

Management's Responsibility for the Financial Statements

The Council and management are responsible for the preparation and fair presentation of these financial statements in accordance with International Financial Reporting Standards for Small and Medium Sized Entities. These responsibilities include: designing, implementing and maintaining internal controls relevant to the preparation and fair presentation of financial statements that are free from material miss-statements, whether due to fraud or error, selecting and applying appropriate accounting policies, and making accounting estimates that are reasonable in the circumstances.

Auditor's Responsibility

My responsibility is to express an opinion on these financial statements based on my audit. I have conducted my audit in accordance with International Standards on Auditing. Those standards require that I comply with ethical requirements and plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in , the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the Council's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Council's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

Basis for Disclaimer of Opinion

The Financial Statements are required to be prepared in accordance with the International Financial Reporting Standards for Small and Medium Sized Entities ("IFRS for SMEs"). The Council is yet to comply with IFRS for SME's as required for general purpose financial statements.

Accordingly, I am unable to determine the impact on the financial statements of the Council if any, adjustment which may be necessary if the financial statements were prepared under IFRS for SME's.

Disclaimer of Opinion

Because of the significance of the matter described in the Basis for Disclaimer of Opinion paragraph, I am unable to and do not express an opinion as to whether the financial statements present fairly in accordance with International Financial Reporting Standards for Small and Medium Sized Entities the financial position of Consumer Council of Fiji as at 31 December 2013 and the results of its operations for the year then ended.

7Bohn

Tevita Bolanavanua AUDITOR GENERAL

Suva, Fiji 7 October 2014



MANAGEMENT CERTIFICATE

We certify that these financial statements:

Have been drawn up so as to give a true and fair view of the state of affairs, operations and cash flows of the Consumer Council of Fiji for the year ended 31 December 2013.

MAN

Mr. Raman Dahia Chairperson

Date: 1/10

Ms. Premila Devi Kumar Chief Executive Officer

Date: 26/9/14

	Note	31 December 2013 (\$)	31 December 2012 (\$)
Current Assets			Restated
Cash on Hand & at Bank	2	122,281	165,794
Other Debtors	2 3	12,359	10,531
Prepayments		1,317	1,339
Total Current Assets		135,957	177,664
Non Current Assets			
Fixed Assets (Less Depreciation)	4	26,708	38,153
Total Non Current Assets		26,708	38,153
TOTAL ASSETS		162,665	215,818
Current Liabilities			
Accounts Payables & Accruals	6	13,671	14,557
VAT Payable		76,977	72,317
Provision for Annual Leave		10,785	11,810
Deferred Grant	34 - C	26,708	38,153
Total Current Liabilities		128,141	136,837
NET ASSETS		34,524	78,980
TOTAL ACCUMULATED FUNDS		34,524	78,980

(The accompanying notes are to be read in conjuction with the Financial Statements)

	Notes	31 December 2013 (\$)	31 December 2012 (\$)
Income			Restated
Grant from Government of Fiji		643,344	591,949
Other Grants		672	120
Sundry Income		6,547	19,039
Deferred Grant Income		18,735	20,937
Total Income		669,298	632,045
Expenditure			
Advertising		9,115	11,715
Audit Fees		4,475	3,908
Bank Charges		836	1,033
Consultants		130	1,640
Board Expenses		9,474	138
Depreciation		18,735	20,937
Electricity and Water		19,342	21,727
Entertainment		454	438
FNU levy		3,973	3,512
Insurance	43	5,394	5,809
IT Support		5,141	4,696
Office Expenses, Stationery & Publication		21,599	19,227
Research		87	310
Rent and Rates		54,914	50,061
Repairs on Office Equipment, Furniture & Fittings		893	1,410
Running Expenses - Motor Vehicles		8,263	16,290
Salaries, Wages & Related Payments		396,828	379,692
FNPF Expenses		31,383	29,270
Subscription		2,273	2,207
Sundries		1,716	1,367
Telephone & Postage Charges		14,334	14,244
Training & Workshop Expenses		1,767	1,210
Travelling Expenses		8,133	17,239
World Consumer Rights Day		2,380	2,560
Total Expenditure		621,639	610,640
Net Surplus for the year		47,659	21,405

