

# CONSUMER WATCH



VOLUME 41 ISSUE 2 DEC 2021

## Building Trust in E-Commerce

The COVID-19 crisis has accelerated the expansion of e-commerce towards new firms, customers and types of products. It has provided customers with access to a significant variety of products from the convenience and safety of their homes, and has enabled firms to continue operations in spite of contact restrictions and other confinement measures.

However, further expansion of e-commerce will only be possible if consumer trust is strengthened in a dynamic but complex market. Concerns include the growing complexity of online transactions and related terms and conditions, as well as the uncertainty about where consumers should turn when they suffer detriment as a result of misleading or fraudulent business practices, or unsafe products.

The Consumer Council of Fiji is placing extra emphasis on building consumer trust in e-commerce to ensure sustainability in this market spectrum and to create an enabling environment for all actors involved. This is because physical clues in the traditional shopping environment, such as the appearance of the store and the direct contact with the salesperson that affect consumers' sense of trust, are absent in an online environment. This lack of physical clues and physical interaction makes it more difficult to establish trust with consumers.

In Fiji - a staggering number of businesses are adopting the online retail model which has been necessitated by a sudden shift in consumer behavior. Given this shift, the Consumer Council believes that trust should be laid as the foundation for developing e-commerce in Fiji. Hence, to kickstart this conversation, in October, the Consumer Council of Fiji held one of Fiji's biggest talks on e-commerce.

The webinar was based on the theme "Building trust in E-commerce" and brought together Government representatives, Fiji's competition regulator, retailers' representatives, businesses, and consumers to discuss pertinent issues which consumers face when transacting online and how all stakeholders can work together to create an enabling environment for e-commerce.



***"Building and maintaining consumer confidence is one of the most crucial aspects of E-commerce" - Hon. Faiyaz Koya***

While officiating at the webinar, the Minister for Commerce, Trade, Tourism and Transport Hon Faiyaz Koya highlighted that e-commerce offers consumers access to a wider range of products and services and brings more convenience. However, stressed that many consumers are skeptical about e-commerce due to perceived high risks and uncertainty.

"Whilst businesses have embraced e-commerce, consumers remain skeptical about the perceived high risks and uncertainty with the online shopping concept - they remain settled towards the traditional shopping environment," said Hon Koya. He also highlighted that there are huge potential benefits of e-commerce to consumer welfare, but at the time lack of product information, unfair business practices, inadequate online dispute resolution and breaches of consumer privacy are commonly found.

"To protect consumers and ensure a level playing field, there is a need for a review of consumer policies. There also needs to be a comprehensive audit of policies, incentives, and laws related to e-commerce. This will lead to better alignment. I am tasking the Ministry to conduct this task in conjunction with stakeholders like Consumer Council of Fiji," said Hon Koya. Consumer Council of Fiji Chief Executive Officer, Ms Seema

Shandil also highlighted that despite benefits of e-commerce, the ease and speed with which consumers and businesses can engage in online transactions - at anytime, anywhere, and in particular across borders - may create situations that are unfamiliar to them and put their interests at risk.

"As Fiji's leading consumer advocacy organisation and competent consumer watchdog, the Council supports this transformation however, at the same time, stressing that the rights of consumers should also be respected, honoured and engrained on e-commerce platforms. So today we have come together to identify issues related to e-commerce and find solutions to address those issues," stated Ms Shandil.

The Consumer Council has also revealed that at times consumers are subjected to unfair trading practices on e-commerce platforms which is evident by the number of complaints lodged relating to e-commerce. The Council recorded 130 complaints over the last 12 months.

"These issues are persisting because at times certain unscrupulous traders are only profit-oriented and are eager to make a quick buck but most often, these issues are recurring because online traders - especially small and medium enterprises are unaware of their roles and responsibilities and the consumer protection laws which they need to abide by - and that's what we want to address," added Ms Shandil.

Fijian Competition and Consumer Commission Chief Executive Officer, Mr Joel Abraham also stressed that trust is key while transacting in the virtual space and highlighted that the idea is not only about brand loyalty but is also about enhancing consumer experience through providing trust, especially in the virtual space.

Finally, the Consumer Council of Fiji is doing its part to build consumer confidence in e-commerce through advocacy, awareness, and empowerment. The Council is also working closely with the Ministry of Commerce, Trade, Tourism, and Transport to develop policies that would create a conducive environment for e-commerce growth.

### INSIDE THE ISSUE

- Council warns against sale of cigarette-like candy
- How to be a fair trader
- Parametric Insurance
- Hall of Shame

BE PROUDLY  
**FIJIAN**  
BUY FIJIAN MADE



## CEO'S MESSAGE



**Ms SEEMA SHANDIL**

### ***Bula Vinaka and Warm Greetings!***

As we tread towards the end of yet another year, the events of this year will forever remain entrenched in our memories and will also undoubtedly shape the way we as consumers behave, communicate, transact and trade in the future.

The COVID-19 pandemic has permanently transformed the way we do things and as a result, with just a few clicks and swipes, we can shop, work, hold meetings, conduct workshops and stay in touch with our loved ones from virtually anywhere.

Similarly, many businesses in Fiji have also demonstrated resilience during the pandemic by transforming how they do business and the way they interact with consumers - which is through online platforms such as retail websites, apps, and social media. While trading via online platforms in Fiji already gained momentum a few years back, the COVID-19 pandemic had amplified the use of e-commerce by both consumers and businesses. As Fiji's oldest and only consumer watchdog, the Council supports this transformation however, at the same time, is stressing that the rights of consumers should also be respected, honored and embedded, on e-commerce platforms.

We understand that e-commerce is a relatively new and fast-paced concept and while it has allowed consumers greater access to goods and services, certain challenges remain as consumers are constantly subjected to issues such as unsafe products, unfair business practices, inadequate online dispute resolution, non-delivery of items ordered via online platforms, phony online businesses and breach of consumer privacy to name a few. This is reflected by the uptick of complaints registered at the Council relating to e-commerce. These issues are persisting because at times certain unscrupulous traders are only profit-oriented and are eager to make a quick buck. Observations and investigations also revealed that these issues are recurring because some online traders - especially small and medium enterprises are unaware of their roles and responsibilities and the consumer protection laws they need to abide by. For this reason, we have changed our approach and we are proactively working with both consumers and the business sector to ensure that all actors are abreast of their roles and responsibilities on e-commerce platforms. This is evident with the National E-commerce Workshop held by the Council on 27 October which was officiated by the Minister for Commerce, Trade, Tourism and Transport Hon. Faiyaz Koya.

While the pandemic has bolstered the use of e-commerce and digitization of the workplace, we also realized the importance of having face to face interaction with consumers. For this reason, the lifting of major COVID-19 restrictions was great

news for the Council as it has enabled us to roll out our face-to-face interactive advocacy work such as community visits, workshops, and mobile units. The easing of the restrictions also allowed us to launch this year's Green Action Fund Project "Noda Veikau, Noda Bula" translated to "My Forest, My Life. The Green Action Fund project is coordinated by Consumers International every year - a collaborative project by Consumers International and the Swedish Society for Nature Conservation (SSNC) to promote sustainable consumerism. The Consumer Council of Fiji is proud to be one of the 25 countries - and the only Pacific Island Country in receipt of this grant which was used to conduct the project 'Noda Veikau, Noda Bula'.

Furthermore, apart from advocating on environmental issues, the Council continued to build the financial literacy capacity of Fijian consumers. This is being done through the Council's project Financial Resilient Fijians made possible through funding and support by United Nations Capital Development Fund's (UNCDF) Pacific Insurance and Climate Adaptation Programme (PICAP). This focus on financial literacy is in line with the development and launch of Fiji's (and the Pacific's) first-ever parametric insurance. Therefore, this project is based on the inkling that financial awareness and competency are key to the adoption and usage of financial services, particularly insurance. For this reason, the project is focusing on building awareness, financial literacy and competency among Fijian consumers to prepare them to meaningfully access and use their increased financial literacy to make informed decisions about parametric insurance.

While projects are an ideal way to make an impact at the community level, the Council also works with the key players in the different industries to proactively ensure that bad business practices do not get a chance to rear its head in the marketplace. Over the last few months, the Council has conducted almost 50 workshops with traders to amplify the rights of Fijian consumers and assist businesses in ensuring that they do not infringe upon consumer rights.

Apart from the kick-start of advocacy and campaign activities as a result of the relaxation of the COVID-19 health protocols, the Council also opened its doors to consumers for face-to-face complaint lodgment, consultation, and mediations - after a lapse of five months. We were delighted to see the joyful and smiling faces of the consumers again. However, with the restrictions easing, we are also seeing an increase in the number of businesses resorting to unfair trading practices such as non-delivery of items, misleading advertisement, violation of Price Control Order, sale of poor quality and shoddy goods and fraudulent online businesses among others. The Council amped up its surveillance in response to help ensure the issues identified were curtailed.

With school set to resume in the new year, urban centers are expected to be a hive of activities as many families rush to get supplies for students, the Council will be on the ground to ensure any unscrupulous practices are identified and nipped at the bud. However, we do urge consumers to be extremely vigilant and report any such practices to the Council.

### Council warns against sale of cigarette-like candy

More stringent measures are being employed by authorities to ensure contraband items are prohibited from entering local markets for sale. The Fiji Revenue and Customs Service (FRCS) have committed to more strict border control measures after the Consumer Council of Fiji discovered the sale of candy products mimicking the appearance of cigarette rolls; which is contrary to the *Tobacco Control Act 2010* that specifically prohibits the sale of confectionary or other food that resembles tobacco or e-cigarettes.

