

**PERFORMANCE OF THE CONSUMER AFFAIRS COMMISSION (CAC)  
FOR FINANCIAL YEAR 2004/2005 AND FOCUS FOR FINANCIAL YEAR  
2005/2006**

**1.0 Purpose of Ministry Paper**

This Ministry Paper provides information regarding the performance of the Consumer Affairs Commission (CAC) during the 2004/2005 Financial Year and outlines the main targets for the Financial Year 2005/2006.

**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, is based upon the Charter of Rights of the Consumer and the United Nations Guidelines for Consumer Protection to which Jamaica became signatory in 1985. The programme is predicated upon the following eight (8) basic Consumer Rights:

- (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 that may impinge on these rights, their own responsibilities as consumers and the laws that protect them. The modalities employed include education of the population at large, through the local print and electronic media, and the Internet.

The Commission 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/venues such as clinics, plazas and markets are also used to sensitise 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.

Scheduled as well as impromptu surveys are conducted as the need arises. The survey results are 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 (NGOs) such as the National Consumers' League (NCL).

### **3.0 Priority Programmes and Targets – Financial Year 2004/2005**

During the Financial Year 2004/2005, 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 passage of Hurricane Ivan saw the CAC engaged in the survey of hardware items, kerosene oil, and selected agricultural products to determine (a) Availability (b) Prices, particularly of imported vegetables for which there was a reduction in the duties charged.

The expected legislative changes required in support of the Commission's mandate saw much progress during the review year as the Consumer Protection Bill was passed in both Houses. Certain critical amendments necessitated the return of the Bill to the Lower House. It is anticipated that the enactment of the Law will take place early in the FY 2005/2006.

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 four (4) international conferences.

#### **4.0 Main Achievements**

- (i) Resolution of two thousand two hundred and ninety (**2,290**) or ninety-two percent (92%) of a total of two thousand four hundred and eighty (2,480) complaints handled between April 1, 2004 and March 31, 2005. A total of two thousand three hundred and twenty-nine (2,329) new complaints were received by the CAC during the period and one hundred and fifty-one (151) were brought forward from the previous period.

The largest number of complaints was in the category of Appliances and Electronic Items accounting for seven hundred and fifty-eight (758) or thirty-three (33%) of the cases received. Next in descending order of magnitude were “Clothing, Food, Pharmaceuticals, and Chemicals”; “Services”; and “Automotive.” Together these three (3) complaint categories accounted for eight hundred and ninety-three (893) or thirty-nine percent (39%) of the cases resolved and eight hundred and ninety-eight (898) or thirty-nine percent (39%) of those received.

- (ii) Cases of advice to consumers totaled two thousand two hundred and ninety-five (2,295) for the current Financial Year under review. This is just thirty-four (34) short of the number of complaints received during the same period, bringing total consumer contacts for FY 2004/2005 to four thousand seven hundred and seventy-five (**4,775**).
- (iii) A total of **\$16.855M** was secured on behalf of aggrieved consumers during the review period (April 2004 - March 2005), comprising rebates, refunds, payments, and compensation. Of this amount, \$12.84 M was recovered while dealing with complaints in the “Automotive” category.
- (iv) Direct sensitization of sixty-one thousand nine hundred and thirty-nine (**61,939**) consumers at one hundred and eighty-seven (187) events including presentations, exhibitions, expositions, debates and shows in all fourteen (14) parishes. These included five (5) seminars for students island-wide, which were held in collaboration with the Petroleum Corporation of Jamaica (PCJ) and the Jamaica Public Service Company (JPSCo).
- (v) Establishment of designated days for the presence of CAC officers in the parishes of St. Thomas and Manchester to facilitate enquiries, settlement of complaints and access to the general services provided by the CAC.
- (vi) Distribution of pamphlets to one thousand five hundred and fifty-eight (1,558) persons throughout the island.

- (vii) The CAC relies on the networking alliances that exist between the Agency and several media houses and producers of various programmes to assist in the dissemination of usable information to the Jamaican consumer. As a result of this benefit one hundred and eighteen (118) media interviews, covering themes such as personal finances, proper credit card management, and costs for key products and services, were conducted with CAC personnel.
- (viii) In addition to direct contact interviews, eight hundred and six (806) indirect media contacts were recorded throughout the year. These included articles generated by the CAC, or articles and other placements where information provided by the CAC had been included or otherwise referenced. Here again, the themes included shopping tips, issues regarding terms and conditions of conditional sales agreements and generally any area that was found (through our Consumer, Knowledge, Attitude and Behaviour Pattern Study) to be of interest or importance to the Jamaican consumer.
- (ix) Formation of new media partnerships with the Sunday Outlook Magazine specifically, Ask the Expert® and the Sunday Observer finance publication, specifically Ask Claudine®. In both cases, the Commission played a support role in providing responses to questions fielded from members of the public on consumer issues that faced them.
- (x) Conduct of fourteen (14) surveys on petrol, fifteen (15) on groceries, thirteen (13) on vegetables, two (2) on hardware, one (1) on genetically modified (GM) foods, one (1) on school textbook prices, and five (5) on consumer shopping patterns. Survey results were published on the Commission's website and in some instances in the print media.
- (xi) With the passage of Hurricane Ivan, the Commission played a substantive role in the speedy supply of information regarding prices and availability of various basic products throughout the island. The information so provided assisted the MCST in coordinating an appropriate management and response to the resultant issues arising within the market place, linked to passage of the hurricane.
- (xii) Ongoing recognition and commendation of the CAC's website which continues to be listed among the top five (5) of forty-nine (49) Government of Jamaica websites.
- (xiii) Improvements in the CAC's Complaints Database in respect of the standardization of terms used to categorize complaints. The Commission also continued to handle and process complaints and other requests received online

