

Consumer Watch

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Budget Analysis



The 2019-2020 Budget is a step forward for Fijian consumers with policies for consumers that are practical and also environmentally and economically sustainable. New initiatives in the 2019-2020 budget will offer relief to consumers in the face of rising costs of living while also incentivising the adaptation of green initiatives.

Various reforms and policy changes announced in the budget are heavily focused on changing the quality of the ordinary Fijians livelihood. The most encouraging news for consumers is that the Government has maintained Value Added Tax and the Income Tax threshold.

Thanks to this and other decreases in duty on a variety of items, many consumers will be able to maintain their take-home pay. The continuation of the Free Education and Free Bus Fare assistance, also means hundreds of thousands of consumers will now have more funds to spend on other pressing needs for their household.

While there were increases in the duty charged on white goods and motor vehicles, consumers can also look forward to duty decreases on other products.

The announcement of a reduction in fiscal duty on batteries for laptops, tablets, cellular mobile phones and power banks from 32 per cent to 5 per cent will make these products more affordable for consumers. The Council applauds this move and also urges relevant authorities to look at possible avenues for redress for consumers in the online marketplace.

The reduction in fiscal duty on new ready-made clothing for children from 32 per cent to 5 per cent is another welcome initiative that will put money back in consumers' pockets. The Council also remains committed to ensuring these duty reductions are passed on to consumers and the Council calls on relevant authorities to ensure that duty reductions are reflected in final prices.

A reduction in fiscal and import excise duty on new buses and reduction in fiscal duty on used buses should assist companies with adding new vehicles to their fleets. As Fijian consumers use public transportation as their preferred mode of transport each day, the Council hopes that this reduction will give consumers a better public transport experience. The Government's decision to restrict vehicle imports to those meeting Euro 4 standards will give consumers a more comfortable, safe and environmentally friendly public transport experience.

Consumers using inter-island shipping services have long suffered because of numerous issues such as delays and cancellation of trips. The Government's decision to draft new laws to hold shipping companies accountable for any delays they impose on consumers will protect consumers and hold shipping companies accountable for unjust delays.

From January 1, 2020, the price of low-density polythene plastic bags will increase from 20 cents to 50 cents. These bags are thicker and mainly used by department stores. The Council warns traders not to charge the new levy before January 1, 2020. Consumers should also note that high-density plastic bags are those used to pack groceries in supermarkets. Low density plastic bags are the thicker glossy plastic bags usually used by department stores.

The Council also notes with interest that the Ministry of Housing and Community Development will be working closely with the Reserve Bank of Fiji and other financial institutions to allow homeowners to finance the purchase or construction of new homes at discounted interest rates.

The Ministry has also announced its intentions to increase the supply of affordable housing in Fiji expeditiously and will engage with all stakeholders, including construction companies, with an ambition to reduce the construction costs of homes.



Seema Shandil
CEO

CEO's Message

Welcome to the newly revamped instalment of the Consumer Council of Fiji's newsletter.

The past six months have been eventful but not without challenges.

The Consumer Watch showcases the Council's activities and advocacy efforts in the period since our last instalment. These activities show the vibrancy of the Council's research department and the renewed vigour of our staff who have shown a consistent effort to ensure consumer rights are protected.

High Consumer Confidence is important to ensure a willingness to spend and in turn stimulate the economy. But in order for consumers to have confidence in the marketplace, traders must conduct themselves in a trustworthy manner.

Unfortunately, in the first six months of 2019, trader conduct was an issue for consumers especially in the sale of food and drink products by restaurants and supermarkets.

Supermarket surveillances across the country found some traders routinely shirking the law and placing consumers' health at risk. Alarming the Council found numerous issues not only in regards to putrid meat but also rotten fruits and vegetables.

In another research initiative, the Council set out to determine whether restaurants in Fiji were complying with the restaurant grading system. The surveillance unearthed numerous issues with restaurants cleanliness and hygiene. This led to the Council serving abatement notices and a warning to traders to adhere to regulatory standards.

The Council also notes that the next six months will be a time of significant changes for consumers as a lot of the initiatives shared in the 2019-2020 budget address come into effect in the following months.

Past experience has shown that some traders have used this time frame to exploit consumers who may be unaware of specific timelines with which these initiatives come into effect. This issue of the Consumer Watch ensures consumers are informed of changes that will affect them in the coming months.

CCoF remains committed to advocating for consumer rights and ensuring these are protected in the markets.

We hope you enjoy reading this latest edition of the Consumer Watch

Continued from page 1

This is welcome news to consumers who may have found themselves priced out of the housing market because of high costs and high interest rates. The Government has already assisted first home buyers through the First Home Owners grant, and this commitment, coupled with the incentives for affordable housing for multi-storey and ground level multi-unit developments will significantly increase the accessibility of affordable housing.

The Council also applauds the decrease of fiscal duty on biodegradable kitchenware and tableware from 32 per cent to 0 per cent. This will make it cheaper for consumers to make greener choices and reduce the impact of their consumption in the environment.

Consumers should note that the duty rates and other changes relating to the Customs Tariff Act shall apply to goods arriving for the first time in Fiji by ship or aircraft effective 8 June 2019. The mentioned time and date also applies to goods relating to changes to the Excise Act.



Consumers are urged to take note of the new Government initiatives and policy changes and report traders who have not enacted these changes to the Council via the National Consumer Helpline on toll-free number 155.

Shandil appointed Council CEO

Seema Shandil has been appointed as the new Chief Executive Officer for the Consumer Council of Fiji.

Mrs Shandil began her duties as CEO on January 23, 2019 and has a wealth of experience in the field of research, economics, project management and education.

Council Board Chairman Raman Dahia said she would be an asset to the Council.

"Mrs Shandil's wealth of experience and drive will be vital to ensuring the Council continues to play a lead role in voicing the concerns of consumers, especially as consumer rights encounter new challenges posed by ever-expanding digital and technological frontiers," Mr Dahia said.

He added that her appointment followed a thorough and robust recruitment process under the requirements of the Ministry of Industry, Trade and Tourism.

Mrs Shandil has more than 20 years of work experience and has worked for organisations such as Fiji National Provident Fund as the Manager Research and Product Development, as an Economist at Reserve Bank of Fiji and as an educator with the Ministry of Education.

She holds a Master's Degree in Economics from the University of the South Pacific as well as a Postgraduate Diploma in Economics and a Bachelor of Arts with double majors in Economics and Education.

Council launches new logo and offices



The CEO and Board Members of the Consumer Council of Fiji with the Minister for Industry, Trade & Tourism (MITT), Local Government, Housing and Community Development, Hon. Premila Kumar.

The Consumer Council of Fiji launched its new logo and office on February 8, 2019.

The launch was officiated by former Council CEO and now Minister for Industry, Trade and Tourism, Local Government, Housing and Community Development Honourable Premila Kumar at the Council's new premises at Level 5 Vanua House, Victoria Parade in Suva.

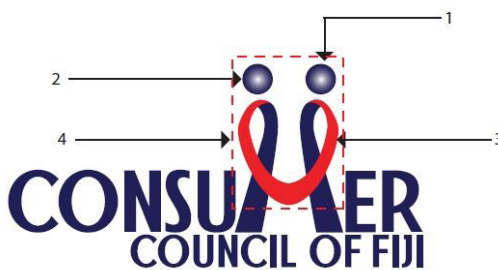
"The change in logo is timely, as it depicts the strong bond the Council and consumers have developed over the years," Mrs Kumar told the invited guests.

"The Consumer Council of Fiji plays a crucial role in ensuring a market place where

said the new logo signified the Council's continued relevance as a modern consumer organisation.

"It reflects what the Council is today, what it stands for, and symbolises a dynamic and unswerving commitment to ensuring the wellbeing and rights of its biggest stakeholder – the consumers," Mrs Shandil said.

"Our new branding will create an identity for the consumers through which we will increase consumer confidence in the abilities of the Council and their safety in the marketplace." She added the new office which has elevator access also allows consumers who are physically challenged to take advantage of the



1. Represents Consumers side.
2. Represents Consumer Council side.
3. Bond- The bond shared between the council and consumers shows that both work hand in hand to help improve the local market.
4. Happy - If viewed closely, the red curve on the logo portrays a smiley face ("hidden") which reflects consumer satisfaction.

consumers are well informed, confident and protected from unlawful, deceptive, misleading or otherwise objectionable practices."

Mrs Kumar also congratulated the Council's Board, management, and staff for their commitment, to not only enhancing the identity of the Council but also for protecting ordinary Fijians.

Consumer Council of Fiji CEO Seema Shandil

Council's services.

"The new office and logo represent the Council's push to incorporate new concepts and innovate on the foundation of ideas already laid in the fight for consumer rights.

"The Council also hopes the modern office, its features and services will allow us to champion the rights of all our consumers effectively," she said.



Have Your Say



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

Email: complaints@consumersfiji.org

How to Contact Us



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National
Consumer
Helpline
155

Alternative Dispute Resolution

The Consumer Council of Fiji employs an Alternative Dispute Resolution (ADR) Division for resolving consumer complaints. The objective of the ADR Division is to handle consumer complaints against traders and service providers; resolve complaints through mediation with traders and service providers; advise and assist consumers on matters affecting their interests; refer cases that come under the jurisdiction of other consumer protection agencies and stakeholders for their intervention; support and maintain legal proceedings contemplated or initiated by consumers where the Council deems such support necessary; provide debt management and consumer credit advisory services to financially illiterate consumers; manage the National Consumer Helpline (NCH) and empower consumers to use NCH to lodge consumer complaints.

