

The New Wave

It's almost impossible to comprehend all that is happening to everyone's lives due to the current COVID-19 outbreak in Fiji and adjust to our new normal. There are so many seismic disruptions and the ground is still shifting under our feet as we continue to grapple with the worst health crisis in a century. To beef up our fight against the outbreak and to protect individuals and their loved ones, both businesses and consumers have changed their style of doing businesses and shopping patterns respectively. Demand for certain consumer goods/essentials accelerated leading to a resurgence in breaches of consumer protection laws by some traders in an attempt to profit off consumer vulnerability during this crisis.

These unscrupulous practices have been evident since 19 April, when the first case of community transmission was announced. This is evident as from 19 April to 01 July, 38% of cases registered at the Council were against essential service providers. These included supermarkets, dairy shops and pharmacies. Issues such as increase in prices of Personal Protective Equipment's (PPE), conditional selling, sale of expired food products and the breach of the Price Control Order persisted despite numerous calls for the need to employ ethical business practices.

These market practices, no doubt contributed to the already existing severe socio-economic challenges faced by consumers, further burdening them during this difficult era. The issue of conditional selling in particular was rife. In few instances, traders took advantage of delays in the supply of sugar and placed conditions on consumers to purchase other items if they wanted sugar. This resulted in consumers not being able to purchase sugar or unnecessarily spending their hard-earned cash which could have been used elsewhere. Additionally, grave

violations of the price control order were noted for the same product. Traders raised the prices of sugar despite a price ceiling on the item and failed to provide receipts to consumers, indicative of intentions to flout the law without leaving any evidence behind.

Not only were such issues found in the traditional market space, the same was noted for multiple online shopping platforms. Dodgy market practices such as misleading advertisements, accepting payments and failing to supply goods, not providing goods as specified and failing to provide redress to consumers were unearthed and addressed by the Council. These tactics are concerning as they have become systemic issues common during natural disasters and crises.

The Council in its efforts to curtail this, has consistently warned traders to be more ethical during these trying times. Most importantly, the Council has engaged in ongoing market surveillances to ensure these issues do not continuously fester and, in many instances, collaborated with relevant regulatory authorities for enforcements.

While the entire nation is fighting against this incalculable grief and loss and economic distress to get back to normalcy, the Council is conscious that consumers also have a clear role to play. The pandemic has shown significant instances of consumer solidarity evident from consumers being vigilant and highlighting issue to the Council in an effort to ensure other consumers are not subjected to the same dubious tactics. This collective effort helps foster more efficient market practices. Consumers are urged to bring these matters to light by alerting the Council on toll free line 155. Consumers remain the biggest contributors to the economy and as such the efforts to ensure your rights are protected will continue.



Get Rich Quick Swindle

The year began with many Fijian communities – even those in rural and maritime areas falling victims to 'get rich quick' scams known as pyramid schemes. As the Council conducted in-depth investigations into this ordeal, thousands of Fijians were found participating in such schemes – many of them not realizing the illegal nature and high risk involved.

Puppeteers of this scheme took advantage of the vulnerability and trusting nature of Fijians by labelling the scheme as community gifting circles or mothers club fundraising. Some also went to the extent of using religious preaching to lure Fijians to participate in this scam.

This triggered an intense awareness campaign by the Council, in collaboration with Ministry of Commerce, Trade, Tourism and Transport, in order to dispel the ideology that the scheme was beneficial, and created awareness on the types of schemes present and the fact that it was illegal.

To learn more about Pyramid Schemes...Page 7



HIGHLIGHTS OF THE ISSUE

- *Consumers' Role in Battling COVID-19*
- *Spotting Pyramid Schemes*
- *Auctions: What You Need to Know*



BE PROUDLY
FIJIAN
BUY FIJIAN MADE

CEO's message



Ms SEEMA SHANDIL

Bula Vinaka!

The first half of this year has been both incredibly challenging and rewarding as the Council tirelessly pursued and achieved many key items on its agenda – which is a win for our Fijian consumers.

I am happy to share that the Council has championed the rights of Fijian consumers travelling via interisland vessels through years of advocacy and lobbying. This unwavering effort by the Council has been fruitful with the drafting and launch of public consultation on the National Maritime Travellers Rights Policy earlier this year. The Council is a member of the Steering Committee which spearheaded the drafting of the policy that will establish a minimum set of rights for passengers travelling by sea and inland waters, and requires carriers to provide assistance in the event of cancelled or delayed departures. The Policy will also provide persons with disabilities the same right, as anyone else, to maritime services. Through this policy, we are making the move to create a more considerate and supportive travel environment.

While the Maritime Travellers Rights Policy will promote the rights of consumers travelling via sea, the Council did not forget about the thousands commuting using public transport. In order to ensure quality, reliable and safe service is provided by public transport operators, the Council, early this year signed a Memorandum of Understanding (MoU) with the Land Transport Authority (LTA). This MoU enables the Council and LTA to share information, provide relevant trainings and collaboratively investigate and solve consumer complaints in respect of public service land transport and motor dealers. In addition, the MoU also allows for the development and implementation of effective

and efficient enforcement strategies to curtail issues being faced by consumers while using public transport. This is a win for our daily Fijian commuters.

As the Council is continuously working to protect consumers through these different mechanisms, efforts are also being made towards educating and upskilling our Fijian consumers on environmental issues as well. As part of its efforts to help inspire change, the Council launched a nationwide campaign against plastic pollution early this year – in line with this year's World Consumer Rights Day (WCRD) theme; "Tackling Plastic Pollution". The Council adopted the localized theme "Eliminating our Plastic Footprint" for this celebration. The theme drew special focus on the gravity of this issue and the actions consumers can undertake to combat this. To do this, the Council advocated on the 7Rs; Rethink, Refuse, Reduce, Reuse, Recycle, Repair and Replace which businesses and individual consumers can employ to fight against plastic pollution. During the WCRD celebrations, the Council held an interactive panel discussion which involved manufacturers, retailers, government ministries, civil societies and consumer youth advocates whereby they all shared their views on how plastic pollution can be reduced. In order to engage with young consumers, a poster competition was also held for all primary and secondary school students whereby they demonstrated how the 7R's can be used to combat plastic pollution. An overwhelming 2100 posters were received from students all over Fiji.

As the Council continued with its advocacy and complaints resolution, a nationwide campaign was mounted on pyramid schemes after a few cases were discovered in communities. Aggressive campaigning and awareness led to the revelation that these 'get rich quick' schemes were being disguised as community gifting circles, flower game, core group and many other carefully crafted gimmicks to lure Fijians - targeting the very foundation of our closely knit societies.

Our campaign saw the Solesolevaki spirit of different organisations which teamed up with the Council to protect all Fijians. This involved the Minister for Commerce, Trade, Tourism and Transport Hon. Faiyaz Koya, the Financial Intelligence Unit, Mobile Service Providers, Mainstream Media and other parties who all spared time and effort to raise awareness on pyramid schemes. The intense advocacy by the Council saw many Fijians' stepping up to report pyramid schemes in their communities with many others commending the Council's efforts to protect Fijians from these devious

schemes. While continuing to deal with the illegality of pyramid schemes, the Council noted that consumers were faced with further socio-economic issues brought about by the second wave of COVID-19. The increasing number of daily cases has resulted in numerous unending and conditional lockdowns severely affecting Fijian consumers. This is either through the loss of jobs or a reduction in income. Of particular concern was the fact that certain businesses tried to use this crisis to profiteer at the expense of Fijian consumers who are still recovering from the first wave of COVID-19 and two high intensity tropical cyclones.

During this second outbreak, the Council saw a hike in the number of complaints received as businesses resorted to engage in unscrupulous market practices such as placing exorbitant prices of Personal Protect Equipment's (PPEs), practising conditional selling, selling expired food products and breaching of the Price Control Order.

In order to protect consumers from such unethical practices, the Council conducted surprise visits to ensure businesses were compliant with all necessary legislations and polices, serving warning letters to those who were found to be non-compliant. Consumers were also kept abreast on latest issues and their responsibilities through press releases, social media and mainstream media.

To ensure the safety of its staff and consumers, the Council had to suspend all face-to-face engagements with consumers in its Suva and Lautoka office. To ensure the safety of its staff and consumers, the Council had to suspend all face-to-face engagements with consumers. However, other easy and convenient platforms were still made available to consumers such as the toll-free number 155, social media, emails, website, mobile app and phone calls which allow consumers to seek advice and lodge complaints.

While the first half of this year proved to be extremely challenging for all, the Council is calling on all Fijians to be resilient and hopeful, and with our dedicated team of frontliners, we will definitely win this battle against COVID-19 once again.

On behalf of the Council, I would also like to provide assurances to all Fijian consumers that the Consumer Council Fiji's small yet dedicated team of professionals will continue to work tirelessly to advocate, educate and fight for your rights, and we ask that you place your trust with us.

Consumer Council of Fiji and LTA Pens Partnership

Each consumer is entitled to receive the best service possible when commuting via public transport. However, for years, public transportation companies have come under the spotlight for providing inefficient and unreliable services. This triggered consistent lobbying for change by the Consumer Council of Fiji, causing many to improve services and upgrade their fleets. Yet, consumers continue to face similar issues when travelling via public transport which compelled the Council to join forces with the Land Transport Authority to ensure Fijians get quality and efficient services. In order to formalize this collaboration, a Memorandum of Understanding (MoU) was signed between the Consumer Council of Fiji (CCoF) and the Land Transport Authority (LTA) earlier this year. This MoU now enables CCoF and LTA to share information, provide relevant trainings and collaboratively investigate and solve consumer complaints in respect of public service land transport and motor dealers.