- (xiv) Improvements in administrative efficiency in respect of staff recruitment and development training.
- (xv) Participation in regional and international meetings addressing a range of consumer issues.
- (xvi) Production and publication of five (5) new brochures bringing the total number of in-house brochures prepared by the CAC to fifty seven (57)

**SUMMARY OF MAIN ACHIEVEMENTS FOR APRIL 1, 2004 – March 31, 2005**

<b>ACTIVITY</b>	<b>TARGET</b>	<b>ACHIEVEMENT</b>	<b>SHORTFALL/ EXCESS</b>	<b>EXPLANATION</b>
Complaints Handled	2600	2480	-120 (4.6%)	Less complaints were received than anticipated
Complaints Settled	2200	2290	+90 (4.1%)	
Advice/Information Provided	0	2295	+2295	
Monies Secured	0	\$18.69M	+\$18.69M	
Community Outreach	50,000	61,939	+11,939(23.9%)	
Media Exposures (including interviews)	500	806	+308	
Production of New Material	3	5	+2	
Grocery Survey	12	15	+3	
Petrol Survey	12	14	+2	
School Textbook Survey	1	1	0	
Pharmaceutical Survey	1	0	-1	Resources were diverted due to the post Ivan demands
Hardware Survey	0	2	+2	Post Ivan demands
Vegetable Survey	0	13	+13	Post Ivan demands
Consumer Knowledge Survey	0	5	+5	Post Ivan demands
Financial Services Survey	1	0	-1	Resources were diverted due to the post Ivan demands
Genetically Modified Foods Survey	0	1	+1	

## **5.0 Strategic Focus for Financial Year 2005/2006**

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

The Consumer Protection Act (CPA) will drive the work programme of the CAC in this financial year along with issues related to consumer safety, changes in international trading arrangements and good customer service.

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

With the passing of the Consumer Protection Act on November 19, 2004, sanctions will be levied against vendors with whom consumers continue to experience problems. These include the non-delivery of items purchased or obstruction in obtaining fair redress. This will be supplemented with ongoing programmes geared toward educating consumers, suppliers and retailers through the established outreach programmes of the CAC.

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 also continue to support non-governmental organizations (NGO's) which act as lobby groups, and encourage the formation of new ones islandwide.

## **6.0 Summary of Main Programmes for Financial Year 2005/2006**

The Commission will continue its consumer education programme using the print and electronic media to impact over 1.6 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 forty-five thousand (45,000) persons.

The passage of the Consumer Protection Act is expected to assist in reducing the time taken to resolve disputes. The CAC expects to resolve at least eighty percent (80%) of the complaints received within the year. In addition the Commission will be able to initiate litigation on behalf of consumers.

Below are some of the activities planned for 2005/2006.

- i. Launch of the education programme with regards to the Consumer Protection Act
- ii. Formation of at least one (1) consumer club in schools

iii. Establishment of electronic links with twenty (20) schools, the media and other institutions to facilitate dissemination of information on a regular basis

iv. Twenty five percent (25%) increase in visits to the Commission’s website

**SUMMARY OF MAIN PROGRAMMES FOR FY 2005/2006**

<b>ACTIVITY</b>	<b>TARGET QUARTER 1</b>	<b>TARGET QUARTER 2</b>	<b>TARGET QUARTER 3</b>	<b>TARGET QUARTER 4</b>
Resolution of consumer complaints - Minimum of 2000	Ongoing. Resolve in 10 working days 80% of complaints handled	Ongoing. Resolve in 10 working days 80% of complaints handled	Ongoing. Resolve in 10 working days 80% of complaints handled	Ongoing. Resolve in 10 working days 80% of complaints handled
Advice/Information to consumers	Ongoing Minimum of 600	Ongoing Minimum of 600	Ongoing Minimum of 600	Ongoing Minimum of 600
Monies secured	Ongoing	Ongoing	Ongoing	Ongoing
Community Outreach	8,000 adults 12,000 students	3,000 adults 2,000 students	2000 adults 3,000 students	5,000 adults 10,000 students
Presentation to groups of business persons	2	2	2	2
Meeting with providers of basic consumer items	3	3	3	3
Media Exposures – Advertisements	25	25	25	25
Advisories, Releases, interview	As need arises	As need arises	As need arises	As need arises
Production of new material	As need arises	As need arises	As need arises	As need arises
Formation and maintenance of regional consumer Advocacy Groups	1	1	2	1
Newsletter	1	1	1	1
Grocery Survey	3	3	3	3
Petrol Survey	3	3	3	3
School Textbook Survey	0	1	0	0

<b>ACTIVITY</b>	<b>TARGET QUARTER 1</b>	<b>TARGET QUARTER 2</b>	<b>TARGET QUARTER 3</b>	<b>TARGET QUARTER 4</b>
Pharmaceutical Survey				1
Consumer Knowledge, Behaviour, and Attitude Survey	As need arises	As need arises	As need arises	As need arises
Launch of the Citizen's Charter		1		

## **7.0 Budgetary Allocation**

The budgetary allocation to the CAC for the Financial Year 2005/2006 is \$36.406M. Approximately \$44 M was allocated for the Financial Year 2004/2005.

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