According to the Council's investigations, the candy was being sold for a dollar per packet consisting of five white candy

sticks with colored tips resembling a cigarette filter. The package also failed to disclose the manufacturer's details which had misleading and false labeling, claiming the product to be healthy and secure for consumers. The labelling also failed to provide the nutrient content of the candy.

After this discovery, the Council, in a media statement expressed its concern over the accessibility of the product to children and the detriment this could cause. Research has shown that cigarette-like candies desensitize children to the dangers of smoking, instilling in their rudimentary minds that it is a normal activity done by adults which is not harmful, and depicts the act of "being cool".

The existence and sale of such products

not only promotes smoking as a culturally or socially acceptable activity, it makes children respond to tobacco marketing and advertising long before they are old enough to smoke a cigarette.

The Council continues to work with the Ministry of Health's Tobacco Unit and the FRCS to ensure better measures are employed to protect consumers against harmful products.



### Consumers Conned By A "Repairman"

The Consumer Council of Fiji is expressly warning consumers against social media scammers, who purport to be legitimate service providers. This was after it was discovered that a self-proclaimed repairman had been swindling cash from unsuspecting consumers by promoting its services on Facebook.

Several consumers had raised concerns to the Council against 'Sagar Electronics

Service Center', previously trading on Facebook as 'Punjabi Singh' who claimed to be an expert repairman specializing in fixing washing machines. The Council liaised with reputable repair centers, to get a second opinion on the items repaired by this self-proclaimed repairman. The results of this revealed that in most cases, the scammer had caused more damages to the products as opposed to repairing them. It was also discovered that faulty parts were not changed as promised; resulting in consumers forking out more cash to pay for repairs.

The Council encourages consumers to conduct better checks and balances when dealing with traders online. It is imperative that consumers read reviews and seek advice and opinions from more than one repairman or service provider, before finalizing the deal. By doing so, consumers will be able to verify the reliability of a trader/service provider. Consumers are also encouraged to ensure they have evidences for any transactions that eventuate between them and the hired service providers.

### Exclusionary Notices "A Cause for Concern"

Consumers are reminded that signs and notices stating 'no refunds', 'no refunds or exchanges on sale items' or 'no returns' are unlawful; as they imply that it is not possible for consumers to get a redress under any circumstance, including faulty items.

With most businesses boosting their online platforms to accommodate changing landscapes brought about by the pandemic, the Council noted exclusionary clauses creeping into these e-commerce platforms; infringing on consumers' right to redress.

This has resulted in the Council placing extra emphasis on the importance of consumers being vigilant while shopping on online platforms, ramping up surveillance on these mediums.

Businesses are also reminded that it is imperative that all goods retailed must be of merchantable quality, reasonably fit for the purpose it was made for and should match the sample that was shown to the consumer. Adhering to these business principles will not only build consumer confidence and trust but also minimize requests for redress - as consumers will be satisfied with the products and services.

### Mobile Money agents warned of double dipping

Following the disbursement of the government COVID-CASH assistance scheme, the Council noted several businesses double dipping by charging additional over the counter withdrawal fees from the beneficiaries of the assistance.

While the cash assistance was meant to provide some level of relief to those severely affected by the socio-economic impacts of the pandemic, some

businesses saw this as an opportunity to skim money off consumers.

The Council's deliberations with mobile network companies - Vodafone and Digicel revealed that consumers were not required to pay any fee whilst withdrawing as it was already embedded in the disbursed sum (\$363 - \$3 for the agent and \$360 for the recipient). Further investigations showed that traders engaging in such practices were not only the registered mobile money agents, but unregistered ones as well. The unregistered agents were found

charging exorbitant fees for withdrawals or were placing conditions taking out a big chunk from the assistance.

A strong warning was also issued to both registered and unregistered agents to immediately halt such practices and to ensure that the benefits of the much-needed government assistance was fully realized by the recipients. Consumers were also strongly advised to only use registered mobile money agents as transacting with unregistered ones classifies it as a private transaction - making it more difficult to hold them accountable.



## ALTERNATIVE DISPUTE RESOLUTION

The second half of the year was an ecstatic experience for the Alternative Dispute Resolution (ADR) Division – responsible for resolving consumer complaints. With the re-opening of many businesses going in to the tail end of the second wave of the pandemic, the Council was able to resolve a lot of complaints that were put on hold due to the COVID-19 restrictions. Despite the magnitude of challenges such as COVID-19 restrictions, the Council continued its journey of promoting consumer protection and fair trading. The impact of the Council's work is far reaching whereby we ensured that businesses were compliant with consumer laws, consumer rights and interests were upheld and exercised to the highest level – even during the pandemic.



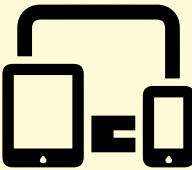
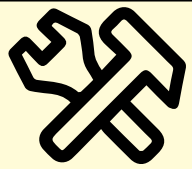






Upon receipt of complaints, the division strives to resolve the dispute between the consumers and businesses. If correspondences between the Council and the disputing parties do not result in a successful conclusion, the Council uses mediation as a tool to resolve consumer grievance.

There was a total of **1,792** complaints with a monetary value of **\$2,433,579.21** registered at the Council from the period between 10 May 2021 to 25 November 2021. Out of the total number of complaints received, the Division successfully resolved **1487** complaints saving consumers **\$1,855,570.19**.

Whilst the Division endeavors to resolve the majority of the complaints, there were still some unethical and unscrupulous traders who refused to provide redress to consumers. As a result, 15 complaints were referred to the Small Claims Tribunal while a total of 117 complaints were referred to other relevant enforcement bodies. The Council also recorded a total of 59 weak cases where consumers failed to provide the necessary documents to substantiate their complaints or failed to revert to the Council on clarifications sought.

### TOP TEN ISSUES IN 2021

Complaint Issues	Registered complaints
Food and Drinks	214
Landlord/ Tenant	178
Electronic Goods (Home)	125
Hardware	112
Mobile Products	105
Debt Management	72
Online Shopping	65
Advertisements And Promotions	58
Other Financial Services (MPAISA)	53
Spare Parts	49
<b>Top Ten Total</b>	<b>1031</b>

	<b>Food and Drinks</b> <ul style="list-style-type: none"> <li>- Expired food items</li> <li>- Thawed and freezer burnt meat</li> <li>- Mould growth in bread</li> <li>- Sale of lamp flaps</li> </ul>
	<b>Landlord and Tenancy</b> <ul style="list-style-type: none"> <li>- Improper eviction notices</li> <li>- Landlords prolonging repairs to rental premises</li> <li>- Tenants seeking rental concession amidst the pandemic</li> <li>- Landlords failing to provide bond refund</li> <li>- Landlords not providing tenancy agreements and receipts</li> </ul>
	<b>Electronic goods (Home)</b> <ul style="list-style-type: none"> <li>- Products incurring issues shortly after purchase</li> <li>- Traders not honoring warranty</li> <li>- Traders delaying repairs/replacement of items</li> <li>- Traders delaying delivery of items despite accepting payments for goods</li> <li>- Traders failing to provide service reports</li> </ul>
	<b>Hardware</b> <ul style="list-style-type: none"> <li>- Traders failing to deliver despite accepting payments</li> <li>- Poor and substandard quality of items</li> <li>- Traders delaying delivery of items</li> <li>- Traders increasing the price of items</li> </ul>
	<b>Mobile products</b> <ul style="list-style-type: none"> <li>- Traders refusing redress for faulty phones sold</li> <li>- Traders failing to honor warranty terms and conditions</li> <li>- Mobile products having charging issues shortly after purchase</li> </ul>
	<b>Debt Management</b> <ul style="list-style-type: none"> <li>- Debt restructure and holiday repayments provided to consumers facing financial problems</li> </ul>
	<b>Online shopping</b> <ul style="list-style-type: none"> <li>- Traders accepting payments however, failing to deliver items</li> <li>- Traders becoming non-responsive after accepting payments</li> <li>- Delivery charges not disclosed</li> <li>- Misleading advertisements displayed</li> </ul>
	<b>Advertisement and Promotions</b> <ul style="list-style-type: none"> <li>- Misleading advertisements</li> <li>- Shelf price different from POS price</li> <li>- Items advertised not available in stock</li> </ul>
	<b>M-PAiSA</b> <ul style="list-style-type: none"> <li>- Unregistered M-PAiSA agents charging exorbitant withdrawal fees</li> <li>- unethical practices by M-PAiSA agents</li> <li>- Unauthorized M-PAiSA transactions</li> </ul>
	<b>Spare parts</b> <ul style="list-style-type: none"> <li>- Spare parts becoming faulty shortly after use</li> <li>- Delay in delivery of spare parts after purchase</li> </ul>

The Council receives a wide range of complaints from consumers across Fiji. One of the constant factors in any consumer grievance is understanding your rights and responsibilities. Let us look at some case studies that are associated with consumer rights and responsibilities:

## 1. Illegal dwellers on land

Purchasing or leasing land in Fiji is a major financial investment for consumers. There are many factors to consider before a piece of land is bought. Some consumers invest their lifetime's saving on such purchases thus, expect that the property sold to them is free of any unwanted encumbrances or pending litigation process in court. Consumers also need to ensure that the property they intend to purchase is vacant without any existing illegal occupants. The following case study will show you why.

Navneet recently reached out to the Council to raise his grievance against iTaukei Land Trust Board (iTLTB). Five years ago, Navneet expressed his interest in buying a native lease that was advertised for sale. When he inspected the property; he noticed that there were dwellers on the property so he raised the issue with iTLTB who assured that the illegal occupants would be evicted and the boundary pegs would be inserted to redefine the boundaries of the land. Based on the assurance provided by iTLTB, he purchased the land. Unfortunately, despite making payment for the property five (5) years ago; Navneet failed to receive any positive feedback on the eviction of the occupants and land survey despite following up with iTLTB on numerous occasions since the purchase. The inactions of iTLTB led to the delay in his home construction works. The Council liaised with iTLTB, who managed to evict the illegal dwellers allowing Navneet to commence with construction works. iTLTB also surveyed and pegged the boundary lines.