With a growing number of transport related concerns raised both to the Council and the Authority, the MoU provides a framework to investigate and efficiently resolve transport related complaints in the interest of Fijian consumers. The MoU has also allowed for the exchange of vital information to support investigation processes and reaffirms and enhances the longstanding partnership between the two organisations.



The Consumer Council of Fiji CEO Ms Seema Shandil with Land Transport Authority CEO Mr Samuel Simpson at the LTA headquarters, Nasinu.

Consumer Council of Fiji and Sai Prema Foundation Commit to Promoting Healthy Living

The Council being the frontline or first point of contact for consumer grievances has a strong mandate from consumers to express their viewpoints on issues affecting them. This being said, the Council over the past years has ventured into advocacy work on consumer health as the choices which individuals make as consumers ultimately has an impact on their health.

Hence, the Council is determined to empower consumers to assume more responsibility for their own behaviours (consumption patterns) and lifestyles (e.g., eating, exercise, and smoking habits) since these can have a significant impact on their health.

In order to give weight to CCoF's campaign on good health and wellbeing, a Memorandum of Understanding (MoU) was signed with Sai Prema Foundation Fiji (SPFF) in late March which has enabled CCoF and SPFF to collaboratively create awareness and educate Fijians on their health and wellness.

The MoU has marked both of the organisations continuous efforts to promote healthy living and wellbeing for all ages. This is in line with CCoF's continuous work efforts to help Fijians achieve the Sustainable Development Goals (SDGs); specifically, SDG 3 which is addressing Good Health and Wellbeing.



The Consumer Council of Fiji CEO Ms Seema Shandil with Sai Prema Foundation Director Mr Sumeet Tappoo at the Sai Prema Hospital, Suva.

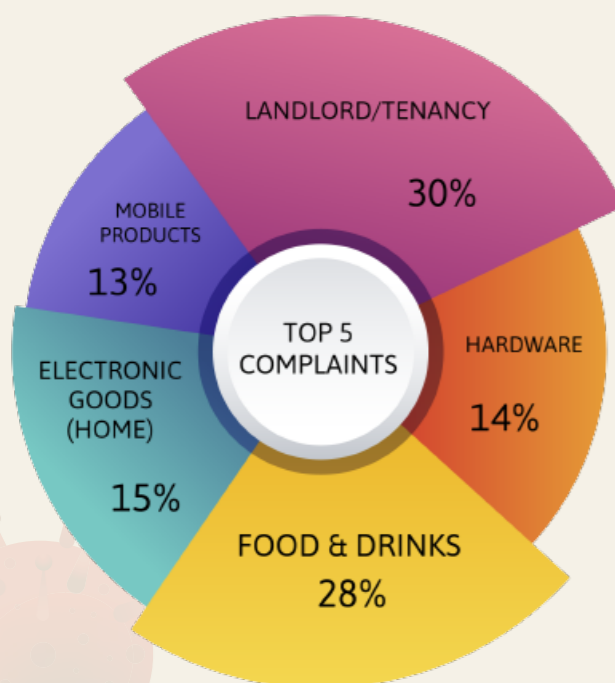
Alternative Dispute Resolution

Being in operation for over 44 years, the Consumer Council of Fiji (CCoF) has become a household name and is widely perceived as the principal agency on consumer rights and interests in Fiji. The core functions of CCoF includes consumer rights advocacy, mediation, policy recommendation, advisory and information. Another key function of the Council which is widely used by Fijian consumers is receiving and resolving complaints. The Alternative Dispute Resolution [ADR] & Consumer Advisory Division continuously strives to provide best outcomes for complaints usually in the form of repair, replacement and refunds to Fijian consumers. From 1 December 2020 to 10 May 2021, the Council has recorded a total of 1720 complaints with a monetary value of \$2,642,867.63.

Out of the total complaints received in this period, the Council was successful in resolving 1344 complaints saving consumers a total of \$1,946,916.23 of their hard-earned money. These figures are an indication of the continuous effort the Council is exerting in resolving consumer complaints. Thirty-two (32) complaints were referred to the Small Claims Tribunal while a total of 91 complaints were referred to other relevant enforcement bodies. The Council also recorded a total of 69 weak cases where consumers failed to provide the necessary documents to substantiate their complaints or failed to revert to the Council on clarifications sought. This has also resulted in the Council educating and creating awareness on the responsibility of consumers to demand for and keep documents such as receipts and other evidence of transactions – which are instrumental in obtaining redress.

Despite the challenges brought about by the second wave of COVID 19, the staff efforts did not dwindle in meeting our objective of undertaking to solve consumer complaints. Although the Council was not able to hold face-to-face mediations from mid-April, the staff continued to liaise with traders using electronic and telephone communication.

TOP 5 Complaints from 1 December 2020 to 10 May 2021



1. Landlord/Tenancy

Landlord/tenancy complaints continues to top the list with 202 complaints registered. The nature of complaints included but were not limited to illegal and improper evictions; failure of landlords to issue tenancy agreements/receipts; landlords disconnecting utilities; rent increase despite rent freeze order being in place and landlords locking out tenants. Following the announcement of the first COVID -19 positive case in 2021, the Council also received requests from tenants to liaise with landlords for rental flexibility in these trying times.

2. Food & Drinks

The Council continues to receive an overwhelming number of complaints on Food and Drinks ranking it number 2 on the list with 189 complaints registered. The nature of complaints in this category ranged from expired food items; stale food sold in restaurants, foreign objects and insects found in food, mould growth in bread and sale of thawed meat. The Council also noted a spike in complaints during the pandemic whereby several complaints were lodged against traders practicing conditional selling on food products and engaging in price gouging on essential food items.

3. Electronic Goods (Home)

In third place were complaints relating to electronic goods. A total of 102 complaints were received from aggrieved consumers regarding electronic goods they purchased for their homes. The nature of complaints related to non-availability of spare parts or after sales services; long periods of time taken for repairs; products becoming defective shortly after use; warranty terms and conditions not being honoured and repairs being conducted in a shoddy manner.

4. Hardware

Ninety-one (91) complaints were lodged at the Council against hardware traders. The nature of complaints received ranged from non-delivery, delay in delivery, wrong delivery to poor quality of hardware being sold by traders.

5. Mobile Products

The Council also received 91 complaints in this category whereby; consumers complained of shoddy mobile products being retailed, poor customer service, warranties not being honoured on products, delay in repairs, continued issues despite repairs being conducted and retailer's non-availability of spare parts or after sales services.

Summary of consumer complaints received from 1 December 2020 to 10 May 2021

Combined Statistics	Total
Total Number of Received and Registered complaints	1720
Resolved Complaints through Mediation	1344
Cases referred to Small Claims Tribunal	32
Cases referred to other Authorities	91
Weak Cases	69
Pending Cases	235

Case Studies

1. Bulk rotten potatoes

Semi purchased a bag of 20kg potatoes from Peter Fong and Company Limited. To his dismay, Semi discovered that most of the potatoes were rotten. The respondent also refused to provide Semi with any redress after he highlighted the issue with them. After the Council's intervention, the respondent provided Semi a new bag of 20kg potatoes, which was delivered to him without incurring any cost.

Your Right

- To receive quality and safe products.
- To redress if traders supply unmerchantable quality of goods/services.

Your Responsibility

- Be assertive and demand for quality goods and services.

2. Unregistered pesticide illegally retailed

David purchased two bottles of pesticide from Ferns Pesticide Fiji that supposedly kills bed bugs at a discounted price of \$45.00. Despite using one and a half bottles on his furniture, the bed bugs resurfaced on the following day. Subsequently, David sought the Council's assistance.

The Council together with Ministry of Agriculture investigated the matter and it was discovered that the respondent had and reformulated the pesticide which is illegal under the Pesticides Act 1971. As a result, the respondent was warned to refrain from reformulating pesticides solutions and retailing it. David was provided a refund of \$45 and the Council did a joint Press Release with Ministry of Agriculture on the matter so that both retailers and consumers are well informed about the procedures surrounding the sale and purchase of pesticides.



Your Right

- Access to safe products that meets standards required by regulatory bodies.

Your Responsibility

- Purchase pesticides which are registered with the Registrar of Pesticides. This should be clearly indicated in the product labelling which will contain a statement of registration and will include the registration number. For example:

Registered under the Fiji Pesticides Act No. 41 of 1971
Registration Number: 1664/252G/179

3. Fast Food Franchise not disclosing on cheese containing beef enzymes

Reema wanted to order a burger meal from Burger King Fiji and being an inquisitive consumer, inquired about the presence of beef enzymes in the cheese. Reema noted that there were no notices in the restaurant disclosing this information. She was advised by the staff that the cheese does contain beef enzymes and the price of substituting their ordinary (American) cheese to vegetarian cheese costs \$1.00. Subsequently, Reema sought the Council's assistance as she deemed that such crucial information needs to be displayed in the premises to avoid customer disappointment.

Following Council's investigation and actions, Burger King Fiji displayed notices in all their restaurant outlets disclosing that cheese contains beef enzymes, and the price of swapping ordinary (American) cheese to vegetarian cheese would incur an added cost. Burger King Fiji also has an ingredient book available upon request at their front counter, and is now available on their website as well.



Your Right

- Access to correct and accurate information.

Your Responsibility

- To question about the quality, production processes and ingredients of goods you are purchasing.