	Note	31 December 2013 (\$)	31 December 2012 (\$)
Income			
Grant from European Union		38,410	201,395
Other Grants	8	2,343	6,832
Total Income		40,753	208,227
Expenditure - European Union			
Salaries (Local staff)		45,208	33,012
Salaries (Gross expatriaite)		36,914	8,025
Per Diem - Abroad		30,804	
Per Diem - Local		858	2,262
Local Transportation		395	1,144
Vehicle cost		-	908
Consumables - office supplies		1,324	5,534
Publications		1,400	12,825
Audit costs		3,386	-
Financial services		409	-
Studies, research		8	5,000
Translation, interpreters		-	400
Advertisment		*	9,541
Radio Programs/Mass Media			42,763
Costs of conferences		6,859	665
Training cost		-	6,513
Incidential cost		-	7,978
Expenditure - AUSAid			
Salary of Project Officer		а	1,104
Per Diems for travel/activities		5	825
Analysis of Consumer Credit Laws		-	49,275
Preparation and dissemination of TV materials		9 I	14,800
Resource materials including radio programs		a 🖁	126,420
Workshop/seminar/community visits			912
Equipment		-	887
Audit cost		-	- 347
Other grant expenses	8	5,311	957
Total Expenditure		132,868	332,098
Net Deficit for the year		(92,115)	(123,871)
¥			

	Note	31 December 2013 (\$)	31 December 2012 (\$) Restated
Accumulated funds brought forward (Operating)	9	(108,408)	(129,813)
Net Surplus for the Year - Operating		47,659	21,405
		(60,749)	(108,408)
Accumulated funds brought forward (Donor Fund)		142,880	266,751
Net (Deficit) for the Year - Donor funds		(92,115)	(123,871)
		50,765	142,880
Add: Asset Revaluation Reserve		44,508	44,508
Total Accumulated Fund		34,524	78,980

CONSUMER COUNCIL OF FIJI STATEMENT OF CASH FLOWS

FOR THE YEAR ENDED 31 DECEMBER 2013

	Note	31 December 2013 (\$)	31 December 2012 (\$)
Cash Flows from Operating Activities			
Receipts from customers		708,223	840,272
Payments to suppliers and employees		(743,610)	(928,457)
Bank Charges		(836)	(1,033)
Net cash used by Operating Activities	5	(36,223)	(89,218)
Cash flows from Investing Activities			
Payment for property, plant and equipment		(7,290)	(18,199)
Net cash used in Investing Activities		(7,290)	(18,199)
Net Decrease in Cash & Cash Equivalents		(43,513)	(107,417)
Cash and Cash Equivalent at the Beginning of the Year		165,794	273,211
Cash and Cash Equivalent at the End of the Year	2	122,281	165,794

Note 1: Summary of Significant Accounting Policies

Set out hereunder are the significant accounting policies adopted by the Council in the preparation of the accounts for the year ended 31 December 2013. Unless otherwise stated, similar policies were adopted in the previous year.

(a) Basis of Accounting

The accrual basis of accounting has been adopted for all the financial transactions. The accounts have been prepared using the historical cost convention, which permits the revaluation of non-current assets but otherwise has no regards to changes in the price levels.

(b) Depreciation

Depreciation has been provided using straight line method to write off the assets over their useful lives. The principal rates adopted are:

Furniture	10-15% per annum
Office equipment	10-25% per annum
Motor vehicle	20% per annum
Software	40% per annum

(c) Income Tax

The Council is exempted from income tax in accordance with the provisions of section 8 of the Consumer Council Act (Cap 235).

(d) Value Added Tax (VAT)

The financial statements have been prepared exclusive of VAT.

(e) Cash and cash equivalents

For the purposes of cash flow statement, cash and cash equivalents comprise of cash on hand and cash at bank.

(f) Employee Benefits

- (i) All employees who are Fiji Citizens are members of the Fiji National Provident Fund, an independent statutory administered fund. The Council has no liability for current or past activities.
- (ii) The amounts expected to be paid to employees for the pro-rata entitlement to long service, annual and sick leaves are accrued annually at current pay rates.

(g) Deferred Grant

Grants that compensate the Council for expenses incurred are recognized as revenue in the statement of income and expenditure on a systematic basis in the same periods in which the expenses are incurred. Grants that compensate the Council for the cost of an asset are recognized in the statement of income and expenditure as revenue on a systematic basis over the useful life of the asset.

(h) Audit Fees

An amount of \$4,475 provided during the year to account for the 2013 Audit Fees. This has been included in expenses as at balance date.

(i) Comparative Figures

Previous years figures have been regrouped where necessary for comparison purposes.

