

MINISTRY PAPER NO. _____

**PERFORMANCE OF THE CONSUMER AFFAIRS COMMISSION (CAC)
FOR FINANCIAL YEAR 2003/2004 AND
FOCUS FOR FINANCIAL YEAR 2004/2005**

1.0 Purpose of Ministry Paper

This Ministry Paper is intended to inform the public about the performance of the Consumer Affairs Commission (CAC) during the 2003/2004 Financial Year and its main plans for the Financial Year 2004/2005.

2.0 Role and Function

Consumer protection and consumer education continue to be the main areas of focus for the Commission with a parallel emphasis on business education, designed to cultivate a business culture that recognises the importance of consumer sovereignty.

The mandate of the Consumer Affairs Commission is to:

- (i) educate and sensitise Jamaicans as to their rights/obligations in their capacity as consumers; and
- (ii) resolve consumer complaints against providers of goods and services

The Consumer Education Programme of the CAC, structured around the Charter of Rights of the Consumer and the United Nations Guidelines for Consumer Protection to which Jamaica became signatory in 1985, recognises the following eight (8) basic Rights of the Consumer:

- (i) The Right to Safety
- (ii) The Right to Choose
- (iii) The Right to be Informed
- (iv) The Right to be Heard
- (v) The Right to Redress
- (vi) The Right to the Satisfaction of Basic Needs
- (vii) The Right to a Healthy Environment
- (viii) The Right to Consumer Education

Consumers are educated on issues such as their rights, responsibilities and the laws that protect them, through the local print and electronic media, including cinema, and the use of technological advances/developments such as the Internet.

The CAC also makes presentations on consumer issues to school children, adult members of the public and businesspersons by means of workshops, seminars and community meetings. Other available opportunities such as expositions, trade fairs, debates, shows, and discussions with persons in various fora such as clinics, plazas and markets are also used to sensitise groups of consumers.

The Commission liaises with domestic consumer protection agencies, such as the Fair Trading Commission (FTC), Bureau of Standards Jamaica (BSJ), Office of Utilities Regulation (OUR) and the Ministry of Health (MOH).

Links are also maintained with regional and international consumer organisations such as Consumers' International. The CAC gathers information, makes contact with and responds to requests from various international consumer organisations largely via the Internet and at international conferences.

Impromptu surveys are conducted as the need arises and the results posted on the CAC's website.

The Commission continues to encourage the development of strong consumer lobby groups and therefore continues to provide support to Non-Government Organisations (NGO's) such as the National Consumers' League (NCL).

3.0 Priority Programmes and Targets – Financial Year 2003/2004

During the Financial Year 2003/2004, the CAC continued core programmes to educate consumers and businesspersons via the mass media, the Internet and through community outreach activities, coupled with the unbiased resolution of consumer complaints.

Surveys were also conducted to determine the prices of some petroleum products, select grocery items and school textbooks.

The expected legislative changes required in support of the Commission's mandate saw some progress during the review year as the Consumer Protection Bill continued to be taken through the legislative processes. At the end of the fiscal year the Bill had been printed by Jamaica Printing Services and delivered to the Houses of Parliament.

Various agencies within the Caribbean Region and Latin America continue to rely on Jamaica's CAC for guidance, support and comments on a range of consumer issues of global concern. At the invitation of Consumers' International, the CAC participated in discussions throughout the year on a number of issues via information and communication technologies and by attending two international conferences.

4.0 Main Achievements

- (i) Resolution of 2,414 or 94% of a total of 2,569 complaints handled between April 1, 2003 and March 31, 2004. (A total of 2,337 new complaints were received by the CAC during the period and 232 were brought forward from the previous period.)
- (ii) Compensation of over \$6.7M in addition to rebates, returns and exchanges were negotiated on behalf of aggrieved consumers during the review period (April 2003- March 2004).
- (iii) Direct education of an estimated fifty one thousand (51,000) consumers at one hundred and eighty six (186) events including presentations, exhibitions, expositions, debates, shows and other events in all fourteen (14) parishes.
- (iv) Distribution of pamphlets to one thousand eight hundred and fifty-two (1,852) persons throughout the island.
- (v) The successful staging of the “**Jamaican Market For The Jamaican Consumer Exposition**” at Emancipation Park during ‘Consumer Week’ - a first for the Commission.
- (vi) One hundred and forty-four (144) media interviews with officers of the Commission.
- (vii) One thousand and twenty-five (1,025) exposures via the media including cinema, designed to reach the entire population.
- (viii) The establishment of a partnership with the Star newspaper in April 2003, to allow for articles from the CAC being carried once a week. This newspaper enjoys readership in excess of four hundred thousand (400,000) persons.
- (ix) Fostering of partnerships with Love Television to facilitate weekly airing of CAC content and Roots FM to produce and host the programme ‘**Know Your Rights & Be Alright**’.
- (x) Conduct of twelve (12) surveys on petrol, fifteen (15) on groceries and one each on school textbook prices, consumer perception of the CAC, and consumer shopping patterns at Christmas. Survey results published on the Commission’s Website and in some instances in the print media.
- (xi) Establishment of partnership with the Bank of Jamaica (BOJ) and the Statistical Institute of Jamaica (STATIN) for conduct of grocery survey.