The Council offers mediation services between consumers and traders as a form of ADR to resolve conflicts and disputes amicably. The Council has solved numerous complaints via mediation. The mediation process is friendlier, informal and is conducted in a pleasant environment. It is also inexpensive and speedy. Since the outcome of mediation could lead to a mutual settlement, it gives finality to the dispute. Besides, it leads to a win-win situation and avoids bitterness.

During the first half of 2019, dissatisfied consumers continued to lodge their complaints with the Council. This was a challenging time for the Alternative Dispute Resolution division. From January 1, 2019, to June 30, 2019, the Council through its ADR Division registered a total of 1,847 with a monetary value of \$2,692,882.08. The Council resolved 1,670 complaints through successful mediation. These resolved complaints had a monetary value of \$2,011,053.30. 33 complaints were referred to the Small Claims Tribunal while a total of 98 complaints were referred to other authorities. A total of 107 complaints are pending at the Council which it is devoted to resolving in a reasonably effective manner. The Council recorded 72 weak cases during this period where complainants failed to provide adequate documentation to substantiate their complaints.

The Council also monitors the top 5 complaints lodged at the Council and the top 5 complaints from January 1, 2019, to June 30, 2019, were as follows:

1. Landlord/ Tenancy

The highest number of complaints lodged at the Council was on Landlord and tenancy matters with a total of 265 complaints. Issues brought to the Council under this category ranged from failure to refund bond money, landlords not issuing receipts to tenants, not providing written agreements, the inclusion of unfair clauses in the tenancy agreements, illegal increases in rent despite the residential rent freeze, property owners locking out their tenants, landlords disconnecting utility bills and poor condition of housing with leaks.

2. VAT

The Council received a total of 165 complaints regarding VAT related issues. This ranked second on the list of complaints lodged at the Council through the National Consumer Helpline toll free number 155. NCH was established at the Council to monitor vat related issues. The nature of complaints lodged were regarding over-charged vat on price-controlled items, plastic bag levy and over pricing of goods after the budget announcement.

3. Food and Drinks

The Council had received a total of 144 complaints regarding

food and drinks which ranked third on the list of complaints lodged with us. These complaints had to do with putrid or rotten food products; dead insects or foreign objects found in packaged or freshly served food; mould growth on food; maggots and weevils found in flour; expired products and incorrect packaging. Consumers also exposed restaurants, manufacturers and bakeries for selling bad food products. The Council continues to liaise with the Ministry of Health's Food Unit and the Municipal Councils who take action against the offenders to curb issues of this nature.

4. Electronic Goods (Home)

Complaints related to electronic goods ranked the fourth highest with 121 complaints. These were regarding the quality of household electronic goods. The common complaint was products being found to be defective shortly after purchase or products being faulty soon after the warranty lapsed. Consumers faced problems with quality across the range of white goods such as washing machines, stoves, fridges, microwave and blenders. In some cases, consumers faced delays with repair works, where they had to wait for months to get the products fixed. Furthermore, the terms and conditions on the warranty were not explained to the consumers when the products were purchased.

5. Mobile Products

Mobile product complaints stood in fifth place with a total of 81 complaints. Mobile products include mobile phones and tablets. Complaints ranged from the products becoming defective, or products that were repaired becoming defective after a few days of usage. The Council also noticed that in most cases, consumers were not provided with full disclosures about the products and often the traders denied repairing the products despite the product being under warranty. Fiji does not have the necessary regulations and standards to prevent the importation of counterfeit products despite the Council's continuous lobbying. Thus, these complaints will continue making it to the top 5 list of complaints at the Council.



Information needed to lodge a complaint

The following information is required:

- Complainant's full name;
- Complainant's valid contact/ email address;
- Complainant's address;
- Trader or service provider's full name;
- Trader or service provider's valid contact/email address;
- Trader or service provider's address; and
- Completed details of the complaint supported by a evidence.

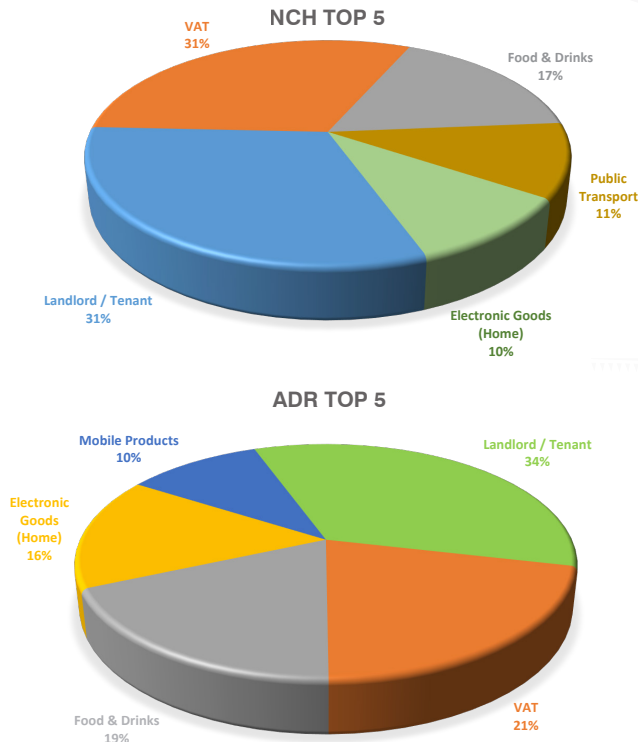
Documents needed to support your complaint:

- Receipts;
- Documents with Terms and Conditions;
- Tenancy Agreement;
- Bills;
- Warranty Document;
- Email correspondence;
- Letters/ Photos/ Video/Recorded Audios; and
- Any other information that will support your case.

ADR & NCH Top Five Complaints

ADR + NCH Top 5 complaint categories	No. of registered complaints	Suva			Lautoka			Labasa			TOTAL	
		ADR	NCH	TOTAL	ADR	NCH	TOTAL	ADR	NCH	TOTAL	ADR	NCH
Landlord / Tenant	265	53	106	159	41	59	100	4	2	6	98	167
VAT	165	0	112	112	0	47	47	0	6	6	0	165
Food & Drinks	144	24	68	92	14	21	35	15	2	17	53	91
Electronic Goods (Home)	121	35	34	69	22	18	40	10	2	12	67	54
Mobile Products	81	36	14	50	13	10	23	7	1	8	56	25
TOTAL	776	148	334	482	90	155	245	36	13	49	274	502

ADR & NCH Top Five Complaints from 1st January to 30th June 2019



Summary of Consumer Complaints received from 1st January to 30th June 2019

Combined statistics	National Consumer Helpline Statistics	Alternative Dispute Resolution Statistics	Total
Total Number of Received and Registered complaints	1086	761	1847
Resolved Complaints through Mediation	955	715	1670
Cases referred to Small Claims Tribunal	9	24	33
Cases referred to Other Authorities	43	55	98
Weak Cases	45	27	72
Pending Cases	34	73	107

NCH - Summary of Consumer Complaints from 1st January to 30th June 2019

National Consumer Helpline Statistics	Total
Total Number of Calls Received	3121
Number of Genuine Calls Received	1673
Follow Up Calls	391
Number of Complaints Registered on the Database	1086
Complaints Resolved	955
Cases Referred To Other Authorities	43
Cases Referred To Small Claims Tribunal	9
Advisories Issued	196
Weak Cases	45
Pending Cases	34

Source: Tables and Pie Chart / Consumer Council of Fiji 2019

National Consumer Helpline

The National Consumer Helpline is an important means for providing advice, guidance, information and speedy and consumer-friendly resolution of grievances through our toll-free number 155. Through our National Consumer Helpline, we received a total of 1673 genuine calls within the past six months from consumers who provided the latest information about business misconducts, unfair trade practices, defective products and insufficiencies in services by our retail market.

Analysis of Calls per Region

Within six months, the Council registered 1282 consumer concerns through our toll free line 155 of which 746 consumer grievances were from the Central Division, 435 from the Western, 57 from the Northern Division and 44 were from outer islands. These figures indicate that consumers took advantage of the opportunity to make free calls, to lodge their grievances.

Counterfeit Mobile Phones



The Council has recently started a campaign to educate consumers about counterfeit mobile phones. Counterfeiting is a phenomenon that has become an emerging problem all over the world. The growth rate in counterfeiting is 15% annually and amounts to USD\$500 billion annually. The results are dangerous goods, premature failures, more expensive legitimate products and a loss of consumer confidence.

Fiji is no different in this regard. While there are many counterfeit goods in the marketplace, the Council has noted that complaints dealing specifically with counterfeit mobile products are on the rise. In the last five years, the Council has received 643 complaints about Counterfeit Mobile Phones worth almost \$150,000.

A major challenge for the Consumer Council of Fiji is to stem the demand for counterfeit products. This is a serious challenge given that many genuine imported goods are priced beyond the affordability of most consumers. The desire to own new products and prominent brands drives Fijians to buy fake or unauthorized replicas that appear to be real. Another challenge for consumers is to differentiate between an original mobile phone with a counterfeit mobile phone before purchase, as counterfeits have evolved to closely

resemble original products. Counterfeit phones also pose health and security risks.

What are the Health Hazards associated with using Counterfeit Mobile Phones?

One of the reasons that the Council is actively advocating against the sale of counterfeit phones or mobile products on our shores is because of the health hazards they pose. Scientific research from bona fide institutions overseas has shown that counterfeit phones or mobile products usually have more than the globally accepted limits for lead. Research has shown that those who have had prolonged exposure to lead may be at risk of high blood pressure, heart disease, kidney disease and even reduced fertility for women.