4. Cake produced by a non-health licensed bakery

Ms Francis Devi purchased a birthday cake from Samabula Cake Shop however, discovered the presence of fungus underneath the layer of cream. The discovery was made after a portion of the cake was consumed. Whilst she received redress in the form of a refund after raising the issue with the trader, she was not satisfied as she felt that the trader had failed to uphold its responsibility in providing a quality product. Hence, she flagged the issue to the Council.

A joint inspection with the Suva City Council (SCC) Health department was conducted and the following issues were noted: (i) the respondent was operating without a health license; (ii) there were no baked-on dates on pre-packaged pastries, such as cakes and jam rolls; (iii) staff were not wearing any hand gloves and hair nets; (iv) baked goods were not covered; and (v) kitchen was insanitary. Consequently, a warning letter was issued to the respondent. The trader was also issued with a notice for illegal operation of bakehouse and an improvement notice with a month's time for compliance by SCC. A follow up visit noted that the trader had brought about changes on all highlighted issues.

Your Right

- To be protected against food sold by traders that are unfit for consumption risking consumers' health. Should such incidents occur, consumers have the right to receive a fair settlement of just claims, including compensation.

Your Responsibility

- To be alert and assertive and question about the quality of goods prior to purchasing them.
- To raise alarms so that such business practices can be put to halt.

5. Second hand vehicle fails to meet standard

Shayal paid a deposit to Advantage Cars Limited for a second-hand motor vehicle to be shipped from Japan to Fiji. Unfortunately, the vehicle which Shayal intended to buy did not meet the Japan Export Vehicle Inspection Center (JEVIC) standards hence, she sought full refund which Advantage cars failed to provide. Upon the Council's intervention, Advantage Cars provided full refund to the complainant.

Your Right

- To receive redress in the form of refund or replacement in instances where delivery of items cannot be done.

Your Responsibility

- To ensure that products being imported meets the regulatory standards.

6. Fruit Cake Blunder

Aff Khan informed the Council that Punja & Sons Ltd was selling "Punjas Christmas Cake" with the Fiji Muslim League Halal Certification despite it not being certified Halal by the Fiji Muslim league (FML). The product also contained Rum which is an alcoholic beverage and cannot be consumed by the Muslim community.

The Council immediately acted on the complaint and sought a response from the trader. The Council was informed that the inclusion of Rum in the ingredients of the Punjas Christmas Cake was a typographical error and the product does not contain alcohol. Furthermore, the respondent advised that they have recalled the Punjas Christmas Fruit Cake and removed the FML Halal Certification from the product labelling and will repackage the fruit cakes without the FML Halal Certification.

Your Right

- Access to correct and accurate information regarding items that are being retailed.

Your Responsibility

- To be critically aware and thoroughly check the ingredients of food items being purchased to ensure that their dietary and religious restrictions (if any) are met.

7. Expired Beer

Mazin Khan visited Oriental Wine and Dine restaurant with his friend to dine. While waiting for their order to be served, Khan indulged in some alcoholic beverage (Heineken beer). After drinking half a bottle, Khan noticed that the beer was past the Best Before Date (BBD) which was January, 2021. They immediately notified the respondent who disappointedly failed to remove the expired stock from the shelves and continued retailing it. Frustrated with the inaction from the respondent, Mr Khan lodged a complaint with the Council.

The Council interceded which resulted in the respondent providing a full refund to the complainant. The expired beers were also removed and the Labasa Town Council Health Inspectors were also notified for their follow up ensuring disposal of the expired beverages.

Your Right

- Access to safe and quality products which meets the set local standards.
- Receive redress from businesses retailing expired products.

Your Responsibility

- Consumers have the responsibility to be aware of the expiry or best before date of goods and services before and while purchasing the product. Should the consumer find that an item has expired or has passed its BBD, the consumer should raise it with the trader or lodge a complaint at the Council.

8. Failure to supply goods

Nabala Secondary school procured the services of Quantum Electronics for the supply and installation of computers, projectors, biometric machines and CCTV camera. After receiving payments from the school, Quantum Electronics failed to supply these products and services even after continuous follow-ups by the school. Frustrated with the company, Nabala Secondary School sought the Council assistance. Swift approach by the Council led to Quantum immediately installing the devices.

Your Right

- To receive good and services as per the agreed timeline with businesses.
- Access to redress mechanisms when businesses fail to deliver on their promises.

Your Responsibility

- To take action against any service providers who are not providing satisfactory services in a timely manner. The National Consumer Helpline 155 is always available to all Fijian consumers who wish to lodge a complaint.

9. Sofa quality questioned

Mr Vikash Nand purchased a sofa set worth \$1500 from MH Homemaker, however within a few months of purchase, the cover of the sofa set started to peel off. Mr Nand notified MH Homemaker about the issue and repairs were carried out. Despite the repairs, the sofa cover continued to peel off. The respondent was again notified of the issue however, they refused redress on the notion that the sofa did not have a warranty. Upon the Council's intervention, the respondent provided a replacement sofa set to the complainant.

Your Right

- To be provided with products of merchantable quality by traders.

Your Responsibility

- To assert themselves in getting a fair deal. The Council urges consumers to be attentive and raise consumer issues to the Council so that appropriate actions could be taken against traders who provide poor quality products.

10. Water resistant phone gets water damage

Mr Chand purchased a Samsung Galaxy S9 Plus Smartphone worth \$2,749 on hire purchase from Courts in August 2018. Inclusive in the package was a Samsung tablet which came as a gift with the purchase. The phone sustained water damages in December 2020 thus, the complainant requested for a replacement as the phone was featured as "water-resistant". Courts advised the complainant to return the Samsung tablet to be eligible for a replacement despite the tablet being included as a gift. Courts had depreciated the replacement value of the phone to \$2000 and informed the complainant that a deduction of \$349 will apply if complainant failed to return the Tablet. Courts further advised the complainant that after the deductions of \$349, the complainant would further be required to pay \$948 to obtain a replacement phone. When the Council intervened, Courts replaced the tablet even though the warranty period had lapsed. This was attributed to the manufacturer's guarantee which stated that the phone was water resistant. The complainant selected and received a replacement phone and was provided a \$150 credit note.

Your Right

- To receive the benefit of manufacturer's warranty on products.
- To receive compensation for just claims

Your Responsibility

- To report downgraded redressal which traders may intend to provide instead of the best redress which consumers rightfully deserve.

Issues raised by Fijian Consumers



Non-delivery of hardware materials

Consumers spend their time and resources looking for goods/services and upon making payments they expect the product to be delivered on time. However, at times businesses have failed to deliver goods/services as per agreed timelines. Delays in the delivery of goods/services show a lack of logistical planning and accountability on the part of businesses. While the Council acknowledges that some delays are out of the traders' control, there are instances where the delays could have been avoided or resolved much faster for consumer satisfaction.

Council's advice

If businesses are aware that they will not be able to supply goods/services as per the agreed or within a reasonable timeline, they should not accept payment from consumers. Businesses must also ensure that they have an adequate amount of goods in stock or have the capacity to deliver the services being requested by consumers prior to committing to supply the same. An alternative would be to inform consumers to pay when the products they are after is available thereby saving time and money for the consumer and ensuring their business reputation is maintained and the consumer is satisfied.

Council Warns Consumers of Taxi Permit Scammers

The Council is urging Fijian consumers to be vigilant and exercise a high degree of caution when being approached by individuals claiming to sell taxi permits. This is being highlighted by the Council after receiving reports of individuals going around in communities offering to sell taxi permits. Lucrative prices were offered by these notorious con-artists to lure consumers to make upfront payments for the reservation of the permits. Cases lodged at the Council reveals that scammers are selling these permits at prices ranging from \$25 000 to \$30 000 and sought upfront payments of up to \$5000.

After extorting upfront payments by employing dubious tactics, the individuals disappeared leaving consumers with no means to contact them. Investigations carried out by the Council indicated that those individuals involved in such scams did not have any taxi permits registered under their names, thus reinforcing the Council's stance that the sole intention of these individuals is to extort money out of trusting and unsuspecting Fijians.

Given the dubious nature of the tactics employed by such scammers and the large amounts of cash involved; consumers are reminded be assertive and to be vigilant when asked for upfront payments as this is one of the hallmarks of such con-artists and scammers. Consumers must also be responsible and only engage with legitimate businesses/ individuals. If consumers come across similar deals, they must refrain from being enticed by deals that are too good to be true. Fijians having doubts regarding the credibility of businesses/individuals or their business pitch must contact the relevant authorities to check their legitimacy. In cases where individuals are claiming to sell taxi permits, consumers should verify this with the Land Transport Authority before engaging with them.

Exercise Duty of Care- Bus Operators Told!

The Council issued a stern reminder to bus companies earlier this year to deliver quality, safe and reliable services as they have an obligation to their customers. This was emphasized after a Suva based bus operator negligently suspended bus services which left students stranded – placing their safety and security at risk.

The bus company had also failed to notify the school of the same, forcing the school to work out an alternative arrangement after a long wait. It is imperative that bus service providers issue an alert notifying consumers of any such change in schedules or termination/suspension of services for their respective routes in a timely manner. Together with the school students, the general public also continues to face issues such as unprofessional conduct of drivers while travelling in public transport.

These include rude behavior of drivers, driving the bus before passengers are able properly get off the bus or board the bus, accepting cash for fare and playing extremely loud music. Bus service providers and bus drivers must ensure that such incidences do not occur as people's lives are at risk.