- (xii) Market surveillance conducted to determine whether items recalled overseas were on sale on the local market and impromptu visits made to establishments in pursuit of consumer complaints.
- (xiii) Ongoing recognition and commendation of the CAC website which continues to be listed among the top five (5) of forty-nine (49) Government of Jamaica websites.
- (xiv) A twenty-five percent (25%) increase in the number of visitors to the CAC website.
- (xv) Improvements in the CAC's Complaints Database.
- (xvi) Improvements in administrative efficiency.
- (xvii) Ongoing receipt and resolution of complaints online; however to date, the majority of hits on the website were by overseas residents who visited Jamaica.
- (xviii) Participation in regional and international meetings addressing a range of consumer issues.
- (xix) Production and publication of four (4) new brochures bringing the total number of in-house brochures prepared by the CAC to fifty-two (52).

5.0 Strategic Focus

The Commission plans to enhance its impact, supported by legislative reform. It will also continue to collaborate with the media and use information and communications technology to ensure a more speedy resolution of complaints.

Issues relating to electronic commerce, food security including the labelling of genetically modified foods, changes in international trading arrangements and good customer service will continue to drive the work programme of the CAC.

The CAC will continue to upgrade its website as required and establish links with other institutions including schools, tertiary learning institutions, media houses and bookstores.

After the promulgation of the Consumer Protection Act, legislative sanctions will be applied against vendors when consumers continue to experience problems such as non-delivery of items purchased or obstruction in obtaining fair redress. This will be supplemented with ongoing programmes geared toward educating consumers and businesspersons.

The CAC will continue to provide the usual range of educational services offered to the society, mainly through the media and direct interface. Jamaicans living overseas will continue to be reached via the Internet.

The CAC will continue to support lobby groups such as non-governmental organizations (NGO's) and encourage the formation of new ones islandwide.

6.0 Summary of Main Programmes for FY 2004/2005

The Commission will continue its consumer education programme using the print and electronic media to impact over 1.5 million persons, and over one hundred (100) community outreach events such as presentations, expositions, exhibitions and visits to markets and clinics to reach directly a minimum of fifty thousand (50,000) persons.

The passage of the Consumer Protection Act is expected to assist in a reduction in the length of time taken to resolve disputes. The CAC expects to resolve at least two thousand four hundred (2,400) complaints within the year. The target for the resolution of complaints will be adjusted to reflect a shorter length of time for the CAC to achieve settlement. The existing target of (10) working days will be reduced by 10% to nine (9) working days. The CAC will seek to achieve no less than an overall resolution rate of eighty percent (80%) by year-end.

The Commission will launch its Citizens Charter.

Current conditions suggest that there is need for continuation of the Business Education Programme. This is to be accelerated after the passage of the appropriate legislation. Specific targets to be achieved in three (3) months, six (6) months, and twelve (12) months are as follows:

(a) To be accomplished in three (3) months:

- (i) Survey on charges for commercial banking services and pharmaceuticals and publication of survey results
- (ii) Formation of at least two (2) consumer clubs in schools
- (iii) Establishment of designated days for the visit of CAC Officers in the parishes of St. Thomas and Manchester to facilitate enquiries, settlement of complaints and to access the general services provided by the CAC.
- (iv) Establishment of electronic links with twenty (20) schools, the media and other institutions to facilitate dissemination of information on a regular basis

(b) To be accomplished in six (6) months:

- (i) Launch of Citizens Charter
- (ii) Production of brochures on consumer topics
- (iii) Survey on school textbook prices
- (iv) Ongoing visibility in the media
- (v) Ten percent (10%) increase in visits to the website

(c) To be accomplished in twelve (12) months

- (i) Promulgation of the Consumer Protection Act.
- (ii) Following the passage of the Act, two (2) seminars to be conducted for business persons .
- (iii) Twenty-five percent (25%) increase in visits to the Commission's website
- (iv) Minimum of five hundred (500) exposures via the media to impact over 1.5 million persons
- (v) Participation in community events directly impacting approximately fifty thousand (50,000) adults and school children.
- (vi) Implementation of an effective business education programme
- (vii) Ten percent (10%) reduction in length of time required for resolution of complaints

7.0 Budgetary Allocation

The budgetary allocation to the CAC for the 2004/2005 Financial Year is \$43.6 M. This compares with the \$44.08 M allocated for Financial Year 2003/2004.

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