What are the implications for Counterfeit phones on the economy?

1. The first implication for the economy and the marketplace, in general, is the introduction of potentially dangerous products into the market – Before they can be sold in each market all models of genuine phones are tested to ensure they are safe for users, including testing to make sure they meet national and international standards for exposure to radiofrequency emissions. All mobile phone batteries and chargers must undergo the same stringent testing to ensure they meet all levels of safety.

Genuine mobile phone batteries are tested under intense conditions to ensure they can handle varying conditions of use.

Counterfeit and substandard mobile phones, batteries and chargers, on the other hand, are not subject to such comprehensive testing, and therefore the safety of fake phones cannot be verified or guaranteed. There have been many media reports around the world of incidents where mobile phone batteries have exploded and injured people. Upon investigation, these incidents have been linked back to the use of counterfeit or sub-standard batteries. Counterfeit and some third party manufactured batteries do not meet all of the safety requirements that prevent these incidents. Non-genuine batteries may not have safety circuits, which regulate voltage, current and heat within the battery – without these, the battery can short circuit and explode or heat up and burn people.

The Chartered Trading Standards Institute (CTSI), a UK association that represents trading standards professionals, tested some 400 counterfeit chargers for Apple products, where only three chargers out of the 400 tested were insulated well enough to protect against electric shocks.

2. The second implication is that it could potentially weaken environmental, health, and safety regulations – Fake phones, batteries and chargers are made

from cheap substandard components and may contain chemicals, which are dangerous to the environment and your health. Fake phones can also contain hazardous chemicals and metals, such as lead and mercury. These are associated with a range of adverse health effects. They can also be harmful to the environment if they end up in landfills. According to the Mobile Manufacturers Forum (n.d.), a recent study conducted by the Nokia Institute of Technology in Brazil (INdT) on hazardous substances illustrates the potential dangers from counterfeit phones. All unbranded mobile phones were found to contain alarmingly high proportions of hazardous substances, especially lead (Pb). In some cases, the values were 35-40 times higher than the globally accepted limits for Pb.

3. Support organized crime – counterfeit mobile phones do not have authentic International Mobile Equipment Identity (IMEI) numbers that are crucial for identifying and tracking mobile phones, making it easier for criminals such as thieves, terrorists to escape detection.

What are the international best practice adopted to Control Counterfeit phones?

Globally there are international best practice standards that traders employ or abide by in the production of mobile phones. For most traders, the Restriction for Hazardous Substances (ROHS) is the benchmark for production. The European Union formulated the restrictions, and they restrict or limit the use of specific hazardous materials found in electrical and electronic products. Globally renowned brands are usually the ones that comply with these restrictions as opposed to counterfeiters. We've established that the reason that consumers purchase counterfeit phones is that they are relatively cheap. However, a lot of them are unaware of the dangers that it poses.

Research shows that for some counterfeit phones the values of lead (Pb) (lead is just one example of the hazardous materials found in electronic products) found in phones were 35-40 times higher than the globally accepted limits for Pb. In contrast, mobile phones tested from global and recognized brands were found to be within the acceptable RoHS limits, therefore, safe and fit for consumer use.

Significance of Consumer Education

Education and information are crucial, and consumers need to be educated on counterfeit mobile phones and its impact on the society so that they can make the right decision before purchasing them either online or through a retail shop. Furthermore, consumers need to know that all products must comply with standards and must have quality marks/logos so that they do not end up purchasing counterfeit mobile phones. The Consumer Council of Fiji in its role as an advocacy organization will raise awareness on counterfeit mobile



Participants of the Council's Counterfeit Mobile Products workshop.

phones to consumers, its negative impact on the community, environment and consumers. Furthermore, the Council will raise awareness for consumers to report counterfeit issues to the relevant authorities with the assistance of the relevant existing legislations.

How do we differentiate between Counterfeit Mobile Phones and Originals?

- Appearance - On first glance, a counterfeit phone may appear identical to a genuine model. On closer comparison, you may be able to identify some obvious differences between a genuine and a fake phone such as the colour, location of buttons, size or spelling of the brand name. If you see noticeable differences in weight, screen size, location of buttons and battery, quality of printing and paint finish, added or missing functions, quality control stickers and holograms and an overall lack of quality- IT IS DEFINITELY FAKE.

- Features - Read the features on the listing and compare them to the genuine phone. The camera resolution and built-in memory are dead giveaways as well, for example, an N96 phone has 1.3MP camera and a memory card slot, even though the genuine has a 5MP camera and 16GB non-expandable memory! If any part of the description on the listing is different, IT IS DEFINITELY FAKE!

- Functionality - Black market phones are made from sub-standard and cheap components and often run on second rate or pirated operating systems. Counterfeiters use cheap older generation chipsets, which may offer the same functionality as a genuine model but at far slower processing speeds. If your phone is noticeably slower than expected and the applications cannot be downloaded, IT IS DEFINITELY FAKE

- IMEI number - Every genuine mobile phone has a serial number to register it to a carrier network. This number is called the International Mobile Equipment Identity (IMEI) number. The IMEI number can be used to verify the legitimacy of a phone. Often counterfeit models won't have an IMEI number or use a fake one. If you are viewing the phone in person, then you can find the IMEI number on the product packaging, under the phone's battery or by pressing *#06# on the phone. If you are not viewing the phone in person, then you should ask the retailer for the phone's IMEI number. If there is no IMEI number, IT IS DEFINITELY FAKE!

2019-2020 budget –A step forward

The Government announced new initiatives in the 2019-2020 budget that will help consumers to save money. The Consumer Council of Fiji has identified 12 things that consumers should know about Government initiatives in the coming financial year.

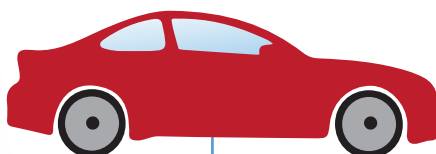
No increase in VAT

There was no increase in Value Added Tax or on the Income Tax Threshold. Value Added Tax remains at 9 per cent while the income tax threshold remains at \$30,000 and increases progressively. The full tax table can be accessed via <https://www.fracs.org.fj/2017-2018-pay-final-tax-budget-changes/>

NO
INCREASE
IN VAT

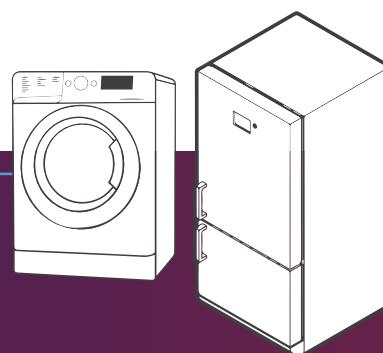
ECAL on new and used motor vehicles

A 10 per cent Environmental and Climate Adaptation Levy will now be levied on all new and used motor vehicles. This is designed to curb issues of traffic congestion, accidents, infrastructure damage and loss of time and productivity. The 10 per cent ECAL will be charged on all vehicles landed after June 7, 2019.



ECAL on white goods

Consumers can expect to pay more for certain white goods that were landed after June 7, 2019. This after the Government announced a further 10 per cent ECAL would be levied on their import. This increase will only affect the following white goods: smartphones, air conditioners, freezers/refrigerators, televisions, washing machines, dryers, dishwashers, electric stoves, microwaves and electric lawn mowers.

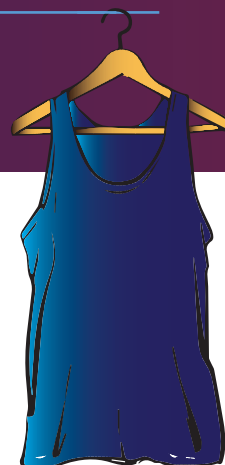


Reduction on import excise duty on new buses

A reduction in fiscal and import excise duty on new buses and reduction in fiscal duty on used buses will allow bus companies to improve their fleets. The Council frequently receives complaints regarding the condition of buses and these duty reductions should translate into newer buses for the travelling public.

Travel allowance for parents of disabled children

Parents of disabled children will now receive an allowance to travel with their children on buses. This will assist the most vulnerable consumers in our communities and again place money back in their pockets that can be used for other pressing needs.

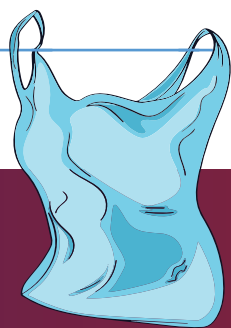


Duty reduction on new and ready-made clothing

There will also be a duty reduction from 32 per cent to 5 per cent on new ready-made clothing for children. This should give parents more money to spend on other necessities for their homes and children.

Increase in plastic bag levy

From January 1, 2020, the Plastic Bag Levy will be increased from 20 cents to 50 cents for low-density Polyethylene plastic bags. This increased levy can only be charged by businesses that operate with a point of sale system. There will also be a ban on Styrofoam containers from Jan 1, 2020. Biodegradable kitchenware and tableware reduced from 32 per cent to 0 per cent.