Due to the high number of cases being recorded, the Council is working very closely with the Land Transport Authority in order to ensure that Fijians are able to commute safely.

CONSUMER RIGHTS

1. Right to satisfaction of basic needs
2. Right to safety
3. Right to be informed
4. Right to choose
5. Right to be heard
6. Right to redress
7. Right to consumer education
8. Right to a healthy environment

CONSUMER RESPONSIBILITIES

1. Critical Awareness
2. Action
3. Social concern
4. Environmental Awareness
5. Solidarity

Auctions; What you need to know?

Sale of items such as cars and residential properties through auctions is becoming more prevalent with many financial institutions adopting this sale tactic. An auction sale is a process of publicly selling a wide variety of items, including property by starting off with a bidding price which is usually determined by the auctioneer. To compete for the item on sale, bidders offer a higher bid than the price set by the auctioneer. The final bid price occurs when there are no more bids higher than the last bid, and the hammer falls to declare that sale is successful. Whilst this may seem to appear as an exciting and simple buying process, it can be challenging for consumers as they are engaging in procurement where the benefits of guarantees and warranties may not apply on the items being procured.

For this reason, consumers need to be assertive and proactive measures need to be adopted to ensure that buying items through auction sales is based on facts and does not result in a loss for consumers. The more informed the consumers, the more protected their rights are.

How can consumers do this?

As auctions are advertised before the actual event takes place, it provides an excellent opportunity for consumers to familiarize themselves with the process by undertaking the following steps;

1. Terms and Conditions

The first essential step while preparing for the auction is by obtaining a copy of the terms and conditions which governs the rules of the auction. It is advisable to obtain this a few days prior to the auction so that you may familiarize and understand the terms and conditions, and question any matters which may require clarity. Consumers can also obtain guidance from professional experts who may explain the legalities of the terms and conditions and its

implications, should they wish to proceed with the auction. It is also recommended to avoid reliance entirely on verbal confirmations and assurances obtained from the auction house/s as it may compromise the rights of consumers.

2. Know the market price of the item

The market price of the item acts as a guide on the amount you may decide to bid. In the event the bidding price gets higher than the market value, it may not be a reasonable purchase. A brand-new item in the market may be available at a lower cost hence buying through auctions may become more costly for consumers.

3. Know the reason for the auction sale

An auction sale may not necessarily be the place where a seller is looking to sell what the consumer wishes to purchase. It is therefore prudent to enquire why the items are subject to an auction sale. Items which are being auctioned may be surplus to the owner's needs, are being sold to pay off debts or may be damaged.

4. Conduct a pre-inspection of auction items

Auctions have an "as is where is basis" condition which usually excludes any liability, accountability and oversight on the seller's part. Most auctions will state the date, time and contact person who can be liaised with to allow for an inspection of the items being auctioned. If necessary and where possible, consumers should engage a professional expert to ascertain the condition of the items and whether it meets their expectations. This cannot simply be done by viewing printed information about the item in the media and making a decision.

Any faults whether disclosed or undisclosed prior, can be assessed during inspection, and an accurate assessment regarding the liability for the consumer can be determined.

A damage or fault identified in the item would require an allocation of additional funds to repair the item for improvements. Hence, inspections will allow sufficient time to decide on whether to proceed with the auction as when the bid is successful, the sale will be final and the consumer will be encumbered.

5. Signing the agreement post successful bid

If the auction sales agreement has to be signed straight away after completion of the auction, the terms and conditions must be well understood. It is crucial to read the terms before signing, as it constitutes acceptance of the terms.

6. Payment requirements

Some auctions may require a percentage of the auction price to be paid when the bid is successful and the remainder value to be paid within the stated period of time. Others may require that the total bid sum be paid in full on the day of the auction after successful bidding. Knowledge of these requirements will assist in determining if there is sufficient time to arrange for funding.

Deposits are required to be paid immediately and are non-refundable which may become a serious issue should a change of mind occur whereby the consumer wishes to return the item.

7. Costs involved to take the item

All costs of removal, transportation, freight, shipping and transfer of ownership will be incurred as the financial responsibility of the consumer and in most instances, are borne by them. Hence, to avoid a costly surprise, it is imperative these costs are also taken into account when determining whether the item will be of value to the consumer.

CONSUMERS' ROLE IN BATTLING COVID-19

As the current second wave of COVID-19 continues to wreak havoc on Fiji, the key to defeating this virus is teamwork. As consumers, we have a very crucial role to play in order to ensure that we do not fuel the spread of the virus. Whether it is when travelling in public transportation, shopping or simply sharing COVID related information – we need to be responsible.

Shopping

While all businesses in Fiji have been legally mandated through public health gazette orders to require its employees and customers who are 5 years of age and older to wear face coverings in the proper manner in order to enter premises of the business, the Ministry of Health and Medical Services has recommended other health measures which consumers should take heed of. The Consumer Council of Fiji also encourages all consumers to;

1. Download and install the CareFiji app Consumers should keep in mind that the app will only work if the Bluetooth on your smart phone is switched on. Ensure to keep the app activated at all times. CareFiji app is an important tool for the health authorities in their contact tracing efforts.

2. Practice physical distancing

Consumers must ensure that they are at least two (2) meters apart from other consumers while shopping. If a shop seems overcrowded, wait for the crowd to clear. Do not become the epicentre of an outbreak. It is the sole responsibility of you as a consumer to ensure that physical distancing is strictly adhered to.

3. Sanitize

Be sure to wipe down the handles of the shopping cart before use. There must have been countless hands touching it. Better yet, always keep a small bottle of hand sanitizer on you. Use it every chance you get.

Consumer Transportation

Majority of Fiji's population heavily relies on public transportation as means of travel across the country. These services exist to provide travel options for all and are usually provided at the lowest possible cost, consistent with service quality and safety standards. However, the latest COVID-19 developments in Fiji make it imperative for consumers to only travel (whether in public or private transportation) if there is an absolute need for it. For consumers, travelling is only recommended while accessing medical services or when shopping for essentials such as food and health products.

Rules for travelling in public transportation

Due to the presence of commuters from different areas, as well as the anonymity of commuters, it becomes crucial to strictly adhere to health measures being proposed by the relevant authorities. Some of the measures which consumers should adhere to;

1. Mask Up

It is the responsibility of all commuters to wear face covering in the proper manner. Remember, most people wearing masks is not enough! We need everyone to do their part and wear face covering – this is one of the most important weapons you have in your arsenal to fight this deadly pandemic. This also applies to drivers of public service vehicles.

2. Distancing

As recommended, physically distance yourself whilst travelling in public transport.

3. 50% capacity

While boarding public transport, if you observe that the vehicle has reached its 50% capacity, wait for the next available transport. Do not risk your life, and the lives of your loved ones. Better be safe than sorry.

4. Going cashless

The exchange of notes and coins means physical contact with other people. Consumers should always sanitize or wash their hands thoroughly after exchanging cash. Better yet, consumers can go cashless and use EFTPOS and other online platforms to make payments. However, hand hygiene should still be practiced.

5. Prepare shopping list

Consumers must prepare shopping list before going out of their homes. Preparing a shopping list means you will know exactly what to buy and from where. This will save time and ensure that you do not go about different places in an uncoordinated manner.

6. Limit the number of people going out shopping.

Do not take children, other family members and friends shopping with you if it is not necessary to do so. More people moving would mean a greater risk to everyone's lives.



Working to Eliminate Plastic Waste



Plastic pollution is fast becoming one of the most pressing environmental issues. This can be seen as a resultant of an increase in the manufacturing of disposable plastic products that continuously overwhelms our planet's ability to deal with them. While the bulk of it is produced in developed nations, the most affected by plastic pollution is developing nations. Plastic pollution has become so great that it has generated a global movement to curtail its effects.

As part of its efforts to help inspire change, the global consumer body, Consumers International (CI) focused on the theme "Tackling Plastic Pollution" for this year's World Consumer Rights Day (WCRD) with the Consumer Council of Fiji opting for the localized theme "Eliminating our Plastic Footprint".

WCRD Celebrations

For WCRD which was celebrated by the Council on the 12 of March, a robust panel discussion was held on the theme as well as an art competition designed to ignite interest from both primary and secondary school students. The event was officiated by the Permanent Secretary for Commerce, Trade, Tourism and Transport, Mr Shaheen Ali.

Fiji's Plastic Use

Fijians consume a great quantity of plastics on a yearly basis. According to Trading Economics, Fiji imported 2000 tonnes of polyethylene in 2017 and in 2019 Fiji's imports of plastics and articles was valued at \$93.73 million. To help minimize its consumption and effects on the environment, the Fijian government instituted a ban on production, sale and distribution of plastics lesser than 50 macrons. This ban became effective in 2020 resulting in the eradication of single use plastics for grocery shopping.

The Issue of Microplastics

With the start of mass production of plastic years ago, there has since been 8 billion tonnes of plastics produced around the world and just nine per cent of this has been recycled. The rest of the plastic that is not recycled ends up in landfills and the natural environment eventually finding its way into rivers, streams, and oceans. Fijians consumes a great quantity of plastics on a yearly basis. According to Trading Economics, Fiji imported 2000 tonnes of polyethylene in 2017 and in 2019 Fiji's imports of plastics and articles was valued at \$93.73 million. While Fiji's efforts to curtail plastic waste is still relatively new, the issue of plastic pollution has been prevalent for a longer period and a surge in research on the matter raised concerns many needed to be aware of. Andrew Paris; a recipient of the Pacific-European Union Marine Partnership Programme (PEUMP) scholarship currently working on a master's thesis at the University of the South Pacific, a panelist reflected that microplastics is already affecting Fiji's marine life.