**Your right** - Consumers have the right to raise their grievances in relation to unsatisfactory services provided by public offices. In this instance, the complainant paid for the lease thus, he has the right to access and use the land at his disposal.

**Your responsibility** - Consumers must exercise their due diligence by inspecting any property thoroughly before purchase. Navneet inspected the property and noted there were illegal dwellers however, relied on the verbal assurances by iTLTB for the eviction of the occupants which caused him delay on the construction of his home.

## 2. No Relief Watch

There are instances where consumers have complained about traders who delay repairing items under warranty. When consumers experience delays, they often seek a relief item that can be used until such time that their product is being repaired. The decision to provide a relief item depends on the terms and conditions stipulated in the warranty card. If the warranty expressly does not provide for relief items, the trader is not obliged to provide one. Andrew purchased an automatic Rip Curl wrist watch from Jacks of Fiji which came with a five (5) year's warranty. Andrew advised the Council that his watch would randomly time out thus, he raised the issue with Jacks of Fiji who advised that the watch will be given for diagnosis and

in the interim offered him a relief watch. Andrew was not happy with the relief watch as he demanded a brand-new watch and not a used one. The retailer did not agree to Andrew's demand as under the warranty, they were not obliged to give a relief watch. Therefore, Andrew escalated the matter for enforcement.

**Your right** - Right to seek redress. Andrew realised that his watch was facing technical issues. He exercised his right to seek redress by raising his grievance with the Council.

**Your responsibility** - Read terms and conditions highlighted in the warranty. Not all traders are required to provide a relief item whilst the products are given for diagnosis/repairs. Certain traders offer relief items out of good will.

## 3. Arrears Accumulated Unduly

There are many consumers who prefer making loan repayments through direct payroll deductions for convenience purposes. They are rest assured that their repayments are going to the credit facility and there is no need to worry of accounts ending up in arrears. Due to their busy schedules, these consumers often do not get the time to follow up with their financiers on the update of their account as long as repayments are reflected in their pay slips. The Council urges consumers to take some time out and follow-up with their credit providers on an update of their accounts so that they are not charged unnecessary fees and charges as was the case for Rajet.

Although Rajet's home loan repayment were facilitated by the payroll, his account with Housing Authority [HA] reflected arrears.

When the matter was escalated to HA for clarification of arrears; the Council was informed that the delay was from Rajet's payroll team whereby; HA had not received any payment from April to October 2021. They further advised that they did try contacting Rajet to relay the delay from his end however, were not able to reach him. Subsequently, HA raised a query with Rajet's payroll team, after which, his payroll team submitted his repayments in bulk via a cheque to the HA.

### Your Rights

**The right to be informed.** In the event Rajet's payroll team were unable to facilitate his repayments in a timely manner, he has the right to be informed of the same so that alternate arrangements for repayments could have been made.

**Your responsibility** - With the given incident, it is important for Rajet as a consumer to ensure that his repayments are updated. Whilst the repayment deduction was reflected in his pay slip, it should not prevent him from obtaining further confirmation from HA to see if his repayments were updated and his loan account was in order.



## Washing Machine damaged in flood

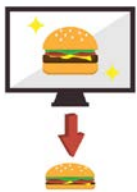
Sunil purchased a Hisense washing machine from Courts Fiji Ltd. However, after four (4) years of usage, the machine developed some issues so, he gave the machine to Courts for repairs. As the warranty on the machine had lapsed, he was requested to pay for the repairs which he agreed to do. Unfortunately, whilst in the possession of Courts, the machine was further damaged due to flooding in the service center. Courts offered Sunil \$135 as compensation for the discarded machine. Unsatisfied with the sum offered given that the machine was purchased for \$729, he approached the Council for assistance. The Council pushed for a replacement machine as the item was severely damaged whilst in the possession of the trader. As a result of the Council's efforts; Courts provided a brand-new replacement machine to Sunil.



**Your right** - Consumers have the right to be fairly compensated for damages caused to their products whilst in the possession of traders.

**Your responsibility** - Consumers must be assertive and raise their concerns if they feel cheated or wronged by traders.

## How to be a fair trader



1

Do not mislead consumers on prices of goods and services. Honour advertised prices including special prices/deals.

Provide proper receipts and invoices for sales made.

6



2

Do not accept payments for goods or services that you will not be able to deliver.



7

Do not make false claims about goods and services.



3

Do not hide important facts in fine prints.

Be courteous to consumers.

8



4

Do not tamper with the labelling of products especially food items, for example, expiry dates.



9

Do not display exclusionary clauses as this limits consumers' right to redress. Exclusionary clauses are illegal.



5

Honour warranty terms and conditions. Ensure to pass manufacturer's warranty to consumers, if any.

Address consumer queries and complaints in a timely manner.

10

**Complaint Handling**







## YOUR QUERY, OUR ADVICE



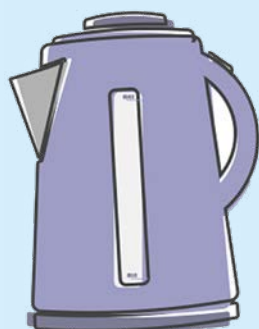
**Your query:** I am planning to engage a contractor to renovate my house. However, I read in the news that many contractors fail to complete the renovation works and cannot be contacted afterwards. I am afraid that my contractor will do the same. What can I do?

**Our Advice:** To reduce the occurrence of such incidents, it is always important to do your own research on the contractor to have a better understanding of their reliability and reputation. For example, you may wish to look for past customers and enquire about the service standards of the contractor. It is also important to obtain quotations from different contractors so that you will have a better idea of the industry rates. Do note that negotiating for progressive payment (making payment after the completion of each stage of work) will help you reduce your

losses if something goes wrong. It is advisable to have a written agreement in place detailing scope of work; costs involved; contact details (physical/phone/email) of the contractor and time frame involved in the construction process. Also, demand for receipts for any payments made to the contractor.

### Your Query:

I purchased an electric kettle from a retail shop and within one week of purchase, the kettle stopped working. I brought the item back to the retailer and requested for refund. However, the retailer argued that it was already printed on the receipt that "All items sold are non-refundable and non-exchangeable". The retailer refused to carry out any remedy for the defective kettle. Aren't consumers entitled to a refund when a defective product is purchased?



### Our Advice:

Under consumer protection laws, all retailers are obligated to provide redress in the form of repair, replace or refund for a defective product sold. Exclusionary notices/clauses such as "non-refundable" and/or "non-exchangeable" are illegal. The law requires the retailers to provide a remedy for defective products sold at their shop.



**Your Query:** I purchased a new television worth \$599 which came with a 1-year warranty. Surprisingly, just on the second day of the purchase, the screen went blank. I complained to the trader and asked for a replacement as the television was still under warranty. However, the trader told me to wait as they have to diagnose the issue before giving me a replacement television. Can't the trader immediately provide me a replacement since I only used the TV for 2 days?

**Our Advice:** Traders have the right to check the product before providing any redress to the consumer. The reason for diagnosis is to ascertain whether there is indeed a fault in the product or whether there is a user end issue - which would void the warranty. However, the trader has to provide a diagnostic report within a reasonable timeframe and not delay the same.

### Your Query:

I purchased a washing machine on hire purchase. The machine stopped working few weeks after purchase so I gave it for repairs to the trader. The repairs took over two months so I stopped making my payments because I find it unfair that I continue to make payments for a product that I am unable to use. Is it ok that I discontinue payments?



### Our Advice:

No. Hire purchase agreements is binding between the customer and trader whereby under the agreement, consumers must continue with repayments until all payments are made. Any arrangement for hold in payments must be stipulated in writing by the trader. If you have an issue with product repairs which has been delayed, you can seek assistance from the Council.



**Your Query:** I wanted to purchase shoes online. I called the trader and asked several questions regarding the shoes as I wanted to know more about the product I am buying. The trader was very rude and told me to buy shoes

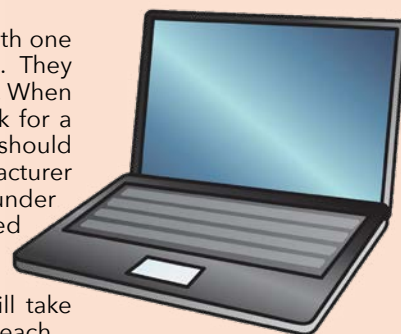
from somewhere else if I want to ask questions, and not waste his time.

**Our Advice:** Traders are obliged to answer all consumer queries in relation to a product. It is the consumer's right to seek information about a product in order to make an informed choice. Consumers who have been denied the right to information about a product are firstly encouraged - not to engage in any deals with such traders and to lodge a complaint with the Council

### Your Query:

Recently I had a dispute with one of the electronic retailers. They sold me a defective laptop. When I went back to them to ask for a remedy, they told me that I should approach the manufacturer instead as the laptop was under warranty. Hence, I called the manufacturer who then informed me that the next batch of stock will take approximately a month to reach.

I could not afford to wait as I need to use the laptop for my work. I wish to get a refund and purchase another laptop. Please advise if this is possible even though it was not stated in the manufacturer's warranty.



### Our Advice:

No, you do not need to contact the manufacturer/supplier. It is the responsibility of the retailer to contact the manufacturer/supplier as you procured the item from the retailer. Furthermore, besides the manufacturer's warranty, you may seek redress from the trader as they have the responsibility to supply goods which are of merchantable quality and fit for its purpose. Hence, the retailer may offer three types of remedies against your defective laptop: repair, replace or refund. Since the diagnostic tests/repair/replacement would take sometime which may cause significant inconvenience, a request can be made to the retailer to provide a relieving laptop.