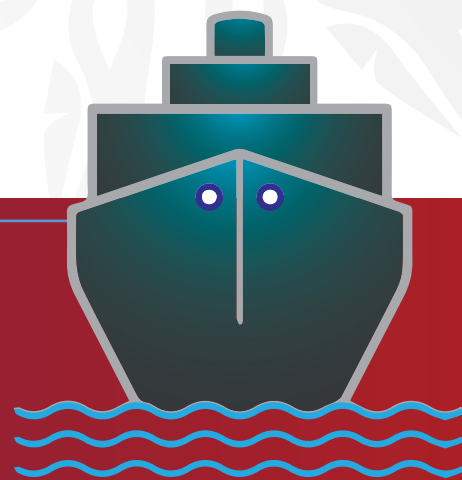
Reduction in fiscal duty on batteries for tech

With increased consumer uptake of new technology and the influx of new goods into the market, the Council is pleased to note that there will be a reduction of fiscal duty on batteries for laptops, tablets, cellular mobile phones and power banks (32 per cent to 5 per cent).



Legislation for shipping

Consumers can also welcome the government's decision to draft new laws to improve standards of service by inter-island shipping companies. This will ensure that they are held accountable for any unscrupulous practice. These changes will, in turn, ensure consumers are provided with a more comfortable, safe and environmentally friendly public transport experience.



Tax incentives for affordable housing developments

Government has provided tax incentives for affordable housing for multi-storey and ground level multi-unit housing developments. This is aimed at attracting private investors to develop housing. This will greatly increase the accessibility to affordable housing. The Ministry of Housing and Community Development has said it will work closely with the Reserve Bank of Fiji and other financial institutions to allow homeowners to finance the purchase or construction of new homes at discounted interest rates.



No Change in alcohol and cigarette prices

Alcohol and Cigarette prices will remain the same in the next financial year. This comes after increases in prices for consecutive years. The Council encourages consumers to use alcohol and tobacco in moderation and to ensure that they are not charged increased prices.

Identifying good quality meat

Meat is held in high esteem in most communities. It has prestige value and is often regarded as the central food around which meals are planned. Various types of meats are sometimes made the basis of festive and celebratory occasions, and from the popular as well as the scientific point of view, it is regarded as a food of high nutritive value.

Good quality meat not only noticeably tastes better, but the health benefits and environmental impact can also be significant. Therefore, meat quality and consistency are essential in ensuring consumer safety and satisfaction.

Recent joint market surveillance by the Council and Municipal authorities discovered that some traders had failed to follow regulatory requirements under the Food Safety Act. As a result, health inspectors condemned large amounts of meat from supermarkets. The table below shows the number of supermarkets surveyed and the issues discovered by the Council. The Council noted that traders were selling meat, which was visibly discoloured, thawed and giving off a foul smell. This was extremely concerning as these would affect a consumer's health. In order to make the right decisions while buying meat, it is therefore important for consumers to know how to identify good quality meat and how to spot rotten or aged meat.

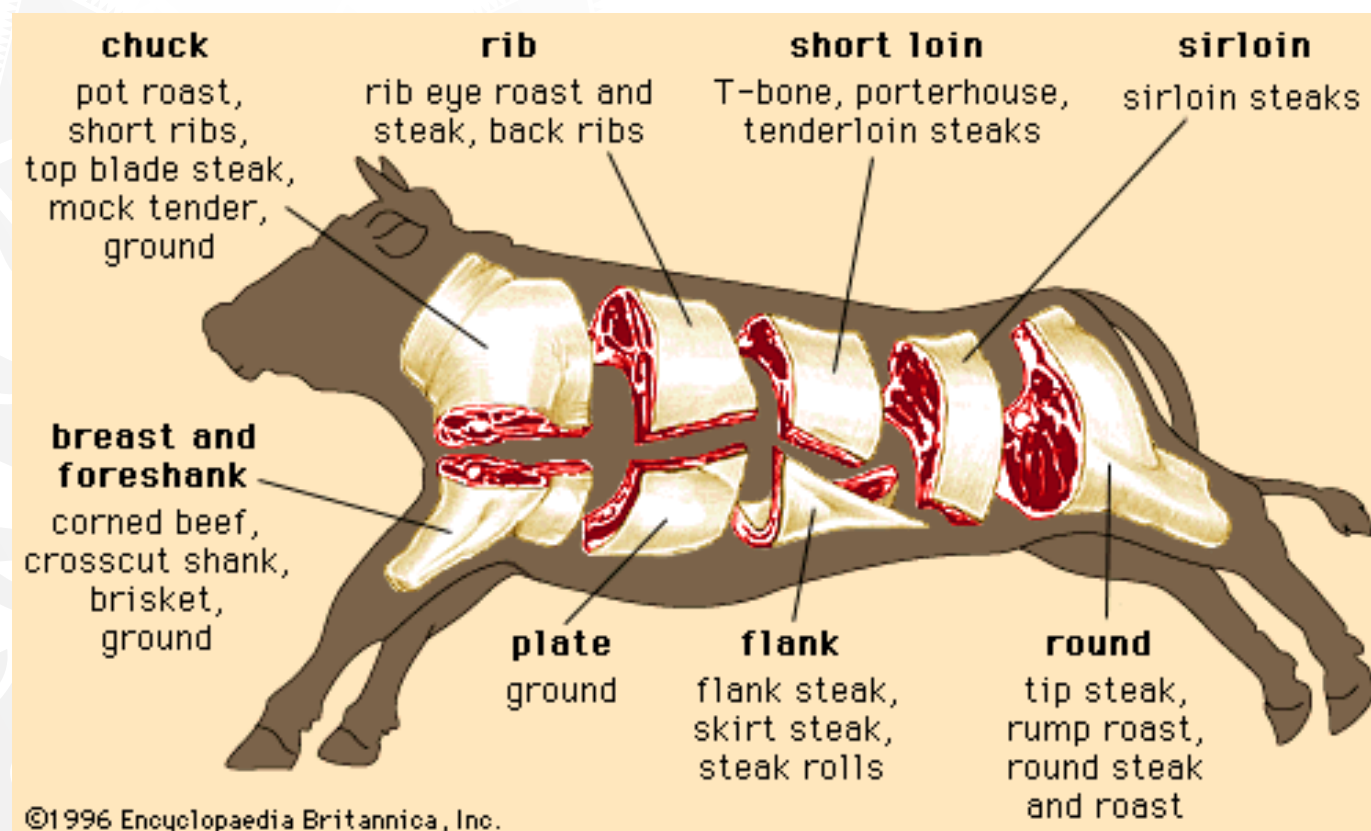
	Suva	Lautoka
No of supermarkets surveyed	21	22
Amount of meat discarded	10.0956 tonnes	4.46 tonnes
Issues identified	Putrid and thawed meat. Damaged packaging, expired items, the gross infestation of cockroaches around the food storage display areas. Dysfunctional freezers/coolers may be the root of most meat issues.	Putrid and thawed meat. Damaged packaging, expired items, the gross infestation of cockroaches around the food storage display areas. Dysfunctional freezers/coolers which may be the root of most meat issues.
Compliance	Most traders complied when required to remove the affected meat.	Most traders complied when required to remove meat

(Source: Consumer Council of Fiji, 2019)

The Council noted that traders were selling meat, which was visibly discoloured, thawed and giving off a foul smell. This was extremely concerning as these would affect a consumer's health.

In order to make the right decisions while buying meat, it is therefore important for consumers to know how to identify good quality meat and how to spot rotten or aged meat.

MEAT BUYING TIPS



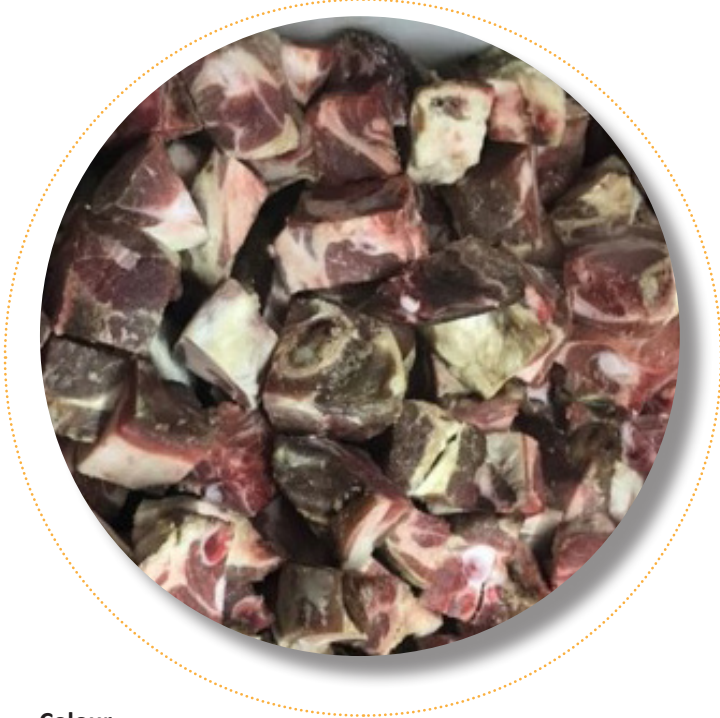
The right cut

The cut means the part of the which part of the animal the meat is from. Good meat comes from the back of the animal that is from the loin, rib and rump. This part is usually a lot tenderer than the front part which includes the legs, flank and shoulder.



Appearance

Meat should be virtually free from defects such as bruises, discolouration, feathers and should not have broken bones. There should be no tears in the skin or exposed flesh that could dry out during cooking. Also, whole birds and parts should be fully fleshed and meaty. The surface of the meat should not be too dry or too wet; neither should it have any blood splashes on it.



Colour

The natural colour of the meat should be bright red, except for the poultry one. The meat which is not fresh will no longer show the bright red colour. Sometimes due to the partial destruction of the red meat pigment, it results in the brown, grey and greenish colour of the meat.