In his study Paris compared offshore concentrations of microplastics with those found closer to shore, which revealed that two out of three fish collected from the greater Suva inshore environment were found to contain microplastics. One fish was found to contain an astounding 68 particles. The degree of ingestion by these common inshore species is of the same order of magnitude as those found in China. Paris' research further showed that the levels of microplastics in seawater from around Suva were comparable to parts of the Mediterranean.

During the World Consumer Rights Day celebration in March, Paris also stated that research in Fiji has recorded that plastic has been consumed by both freshwater and marine mussels, crustaceans such as fiddler crabs and seabirds. Researchers have even discovered that organisms as tiny as the polyps in corals regularly consume microplastics which indicates a high probability of the presence of microplastics in other marine organisms in Fiji.

Government Approach

The government has made a concerted effort to address the issue of plastic pollution. In 2018, Fiji introduced the Environmental and Climate Adaptation Levy (ECAL), and established an ECAL Trust Fund to assist in the development of a green economy that reduces plastic dependency.

A ban has been implemented on the manufacture and distribution of single-use plastic bags less than 50 macrons from 1 January 2020. The use of Styrofoam containers is now also being phased out from August 2021.

In addition, the government has taken major steps to reduce plastic usage by reducing taxes to zero on import and local manufacture of woven, bamboo and other sustainable, and recyclable packaging material.

What can consumers do?

Consumers play a vital role in helping break the plastic wave. While government can implement policies, true change comes when consumers actively decide to do away with single use plastics altogether. While this may seem like a difficult task, the following steps could help.

Refuse

Five reasons to refuse plastic bags

1. They are filling up the landfills

No matter how many uses you find for plastic bags, they are eventually going to end up in the landfill, where they will remain for hundreds of years given it is non-biodegradable.

2. They are made from non-renewable resources

Most plastic bags are made of polyurethane, a composite created from such non-renewable components as natural gas and crude oil.

3. They are harmful to animals

Once you discard plastic bags into the trash, it will ultimately end up in the environment where it will cause harm to most, if not all organisms in that ecosystem.

It is estimated that approximately 100,000 sea animals die each year from plastic bags and they are amongst the top five most common types of pollutants found on beaches. Both land and marine animals suffer from starvation, strangulation, choking, and entanglement by plastic bags, whether they come across it by accident or because they often ingest it.

4. They can be harmful to people

If you have children, you should be aware that plastic bags need to be kept away from your child because they pose a hazard such as choking and suffocation.

Reduce

One of the best ways to manage plastic waste is by reducing its use. You can do this by reducing your reliance on plastics and using environmentally friendly alternatives.

Reuse

Look around your home to find the various ways the products you purchase are packaged. Since you are paying for this packaging - why not make the most of it? There are endless ideas online. If you cannot reuse an item, share it with someone else; this is called re-homing. You can donate to a local thrift store or share with your neighbor next door.

Repair/Repurpose

Before disposing off an item, consider the ways in which it could be repurposed or repaired. Repurposing plastic bags and bottles by turning them into useful artistic products can be an easy and profitable way to help clean the environment.

Recycle

Although it's true that plastic bags can be recycled, and many markets have specially dedicated bins for customers to discard plastics to be sent for recycling, the unfortunate truth of the situation is that only about 1 percent of plastic bags are recycled worldwide. When we consider this, it is important therefore that we are able to recycle plastics to ensure it does not end up in our landfills.

Replace

One of the best measures of eliminating plastic waste is by replacing it altogether. Choosing to use reusable bags, instead of plastics is one example of the principle of replace. Using alternatives to plastic for packaging may seem like an arduous task especially if you're making the effort to take your own bags or containers for food items, it is however one of the best ways of protecting the environment.

Consumer consultation – Maritime Travellers’ Rights Policy

The Ministry of Commerce, Trade, Tourism and Transport (MCTTT) is working on establishing a national policy on Maritime Travellers Rights; in its efforts to recognize the rights of consumers who travel via sea transport, and provide them with safe, efficient, reliable and affordable shipping services. As such, public consultations were launched earlier this year to receive the views of Fijians around the country on what all should be included in this crucial policy. The Consumer Council of Fiji – being the leading consumer advocacy organisation in Fiji is a member of the steering committee of the Maritime Travelers’ Rights Policy and also was a panel member of the public consultations. This would help to ensure that the voices of Fijians are included in the policy.

The Minister for Commerce, Trade, and Tourism Hon. Mr Faiyaz Koya during the Maritime Travellers’ Rights Policy consultations, also highlighted that the policy would establish a minimum set of rights for passengers travelling by sea and inland waters, and requires shipping service providers to provide assistance in the event of cancelled or delayed departures. This policy also aims to provide persons with disability the same rights, as anyone else.



Picture source: Fijian Government

Students Participate in Poster Competition

The Consumer Council of Fiji (CCoF) continues to create fun and exciting opportunities for youth and school students around the country to participate in education activities to ensure that young consumer warriors are engaged in consumer advocacy programs, and are aware of critical consumer issues.

Earlier this year, in March, the Council ran a poster competition on the theme ‘Tackling Plastic Pollution – Eliminating Our Plastic Footprint’ as part of the World Consumer Rights Day 2021 celebration. The competition was open for primary school and secondary school students throughout Fiji.

At the end of the competition, the Council received an overwhelming 1,700 entries from all over Fiji, who creatively shared their views on ways to eliminate plastic pollution.

Note: Announcement of winners has been delayed due to the current COVID-19 pandemic.

Here are a few entries received from primary and secondary school students:



MISLEADING ADVERTISEMENTS



The influence of advertisements on consumer choice is undeniable and it is this fact that makes it imperative that advertisements be fair and truthful. Misleading and false advertisements are not just unethical; they distort competition and consumer choice. False and misleading advertisements in fact violate several basic rights of consumers: the right to information, the right to choose, the right to be protected against unsafe goods and services as well as unfair trade practices.

Since advertisements are meant to promote a product or a service, the Council conducts frequent market surveillances and media monitoring to ensure businesses do not mislead consumers through their advertisements. Some instances of misleading advertisements discovered by the Council is given below.

1. False claims of savings

Krazy Bites had advertised - “Disposable Facemasks \$30.00 Box/ 50pcs = \$0.60 each” on their Facebook Page. The advertisement also included the following statement:

“Why buy from pharmacies and supermarkets for \$1.00 to \$2.50 each when you can just buy for \$0.60 only”

The above statement can be interpreted as Krazy Bites claiming to be the cheapest retailer for Disposable Facemasks. The Council verified the price with Epworth Pharmacy and found that the Disposable Facemasks are sold for \$22.50/Box/ 50pcs = \$0.45 each. Through the Council’s intervention, Krazy Bites removed the above statement from their advertisement.

2. Misleading indoor sales pricing on Padlocks.

During the market surveillance, the Council discovered a misleading instore advertisement at Rups Big Bear whereby 32mm padlock was advertised on the traders Facebook page for \$3 but was being retailed for \$3.95 in store. Additionally, the price of the 52mm padlock was advertised incorrectly at \$5 and retailed \$6 in store. The Council’s intervention resulted in the business changing the in-store shelf price of the padlocks to align it with the online advertisement.

Facebook Advertisement



Instore Display Pricing



3. Apple AirTag

iCentre’s Facebook Page had advertised “AirTag” for sale, however the following issues were identified in the advertisement:

- Non-Disclosure of Price
- Non-Disclosure of delivery charges and delivery mode and
- Non-Disclosure of warranty period covered.

Upon the Council’s intervention, iCentre amended the price of the AirTag on the advertisement and on their online catalogue



4. Delivery charges

Payal Jewellers Pte Ltd had advertised on their Facebook Page a flyer for online shopping however, the advertisement did not have provision for delivery options and the charges associated with it. After the Council’s intervention, the advertisement was amended to include the delivery charges.

5. Incorrect Price Advertised on Special

A prominent restaurant had advertised 25% off all food items on their menu. Upon careful perusal and calculation of the 25% reduction, the Council noted that the spicy chicken wings which was advertised as \$12, incorrectly reflected a price of \$11.50 instead of \$9

The restaurant amended the advertisement when approached by the Council.

6. Promotion Price Validity – S Nagindas

S Nagindas’s Facebook page had advertised Misha ladies flat shoes at the special price of \$32.00 and listed the original price as \$37.95. However, the advertisement failed to include the validity (start and end date) of the special price. After the Council raised the issue with S Nagindas, the advertisement was amended to include “Prices are valid till 09 July 21 or while stocks last”

7. Bondwell Blunder

Bondwell had advertised on their Facebook page “Work from Home Tools” however, the price for the JBL Live Ear buds, had not been specified in the advertisement. Through the Council’s intervention, Bondwell included the price of the JBL Live Ear buds on their Facebook Posts.



THUMBS UP

1. Repair Charges Waived

Mr William purchased a washing machine from Courts Fiji Limited on hire purchase in 2018 and paid approximately \$1,500 in payments. The machine malfunctioned in 2021 thus, Mr William raised the matter with Courts. He was informed that the warranty period for the machine had expired hence will need to pay for the repair costs – which he agreed to do. William waited several weeks for the repaired machine however, did not receive any feedback from Courts. When the Council followed up on the status of repairs, Courts delivered the repaired machine within two (2) days and waived the repair costs even though the warranty had expired.