# UNDERSTANDING HIRE PURCHASE

## What is hire purchase?

A hire purchase (often abbreviated to HP) is a legally binding arrangement between a business and a consumer. This enables the consumer to purchase consumer durables on credit terms. It may require the consumer to pay an initial amount on the hire purchase, and clear the remaining dues in regular installments. This enables the consumer to obtain immediate right to utilize the good. The hire purchase price is the cash price of the good, inclusive of the interest component charged. Interest is charged by the credit provider as payment will be delayed to them which is a risk, in comparison to a cash sale with full upfront payment. Therefore, when the total amount of the hire purchase is paid in installments over a period of time, the cost is higher than the cash price of the good.

## Benefits of Hire Purchase

1. Hire purchase offers consumers the flexibility to review the total hire purchase costs offered by several credit providers, and select one which is best suited to their budget.
2. It may be difficult for consumers to facilitate immediate cash payments. Obtaining goods on hire purchase is therefore beneficial for consumers with limited disposable income. They facilitate smaller amounts of payments over a period of time, which makes their purchase affordable and eases their financial commitment.
3. It does not require the consumer to save for expensive goods, which may take them months or years.
4. The interest rate stipulated at the time of the hire purchase transaction remains the same per the duration of the agreement. Hence, the repayment amount remains the same as well.
5. Hire purchase installments consist of fixed payments at regular intervals which do not increase. This makes budgeting simpler, as the amount to be paid is known in advance.
6. Value Added Tax (VAT) which is applicable for sales transactions, does not apply to hire purchase arrangements. Therefore, this cost is not added and passed onto the consumers in their installment payments.
7. Goods are provided to the consumer at the earliest after the hire purchase agreement is finalized. This enables immediate usage without paying for the entire amount of the purchase.

## Disadvantages of Hire Purchase

1. The total amount paid for the good is higher than the cost of the good due to the interest component. Furthermore, there are one-off fees charged initially when the hire purchase agreement is compiled, such as documentation fee and service charges, which also increases the cost of the hire purchase.
2. In the event the consumer defaults on payments, additional charges will be applied and added onto the account. These consist of arrears letters fees, calling costs, arrears fees and bailiff fees.
3. Fixed interest rates may be higher, and are not subject to the flexibility of being lowered or varied, in the event the consumer faces financial difficulties in meeting

- payments. Thus, the installment payment becomes a regular unavoidable expense which is not favorable for consumers. Furthermore, the consumer will not be able to switch to a different service provider for refinancing.
4. When repossession occurs due to default in payments, the consumer will incur a loss as they will not be able to claim the installments paid, as these installments are paid to hire and utilize the good.
  5. Access to hire purchase credit may encourage impulse purchases, as full upfront cash payment is not required.
  6. The ownership of the goods remains with the hire purchase company, till the consumer has paid all dues under the contract.
  7. In the unfortunate event, the consumer faces loss of employment or is employed on reduced working hours, their ability to continue with normal installments will be impacted due to reduction in disposable income. These risks may not have been considered in advance as possibilities, and budgeted for.

## Managing Hire Purchase Payments

1. Plan and formalize a budget to assess the total disposable income; current expenses including existing hire purchase payments, funds allocated towards unanticipated events and establish the amount remaining to cater for proposed hire purchase repayments. It will enable consumers to decide whether they can afford the installment repayment or not.
2. Prior to purchasing an item, it is best to be well informed about its total hire purchase cost. Be proactive and obtain hire purchase quotations from several companies to assist in comparing the amount of credit; the amount of the installment payments; the number of installment payments and the frequency of the installments.
3. It is vital to facilitate the minimum payment as stipulated in the hire purchase contract. This will ensure the account maintains a satisfactory credit rating. It will avoid arrears fees and reduce the costs associated with default in payments.
4. If there is ability to pay more than the minimum payment amount, it will assist in reducing the higher purchase debt faster, and ensure the account has an advance payment status.
5. Prioritizing and allocating funds towards precautionary savings will assist in mitigating the impact faced in the event of a job loss or reduction in work hours.
6. Hire purchase insurance may assist to cover some installment payments in the event of redundancy,

however this is as per the insurance cover terms and conditions which should be in line with the Consumer Credit Act 1999. Thus, it is important to carefully consider the terms and conditions of the hire purchase insurance and be familiar with the conditions and exclusions.





**Kelera Alyssa Uruwale Railoa**  
Martintar, Nadi

**1. How has the Consumer Council assisted you?**

I had purchased a dress online however, the seller failed to deliver it within the given timeframe. Numerous follow ups remained futile. Tired of no responses, I lodged a complaint with the Council. With the Council's dress was delivered instantly.



**2. Are you happy with the outcome?**

On a scale of 1 to 10, I would not hesitate to give a 10 for the Council's service delivery. In less than a week of lodging my complaint, I was able to receive my dress. The council was able to track down the seller who had been ignoring my messages and instructed her to provide feedback and follow through with the order.

**3. Would you encourage consumers to register their complaints with the Consumer Council?**

Absolutely!! I have already spread the word amongst my friends and family. A close friend of mine who just so happens to be having issues with another online seller has now lodged her complaint through the complaint's portal on the Council's website.

**Asita Devi Tokoloa**  
Vatukoula Tavua

**1. How has the Consumer Council assisted you?**

I approached Consumer Council of needed a refund from a dealer. I am very grateful with the service provided by the Thank you, Consumer Council of Fiji, helping me in getting my refund.



**2. Are you happy with the outcome?**

Yes, I am very pleased with the outcome. The Council staff promptly acted on my complaint.

**3. Would you encourage consumers to register their complaints with the Consumer Council?**

Yes, I always encourage consumers to register their complaints with the Consumer Council. The Council is always giving its 100% effort in resolving our complaints.

**Mere Meki**

**Address: Lot 13 Rambisessar Road Waila.**



**1. How has the Consumer Council assisted you?**

The Council has assisted me in getting my refund as I was sold a faulty laptop. The prompt follow up and action taken by the Council staff, assisted me in getting my refund from a trader who kept on making numerous false assurances and promises.

**2. Are you happy with the outcome?**

I'm so happy with the assistance provided by the Council and the tremendous help of the staff involved.

**3. Would you encourage consumers to register their complaints with the Consumer Council?**

Yes, I would encourage all consumers who are facing issues with businesses to seek assistance from the Council. The Council staff are extremely helpful and always updated me on the status of my complaint.

**Binesh Chand Raj**

**Lot 34 Ratu Dovi Road, Nasinu**

**1. How has the Consumer Council assisted you?**

The Council assisted me in getting my bond refund of \$650. I paid a landlord \$650 to secure a flat however, I did not move in due to personal reasons. The landlord refused to return the bond until the Consumer Council intervened. I managed to get the bond refund within a day of lodging my complaint.



**2. Are you happy with the outcome?**

Yes, very happy.

**3. Would you encourage consumers to register their complaints with the Consumer Council?**

Yes, surely. Some consumers do not know about the consumer protection laws in place to assist them in such situations and end up losing their money. The Council is here to help anyone facing difficulties with consumer issues.

**Yazmeen Sherani**  
28 Hercules St, Suva.

**How has the Consumer Council assisted you?**

I purchased a 2 in 1 hair curler via an online platform however, I was not satisfied with its performance. Therefore, I contacted the seller to raise my grievance. Unfortunately, the seller kept making excuses and even got verbally abusive. The Consumer Council liaised with the seller on my behalf and quickly obtained my refund.

**Are you happy with the outcome?**

I am most grateful that the Consumer Council's for helping in obtain a refund in such a short time, Kudos to the Council.

**Would you encourage consumers to register their complaint with Consumer Council of Fiji?**

Dissatisfied consumers should always register a complaint if they are not happy with their purchase. The Consumer Council is the only organization which empowers our rights as consumers. I urge the public to seek the Consumer Council's help and assistance if they feel unhappy or cheated by any trader.



# Council Re-ignites Efforts towards Sust

The Consumer Council of Fiji is part of a global campaign and a rising movement against unsustainable consumerism along with Consumers International (CI) - the membership organisation for consumer groups around the world. In order to promote sustainable consumerism, the CCoF and CI collaborate each year to advocate on sustainable development and poverty reduction by promoting worldwide awareness and by conducting advocacy activities which encourage sustainable patterns of consumption and production. The key pillar of this enterprise is Sharing Community: ways that sharing and collaboration bring more equal and sustainable access to goods and services for the benefit of people and the planet. In line with this initiative, CCoF celebrated Green Action Week (GAW). GAW is celebrated internationally from 4-10 October every year.

## What is Green Action Week?

### We face a crisis of people and planet.

Globally, millions of people do not have equal access to

consumption and production among consumers.

## Project "Noda Veikau, Noda Bula"

In order to promote sustainable consumerism, every year Consumers International coordinates the Green Action Fund (GAF), a collaborative project with the Swedish Society for Nature Conservation (SSNC). This annual grant scheme strives to promote sustainable consumption and production. The Consumer Council of Fiji is proud to announce that we are one of the 25 countries - and the only Pacific Island Country in receipt of this grant which was used to conduct a project titled 'Noda Veikau, Noda Bula' (Our forest, Our Life) with the theme 'Sharing Community'. This funding is directly in line with the Green Action Week celebrations.

## The Green Action Week Campaign

Our GAW campaign was centered around Fiji's interlinked challenges of land degradation and climate change which together threaten the long-term sustainability of vulnerable



sustainable goods and services we need for a decent life, and too much stress is being put on the planet - our shared home.