Smell

The smell of fresh meat is slightly acidic. Any foul smelling meat should be avoided completely. Similarly, a foul smell emanating from freezers or meat sections in supermarkets is an indicator that the meat on sale is unfit for consumption.

Firmness

Any fresh meat will neither be too soft nor too tough. You can test it by poking it. It should slightly get pressed and then should

come back to its original shape. Anything which doesn't come back to the original shape or is too tight to poke has been on the shelf for too long.



Shops

Buy meat from shops that have freezers/refrigerators. Never buy the meat that is wrapped in paper. Meat should always be stored in the freezer and carried in vapour resisting wrapping materials.



Packaged meat

Some consumers who are in a rush purchase packaged meat because they do not wish to stand in line and select from a display of meat from the supermarket. Others may be of the assumption that packaged meat is generally cheaper and therefore a better option.

However, this analogy may not necessarily be true as some traders may package meat to hide defects and sell at lower prices to clear stock.

When purchasing packaged meat, it is crucial for consumers to consider the following:

- Meat should be firm when chilled;
- The darker meat, the richer taste. The colour should be clear, deep and red;
- Avoid meat that is brown at the edges or greyish;
- The meat should be firm and dry, never wet and wobbly;
- Streak of fat in lean meat gives juicier meat and more taste;
- The pieces should be evenly and carefully cut;
- Avoid processed, pre-spiced, pre-marinated meat – which may be produced from lower quality cuts; and
- Smell, look, feel and rely on your own judgment in choosing quality meat.

Council marks World Consumer Rights Day 2019

The Consumer Council of Fiji joined hundreds of other consumer advocacy organisations around the world to mark the World Consumer Rights Day (WCRD) 2019 on March 15. The Council chose to mark WCRD 2019 with a high school oratory contest aimed at educating students on the issue's consumers face when using Smart Products.

The International Theme for WCRD 2019 was "Trusted Smart Products," and in line with this, the Council invited students to speak on the local theme "How safe is my information with my smart products?"

The Orators deliberated exceptionally on the issues associated with the Internet of Things, and eventually, Suva Muslim College's Grace Vakuruivalu was awarded the first-place prize. The first runner-up was awarded to Sofia Taoui of Yat Sen Secondary School, and Caleb Fed Osborne Fatiaki of Mahatma Gandhi Memorial School was awarded the second runner-up prize.

The Permanent Secretary for the Ministry of Industry, Trade and Tourism Shaheen Ali was the chief guest at the event and called on students to reflect on their responsibilities when using smart products. Mr Ali also reminded students of the importance of the day and of its deep history in bringing positive change for consumers.

In the weeks before the contest, students were briefed on the emerging issues surrounding data privacy and security that consumers should be aware when using



Grace Vakuruivalu of Suva Muslim College.
Picture: Consumer Council of Fiji

smart products. These products provide access to new services, more responsive products and greater convenience and choices.

The emergence of smart products brings many opportunities for consumers, access to new services, more responsive products and greater convenience and choice. It is also pertinent to note that smart products are no longer limited to handheld devices, tablets and desktops with an internet connection. There are now smart TVs and smart fridges that can monitor your consumption and order groceries accordingly; smartwatches that are used with fitness apps to track movements; and even smart CCTV cameras. All devices connect to each other and the internet.

These connected devices now make up the Internet of Things (IoT) – a network of

interconnected devices that can connect to the internet to interact and exchange data. This data can also be accessed and stored by the parent company producing the smart product.

This has obvious advantages for consumers. Interconnected devices can generate large volumes of high-quality data on everyday actions, habits and preferences of their users. Companies can then use this data to improve the overall user experience of their products and tweak their products to ensure they meet the expectations of consumers. At the same time, the data can be used to improve their marketing strategies.

There are, however, some significant causes of concern with products on the IoT, including a lack of security, privacy and meaningful choice over how we use them, as well as a lack of clarity on who is responsible when things go wrong. Lack of regulation can also lead to gathered data being sold off or used by third parties for their unethical purposes.

Smart products are very popular in Fiji, and apart from smartphones, one will find smart TVs, smart watches and even smart CCTV cameras in most Fijian homes. However, real concerns around security and privacy of information stored on the products as well as who is responsible when things go wrong remains.

While there are some concerns in regards to smart products usage, consumers can use the below tips when using smart Products to ensure privacy and safety.



SEARCH for potential security and privacy issues before buying

Search the product online for reviews or news articles that identify security or privacy issues. Check whether you can make your device more secure by changing the password and adjusting the privacy settings. Confirm if the device receives regular software updates so any security vulnerabilities can be fixed.



MAKE strong, unique passwords for each device

Generic default passwords can be easily identified and allow attackers to gain access. Set strong, unique passwords for each device, service and your home router. The longer the password the better; mix upper and lower case letters, numbers, and special characters to increase the strength.



ADJUST settings for maximum security and privacy

Many devices and services come with minimal security protection by default and collect significant amounts of important information about you – so change your settings for greater security and privacy. Also plan to reset your device regularly. If attackers do access your device, malicious code is often stored in memory and a reset will clear it. If you become aware of an incident that may affect your device, visit the manufacturer's website or contact the retailer where you bought it for information on what to do next.



REGULARLY update software

If the device or app has an auto-update feature, turn it on. Find out how to check for software updates for each device and do it once a month. Most companies will release updates when they patch security vulnerabilities. Also accept updates for the apps on your mobile phone that control your device.



TURN OFF features you don't need and device when not in use

Lots of features on your device can continue to monitor you even when you don't expect or need them to. To avoid this, disable cameras, microphones, or location tracking apps when you are not actively using them. And, if you are not using the device, turn it off.

Be SMART!

The international consumer body, Consumers International and its members are working with manufacturers, retailers and regulators to create safer and more privacy respecting products.

But consumers can be empowered to make smarter choices.

Together with the Internet Society, Consumers International have created some top tips to help consumers connect smart!

Understanding labelling: What Consumers should know?

How many consumers read labels on the food products they buy? Perhaps, not all consumers do that. Simply, because people are so used to knowing a product by its name or brand that they hardly see the need to know more about the product such as its nutritional facts, when it was manufactured and where it comes from.

Food labeling is one of the crucial factors to maintain food safety. Food labeling is used to inform consumers of the properties of pre-packaged food. Consumers, therefore, should make efforts to read and understand the information provided on the packages of the food products. Reading these labels will help consumers make healthier food choices

UNDERSTAND a FOOD LABEL

.....and make better choices in regards to health

The Serving Size

- This package contains 8 servings
- Consume 1/8 of the package to get the nutrients below

Limit these Nutrients

- Eating too much of these nutrients may increase the risks of certain chronic Diseases.

Get Enough of these Nutrients

- Eating enough of these nutrients can improve your health and help reduce the risk of some diseases

Footnote

- Tells you that %DV is based on a 2,000 calorie diet

Nutritional Facts		
1 serving per container (33g)		
Serving Size		
Amount per serving		
Calories 230		Calories from Fat 110
% Daily Value*		
Total Fat	8g	10%
Saturated Fat	1g	5%
Trans Fat	0g	
Cholesterol	0mg	0%
Sodium	160mg	7%
Total Carbohydrate	37g	13%
Dietary Fiber	4g	14%
Total Sugars	12g	
Includes 10g Added Sugar		20%
Protein	3g	
Vitamin D	2mcg	10%
Calcium	260mg	20%
Iron	8mg	45%
Potassium	235mg	6%

* The %Daily Value (DV) tells you how much a nutrient in a serving food contributes to a daily diet 2,000 calories a day is used for general nutrition advice.

Calories

- How much Energy you get from serving of this food
- 1 serving of this food provide you 250 calories, and 110 calories are from fat

% Daily Value

- Help you determine the nutrient level in a serving of food (High or Low)
- Keep in mind that:
 - < 5% DV is low!
 - >15% DV is High!

**EDUCATE YOURSELF ON
FOOD LABELS.**
CHANGE YOUR LIFE,
HEALTH AND WELL BEING

PROTECT YOUR HEALTH READ THE LABEL



ACTIVE INGREDIENTS

What is in the product?

STORAGE & DISPOSAL

How does this product have to be stored? What should I do with the leftovers I don't need?

Top three pesticide safety tips:

- 1) Read the entire label
- 2) Only apply where the label says it should be applied
- 3) Keep all pesticides in their original containers

DIRECTION FOR USE

How and where should I use the product: How much is okay?

Not following the product's instructions is dangerous

PRECAUTIONARY STATEMENTS

How can the product be used safely?

FIRST AID

What should I do if it gets in my eyes, mouth, lungs, or on my skin?

KNOW ABOUT YOUR FOOD STORAGE: EXPIRATION DATES



USE BY

YOU'VE GOT UNTIL THE END OF THE DATE TO USE OR FREEZE THE FOOD BEFORE IT BECOMES TOO RISKY TO EAT

Do not eat after this date. You'll mainly find use by dates on meat, seafood, some ready to eat chilled foods and infant formula



BEST BEFORE

YOU CAN EAT FOOD PAST THIS DATE BUT IT MIGHT NOT BE AT ITS BEST QUALITY

Use your senses to check if the food is safe to eat. If it looks ok, smells ok and tastes ok, then you can eat it.

VS

Restaurant Grading System



Poor sanitary conditions and unhygienic practices in restaurants are a major concern for many in Fiji today. The Consumer Council of Fiji received several complaints against restaurants for unhygienic practices and the presence of bugs in food. This prompted the Council to survey restaurants around the country, which found pervasive poor hygiene practices that are placing consumers' health at jeopardy.