2. Rourou cause food Poisoning!

Jonasi, after consuming a serve of rourou with mutton from He Yi Café Pte Limited felt ill. He then visited the Samabula Health Centre and was diagnosed with food poisoning. Jonasi sought Council's assistance to obtain a refund of \$7.50 (cost of the meal), transportation costs and medical expenses from the restaurant.

A mediation was conducted by the Council whereby the restaurant agreed to reimburse Jonasi's expenses which included taxi fare amounting to \$83.80 (respondent provided \$100) and \$500 for his medical expenses

3. Lower denture not fitted properly

Mr Chattu Lal had his lower denture made by Bayly Clinic, Suva, at a cost of \$200.00. After the procedure, Mr Lal felt that the denture was not fitted properly as it easily came off whenever he chewed food. Despite visiting the dental clinic four times to raise his concerns, the clinic informed him that he would eventually adapt to it. Yet, the issue persisted causing him to lodge a complaint with the Council. The Council liaised with Bayly Clinic to obtain a full refund.

4. Wood worms in Plyboard

Mr Kelvin purchased plyboards worth \$1,616.16 from Delta Timbers in 2018. Unfortunately, despite spending this exorbitant sum; the plywood became infested with wood worms. Kevin raised the issue with Delta Timbers however, he was informed that a refund may only be provided after obtaining a detailed report from Ministry of Forestry. Unfortunately, the inspection report submitted by the Ministry was not conclusive thus, Delta refused to provide the refund. When the Council negotiated with Delta, Mr Kevin was provided a full refund.

5. Rusted Screws from GMR

Mr Kumar purchased roofing screws from GMR & Sons Pte Ltd worth \$1459.80. Within three (3) weeks of installation; the screws began to rust. Mr Kumar was disappointed because he had spent a substantial amount on the installation of the screws including labour. Mr Kumar reached out for the Council's assistance after being denied redress by GMR who informed Mr Kumar that the screws did not come with any warranty. When the Council intervened and liaised with GMR; Mr Kumar was provided full refund.

6. Asco Motors import Toyota Rush

Mr Lal was very proud when his son completed his MBBS Degree hence, decided to purchase a Toyota Rush Dark Red Mica Metallic MMQ3 worth \$51,900 from Asco Motors as a graduation gift. He paid a deposit of \$5,000 in addition to signing a Sale Agreement to secure his purchase however, was later informed by Asco Motors that the vehicle which he selected was accidentally sold to another customer. Having no other option, he was requested to choose the same model in another colour as there were no more vehicles with Dark Red Mica colour left. Unfortunately, Mr Lal did not like any other colour available hence sought the Council's assistance. The Council swiftly held a mediation between the parties after which; Asco imported a dark red mica Toyota Rush for Mr Lal and provided a temporary vehicle for Mr Lal's son to use until his vehicle arrived.

7. Taxi Driver receives debt restructure

Mr. Amllesh, a Taxi Driver, was facing difficulties making his vehicle loan repayment with the Bank of South Pacific (BSP) as his income was affected due to the COVID-19 pandemic. Therefore, he requested BSP to reduce his weekly repayment to \$100 from \$222.19 however, BSP denied his request. When the Council reached out to BSP, Mr Amllesh's weekly repayment was reduced to \$100.

8. Expired Chicken Feet

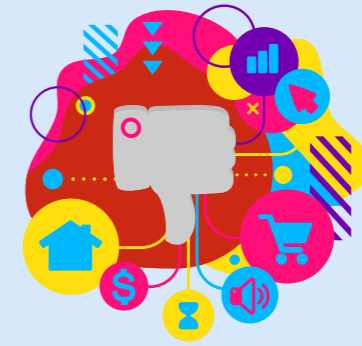
Lina purchased 10 packs of Crest Chicken Feet from Gulam Nabi Supermarket. Upon consuming the Chicken feet, Lina's daughter became ill after which Lina discovered that the Chicken feet was already past its expiry date. After seeking medical assistance, Lina was advised that her daughter had bacterial infection from consuming the expired chicken feet. The Council's action resulted in the supermarket discarding all expired Crest Chicken Feet from their storage. An apology was also issued to Lina by the supermarket and 12 packs of Crest Chicken Feet was provided to her as redress.

9. Lockdown Conditional Selling

The Council received tip-offs that Pak n Save Supermarket, in Nausori had placed a condition for consumers wanting to purchase sugar. Consumers wishing to purchase sugar were required to purchase other goods from the said supermarket. The Council under the disguise of a mystery shopper, confirmed that the supermarket only allowed consumers to purchase sugar if they purchase other products with it. Following this revelation, the Council held a discussion with the supermarket Director and warned that practicing conditional selling is a breach of the FCCC Act 2010. Thereafter, the Director immediately ceased the practice of placing conditions on the sale of sugar.



THUMBS DOWN



1. Unfair deduction for refund

Ajeet has booked and paid \$150.00 to Interlink Shipping Line Ltd to travel from Natovi to Nabouwalu on 20 December, 2020. Due to Tropical Cyclone Yasa, he was unable to travel as all shipping travels were cancelled. However, the shipping company only provided a 55% refund to Ajeet which compelled him to seek the Council's assistance. All attempts by the Council to contact the shipping company via several phone calls and emails proved futile causing the Council to escalate the matter for enforcement action.

2. Goundar Shipping continues to disappoint

Atish purchased a ticket from Goundar Shipping on 16 December, 2020 to travel first class from Suva to Taveuni. However, after TC Yasa on 17 December, 2020, Atish and his family had to cancel their travel plans as the accommodation they booked in Taveuni was badly damaged. Atish relayed this to the shipping company and sought a refund for the ticket which was denied. Attempts by the Council also proved futile as the company was adamant that they will not provide a refund causing the Council to refer the matter to enforcement agencies.

3. Hair straightening or hair frizzing

Pritika visited Glaze Bridal and Beauty Salon to undergo a permanent straightening treatment and paid \$60. However, the results were not as anticipated as her hair reverted to its natural state (curly). Despite the Council's unwavering efforts, the respondent refused to come for a mediation and only agreed to either provide a partial refund of \$30 or for Pritika to undergo a keratein treatment worth \$60. Pritika declined the option of keratein treatment as she no longer trusted the Salon's services and agreed for the partial refund of \$30.

4. Christmas Lovo Disaster

Simione had ordered a Deluxe Lovo pack from the Mango Cafe containing 2x No.19 Chicken, 8 Palusami, 4 Dalo, 2 large Kokoda with a large cheesecake. This was to be collected on Christmas Day at 11.30am as per the advertisement on the company's Facebook page. Unfortunately, Mango café failed to meet the timeline and delivered the lovo pack later in the afternoon. Simione also discovered that the lovo was raw and the food items containing coconut milk had started to go bad. Subsequently, the issue was raised with the Council.

Upon the Council's intervention, a discussion was held with the company Director whereby, she agreed to provide Simione with a full refund of \$215.00 in four instalments with each instalment amount as \$53.75.



5. Oil Sump not repaired

Neha engaged the services of Autocare for the repair of her motor vehicle which had an oil sump leak. Unhappy with their services, Neha approached the Council and informed that the trader tried fixing the oil leakage multiple times however, the issue persisted. After the Council actioned the matter, the trader agreed that they would carry out the repairs on the oil sump and had agreed upon a set time to pick up the vehicle from the complainant's residence. Upon following up with the Neha, the Council was advised that the Autocare was yet to collect the vehicle. Thus, the Neha escalated the matter to Small Claims Tribunal to seek refund from Autocare.

6. Incomplete construction works

Mr Vikash Chand hired Manu Construction to construct his house and paid a deposit of \$8400. Unfortunately, the respondent failed to complete the construction works as per their agreement. When the matter was brought to the Council's attention, the company gave assurances that they will complete the construction work as soon as possible – but failed to do so. Thus, the Vikash opted to escalate the matter for legal action.

7. Facebook trader fails to deliver

Ms Sunita Chandra purchased an Indian attire worth \$50 from an online Facebook page named Trisha Malika. Sunita did not receive the delivery of the attire as per the timeline given by the online operator. Upon following up with the said operator, she was given false assurances and eventually the online business stopped responding to her messages. The Council's attempt to reach the trader proved futile as no physical contact or mobile contact could be ascertained. Subsequently, the Sunita decided to lodge a complaint with the Fiji Police for enforcement action.

8. Warm Drinks for Diwali

Mr Daniel purchased two bottles of 2.25 litre coke from Food City Supermarket but upon check-out, he was charged \$9.30 in total – in contradiction to what was displayed on their Facebook page; "Diwali Specials – Coke/Fanta/Sprite Assorted 2.25L 2 for \$7.80". Subsequently, he sought the Council's assistance. During investigations, the Council was informed by the business that the discounted price only applied to warm drink and not chilled ones. Even though the business had failed to disclose this in the advertisement, they still refused to provide any redress to Daniel. As a result, the business was issued a warning letter and the case was referred for enforcement action.



YOUR QUERY, OUR ADVICE

1. Price Controlled Tuna

Your Query: "The shop nearby sells Sunbell tuna for \$1.99. I have noted others have sold it for less. Is it the correct price?"

Our Advice: The price of Sunbell tuna is not price-controlled item. Hence, the pricing for this product is at the trader's discretion, and is usually priced close to its market value.

2. Mechanical problems

Your Query: "This mechanic is charging me \$2,500 for a new starter for my vehicle. Is that possible?"