## There is an alternative: a sustainable future on a healthy planet.

This above-mentioned crisis is fueled by unsustainable consumption and production patterns. It is a system which is not natural but has been created by people - so people can change it. A number of communities and individuals all over the world have proved that sustainable choices can help us live in balance between people and planet by changing the consumption patterns.

## We can build this future through sharing community.

'Sharing community' is the technique GAW focuses on to achieve a safe and sustainable future. When people collaborate and share goods and services, it brings communities closer and brings social benefits that reduce our environmental impact at the same time. The sharing community works for people and the planet.

## Why is the Council advocating on environmental issues?

The problems of the environment are essentially the problems of ordinary individuals. Whether in the sphere of human settlements, natural resources or pollution, it is the well-being or even survival of ordinary individuals that is at stake. Hence, where the environment is being damaged, the damage is being done by individuals - through unsustainable consumption and production. Therefore, collective action to protect the environment can only be achieved when there is wide spread individual awareness of the environmental consequences of

productive landscapes - risking the Country's food security. Most if not all villages in Fiji engage in subsistence or semi-commercial farming activities. This is their major food source and also generates income for their households. Such farming activities has also become critical to maintaining food security in developing countries. However, as the demand for food and agricultural product increases, people have begun to engage in unsustainable farming activities. One such practice on the rise in Fiji is uncontrolled and unsustainable deforestation. Such types of deforestation activities not only cause extreme soil erosion, it also results in the loss of soil productivity - effectively forcing the increased use of fertilizers in farms. Soil erosion also causes siltation in rivers - giving rise to more frequent and extensive flooding. The increased use of fertilizers due to loss of soil fertility also causes environment degradation and takes away sustainable choices from consumers. Therefore, the Consumer Council of Fiji's GAW campaign 2021 leveraged on the Solesolevaki (sharing and working together in native language) nature of Fijians. Through this, the Council collectively advocated and educated villages and communities on the impact uncontrolled and unsustainable deforestation has on long term food security and our waterways (a major source of food for many Fijians) and also on the importance of afforestation. The project saw a close collaboration with Provincial Council's and with Village Heads who all came together and proposed amicable solutions - drawing upon traditional knowledge, which can be practiced and passed on to younger generations. The campaign also utilized other platforms such as social media, radio talkback shows, local dailies and community visits to highlight the importance of



# Sustainable Consumption and Production

sustainable production and share the key messages of the project. Some major activities included:

## A Village Clean Up Campaign to Inspire Sustainability through "Sharing Community"

In October, the Council staff visited Naivakacua village to carry out a cleanup campaign – to highlight the importance of sustaining our environment for future generations. This was also an opportunity to get everyone together and leverage on the Solesolevaki nature of us Pacific Islanders.

"As a village which is surrounded by river, we must work together to ensure our environment is clean and not engage in any unsustainable practices as it would harm our natural resources and deprive our children of what we have now. The Consumer Council of Fiji's initiative is greatly appreciated by the whole village as it reminded us of our responsibility towards

for all, the Consumer Council of Fiji has conducted numerous activities and rigorous campaigning over the past few years and will continue with such initiatives in the future", Consumer Council of Fiji Chief Executive Officer Ms Seema Shandil.

## What we achieved?

- 1. Reviving the culture of sharing.** Through the different activities organized by the Council such as tree planting, clean-up campaign and sustainable production competition, it was witnessed that all the people in the village came together as a family and shared ideas, resources and their time to work together for a common goal.
- 2. Resilient villages and communities.** The project created awareness and educated villages on unsustainable cultivation practices such as deforestation and promoted reafforestation. This occasioned in people being more conscious when clearing land – resulting in decreased



our environment and our future generation" Niko Aperama, Turaga Ni Koro, Naivakacua Village

## Tree planting to Inspire Protecting Our land and Waterways

During the Green Action Week, the Council also visited Silana and Nananu Village for a tree planting initiative which saw over 2000 trees planted in the two villages. This initiative was part of the Council's contribution towards global reforestation efforts, restoring lost forests, repairing damaged ecosystems and mitigating climate change. Humans, animals and the environment depend upon trees for survival. Therefore, as deforestation continues, we must put back what we are taking away.

## Initiative to Ignite Sustainable Production

The Council has also launched a sustainable consumption and production initiative in the three target villages where they collectively developed sustainable ways to showcase how they can transform their production methods (mainly farming) towards more sustainable practices. All the villages were rewarded with farming implements for the hard work and participation in this initiative.

*"The Consumer Council of Fiji believes in a world where everyone has access to safe and sustainable products and services that do not damage the environment or negatively impact future generations. As consumers, we want to live in a healthy environment, and have secure access to essential services like energy, water and sanitation. To enable consumers to make decisions, which support a more sustainable lifestyle*

erosion which will further lead to increased soil productivity and less use of chemical fertilizers. This was evident by the pledge of planting trees by the villages.

- 3. Healthier food.** Agricultural research has proven that uncontrolled and unsustainable soil erosion leads to decreased soil fertility and productivity. As villages and communities have now become more aware of the impacts of deforestation and adopt alternative methods of cultivation, both soil fertility and productivity will improve – reducing the use of chemical fertilizers; making the food produced healthier and safer.
- 4. Potential of decreased flooding in the future.** One of the major known causes of flooding is siltation in rivers which occurs due to deforestation. More responsible villages and communities will result in decreased deforestation – leading to decreased siltation in rivers.
- 5. Reafforestation.** Through the GAW, 2000 trees were successfully planted in the targeted villages
- 6. Cleaner surrounding.** Through advocacy and awareness and the clean-up campaign, the Council strived to create villages which are more conscious of how they dispose their waste. Villagers testified that they now better understand the impacts of how they discard waste.

The project "Noda Veikau, Noda Bula" and other similar enterprises are the Council's initiative to be part of a wider, global movement against unsustainable consumerism and to help consumers find practical solutions for global consumer issues.



# Parametric Insurance

## A Sigh of Relief to Consumers

Fiji is uniquely vulnerable to naturally induced perils like cyclones, tsunamis, floods and droughts. However, until recently, there were no insurance solutions for individuals, communities, small businesses, cooperatives and other livelihood groups which would protect them from such disasters. Through the United Nations Capital Development Fund's (UNCDF) Pacific Insurance and Climate Adaptation Programme (PICAP), innovative parametric insurance products were recently launched by the Attorney General and Minister for Economy Hon. Aiyaz Sayed Khaiyum which will ensure that consumers receive a certain level of assistance in times of natural perils such as cyclones.

### What is parametric insurance?

Conventional insurance products indemnify the policyholder/consumers for the loss it incurs from an insured event. Parametric insurance by contrast, pays a fixed amount upon the occurrence of a triggering event such as heavy rainfall and strong winds. The amount payable is based on a modelled forecast of the loss that the policyholder/consumer will incur. The nature of the product means that no loss adjusting needs to take place. As soon as a pre-determined threshold has been

aftermath of disasters.

Through this project, the Council is educating Fijians on strategies such as financial planning, budgeting, savings and insurance which would better prepare them to become resilient in the face of disasters.

Many Fijians (especially in rural and maritime areas) are also not aware of the importance of disaster risk insurance and those who are, may not know how to access these products. The project is effectively raising awareness and educating Fijians on the importance of disaster insurance. Additionally, women, people with disabilities and other disadvantaged groups are more vulnerable to the impacts of disasters hence, the Council will take a holistic approach to involve such vulnerable groups to promote financial inclusion.

### Financial literacy and parametric insurance

Educating consumers on financial planning, personal and household money management, savings and insurance would also ensure that Fijians understand the need to access and use appropriate and affordable financial platforms and products including parametric insurance and are also prepared for



met, for instance a certain level of rainfall within a given period of time, the policy is triggered and payment is made. By its nature, parametric insurance brings with it the ability to provide rapid funding for relief, recovery and reconstruction efforts, and so may have the greatest potential impact in countries most dramatically affected by natural perils.

### Example

Jone has suffered continuous damages to his crops and house over the years due to strong winds and excessive rainfall during the cyclone season. He finds it extremely difficult to look for additionally cash to help provide immediate financial relief after such events. Therefore, Jone purchased a parametric insurance product which pays him \$1000 every time there is a rainfall of more than 20 mm per hour which floods his small compound. (*Hypothetical example*)

In line with the launch of this parametric insurance product, the Council, in partnership with PICAP has also launched a project on financial literacy and awareness namely **Project Financial Resilient Fijians**.

### Why is the Council advocating and creating awareness on financial literacy?

Thousands of Fijians are directly affected by natural disasters such as cyclones, floods and drought each year which is now further intensifying due to climate change. Affected Fijians are left without any aid, relief or assistance in the immediate

natural disasters and are able to recover better and faster.

Additionally, financial awareness and competency are key to adoption and usage of financial services. For this reason, the project is focussing on building awareness, financial literacy and competency among Fijian consumers.

### What can consumers expect?

The Council is already conducting various project related activities in order to create greater financial literacy which will give consumers better understanding of different financial products that can help them mitigate the risks arising from natural disasters such as parametric insurance.

However, the Council will not be responsible for selling parametric insurance products to consumers. This is being done by insurance companies who have partnered with PICAP. Nonetheless, through project Financial Resilient Fiji, the Council will contribute towards financial capacity building of Fijians so that they can make informed decisions when purchasing the products.

The Council is appreciative of the United Nations Capital Development Fund's Pacific Insurance and Climate Adaptation Programme for partnering with the Consumer Council of Fiji in order to help Fijian consumers become more financially resilient in the face of natural perils.

Medication plays an important role in managing diseases, but it can also be quite harmful if taken incorrectly. For this reason, you must be a responsible consumer when taking medications. The fact that you are purchasing and/or consuming medication makes you a consumer and as a consumer you have certain responsibilities before purchasing or consuming any product, let alone medication. The responsibility of critical awareness; getting information and facts about products – is paramount in such situations. For instance, it is not enough to know that you take a blue capsule and a yellow tablet twice a day – there is a plethora of information which must be evaluated before even deciding to take medication. However, due to the overabundance of information on the internet, many countries are now facing the issue of consumers becoming ‘google doctors’ and self-medicating without consulting a doctor.