Findings of the Survey:

1. The problem of uncleanliness

The most common issues identified were the unhygienic food preparation practices by restaurant's, vermin infestation and poor food storage. Additionally, the restaurant's premises lacked overall cleanliness.

2. The problem of sub-standard food

Apart from poor hygiene practices, it was also observed that the food sold in some restaurants was stale, half cooked or cold, especially meat. The problem of sub-standard food in restaurants has been common for some time now. Recently the Council has received complaints of food poisoning after eating at some restaurants. While it couldn't be proven, the survey justifies such complaints.

3. Unsafe handling practices

The inspection revealed unsafe handling such as hairnets and gloves not worn by staff, exposed food, food warmers not maintained at ideal temperatures and food placed near rubbish bins and on floors. Apart from hygiene practices, issues like non-disclosure of current food prices and failing to display business and health licenses in the premises were also observed.

Council Action

The Council issued warning letters to restaurants that were not adhering to hygiene standards and also notified the Ministry of Local Government for their further action.

Regulations

Municipal Councils are required to grade restaurants following the Food Establishment (Grading) Regulation 2011. The system came into effect in 2012, whereby restaurants were inspected and graded yearly and issued certificates based on their compliance to the Food Safety Act 2003 and Food Safety Regulations 2009.

How does the grading system work?

Municipal Councils are responsible for grading restaurants. Health inspectors are expected to make around four to six unannounced visits to the restaurants in a year. The inspectors take the temperature of food, inspect how food is prepared and look for potential violations, such as evidence of vermin or dirty cooking utensils.

What do the grades indicate?

A higher grading indicates that the restaurant has better sanitary and hygiene standards. These grades are issued on a card by the health inspector and must be made visible to the general public.

Where can I find the grade?

The grade card should be posted somewhere on the wall that is visible to the consumers. It is usually posted close to the serving counters.

Unhygienic Restaurant conditions

Shobana is a resident of the United States of America, who visited Fiji to spend her short holiday as well as to meet up with family and friends.

She spent three weeks in Fiji, and during her stay at the Tanoa Hotel, she decided to take the night out to dine at a restaurant in Suva. She made her way with her family to this elegant restaurant.

They ordered their meals and sat down to eat.

Nearing the end of her meal, she noticed cockroaches on the wall and the seat cushions.

Shobana left the restaurant without finishing her meal and dissatisfied with the environment.

She sought the Councils assistance for redress. The Council conducted a joint inspection with the municipal council's health inspector, where the issues were addressed on site, and abatement of unsanitary condition notice was issued to the restaurant by the health inspector.

Your Rights

Consumers have their right to safety against products, processes, and services and a right to redress for just claims, including compensation. Shobana had paid for the services, and she deserved a sanitary restaurant condition which complies with Food Safety standards.



Your Responsibility

Consumers have the responsibility to raise grievances or concerns should they encounter issues with substandard quality food and poor hygiene practices.

Our Advice

Restaurants must ensure to provide good quality food and services compliant to the best sanitary and hygiene practices. Consumers should also be vigilant when choosing restaurants.

Consolidated case studies

"ALIEN" FOOD PRODUCTS

Food labels provide a wide range of information to protect the health and wellbeing of consumers.

Unfortunately, some traders import items with foreign labelling and do not attach any English translations to notify consumers of the contents. Recently the Consumer Council of Fiji came across one such incident where a trader was retailing foreign products without English labelling. Information on the ingredients, nutrient facts of the product, name, description and expiry dates were all printed in a foreign language.

The Council intervened and sought clarification from the Ministry of Health Food Unit, Biosecurity Authority of Fiji and Suva City Council. The products were later removed from shelves.

Your Rights

Consumers have the right to be informed. All facts and information on labels should be clearly printed in English to allow consumers to make informed choices. Consumers should be given all relevant information to make informed and confident choices about goods and services that they pay for.

Your Responsibility

Consumers must peruse product labels to be aware of the ingredients utilised in the products and make educated decisions before any purchase. This is because of the numerous health and cultural concerns that individual consumers may have.

Our Advice

Consumers must read product labels to be aware of the ingredients used in products. They are also advised not to purchase items if they are unable to read the labels as these products may contain ingredients that are harmful to their health.

DEROGATORY STATEMENTS PRINTED ON RECEIPTS

Printing names on receipts is one method that restaurants have devised to match a customer with their order. This not only provides a personal touch to the experience of visiting a restaurant, but it is also extremely convenient for both consumers and traders.

Unfortunately, this system can also be used to make derogatory remarks about consumers. The Council recently dealt with such an issue. Mr Vick and his wife went to a café for a coffee after a stressful day. His wife ordered her drink and was issued a receipt with the words "FAT LADY IND" printed on it.

Mr Vick was understandably frustrated with the derogatory labelling and lodged a complaint with the café. However, no action was taken. He then sought the Council's assistance, presenting the receipt as evidence. The Council consulted the trader and demanded they issue an apology to Mr Vick. The trader apologised, and the matter was highlighted in the media by the council.

Your Rights:

Consumers have the right to receive a fair settlement for just claims. The consumer was entitled to redress in the form of an apology, because of the derogatory statements made by the service staff.

Your Responsibility:

As a consumer, it is your responsibility to raise your grievances against service providers that have not delivered satisfactory services.

Our Advice:

Excellent customer service should be a priority for any company. Consumers must be treated with professionalism and courtesy. They should not be labelled according to their physical appearance.

EXTRA PLASTIC BAG COST

The Council continues to receive queries from consumers about a prominent supermarket charging extra for plastic bags. The supermarket has started charging its consumers \$0.30 per plastic bag (\$0.20 Environmental and Climate Adaptation Levy and an extra \$0.10 for cost). The supermarket had informed consumers of this added charge by placing signs in their stores. They also stated that this added charge was to discourage the use of plastic bags. The Council consulted regulators who confirmed that supermarkets are entitled to levy extra charges on plastic bags where they see fit.

Your rights

Consumers have the right to choose whether they wish to pay for a plastic bag. Consumers should exercise this right and choose to bring their bags to reduce their shopping expenses.

Your responsibility

Consumers have the responsibility to be environmentally aware and understand the consequences of their consumption. Consumers should recognize their individual and social responsibility to protect the earth from further plastic pollution.

Our advice

All businesses are required to charge ECAL of \$0.20 for plastic bags with handles, provided the businesses utilise a Point of Sale (POS) Invoicing Device. The business must ensure that the ECAL on the plastic bag is shown clearly and separately on the receipt and VAT is not chargeable on this levy. All businesses must display a notice informing consumers of ECAL charged on plastic bags.

To avoid spending money on ECAL or paying for plastic bags as a commodity, consumers are advised to use recyclable plastic bags.

Consumers should also note that high-density plastic bags, which are usually used by supermarkets to bag groceries will be banned from January 1st 2020. Low-density plastic bags, which are used by department stores, will still be allowed. However, consumers will need to pay a \$0.50 ECAL on these. This will give every Fijian citizen incentive to shop more sustainably and limit the amount of plastic bags that end up in our environment.

VEHICLE HISTORY NOT DISCLOSED

Simon was extremely pleased and excited when he managed to purchase a used Mitsubishi Lancer from Carpenters Fiji Limited. Before purchasing the vehicle, he was informed that there were some technical faults that would require repairs. However, Simon decided it would be a worthwhile investment and decided to purchase the vehicle. He later took the vehicle to a mechanic to fix the faults but received a nasty surprise after the vehicle was inspected. The mechanic informed him that the vehicle was previously involved in an accident and that it was the mechanic's garage that conducted the repairs. The mechanic also furnished a written report and pictures to ascertain his claim and further told Simon that the airbags for the vehicle were still deflated. Simon was not informed of the vehicle's accident history before buying the vehicle, and he felt that Carpenters Fiji Limited had

FAT LADY IND	
Host: 101	16/03/2019
FAT LADY IND	4:53 PM
	10214
R 6J's Iced Coffee	5.75
Subtotal	5.28
Tax	0.47
Ordered Total	5.75
Balance Due	\$ 5.75

acted in bad faith by withholding this information. He then decided to seek the assistance of the Council. Carpenters informed the Council that the previous owner of the vehicle had not told them that the vehicle was involved in an accident. Carpenters also informed the Council that they did not carry out their own diagnosis of the vehicle. However, the Council maintained that it was Carpenters responsibility to carry out proper checks before trading the vehicle. They should have also given all relevant information regarding the vehicle to any prospective buyers. After the Council's intervention, Carpenters agreed to provide redress. Carpenters also advised Simon to choose another vehicle of the same value from their lot.

Your rights:

Consumers have a right to be informed and protected against fraudulent, deceitful or misleading information. They also have the right to access accurate information and facts that are needed to make informed choices and decisions. Consumers also have the Right to safety and protection from hazardous goods or services.

Your responsibilities:

As consumers, you have the Responsibility to be aware of the quality and safety of goods and services before purchasing. Do not hesitate to engage an independent mechanic to have the vehicle inspected.

Our Advice:

Traders must provide consumers with all relevant information about second-hand motor vehicle. These include:

- Age of vehicle
- History of the vehicle (previous owner, mileage)
- How it was acquired
- Existing defects
- True mileage (export certificate)
- Suitability of use
- Safety features
- Motor vehicle specifications
- Terms and conditions of sale

Traders must ensure to inform the consumer of all information to help the consumer make a sound decision before purchasing a product. It is advisable that consumers must also conduct an independent search with LTA before purchasing a vehicle.