Our Advice: The prices charged by different traders for mechanical parts has variations and are not regulated. It would be in a consumer's best interest to consult multiple mechanics to determine the best price for services. It is also best practice to check for the price of the part directly from automotive stores to ensure you are getting value for money.

3. Pricy Quotes

Your Query: "I was issued a \$535 quotation for roofing materials in April 2021. On 7 June 2021, I was provided another quotation for the same items but the price quoted this time was higher than before. Can they increase the price?"

Our Advice: Yes. Quotations have a validity period which is decided by the traders as stated on the quotation docket. Given that the second quotation was provided after 2 months, the prices of the products can differ.

4. Warranty void

Your Query: "I purchased a smart phone which came with two-year warranty. Three months after purchase, my son accidentally dropped the phone as a result, the screen got damaged. I took it to the trader for repairs as it was still under warranty however, I was told to pay for the repair costs. Can the trader charge me for repairs even though the phone is still under warranty?"

Our Advice: Yes, the trader can charge you for repairs if the warranty conditions exclude physical damages. Physical damage indicates that there is no fault in the material or workmanship used in the production of the item; rather the damage is caused by the user. In most warranties, physical and liquid damages are not covered. Therefore, it is important for consumers to read the terms and conditions of the warranty when goods are purchased.

5. Washing machine woes

Your Query: "I purchased a brand-new washing machine, however, within 2 weeks of purchase, the spinner stopped working. Can I raise the matter with the trader even though the washing machine did not come with a warranty?"

Our Advice: Yes, you can lodge a complaint with the trader provided that there was no physical/liquid damage. Even though there is no written warranty, our consumer protection laws require that the goods must be fit for the purpose which it was intended to serve and must last for a reasonable period of time. As the machine only lasted for a month; it did not serve its intended purpose therefore; you have the right to seek redress. Consumers who have been refused redress in similar situations are urged to lodge their complaint with the Council.

6. Costly Diagnosis

Your Query: "I was having some issues in my laptop which was recently purchased. Therefore, I gave it to the trader for diagnosis. I was surprised when they informed me that I had to pay \$30 as diagnostic fees as I was not informed of this charge before giving the laptop for diagnosis. Can they charge me \$30?"

Our Advice: No; they cannot charge you if the fee was not disclosed to you either verbally or in writing prior to the diagnosis. It is the responsibility of every trader to disclose any such fees they intend to charge to enable consumers to make an informed decision. Consumers who are asked to pay diagnostic fees without prior notification can lodge their complaints with the Council.

7. Discriminatory Landlord

Your Query: "Whilst surfing Facebook, I came across an advert for a flat to let. I called the contact number provided on the advert as I was desperately looking for a flat to rent. I felt really disappointed when I was told that the owner was looking for tenants who are Fijian's of Indian descent as I am an iTaukei man. Can landlords reject tenants on the basis of ethnicity or race?"

Our Advice: No; they cannot as this conduct by the landlord amounts to discrimination and is considered unconstitutional. Landlords cannot discriminate against tenants on the basis of their race, ethnicity or religion. Consumers who come across such discriminatory posts/adverts are urged to report the matter to the Council.

8. Money Lender Charges

Your Query: "Some money lenders are charging exorbitant interest rates such as 20% per week. Is this correct?"

Our Advice: Under the Money Lenders Act, a money lender is permitted to charge a maximum interest of 12% per annum. Any rate in excess of this is illegal and you can lodge a complaint with the Council if you come across such money lenders.

9. M-PAiSA Charges

Your Query: "When I withdraw funds from M-PAiSA, I am charged \$1 for every \$10? Is this charge accurate?"

Our Advice: When you receive funds through an M-PAiSA registered agent and withdraw, you will incur a tariff as follows: for withdrawal between \$1-\$100, \$2 will be charged; for withdrawal between \$101-\$500, \$3 will be charged and for withdrawal between \$501-\$1000, \$4 will be charged.

10. Labelling of Medication

Your Query: "I had purchased a packet of medication from a pharmacy whereby, information regarding the origin of the medicine, the manufacture date and the expiry dates were not printed on it. Is it okay to sell medicines without these details?"

Our Advice: No. All pharmaceutical products sold in Fiji must contain information such as the place of manufacture, expiry date and manufacture date in their labels/packaging.

Spotting Pyramid Schemes

CAUTION

CAUTION

CAUTION

CAUTION

CAUTION

Many Fijian consumers may be unfamiliar with what pyramid schemes are, how they work, how to recognise them and why people/you should be extremely wary of being recruited to join one. While these schemes may be relatively new to Fiji, they are already a popular means used internationally to fleece/swindle money from unsuspecting consumers.

Many in Fiji would have already been approached or are considering a business opportunity that involves investing money and actively encouraging families and friends to recruit other people to do the same. This type of fraud is known as pyramid schemes. Pyramid schemes are difficult to recognise at first because of their complexity, they often masquerade as legitimate businesses however, the general structure and manner in which they operate and allegedly share profits are a clear indication of their true nature.

As more and more consumers look to invest their money in profitable businesses, it is important that they are fully aware of unscrupulous business practices and recognise the signs of dishonest business practices.

What is a pyramid scheme?

A pyramid scheme is a business model that makes money by recruiting new members to join the scheme. These new members are required to pay a fee as low as \$20 to as high as hundreds of dollars to join the scheme and in return they are promised sky high returns. In the pyramid scheme, a few top-level members recruit newer members, who pay upfront costs to those who enrolled them. This is the major revenue earner. As newer members in turn recruit underlings of their own, a portion of the subsequent fees they receive is also kicked up the chain.

Why is it called a pyramid scheme?

According to the New York States Office of the Attorney General, the scheme is called a "pyramid" because at each level, the number of investors increases. The small group of initial promoters at the top require a large base of later investors to support the scheme by providing profits to the earlier investors.



Example of pyramid schemes

The following is an example of how the scheme works. Donald sits at the top of the scheme. He recruits 10 members and these members must pay him membership fees. These ten members then recruit 10 more people each - gaining a further 100 people. These 100 new members must also pay membership fees. A portion of these membership fees is paid as commission to the 10 recruiters and then kicked further up the pyramid. These 100 new members are then tasked with recruiting a further 10 members each, making a commission from each new member recruited. This is then repeated at all levels of recruitment where a percentage of membership fees is shared through the pyramid.

Why are pyramid schemes bad?

The reason that pyramid schemes are not a wise investment is because the business model is unsustainable. Theoretically, consumers will be able to make more money as they receive cash from the recruits below them. But in practice the prospective member pools tend to dry up over time. By the time a pyramid scheme invariably shuts down, the top-level operatives walk away with loads of cash, while the majority of lower-level members leave empty-handed. It should be noted that because pyramid schemes heavily rely on fees from new recruits, the vast majority do not involve the sale of actual products or services with any intrinsic value.

Community gifting circles

Community gifting circles are another disguise which people are using to orchestrate pyramid schemes in Fiji. Gifting circles are pyramid schemes and participating in them is illegal. In many instances, the person asking you to join could be someone you know who is a member of a group that is active on the Internet or in certain circles. Initially, you may not be told that you will have to recruit more members to make a lot of money. The person will begin by drawing you in with a project you might find interesting and then tempt you with the possibility of making a quick profit.

Gifting circles can take any number of forms devised by ill-intentioned promoters. For example, a circle could appear to be an investment or a community project, or offer you the chance to be your own boss. These circles go by many names, such as gift circle or women's financial circle to name a few.

Despite promoters' claims, and even if a group has a catchy name that provides a great cover, gifting circles are still pyramid schemes.

Be cautious of the following scenarios:

- Ask where the amounts you could receive will come from. If revenues are based only on member recruitment, that is illegal. It is really a pyramid scheme. Not only is it against the law to set up this kind of scheme, it is also against the law to participate in it!
- You have been promised a big profit for little or no effort. It is too good to be true.
- You may be encouraged to use a fake name to participate. However, using your real name does not mean that it is not a pyramid scheme.
- You are asked to pay in cash or direct transfer via online modes.
- You are strongly advised not to miss out on this opportunity. Your emotions are being manipulated.

Council tips

- To reduce your chances of falling for this type of fraud, do not be taken in by fancy words or by web testimonials or offers that seem just too good to be true. If you have any doubts, contact the Council or regulatory authorities.
- Be careful if someone promises you money to recruit new people, whether the fraudsters refer to them as investors, partners, associates or by some other term.
- The people who orchestrate pyramid schemes and those who participate in them may be prosecuted.
- Be cautious if you are guaranteed high, risk-free returns.
- Do not be fooled because someone told you that it is legal, that a loophole in the law makes the operation legal, or even that a government official has approved it. All of these statements are false! The only way something can be excluded is if it is gazetted.
- Always check whether the person and firm offering you an investment are authorized to do so. When in doubt, contact the Council on the toll-free number 155 or email complaints@consumersfiji.org

BE A SMART AND ASSERTIVE CONSUMER – DO NOT FALL VICTIM TO PYRAMID SCHEMES

Council Attends Capacity Building Workshop on Insurance Organized by UNCDF and PFIP

In April, the Consumer Council of Fiji (CCoF) staff participated in a Climate and Disaster Risk Financing and Insurance Literacy workshop organized by the United Nations Capital Development Fund (UNCDF) and the Pacific Financial Inclusion Program (PFIP). The workshop aimed to equip the Council staff with knowledge on how to advocate on building financial resilience for Fijian communities including women, youth, persons with disabilities and other vulnerable groups. The training also focused on why and how consumers can be educated on financial planning, personal and household money management, savings and insurance.