### The culture of self-medication

The World Health Organization (WHO) defines self-medication as the use of drugs to treat self-diagnosed disorders or symptoms, or the intermittent or continued use of a prescribed drug for chronic or recurrent disease or symptoms. It may include the use of herbs, the retention and re-use of prescription drugs or the direct purchase of Over the Counter (OTC) drugs without medical input. According to research done by WHO, the practice of self-medication is common worldwide in both developed and developing countries and may even be more common than the use of prescribed medication. In Fiji, families, friends, neighbors, the pharmacist, previously prescribed drugs, or suggestions from an advertisement in newspapers or popular magazines are common sources of self-medication.

### Why do consumers self-medicate and not consult doctors?

There are many reasons why consumers may opt to self-medicate without consulting a doctor to treat symptoms or diseases. Some of the common reasons include;

1. Consumers believe it is a minor issue which can be easily treated without the hassle of going to see a doctor;
2. Their family and friends had the same symptoms and after taking a particular drug, they were able to recover. In this instance, their said family and friends may have been either prescribed this medication by a doctor or self-medicated; and
3. The medication was recommended via online sources.

### Why self-medication can be grievous?

Self-medication is not only risky, but can also prove to be life-threatening in some cases. If you want to self-medicate, you should be able to recognize the symptoms that you are treating and should be confident that your medical condition is suitable for self-medication, and you should also be able to choose an appropriate medicine, and finally, you must also be able to follow the directions for use of the medicine as stated on the product labelling.

### Now these are big asks.

Non-prescription medication use is seemingly prevalent leading to unsafe medication intake practice. People without medical qualifications lack the understanding and expertise and may not be taking the right antibiotic or in the right way which can affect their health. This self-medication without professional advice and instructions can be disastrous. The doctor or a health professional is responsible for interpreting both signs and symptoms of an illness and the side effects of a

medicine. Patients do not have the qualifications or the know-how to decide by themselves which medicine to take for what symptoms and what are the contradictions or side effects. For example, according to Lybrate.com which is an innovative online doctor database, you may decide to self-medicate for a headache and this medicine interacts with another medicine that you are taking for a chronic issue and you end up harming yourself instead of recovering.

The United States National Institute of Health states the major problems related to self-medication are;

1. Wastage of resources;
2. Increased resistance of pathogens;
3. Causes serious health hazards such as adverse reaction and prolonged suffering; and
4. Antimicrobial resistance.

### Talking to your doctor

Consulting your doctor is crucial before taking any medication. Here are four tips to help guide your conversation with your healthcare provider about OTC medicines:

1. Talk to your doctor and ask questions about the benefits and potential risks of medication you take or are planning to take;
2. Tell your doctor about all of the medicines you are taking—including over-the-counter medicines, vitamins, and dietary supplements;
3. Tell your doctor about any allergies or sensitivities that you may have; and
4. Read and follow the medicine label and directions.

And remember, even if you get home and realize that you still have questions about your prescription medications; it's not too late. Do not hesitate to pick up the phone and call your doctor or revisit them – whichever is possible. Remember – when it comes to your health, there are no silly questions.

### Visiting the pharmacy

Consumers have the right to information: This means that sellers and producers should always provide consumers with enough and appropriate information regarding the price, weight, company brand, manufacturing & expiry dates, quality identification marks, ingredients, contact links of the company or any other information which may be relevant so that consumers can make intelligent and informed decisions. In regards to purchasing medication from the pharmacy, consumers should be furnished with accurate and adequate information about the medication they are purchasing. Some of the information which pharmacists must provide to consumers include;

- How to use the product?
- How often to use it and for how long?
- When to seek medical advice?
- What side-effects, if any, may be expected and what to do about them? and
- What medicines or other substances to avoid while using the product?

Do not be afraid to ask about anything that is not clear to you. Always tell your pharmacist if the medicine causes any kind of unpleasant reaction or if you are allergic to any medication/ingredient.





# THUMBS UP

## Debt Management Assistance

Due to unemployment, Daniel was unable to keep up with his hire purchase repayments with Courts Fiji Ltd. The shortfall in repayments resulted in the accumulation of more than \$1,000 in arrears thus, he was threatened with repossession proceedings. He urgently reached out to the Council for debt management assistance as he did not want to lose his household items. The Council flagged the complainant's request to Courts and was advised that he would need to pay \$30/week to clear the arrears and to hold off the repossession process. As Daniel was unemployed, he could not afford \$30/week thus, sought a further reduction in repayments. The Council further negotiated with Courts to lower the repayment taking into consideration his financial difficulties. Daniel was satisfied with the Council's efforts as Courts agreed to accept a repayment of \$15/week and held off the repossession process.

## Zero fee on local debit card use

Ravitesh who was charged \$0.40 by B.R Chetty & Sons for using his local ANZ Debit card on a Westpac EFTPOS machine enquired with the trader on the legality of this charge. He was told that this is a transaction fee that is levied to consumers who use other bank debit cards on a Westpac EFTPOS terminal. Frustrated, he flagged the matter to the Council as he felt that he should not have been charged this fee. The Council warned the trader and reminded them about the removal of fees/charges on all Debit/Access Cards that was implemented from 1 January 2019 by the Association of Banks in Fiji. This means that consumers can use their local Debit/Access Cards on any EFTPOS terminal without being charged a fee. The trader refunded Ravitesh the fees charged and assured the Council that no such fee would be levied for the use of local debit access cards in future.

## Car Repair - fast tracked

Joji fuelled his vehicle at Total Service Station however, his vehicle along with several other consumers' vehicles were

wrongly fuelled. Joji sought a relief car as Total was delaying the servicing and repairing of his vehicle. Total failed to provide the requested, hence, unhappy with the way he was being treated, he sought assistance from the Council. Surprising, all the necessary servicing and repairs of the car was carried out and handed to Joji within a day upon the Council's intervention.

## Curler and Straightener woes

Tessa purchased a 2 in 1 hair curler and straightener from Sylvia (an online trader). Upon using the straightener, she felt that it did not glide as easily over her hair in comparison to other brands of straightener. The case was brought to the Council's attention when she was denied redress by the trader. The investigations revealed that there was no issue with the item but the customer had a change of mind - hence redress is not applicable. The trader though not obliged to, in goodwill provided her with refund.



## Computer repair charges waived

Ratu purchased an Acer Aspire 3 laptop from Courts Fiji Ltd. However, he realized that the laptop was operating really slowly and would randomly shut down while in use. He gave the laptop for diagnosis which revealed that the laptop did not have any hardware issue however, the problem arose because Ratu had updated the Windows 11 operating system software. As the issues developed because of his actions, he was asked to pay for repair costs. Ratu sought the Council's advice on the matter and after the Council's negotiations with Courts, costs incurred for repairs were waived despite software issues not covered under warranty.

## Read the fine prints

Mr Kumar's vehicle was involved in an accident which resulted in damages to two (2) of the vehicle's doors. The damages were worth \$4519 but fortunately; Mr Kumar's vehicle was insured. He lodged a claim with Sun Insurance requesting for replacement of both doors however; to his disappointment, the insurer only agreed to replace the front door and advised him that the rear door would be repaired. Unhappy with the response, Mr Kumar reached out to the Council for assistance. The Council perused the insurance policy and noted that the motor vehicle cover only allowed replacement of parts where necessary. The independent assessor who was hired by Sun Insurance informed the Council that the rear door was repairable and did not need replacing. However, in good faith, Sun Insurance paid out \$4519 so that Mr. Kumar could replace both doors.

## CJS compensates for expired mix

Mr Prasad purchased Tandaco Stuffing Mix Sage & Onion from C J Supermarket (CJS), Nabua without realizing that it was expired. After consuming the expired mix, he got sick thus, sought compensation for his medical treatment and logistical costs. CJS initially agreed to cover Mr Prasad's costs however, delayed providing the same resulting in him seeking the Council's intervention. When the Council raised the matter with CJS, the he was provided full medical and transportation costs.







# Renovating your "Home Sweet Home".

Renovation can be costly, time consuming and a laborious exercise. Yet, most of us do not mind investing for a return of a cosy dream home. This dream however, can easily turn into a terrible nightmare if we engage the wrong people for the renovation job.

Over the years, the Council received a number of consumer complaints about the renovation industry. Registered complaints usually reveal issues such as shoddy renovation works - not meeting the expected and discussed in the contract, incomplete work, use of sub-standard hardware materials and so forth. Many consumers also highlighted that some contractors were not meeting the agreed upon completion deadlines and asking for upfront payments for work not completed.

## Hence before engaging a contractor, it is advisable for consumers to:

- 1) Ensure that the company/business being hired is registered before engaging the contractor - You can always verify with the Registrar of Companies on whether the company is registered or not. At the very least, this may ensure that the business is not a scam and can always be held accountable as it is a registered business.
- 2) Seek reviews from friends - work mates and relatives. Do a quick background research online or through social media. Social media is becoming a very powerful tool where consumer reviews of a particular business/trader can be easily accessed.
- 3) Request for quotations - Obtain quotations from different businesses before committing to a renovation package. This will make consumers less susceptible to misleading claims, false claims, overcharging and pressure sales tactics.
- 4) Read before you sign - Any document that needs a signature should be read carefully (both front and back pages) and then signed.
- 5) Clear contract. The contract agreement should reflect clear itemised costing of services and any labour or material costings. The contract should also highlight respective parties' rights for recourse in the event of default by either party.
- 6) Work out a schedule with the contractor - Ensure clear deadlines for completion and rectification works.
- 7) Make payment for the contract agreement progressively - Do not make full payment upfront. Demand for receipts and invoices whilst making payments
- 8) Document outstanding defects - Consumers can take photos of outstanding defects, and compile a defects list after completion, so that they can be resolved systematically.
- 9) Know your dispute resolution avenues - Aggrieved consumers can always lodge a complaint at the Council via toll free line 155 or drop us a complaint via the Consumer Council of Fiji mobile app if they are not satisfied with the services of their renovators.

