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10 January 2015

Feature Article

Guideline on Towing Services in Fiji

Fiji Commerce Commission's Self Regulating Guideline on Towing Services in Fiji comes as a relief to many as it intends to assist not just the consumers but also set rules for the towing operators and other authorising agencies such as Municipal Councils, Land Transport Authority (LTA) and Police. These agencies have powers under their legislation to tow vehicles from restricted parking areas, from accident sites and from road for not meeting standard requirements

Consumer protection and fair trade practices in the conduct of towing services takes a centre stage in this Guideline. It covers safe and efficient removal, impounding and safekeeping of all vehicles being towed away and placed in the custody of the relevant authority.

Going by the cases at hand, consumers had been charged unfair and unreasonable fees; had to pay for the damages done to their vehicle and also had to spend unnecessary time to have their towed-away vehicles released from the impounder.

Consumers have expressed concerns with the Consumer Council regarding the manner in which their vehicles were handled causing *dents and other damage* to their vehicles, which were found after the vehicles were released.

In some cases, consumers had to bear costs amounting to more than a \$1,000 in paying for towing fees and getting their vehicles repaired for the damage caused during the towing process.

With no proper rules in place then, consumers were at the mercy of the towing operators and relevant authorities.

Now with a Guideline in place, the towing operators and authorized agents are encouraged to improve their service by understanding their obligation towards their customers who own the vehicle.

There have been instances where consumers had their vehicle towed away from a 'no parking zone' area with no contact detail of the towing company. Such information is vital and must be made available to the consumer so that he/she can redeem the vehicle.

The Guideline on Towing Services in Fiji intends to encourage the towing companies and relevant authorities to comply with the Commerce Commission Decree 2010 and other relevant laws of Fiji so that the service is provided in a fair and reasonable manner.

The guideline helps to establish operational practices for towing operators and the rights of consumers and it also encourages high level of professional conduct and service to people.

Previously, without any clear rules in place, some towing operators were able to fool consumers and make maximum profit by colluding with the authorised agencies but with this guideline in place, towing operators and the authorised agencies will have to uplift their professional conduct and play by the rules.

Under the Guideline, following principles are also recognised:

- All consumers should be treated equitably, honestly and fairly at all stages of their relationship with the service providers
- Towing Companies and authorized agents should provide consumers with appropriate and relevant information that informs the consumer of their fundamental rights
- Consumers should have access to adequate complaints handling and redress mechanism
- Competitive markets should be promoted in order to provide consumers with greater choice among services
- Promote consumer protection and fair trade practices
- Encourage stakeholders to move towards self-regulation.

Next week's article will highlight the type of information that must be displayed in areas where vehicles are subject to towing and what is involved in towing authorisation.