Council Honors Future Leaders



At the beginning of the school year, schools in Fiji select prefects to assist teachers in establishing and maintaining the high standards of behavior of students, and undertake various roles and responsibilities around the school – an opportunity that most student leaders aim for.

In February this year, the Consumer Council of Fiji received several invitations from schools in the Central Division to address students during the prefects' investiture ceremony, and aspire them to become transformational leaders and responsible consumers.

The Council Chief Executive Officer Ms Seema Shandil officiated the prefects' induction of Rishikul High School and Vunimono Islamia Primary School while the Council's Manager Campaigns, Information and Media Mr Vinash Singh officiated at Ahmadiyya Muslim College.

Council Staff Get Vaccinated

The staff of the Consumer Council of Fiji (CCoF) led by our Chief Executive Officer, as responsible Fijians chose to get vaccinated as soon as the vaccination drive began in the Central Division. This was done to support our front-line heroes in fighting the deadly pandemic and bring back a sense of normalcy which Fiji enjoyed while being COVID contained for over a year. The COVID-19 vaccine being used in Fiji has been approved and recommended by the World Health Organisation (WHO) and has been proven to provide protection against COVID-19.

The Council encourages all Fijians to, if not already, register for the COVID-19 vaccine and get vaccinated as soon as possible – remember, your life and the lives of your loved ones depend on it.

We have received our jabs – have you?
To sign up, simply use this link
<https://vra.digitalfiji.gov.fj/>
or scan the QR code.



HALL OF SHAME

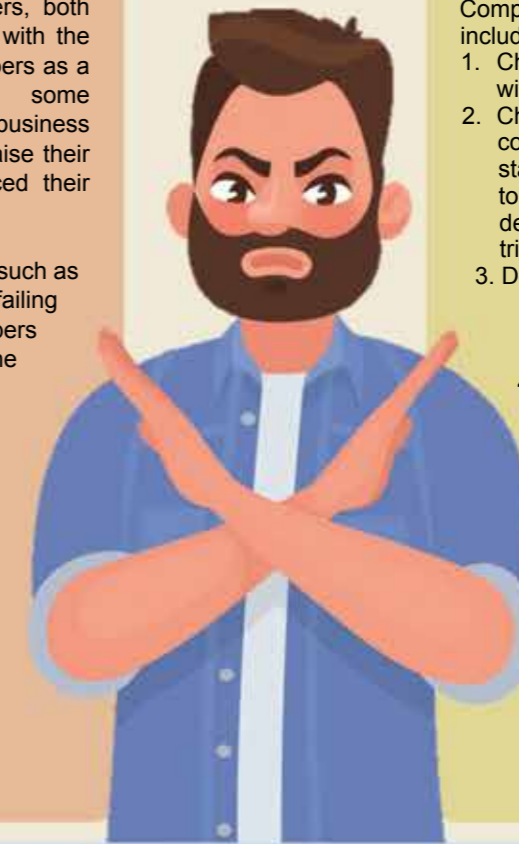
Let's have a look at some notorious businesses which have violated the rights of Fijian consumers and are unwilling to improve their level of service.

Amy's Hampers

Amy's Hampers is a home-based gift hamper designer who uses social media, such as Instagram and Facebook, to promote and engage with consumers about their products. Consumers, both local and overseas, normally place orders with the business to send their loved one's gift hampers as a token of appreciation. Unfortunately, some consumers who have placed orders with the business have faced many issues causing them to raise their grievances at the Council, and even voiced their disappointments on social media.

Complaints received reveals misdemeanors such as late delivery or non-delivery of hampers and failing to provide redress. In few instances gift hampers reached recipients a few weeks after the promised date, defeating the entire purpose of the acquired service. Some consumers also expressed their frustrations against the company as their gift hampers were not prepared as per their request.

Even after Council's intervention, Amy's Hampers refused to provide refunds to its consumers who were unhappy with their orders. As a business, Amy's Hampers failed to deliver on its promises and meet its customers' expectations.



Goundar Shipping Limited

Fijians using inter-island shipping services have voiced their concerns at the quality of services provided by Goundar Shipping Ltd. The shipping company serves several critical maritime areas however, the quality of its services has baffled many Fijians as they have showed low regards to consumer safety, convenience and satisfaction.

Complaints received against Goundar Shipping include:

1. Change of ticket's terms and conditions with any notice
2. Change of reporting time – often when consumers report to the bus boarding stations bound for the jetty or even directly to the jetty, they are informed that the departure time has been postponed or the trip has been cancelled entirely.
3. Delays in processing refunds to consumers who could not travel to maritime areas due to damages caused by tropical cyclones.
4. Over booking of tickets.
5. Incomplete Bill of Lading for freight.
6. Non-disclosure of freight charges
7. Not adhering to charges that are stipulated by FCCC as per the Price Authorization for Freight Charges.
8. Non-disclosure of weight requirements for items being sent to maritime arrears.

Goundar Shipping not only retaliates by not responding to the Council on urgent matters but refuses to provide refunds, extend travel dates or re-issue tickets. The Council has had to refer numerous matters to the Fijian Competition and Consumer Commission for enforcement action.

Glaze Bridal & Beauty Salon

The Consumer Council of Fiji has recorded 8 complaints against Glaze Hair and Beauty Salon who despite several warnings, continue to dupe consumers out of their hard-earned money. The beautician company has on several occasions been reluctant in addressing consumer concerns. The Director has also refused mediation requests in the Council's attempts to discuss issues. The Council's assessment of complaints received revealed that the hair salon lures customers by offering cheap deals but use poor products. The salon provides permanent hair straightening with protein for \$60.00 and this applies for any length of hair. Consumers are lured by such unbelievable deals however, the end results are not as expected. Service provided are not as claimed by the saloon which is evident in the outcome. Consumers have revealed that their hair returned to its original state within 3 to 4 days after receiving the treatment. This issue occurs even after consumers follow all the advice provided by the salon after receiving the treatment.

Apart from the inferior quality of service stated above, Glaze Bridal & Beauty salon also fails to provide any disclosures to customers regarding refunds. The Council also notes that the Salon continuously shifts blame to consumers despite evidences clearly showing that there has been a fault on the part of the salon.

The Council has been able to successfully mediate and resolve the complaints however, some matters remain as the respondent is not forthcoming.



Home is where the office is

Here are some tips for being sustainable and keeping your bills low while working from home.

Do not leave devices charging all day - It has become common to leave devices charged all the time. This may not necessarily be the best option. Be sure to turn off switches or unplug your device as soon as it is charged. Leaving devices charging not only wastes power, it can also degrade the battery of your device.

Check the settings on your devices - While most modern equipment has power saving mode features, it can be helpful to check the settings that can be altered to ensure your device does not chew up too much power. Check the settings on your devices to determine if you can reduce the duration the device remains on before it switches to sleep mode or standby mode while not in use. Computers, printers and monitors may likely be the most energy consuming devices from your "work from home" arsenal and it is important that special attention is paid to this.

Try a USB desktop fan - Many may be accustomed to working in air-conditioned rooms with controlled temperatures and are unaccustomed to the change in environment. Some may resort to having fans run all day to keep them cool. Consider using a USB desktop fan or a small battery-operated fan to save energy and possibly money.

Work with nature - It is common to want a setting that is similar to your office, especially if you feel like it is an environment where you work best. Some consider lighting and temperature as the most important factors to a great working environment. To ensure you continue to save energy while having the best working space, consider your natural settings and what you can do to make a great "work from home" office. Choose a well-lit breezy room or consider working on the balcony if you have one to make the most of the natural light and air.

Lighting - Now that most are working from home more, choose energy efficient lights. LED bulbs although may cost more when purchasing, it lasts far longer and consumes less energy. Consider having a desk lamp to shed some extra light to your work space as opposed to having the whole room lit.

Climate Control - For a country such as Fiji, the term winter may be laughed off by many who feel there are no seasons in a tropical country, hence it is not applicable. Fiji does have winter months from June to September when the temperatures are a little colder. To save energy during this period, consumers can opt to wear warm clothes instead of depending on heaters to keep them warm. This little effort will ensure you save money on bills.

Laundry

Skip the dryer - hang out your washing instead of using the dryer. Include little tasks such as hanging out the laundry as part of your work from home breaks.

Wash less often - The more you use the washing machine, the more energy it consumes. Have designated laundry days to avoid using the machine frequently. After attending meetings online, quickly change out of your work attire and hang them out to air so that they may be worn again on a different day. They do not necessarily need to be washed.

Kitchen

It has been evident that work from home schedules is also accompanied with more time in the kitchen, used for meal prep and preparing tea for breaks. Here are a few tips to help you ensure you are saving on power bills.

- 1. Cook lunches in bulk**
To avoid the hassle of having to cook every day, try cooking in bulk and store food in containers that you can heat up when needed.
- 2. Multitask with your oven**
Create snacks with your oven on a set date to make your breaks easier. This way you do not have to continue to go to the kitchen during your breaks to make a snack, but rather have them in stock in a jar or in the fridge.
- 3. Keep a full fridge**
There is a common misconception that having less in the fridge means it takes less energy. This is incorrect. A full fridge is more energy efficient than an empty one because of thermal mass. Additionally, because you are now at home, there is less likelihood of food spoilage because you are making use of the fridge contents more quickly than when you are at work. Remember, this does not mean that you should engage in hoarding of food items.

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155**

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



OR SCAN HERE