## CASE STUDIES

### 1. Fatty Lamb Chump



When it comes to shopping for meat, consumers have high expectations for quality meat products. After all, most meat products are relatively expensive in the Fijian market. Despite raising so much awareness on the need to retail quality and safe meat, the Council continues to receive complaints of thawed; discolored and fatty meat products being retailed by meat establishments. One such complaint was received against Tebara Halal Meats Ltd (THM) a prominent butcher that has been in operation for several years. The consumer namely, Mohammed purchased lamb chumps from THM. When he took the chumps out of the packaging to cook; Mohammed was shocked to see that the lamb chumps were discolored. Instead of expecting the usual red color of meat, he was disappointed to find that the chumps were brown. Mohammed instantly brought the issue to the Council's attention given that the discolored meat posed a health risk to consumers. The Council carried out a joint inspection with Suva City Council's Health Inspectors and noted that THM's freezer had excessive ice accumulation which led to freezer burns on the stored meat. A warning was issued to THM to remove the freezer burnt meat immediately. THM complied with the Council's directive and removed all the discolored meat on the spot.

#### Your Rights

- Consumers have a right to safe and quality food and to be protected against products, production process and services which are hazardous to health.

#### Your Responsibilities

- Consumers have the responsibility to thoroughly inspect meat products before purchase and to voice out their concerns if they come across unsafe and contaminated food items being displayed for retail. This will ensure that consumers are protected from consuming food items that are unsafe for consumption.

### 2. Pure Fiji includes alcohol content in sanitizers

Since the discovery of the Covid-19 virus globally, many international organisations including the World Health Organization has recommended the use of hand sanitizers containing a minimum concentration of 60% alcohol, or ethanol. This is because according to health professionals; hand sanitizers containing between 60- 95% ethanol kill germs more effectively than hand sanitizers containing lower concentrations, or sanitizers with no alcohol at all. The first and second wave of the pandemic in Fiji saw a surge of consumers rushing to pharmacies and retailers to purchase hand sanitizers. Consumers kept a look out on the alcohol content of sanitizers bearing in mind recommendations of the WHO and the Ministry of Health. Amidst the pandemic, there were many consumers who were the Council's eyes and ears on the ground. One such concerned consumer was Jacob,

who told the Council that Pure Fiji hand sanitizers did not have the alcohol content disclosed on the labelling. The Council quickly investigated Jacob's complaint and raised the issue with the manufacturer- Pure Fiji. The Council stressed on the importance of revealing the alcohol content of the sanitizer that will allow consumers to gauge the effectiveness of the disinfectant. Accordingly; Pure Fiji amended the labelling of the sanitizer to include the alcohol percentage of 70%.



#### Your Rights

- As a consumer, you have the right to be informed and disclosed with all necessary information relating to the composition/ content of products in order to make well informed purchasing choices.

#### Your Responsibilities

- Critical Awareness: Your responsibility as a consumer is to enquire about the contents, ingredients and labelling of products you are considering to purchase and voice out when things are wrong.

### Conditional selling - A Big NO NO

- The Council has issued several press releases and media statements on the illegality surrounding conditional selling. Several traders have been warned and fined for imposing conditions on sale over the past few years. Despite such warnings, this practice is still pertinent in the marketplace. In a recent case at the Council, a prominent hardware company was alleged to be placing conditions on the sale of tile glue. The consumer, Samantha, went to purchase a pack of tile glue from RC Manubhai however, to her dismay; she was advised to purchase a box of tile so that she can purchase the glue. Dissatisfied with the trader's conduct, Samantha raised her grievance with the Council. The Council warned the trader that placing conditions on sale is illegal and that they must immediately cease from doing so. Samantha was able to purchase the tile glue without having to purchase the box of tile.

#### Your Rights

- Consumers have the right to purchase goods and services without any conditions being imposed on their purchase.

#### Your Responsibilities

- Consumers have the responsibility to be assertive and make known their concerns against traders who conduct themselves in an unscrupulous manner. Placing conditions limits consumer choices. Consumers are urged to report traders who exercise conditional selling.



# Doing Online Shopping

## *"the Smart and Careful Way"*

Technology has enabled our lives to become seamless and convenient. Instead of going to physical stores to shop, consumers are able to do it anywhere with use of simply their electronic devices such as smartphones. Hence, it should come as no surprise that more consumers are turning to online or mobile shopping, and the trend suggests that this will not slow down anytime soon. As a consumer, you may have done or have some level of familiarity with online shopping. But how much do you really know? Are you aware of all the traps? Are you familiar with the tricks to get the best bang for your buck? Are you certain that you are going to get what you paid for? It may seem like a lot to take especially if you are not online-savvy but fret not, let us show you how to be a savvy online shopper. Even if you think of yourself as an online shopping guru, read on because you may just stumble upon something new!

### **1) Research - doing your due diligence**

Have you zoned in on the item you want? Fantastic. But before you add it to the cart, there are few things you should do for your own benefits. We cannot stress enough how important it is to do a thorough research before buying anything. One of the key reasons is to verify the authenticity. The easiest way to go about making sure you are buying an authentic product instead of a counterfeit, is to shop from the official store that is verified by the shopping platform. Another method would be to compare prices. You may have seen multiple listings using the exact same image with largely similar names. There may be some that are ridiculously cheaper, which raises the question of whether they are genuine and rightfully so. As the old saying goes, if something is too good to be true, then it probably is. If buying the authentic product is important to you, we advise you to steer clear of such listings. Before you commit to a purchase, you might also want to look around different websites or platforms. Who knows, you may just get yourself a better deal elsewhere.

As part of your research, you should also look at the reviews of the product and the seller. Some considerations include:

Some considerations include:

- Does the product measure up to its description?
- What are past buyers saying?
- What is it like transacting with this seller? Is the seller responsive to queries and messages?

This also brings up the question - How reliable are these reviews?

It is not implausible that sellers would create accounts to give themselves a good image. Some tips when assessing the reviews:

- View the profile of the reviewers - is there a healthy mix of good and bad reviews or is it overwhelmingly positive?
- If there are one-star reviews, are they isolated incidents?
- Did the reviewer post any photos of the product they received?

These are usually helpful in assessing the quality you would receive. If it is your first time, ask the people around you for recommendations on sites they have used.

### **2) Terms, Conditions and Policies - The Tedious Stuff**

So, you have reached the point where you know what you want, you have certain level of confidence in the seller and you have checked out the possible savings or rewards. But hold up. Do you recall being enticed by a certain headline offer? Was it free shipping? Or perhaps a discount code caught your eye. While these offers may seem great at first glance, more often than not they come with certain conditions. Yes, while it may be a snooze fest to go through these terms, it is pretty essential that you do. For one, there may be a minimum spending requirement attached to the offer and the only way to find out is to go through the terms and conditions. If there aren't any, great you are good to go. However, if there is, consider whether it is worth purchasing extra items just to hit that minimum spend to qualify you for the deal. This goes for discount vouchers and promo codes as well. Read the terms and conditions carefully, do not be sucked in by the headline discount offer, thinking you are definitely getting the said discount. Another tedious matter you have to be familiar with, is the return and exchange policy. This is probably more applicable for those shopping for apparel online. Even after checking out the sizing guide, you may still have some issues with the sizing, hence it is vital you are agreeable to the store's policy.

### **3) Before checking out**

You should already have everything in place but do take note of this important step before clicking that checkout button because this will take you no longer than 5 seconds. Look out for pre-ticked boxes and deselect items which you do not wish to purchase such as membership or subscription plans that may have been checked without your knowledge. Look out for hidden charges and review your shopping cart and ensure the final amount payable is correct before completing the transaction.





## HALL OF SHAME

### SIMRAN BALLU - THE ONLINE FRAUDSTER

As consumers are becoming more digitally- savvy, online shopping is quickly becoming the preferred way to shop. Amidst the pandemic, the Council had seen a significant increase in online operators who ran their business mostly through social media platforms like Facebook and Instagram. There were several online shopping complaints flagged to the Council during the second wave of the pandemic and our research revealed that presently there are no strict laws in place that protect consumers specifically in the area of e-commerce. Therefore, these gaps in our laws allowed some unethical operators to earn a quick buck at the expense of consumers. One such unethical trader that was reported to the Council was *Thesos Co*. The Council received an alarming 28 complaints against *Thesos Co* which was operated by Simran Ballu. Ballu operated her business via Instagram and advertised goods at relatively cheap prices. Lured by these lucrative prices, the complainants made payments to Ballu in anticipation that they would receive their ordered items as soon as possible. However, much to their disappointment, Ballu failed to provide the items.



The Council found that the respondent had made false claims indicating that the items had been shipped to Fiji and was held up in customs awaiting clearance. The respondent even provided inaccessible zoom links to complainants to join her zoom sessions to receive their refund.

It was further confirmed that Ballu was residing in Australia and had deactivated her social media accounts making it difficult for the Council to track and liaise with her for redress. As such, the Council referred these complaints to the Criminal Investigation Department for enforcement intervention.

The Council in its efforts to protect consumer interest on online trading platforms has made submissions to the Ministry of Commerce Trade, Tourism and Transport calling for more stringent legislations and regulation in place. The Council will also continue to create awareness on how consumers can be better protected online.