▶ WASHING MACHINE REPAIRS CAUSE DISTRESS

Praveen's family chores were eased after he had purchased a Panasonic washing machine from Home and Living. However, his joy was short-lived when his washing machine started to malfunction as water started leaking from the base of the machine.

Praveen informed Home and Living about this matter and had the washing machine repaired. Unfortunately, he realized that the problem recurred after a few months. Home and Living once again took the washing machine back and after a slight delay, repaired it and returned it to Praveen.

However, to his immense frustration, the machine broke down a third time. Praveen was unhappy and demanded either a refund or replacement which was denied by the trader.

After the Council's intervention, both parties agreed to have the product repaired one last time and after that, a replacement would be provided if the issue persisted. A week later, the washing machine was repaired and delivered to Praveen. However, it was tested in front of the delivery staff and the same leaking problem was witnessed.

The Council persisted for a replacement to which Home and Living agreed. A one-year warranty was also provided on this replacement.

Your Rights.

Consumers have the right to merchantable goods and services.

In this case, Praveen was denied this right; thus he exercised his right to redress.

Your Responsibility

Consumers have the responsibility to act and assert themselves to ensure they get a fair deal. They also have a responsibility to take further "action" by lodging a complaint against the trader.

The Council's advice.

Be aware of rights in terms of quality products and take a firm approach when negotiating issues that arise when you purchase white goods from traders.

▶ REPAYMENT HOLIDAY APPROVED

Sainimili had an existing personal loan account with BSP but was facing financial hardships as her husband unexpectedly lost his job. As a result, Sainimili shouldered the burden of all the family's financial expenses, catering for their children's education and other daily living expenses alone. She decided to write to BSP seeking a three months repayment holiday. Unfortunately, BSP refused her request, and she lodged a complaint with the Council, seeking further assistance.

Upon the Council's intervention, BSP approved a 3 month repayment holiday for Sainimili.

Your Rights

Consumers who face difficulty making repayments for legitimate reasons are entitled to redress under Section 66 of the Consumer Credit Act,

Under Section 66, consumers who face difficulties with repayments to creditors can request that:

1. The contract period be extended, and their repayments reduced.
2. The creditor postpone the date on which payments are to be made (Repayment Holiday)
3. The contract period be extended and postpone further repayments for a specified period.

Your Responsibilities

Consumers have a responsibility to take action and assert themselves to ensure they get a fair deal. Sainimili fulfilled this responsibility by taking action and requesting for a repayment holiday when she faced financial difficulties. She also exercised this responsibility to action by contacting the Council after BSP did not provide assistance.

Our Advice

Consumers who face difficulties with making repayments for loans or hire purchase agreements can contact the Consumer Council of Fiji for financial advice.

▶ CAR TROUBLES FOR DEO

Deo had some unexpected bad luck when his vehicle broke down amidst heavy traffic on a busy afternoon in Labasa. However, all was not lost as a gentleman who had mechanical skills stopped by and offered to help. Thanks to his assistance, the vehicle was able to start up in a few minutes.

However, he was also advised that there was a need to change the switch of the vehicle and the mechanic offered to do this without discussing a charge. Trusting the mechanic, Deo dropped his vehicle with him and after a few days, returned to pay for the repairs and take the vehicle. Unfortunately, the mechanic advised him that there was a need to change some vehicle parts which would cost him around \$400 - \$500 in labour costs and parts.

Since he did not have enough funds, Deo quickly arranged for a small loan to cover the repair costs. Deo returned to the mechanic after a week as the expected work was supposed to be completed within that time frame. To Deo's frustration, the mechanic advised that he had just discovered some major issues with the vehicle, which if not addressed immediately, would cause further damage to the vehicle. The mechanic further advised that it will cost more than \$1500 as the parts were expensive and it had to be brought over from Viti Levu.

Deo agreed to the repairs and arranged for a Sugarcane Growers Fund loan to pay off the mechanic. He did this with the hope of picking his vehicle in another week's time as this was the time frame given by the mechanic.

To Deo's frustration, the mechanic advised him that an additional \$500 was needed to pay for labour costs. Deo was not happy with this, sought the assistance of the Council because after spending \$2,300 he was not willing to pay another \$500 for the release of his vehicle.

After the Council's intervention, the mechanic admitted to fitting old parts and not new parts as charged and he immediately agreed to return Deo's vehicle without any further charges.

After the Council's intervention, the respondent waived all extra charges and returned Deo's vehicle in a working condition.

Your Rights

Consumers have the right to information in any given trade. The mechanic was not providing all the accurate information for Deo to make an informed decision when utilising his service. Because Deo figured he was misinformed and misled he acquired the services of the Council seeking his right to redress.

Your Responsibilities

Deo fully exercised his responsibility to take further "action" against this trader by lodging a complaint with the Council. A responsibility that Deo could have initially exercised was to be more "alert" and cautious before agreeing to pay for the services.

Council's advise

Consumers should also be alert and always have written agreements with any trader or service provider before paying them and engaging their services. Written agreements carry more weight than verbal agreements.

Before engaging, enquire with relatives and friends for mechanics with a good reputation and who will not attempt to rip you off.

► DENTURES & DENTURE PROBLEMS:

What Consumers Need to Know

Proper care of the mouth is essential for everyone but is especially important for senior citizens with dentures.

If dentures do not fit properly, they can cause painful sores that may become infected, making it difficult to eat or speak.

This was the case for 60-year-old Renee, who consulted a dentist for a full lower set of dentures. She paid \$200 for the procedure.

After her dentures were fitted, she felt discomfort, and this affected her eating. Renee immediately revisited

the dentist and highlighted the issues she was facing with the dentures. However, the

dentist failed to assist her, so she sought the assistance of the Council. The Council advised Renee to consult a reputable dentist to conduct an examination on her lower dentures and provide a report. She then consulted a second independent dentist who provided a conclusive report stating that the dentures did not fulfil the characteristics of a good denture. The Council then approached the first dentist who provided a full refund to Renee.

What Consumers Need to Know?

If you're transitioning to dentures for the first time, or even if you have had dentures for a long time, competent dentists can adjust and refit the denture to be as comfortable as possible. Even so, denture sores can happen, and should not be ignored.

Tips for Avoiding Denture Problems

- Give yourself time. New dentures require time for you

to get used to them. New dentures often require more adjusting from your dentist after the first fitting and may be uncomfortable at first.

- Schedule an adjustment. If you are beginning to feel sores on your gums or tongue, it's time to make an appointment with your dentist so the denture can be adjusted. During the appointment, the dentist will place a soft, gum-like material in the denture to provide a cushion.

- Give yourself breaks. Remove your denture for at least 4 hours a day. When you do, store it in a denture solution or water to help it hold its shape.

- Pay attention to your body weight. Losing or gaining weight can have an impact on how well your denture fits. If you notice significant weight changes, schedule an appointment with your dentist to check the fit and adjust as needed.

- Visit the dentist regularly. Regular appointments will allow your dentist to check your denture or partial plates and clean any remaining teeth that may help hold them in place.

- Brush regularly. Remember to brush your dentures each day to remove bacteria and food particles, which can lead to gum irritation and infection.

Consumer applauds Council's good work

Telecom service providers should inform consumers and create awareness of any impending changes to their services.

These were the comments made by a consumer, Mr Mohammed Sadiq who sought the Consumer Council of Fiji's assistance after his QuickDial was disconnected without prior notice earlier this year.

QuickDial is a service provided by Telecom Fiji Limited (TFL) that enables consumers to pay for call time in advance by using QuickDial cards/vouchers.

Mr Sadiq was using this service for four years, however, his landline was disconnected without any prior notice. At the time of disconnection, he had a remaining balance of \$85.28.

The Nakasi resident then visited TFL's Suva office to raise concerns and ask for a refund but was denied on the basis that the real money had expired at the time of disconnection.

The service provider also breached the consumer's right to choice by not consulting with him before deciding to upgrade from QuickDial to monthly-billed fixed line service.

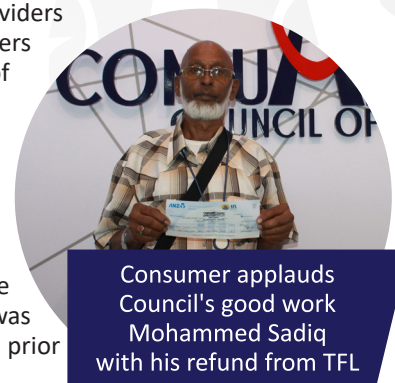
Frustrated and disappointed, Mr Sadiq sought the Council's assistance. After much deliberation and investigations into the matter, the Council concluded that TFL had lapsed in its judgement.

Mr Sadiq said despite being sickly and travelling to and from Nakasi for almost two months to get his just claims, he was certain that the Council would not let him down.

"I have faith in the leadership and the work of the Council to ensure consumers are protected against unethical service providers. All we consumers need is the best service and timely redress if something goes wrong," Mr Sadiq said.

A cheque of \$137.45 was made to refund and compensate Mr Sadiq.

The Council urges service providers to alert their customers of any changes to services and ensure that they understand what the changes entail, including fees and other financial implications.



Impacts



- Jitendra Kumar (complainant) was denied a refund by Patterson Shipping (respondent) when he was not allowed to travel under an open ticket on a date that he had chosen to go. Thus, the complainant sought the Council's assistance. Upon the Council's intervention, the respondent provided a refund to the complainant.