		31 December 2013 (\$)	31 December 2012 (\$)
Note 2	Cash on Hand & at Bank		
	Cash on Hand	600	600
	Cash at Bank: (Operating)	70,916	22,314
	Cash at Bank: (Donor funds)	43,186	46,827
	Cash at Bank: (EU Project)	7,579	96,053
	an and the party and the start	122,281	165,794
Note 3	Debtors		
	Debtors	1,030	462
	Refundable Deposits	11,329	10,069
		12,359	10,531
Note 4	Property, Plant and Equipment		
(i)			×.
C/	Fixed Assets are stated at cost and have been	included in the accounts on the	following basis:
	Furniture & Fittings		
	Cost :		
	At 1 January	24,949	14,372
	Additions	261	10,577
	Disposals	-	
	At 21 December	25 210	21.010

At 31 December 25,210 24,949

		31 December 2013 (\$)	31 December 2012 (\$)
ote 4	Property, Plant and Equipment	272	
	Depreciation and Impairment		
	At 1 January	10,041	7,718
	Depreciation for the year	3,159	2,323
	At 31 December	13,200	10,04
	Net Book Value	12,010	14,908
	Office Equipment		
	Cost :		
	At 1 January	106,892	99,270
	Additions	7,029	7,62
	Disposals	(27,222)	-
	At 31 December	86,699	106,89
	Depreciation and Impairment		
	At 1 January	92,814	86,19
	Depreciation for the year	8,243	6,615
	Disposals	(27,222)	-
	At 31 December	73,835	92,814
	Net Book Value	12,864	14,078
	Motor Vehicle		
	Cost :		
	At 1 January	60,000	60,000
	Additions		-
	Disposals		-
	At 31 December	60,000	60,000
	Depreciation and Impairment		
8	At 1 January	50,833	38,83
	Depreciation for the year	7,333	12,00
	At 31 December	58,167	50,83
	Net Book Value *	1,833	9,167
	Total Net Book Value	26,708	38,153

		31 December 2013 (\$)	31 December 2012
Note 5	Deconstitution of Net Code and by Operation 1.4' '4'		(\$)
Note 5	Reconciliation of Net Cash used by Operating Activitie	s to Operating Surplus	
	Net Surplus/(Deficit) for the Year (Operating)	47,659	21,405
	Net Surplus/(Deficit) for the Year (Donor)	(92,115)	(123,871)
	Depreciation	18,735	20,937
	(Increase)/Decrease in Debtors	- 1,828	747
	(Increase)/Decrease in Prepayments	22	3
	Increase/(Decrease) in Accounts Payables & Accruals	(886)	4,405
	Increase/(Decrease) in VAT Payable	4,660	(696)
	Increase/(Decrease) in Provision for Annual Leave	(1,025)	148
	Increase/(Decrease) in Deferred Grant Liability	(11,445)	(2,738)
	Net Cash used by Operating Activities	(36,223)	(80,408)
Note 6	Accounts Payables and Accruals		
	Accounts Payable	5,714	6,068
	Accruals	7,957	8,489
	La Christian Andreas	13,671	14,557

Note 7 Related Parties

(a) Identity of related parties

The Council incurs and bears the cost of the Consumer Council of Fiji meetings and provides allowances to non-civil servant and benefits to the members of the Council as determined by the Council with the approval of the Minister in accordance with the Consumer Council Act 1976.

(b) Transactions with related parties

	652,818	592,087
Government Grant	643,344	591,949
Council Expenses	9,474	138

The Government provided a grant to the Consumer Council of Fiji during the year comprising of operating grants of \$643,344 (2012: \$591,949) in accordance with the Consumer Council Act 1976.

		31 December 2013	31 December 2012
		(\$)	(\$)
Note 8	Other Donor grants:		
	EU Project # 2	38,410	-
	Consumers International -	1,292	2,622
	Green Action Fund	1,051	4,210
	Total	40,753	2,622

Note 9 Restatement of 2012 Financial Statement

The statement of income and expenditure for the year 2012 was restated to include reversals for accruals which were not reversed by the Council in the prior years:

Statement of Income and Expend	diture					
Account Name	Reported 2011	Adjustments	Restated 2011	Reported 2012	Adjustments	Restated 2012
Advertising	10,894	1 23	10,894	12,852	(1,137)	11,715
Travelling Expenses	21,134	(30)	21,104	17,239		17,239
Running Expenses - Motor vehicles	9,932	(1,306)	8,626	16,903	(613)	16,290
Office Expenses, Stationery & Publication	19,435	(8,031)	11,404	19,898	(671)	19,227
Repair & Maintenance - Equipment	3,576	(1,304)	2,272	1,680	(270)	1,410
Sundries	2,399	(275)	2,124	1,482	(115)	1,367
Telephone Charges	14,879	(1,660)	13,219	15,261	(1,017)	14,244
IT support	4,741	(3,070)	1,671	5,087	(391)	4,696
TV, Radio Broadcast	3,461	(2,510)	951		5	5
Electricity	24,080	(3,885)	20,195	25,296	(3,569)	21,727
Salaries. Wages & Related payments	341,233	(2,036)	339,197	379,692		379,692
FNPF	26,840	(4,210)	22,630	29,270	12	29,270
	482,604	(28,319)	454,285	524,660	(7,783)	516,877
Profit for the year	86,037	28,319	114,356	13,622	7,783	21,405
30						
Statement of Financial Posit	ion	*				
Accounts Payables and Accruals	57,337	(28,319)	29,018	22,340	(7.783)	14,557