### Shoddy laptops retailed by Quantum Electronics

Working from home in the pandemic led to a number of consumers purchasing laptops. Due to the heavy price tags that comes with brand new laptops; certain consumers opted to purchase refurbished laptops. Whilst refurbished laptops

are more affordable, there is always a slight risk that consumers may be sold defective laptops by dubious traders. One such unethical trader against whom the Council has received numerous complaints is Quantum Electronics, a fairly new electronics dealer and is renowned for selling refurbished laptops within the Central, Western and Northern divisions. More than 20 consumers knocked on the Council's doors having purchased laptops that were either of substandard quality or defective in nature.

A few of these complainants also informed the Council that when they raised their grievances with the trader, they were provided with dishonored cheques under the guise of a refund. Therefore, they reached out to the Council for help. Although, the Council was successful in obtaining redress for majority of these complainants; there were some cases that had to be referred for enforcement action due to the delaying tactic employed by Quantum.

### Global Finance rips off hundreds of dollars from consumers

Financial lending institutions play an integral part in the economy. Consumers who need quick financial assistance often turn to these institutions rather than banks because of the convenience in obtaining approval for a smaller amount of loan. Whilst majority of the financial companies conduct their business practices ethically, a few tend to take advantage of consumers' vulnerable financial position to dupe them off their hard-earned money. One such institution reported to the Council was Global Finance who ripped off several consumers under the pretext that they will be provided immediate financial loans in exchange of hundreds of dollars. The operator of the company namely, Mr Inia Bridge cheated people by holding numerous workshops with the vulnerable communities enticing them with different products that he had to offer only to disappear when deposits were received for the so-called loan products. Numerous follow ups by the affected were ignored and their mobile numbers blocked. Furthermore, he kept changing mobile numbers, hence all attempts by the Council to contact him remained futile. Investigations revealed that Mr Bridge did not have any fixed physical location which made it difficult to contact or locate him. The Council, after its investigations referred all cases against the Global Finance to the Criminal Investigations, Department for their intervention as he was obtaining cash through financial deception.





## Council Represents Fijian Consumers on International Platform

The Consumer Council of Fiji has made wonderful strides over the last few months in the international arena – ensuring that Fijian consumers are not left behind in the international platform and decision making. This has been made possible through partnership with Consumers International – the membership organisation for consumer groups around the world.

As a member of Consumers International, CCoF is the voice of Fijian consumers in international policy-making forums and the global marketplace to ensure consumers are treated safely, fairly and honestly.

### What have we accomplished?

#### 1. Member of Consumers International

As part of our continuing efforts to build our strategy on Sustainable Consumption and contribute towards Consumers International's wider Change Agenda, CCoF was appointed as a member of Consumers International Sustainable Consumption Taskforce. This taskforce

leverages on the members' experience and insights from around the world and provides members opportunities to contribute in the sustained consumer sphere. Through this taskforce, CCoF is actively contributing to the development of Consumers International's advocacy strategy and advising on key projects and workstreams being planned for 2022.

#### 2. Member of Consumers International Leaders Council – Young Leaders Generation Network

The Leaders Council of the Next Generation Leaders Network is a selected group of 6 individuals responsible for actively sharing ideas and insights with Consumers International.

The Leaders Council gives feedback about Consumers International's planned activities and propose new ideas and helps animate the group and build a global community which strengthens the consumer advocacy movement.

We are proud to have our Manager Campaigns Information and Media Mr Vinash Singh as a member of the Leaders Council.

#### 3. Consumers International World Consumer Rights Day Committee

World Consumer Rights Day was inspired by President John F Kennedy, who sent a special message to the US Congress on 15th March 1962, in which he formally addressed the issue of consumer rights. The consumer movement first marked that date in 1983 and now uses the day every year to mobilise action on important issues and campaigns. In order to set the international advocacy strategy and campaign activities for the

World Consumer Rights Day 2022, the Consumer Council of Fiji has been inducted in the World Consumer Rights Day Taskforce – a small group of selected member countries which meets regularly to discuss key themes, strategies and campaign initiatives.

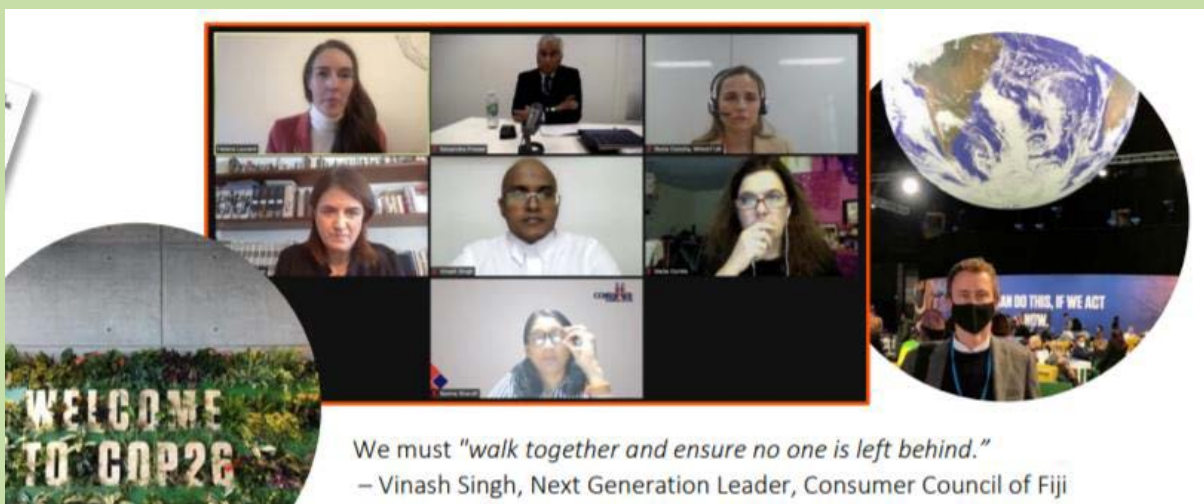
#### 4. Consumer Council Participates in Consumers International COP 26 Webinar

Consumers are key to ensuring the commitments made in Glasgow at the 2021 United Nations Climate Change Conference (COP26) become reality. For the world to achieve this, consumers everywhere will have to make fundamental changes to how they travel, heat, cool and power their homes, the food they eat and the products they buy.

In order to highlight the importance of consumer participation and their role to meet the global targets for carbon emissions, Consumers International held a COP26 webinar, which coincided with the fifth day of the conference (themed around Youth and Public Empowerment). The Consumer Council of Fiji Chief Executive Officer Ms Seema Shandil and Manager Campaigns Information and Media Mr Vinash Singh were two of the seven speakers in this important event.

The virtual event brought together leading consumer advocates with high-level decision makers to discuss the role of consumer protection and empowerment in achieving climate targets. It will also be part of the launch of Consumers International's written consumer statement, report and video.

Fiji's Ambassador and Permanent Representative to the United Nations Dr Satyendra Prasad was also a guest speaker at the event.





# HOW TO BE A SMART SHOPPER

## 1. Find out your food origin.

Consumers have the right to know where their food comes from. To make an informed decision, checking product labelling is vital before you buy any food from the supermarket.

## 6. Pay attention at the checkout

To prevent overcharges, make sure the items you purchase match the price displayed at the store. If you are charged more than the displayed price, notify the seller right away.

## 2. There are products that might yield side effects for some consumers.

So, if you are pregnant or you have some certain illness such as heart diseases or hypertension, you might want to take extra time in checking out the product warnings on the product labels before you buy them.

## 7. Do your shopping once a week/fortnight.

If you follow no other rules, follow this one. Keep track of your food stock, plan ahead, stick to your budget, make it count. This will help you plan your finances better.

## 3. Plan meals around local seasonal fruits and vegetables.

It's that easy! Every season has different fruits and veggies that are less expensive. Shop for and cook with that produce and you will save money.

## 8. Most consumers always skip supermarket "special" advertisements in the newspaper.

Check the ads and take a note on deals and products that are on special/discount. This will help save your \$\$\$.

## 4. Shop around.

A "sale" price isn't always the "best" price. Some merchants may offer a sale price on an item for a limited time; others may discount the price on the same item every day. Having an item's manufacturer, model number, and other identifying information can help you get the best price for the item you want.

## 9. You should always wash fruits and vegetables under running water before you eat them.

This was the advice before the pandemic, and still applies now. You should still practice good food hygiene to avoid the risk of food poisoning.

## 5. Be patient and courteous towards supermarket staff.

They are on the frontlines, working hard to serve consumers in some challenging times, such as COVID-19 pandemic. Also, extend this respect to other customers with patience and kindness.

## 10. Sales people cannot force or pressure you to buy something you do not like.

Be assertive and take control of your shopping. Do not let anyone dictate what you buy, even if it's a pushy sales person.

## NATIONAL CONSUMER HELPLINE 155

### HEAD OFFICE

Level 5 Vanua House  
Victoria Parade  
Private Mail Bag, Suva  
**Phone: 330 0792/331 0183**  
CEO: 330 5864  
Fax: 330 0115  
Email: [complaints@consumersfiji.org](mailto:complaints@consumersfiji.org)

### LAUTOKA/WEST

Suite 4 Popular Building  
Vidilo Street  
P.O. Box 5396, Lautoka  
**Phone: 666 4987**  
Email: [consumerltk@connect.com.fj](mailto:consumerltk@connect.com.fj)

### LABASA/NORTH

Level 1, Lot 41 Raza Properties Ltd  
Nasekula Road  
P.O. Box 64, Labasa  
**Phone: 881 2559**  
Email: [colbs@connect.com.fj](mailto:colbs@connect.com.fj)

We want to hear from you! What issues, campaigns or topics do you think we should look at?



OR SCAN HERE