- Chandar (complainant) lodged a complaint against Patterson Shipping Limited (respondent) who refused to assist him after he misplaced his boat ticket to Labasa. Despite, highlighting the issue to the Shipping Company, he was informed that it was against company policy to replace tickets if passengers misplaced it. The complainant was then advised to purchase another boat ticket. Thus, the complainant sought the Council's assistance. Upon the Council's intervention, the respondent agreed to board the complainant without a boat ticket.



- Kamal (complainant) purchased a two-burner gas stove from New World Supermarket (respondent). Unfortunately, the gas stove malfunctioned after two weeks of usage. The complainant highlighted the issue to the respondent, and a replacement was provided. Unfortunately, the replacement also malfunctioned. Therefore, the complainant sought the Council's assistance. Upon the Council's intervention, he was provided a replacement again by the respondent.



- Abby (complainant) lodged a complaint against his landlord (respondent) who failed to repair a leaking water pipe, which resulted in a high water bill. Due to the exorbitant bill, the complainant's line was disconnected, and the complainant was without water for three days. Despite, highlighting the matter to the respondent, the complainant was asked by the respondent to repair the pipe and pay for the overdue bill himself. Abby sought the Council's intervention. Upon the Council's intervention, the respondent repaired the water pipe and paid for the

overdue bill.



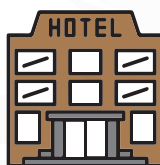
- Phillip (complainant) booked his accommodation at Nadi Airport Transit Hotel via www.booking.com as he was enticed by the marketing pictures used on their website. However, when he arrived at the hotel, he noticed that the hotel was run down and under renovation. Phillip sought the Council's assistance in the removal of such misleading advertisement by the respondent. Upon the Council's intervention, the respondent took down the pictures from the website and stopped taking reservations via booking.com until repairs were completed.



- Deepak's luggage was left at Auckland airport after his arrival to Fiji on the 18th February via Fiji Airways (Respondent). When his luggage arrived, he noticed that it was damaged. He then lodged a complaint with the Council. Upon the Council's intervention, the respondent agreed to pay for the damages caused to the complainant's luggage.



- Allana (complainant) booked seven days stay at Sea Winds Villa for her family in July last year. Unfortunately, Allana's husband passed away in March 2019. Thus she had no choice but to cancel their holiday to Fiji. Allana consulted Sea Winds Villa for a refund her deposit which the respondent refused. Allana filed a complaint with the Consumer Council of Fiji. Upon the Council's intervention, the complainant was provided with a full refund of her deposit.



- Jane (complainant) stayed at the Pearl Resort (respondent) on her business trip. She gave her clothing to the respondent for pressing which got damaged. She raised her concerns with the respondent. However, her concerns were not responded to promptly after which she sought assistance from the Council. Upon the Council's intervention, the respondent reimbursed the cost of the complainant's damaged clothes.

DID YOU KNOW?

The Consumer Council of Fiji advises consumers on a number of issues concerning them, from shopping tips, to budget advice as well as credit advisories. Below are some tips that consumers may find useful in their everyday lives.

1. According to research, the average cost per gallon of bottle water was \$1.21 in 2013, whereas the cost for a thousand (1,000) gallons of tap water is only \$2. This means that bottled water is 600x more expensive than tap water. The better option is to invest in a water filter. You'd be amazed on how much money you'll save.

2. Shopping malls are intentionally designed to make people lose track of time, removing clocks and windows to prevent views of the outside world. Stick to your shopping list and do not be enticed by the pleasure of your eyes.

3. If you have a damaged or mutilated bank note then you do not have to discard it. These impaired or disfigured notes are still legal tender and are acceptable in the marketplace.

8. It is your right to have pre-contractual disclosures where the lender provides certain information to the borrower in good time before they enter into a credit agreement.

4. There's absolutely nothing wrong with asking for a discount. In fact, it's built into some shops' official policies.

9. Debt collectors cannot harass you or call you at work if you tell them that such calls are not permitted. If you challenge the debt, do so in writing to the debt collector and the debtor. Do not ignore efforts to collect legitimate debts you owe, as that can lead to long-term harm to your credit rating.

7. Loan Protection Insurance (LPI) is a fee some banks charge to borrowers (customer) when accessing unsecured loans. This is to cover the borrower should they fail to repay the full loan amount. This inability to pay can be due to either death, disability or unemployment. Please check your agreement/contract before signing and liaise with your financial institution if you are paying for LPI.

6. Sometimes something in your email inbox can stir your consumer cravings. Clicking on emails from unknown senders and unrecognizable sellers could infect your computer with viruses and malware. It's better to play it safe.

5. If your goods are faulty and you wish to claim a full refund, you must return them to the retailer within a reasonable period of time.

10. There are no "quick and easy" ways to lose weight. Weight loss takes time and effort. Be wary of exaggerated claims and long term financial commitments. Talk to a health professional about diet programs before you spend money.

International News

Johnson and Johnson sued by companies over baby powder disclosure



Johnson & Johnson disclosed in its annual report on Wednesday that it received subpoenas from two federal agencies related to litigation involving its baby powder line.

The Securities and Exchange Commission and Department of Justice have requested that the pharmaceutical giant produce documents that shed light on the safety of its baby powder products.

The inquiries came in response to a Reuters report from December about product liability lawsuits against the company.

Internal documents obtained by Reuters revealed that Johnson & Johnson had been aware since the 1970s that its talc and powder products occasionally tested positive for traces of asbestos -- a known carcinogen and lung irritant with no safe level of exposure. However, the company didn't tell regulators or the public.

J&J said the subpoenas "are related to news reports that included inaccurate statements and also withheld crucial information."

The company has denied the allegations presented in the Reuters report and argued that "decades of independent tests by regulators and the world's leading labs prove Johnson & Johnson's baby powder is safe and asbestos-free, and does not cause cancer."

Johnson & Johnson has been sued numerous times by consumers who claim they got cancer after using the company's products. The company said it intends to "cooperate fully" with the latest federal inquiries about the safety of its talcum powder products and that it will "continue to defend J&J in the talc-related litigation."

www.consumeraffairs.com



Jetstar fined \$1.95million for misleading passengers

Claims by Jetstar that consumer protections did not apply to some of its fares have cost the low-cost carrier \$A1.95 million in fines.

The Federal Court ordered Jetstar to pay the fines after finding it made false or misleading representations about consumer guarantee rights under Australian Consumer Law.

The Australian Competition and Consumer Commission started proceedings on the issue in December 2018 and Jetstar at that time admitted liability.

The competition watchdog and the airline made joint submissions to the court that Jetstar should be fined the \$A1.95m and pay some of the ACCC's costs.

The court found that between April 2017 and March 2018, Jetstar misled passengers on its website about the rights and remedies available to consumers under consumer law.

The low-cost carrier said some fares were not refundable, and that consumers could only get a refund if they purchased a more expensive fare.

The court also found that Jetstar's terms and conditions breached the ACL by claiming that consumer guarantee rights under the ACL did not apply to Jetstar's flight services and that Jetstar's obligation to provide refunds or replacement flights was limited.

"Jetstar's representations were false or misleading because all flights come with automatic consumer guarantees that cannot be excluded, restricted or modified, no matter how cheap the fare," ACCC Chair Rod Sims said.

"If a flight is canceled or significantly delayed, passengers may be entitled to a refund under the consumer guarantees. All consumers have the right to a remedy, such as a refund, if services are not supplied within a reasonable time."

"Businesses simply cannot make blanket 'no refunds' statements, because they can mislead consumers into thinking they can never get a refund under any circumstances."

Sims said the decision was a warning to all businesses that misleading consumers about their rights may result in multi-million-dollar penalties.

Jetstar agreed to a court-enforceable undertaking to make its practices and policies consistent with consumer law to review consumer complaints concerning flight delays or cancellations from April 10, 2017, to March 13, 2018.

It will offer refunds or other remedies to consumers that would have been entitled to those remedies.

A spokesperson said: "We take our obligations under Australian Consumer Law seriously and it was never our intention to mislead customers about the circumstances in which they could claim refunds.

"We worked closely with the ACCC during its review and in July last year made changes to our website and our conditions of carriage, to make sure it's clear when customers are eligible for a refund."

Qantas, Virgin and Tigerair Australia also gave court-enforceable undertakings in 2018 that they would ensure their policies and practices comply with their consumer guarantee obligations under the ACL.

Australian consumer rights apply to domestic flights, international flights departing Australia and international flights to Australia when booked through an Australian website.

However, whether or not a passenger is entitled to a refund depends on circumstances that include the length of the delay, the reason for a delay or cancellation and whether the airline was able to place a passenger on another flight within a reasonable time.

The ACCC warns that what constitutes a reasonable time may vary with each journey.

"If the airline refuses to fix the problem or takes too long, you may be able to have the service provided by another airline and recover the costs of the replacement flight," it adds.

The ACCC also revealed that Garuda Indonesia had been ordered to pay \$A19 million for colluding on fees and surcharges for air freight services.

The federal court fine is the final piece in a long-running freight cartel case that has so far resulted in penalties of \$A132.5m against 14 airlines, including Air New Zealand, Qantas, Singapore Airlines and Cathay Pacific.

The court fined Garuda \$15m for its involvement between 2003 and 2006 in agreements that fixed the price of security and fuel surcharges, as well as a customs fee from Indonesia.

A further \$4 million was ordered for the imposition and level of insurance and fuel surcharges from Hong Kong.

"Price fixing is a serious matter because it unfairly reduces competition in the market for Australian businesses and consumers, and this international cartel is one of the worst examples we have seen," the ACCC's Sims said.

Garuda was also ordered to pay the ACCC's costs.

CHOICE April 2019

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