Note 10 Council Members

The Council Board was appointed on 20/02/13. The names of the Council Board Members as at31 December 2013 were:Mr. Raman DahiaMr. Raman DahiaChairmanDr. Salesi SavouMemberMrs. Ilisapeci BoleMemberMr. Vimal KumarMemberMs. Deepa Mohini LalMember

Note 11 Principal Activities

The principal purpose of the Council is to provide the protection and promotion of consumer interests, informing consumers of their rights and responsibilities and mobilizing consumers to achieve fairness and safety in the marketplace.

Note 12 Council Details

(i) Registered Office and Located Place of

The registered office and place of operation of the Council is located at: 4 Carnarvon Street Private Mail Bag Suva

(ii) Staff Establishment

As at balance date, total of 19 employees were employed by the Council.

We're Making Change Happen!

Some of our key achievements through advocacy and budget submissions over the years:

2013

- Government sets up price-monitoring task force to ensure consumers gain through price drops - Budget Submission 2011 & 2014
- Establishment of Consumer Compensation Tribunal -Budget submission from 2008
- Zero fiscal duty on adult sanitary diapers to assist the elderly- Budget submission 2010, 2014
- Reduction of stamp duties for residential tenancy from \$500 to \$10 – Advocacy/lobbying 2014
- Personal income tax threshold increased to \$16,000 Budget submissions 2010 & 2013
- Increase excise duty for ready-to-drink (RTD) alcohol mixtures from \$1.03 to \$1.13/liter Budget submissions, NCDs advocacy/lobbying from 2012.

2012

- \$300,000 allocated for low-income and rural house holds that cannot afford upfront fee for water meter connections - Budget submission 2012
- Personal income tax reductions: low band reduced from 25% to 7%, middle income band from 31% to 18%
 Budget submission 2012
- Fiscal duty on unhealthy palm oil up from 15% to 32% - Budget submission 2010-2012
- RTD alcohol mixtures excise duty increased by \$0.03/liter Budget submission 2012
- Reduction in fiscal duty on imported fruits and vegetables from 32% to 5% - Budget submission 2012
- LPG under price control by Fiji Commerce Commission, with 17 - 20% drop in cooking gas, prices – Submission to FCC requesting price control on gas 2010 and budget submission 2008
- Rolled out debt management and consumer advisory services after additional grant given by the government
- FCC undertook review of boat fares and freight charge Budget submission 2009 2011
- RBF removed 6 different fees and placed maximum limits on 5 types of fees. Advocacy on CCF report on Banking Services in Fiji: From Consumers' Perspective and submission to FCC in 2010
- RBF introduced 'no surcharge rule' for debit and credit cards- submission to RBF.

2011

- FCC established new price control order on essetial medicines – Budget submission 2011, researchbased advocacy on medicines, CCF Report "Prices and Practices: Pharmaceutical Survey 2010"
- Ministry of Education established a new school fees structure Budget submission 2011 and advocacy
- E-ticketing introduced to curb pilferage in bus industry. Budget submission 2009 and advocacy.

2010

- Merger of consumer protection agencies Advocacy from 2006
- Zero fiscal duty on shelled peas CCF advocacy/lobbying on rise in cost of living.

2009

• FCC removed FEA's fuel surcharge from billing system - CCF advocacy/lobbying against FEA's fuel surcharge.

2008

- Launch of Council's website for consumers to lodge complaints online
- Zero VAT on locally produced eggs submission to Ministry of Finance
- Reduction in duty of basic food items such as rice, tin fish and refined oil – submission to Ministry of Finance.

2007

• FEA fuel surcharge dropped by 43% from 4.97 to 2.68 cents per unit – CCF advocacy/lobbying against FEA's fuel surcharge.

- VAT removed from milk, tea, flour, sharp, rice, edible oils, canned fish and kerosene (household only) – CCF advocacy/lobbying on rise in cost of living after fuel price hikes
- Reduction in FEA fuel surcharge from 6.51 to 4.97 cents per unit CCF advocacy/lobbying against FEA's fuel surcharge.



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www.consumersfiji.org