

Be EDUCATED EMPOWERED

ALL YOU NEED TO KNOW ABOUT YOUR
RIGHTS AND RESPONSIBILITIES AS A CONSUMER

CONSUMER

AFFAIRS **DIVISION**

PUTTING THE POWER ON YOUR SIDE

IN A WORLD DRIVEN BY CONSUMERS

THE Power is Yours

Caveat Emptor - "Let the buyer beware!"

The Latin phrase is used to remind consumers that they share the responsibility for protecting themselves in the marketplace.

Their rights as consumers will not prevent problems unless they make the effort to be informed consumers.

It is important that consumers:

- Understand the terms and conditions of the sale
- Obtain warranties in print or writing
- Save receipts
- Ask questions at the point of sale
- Keep informed about new and different options in the market place
- Report dissatisfaction with goods and services to the supplier
- Inform others of unfair business practices or treatment
- Report apparently unsafe merchandise to the Consumer Affairs Division (CAD)
- Maintain a healthy environment for future generations
- Check item before signing delivery note

Responsibilities of the consumer

Rights of the consumer

▶ The Right TO SAFETY

Consumers purchase goods for their needs and wants. Goods must be of merchantable quality and safe for the intended users.

For example:

- The body, door or handle of a fridge should not shock
- The motor or the cord of a fan should not catch afire
- A toy must not contain toxic substances

▶ The Right TO COMPLAIN

Consumers have a right to complain about faulty merchandise.

This means that consumers should:

- Report any dissatisfaction to the supplier
- Make a note of the date of your oral complaint
- Follow up on your verbal complaint in writing
- Provide a copy of your letter of complaint to the Consumer Affairs Division

The Right TO CHOOSE

▶ Choose wisely and shop within your means.

This means that consumers should:

- Plan your purchase
- Shop around before you buy
- Not overspend

Remember, you can always change your mind, and decide not to buy.

▶ The Right TO INFORMATION

It is important that consumers get more information than what is presented in the material produced to persuade you to buy. You should research information on your intended purchase and ask relevant questions upon purchase about:

- Refund and Return policies
- Full and limited warranties
- Restocking fees

Be sure to get satisfactory answers

Rights of the consumer

▶ **The Right TO CONSUMER EDUCATION**

With a view towards empowering consumers, one of the core functions of the Consumer Affairs Division is to provide consumer education to the public.

The Division engages in awareness campaigns utilizing traditional media such as television, radio, print and social media to reach its national audience. Staff of the Division also conduct outreach programmes that target Non-Governmental Organisations (NGOs), Community-Based Organisations (CBOs), Schools, Parent-Teacher Associations (PTAs) and other groups. In addition, the Division takes advantage of seasonal and situational opportunities to share information wherever consumers may gather in large numbers.

▶ **The Right TO SATISFACTION OF BASIC NEEDS**

This right goes beyond the basics of food, clothing and shelter. The modern consumer is also entitled to the right of access to essential:

- Goods
- Services
- Healthcare
- Sanitation

▶ **The Right TO A HEALTHY & SUSTAINABLE ENVIRONMENT**

You have the right to a physical environment that will enhance the quality of life. It includes protection against environmental dangers over which the individual may have little or no control. It embraces issues such as:

- Manufacturing processes
- Product content
- Packaging
- Industrial waste

▶ **The Right TO REDRESS**

Your right to redress provides a platform for satisfactory mediation and solutions to your complaints. Here in Trinidad and Tobago, redress means:

- A refund if an item is not of merchantable quality
- A replacement of the item, if the consumer is satisfied with same
- Repair of the item if it can be repaired
- A Credit note

THE REDRESS IS USUALLY OFFERED IN THE ORDER LISTED ABOVE



Redress

THE RIGHT TO SET IT RIGHT

re • dress • (verb)

Redress is the setting right or remedying of a problem; it is the removal of causes of a grievance. The procedures should be fair, inexpensive fast and the remedies should be effective.

When are you entitled to redress?

As a consumer you can seek redress for the following reasons:

- A defective item
- An item that cannot serve the purpose for which it was purchased
- An item that does not match what you were led to believe you purchased

How to obtain redress:

If you purchase an item and it does not perform its integral function, then you have grounds for complaint. If you decide to seek redress, you should:

- Stop using the item
- Notify the company of your complaint at once
- Return the item (if you can)
- Take along your receipt or other proof of purchase
- Speak with the Manager or Owner about the problem
- State what form of redress you would like: REFUND, REPAIR OR REPLACE

When complaining by letter:

- Ensure that you give a clear description of the problem
- Keep a copy of the letter
- Do not send original receipts, guarantees or other proof of purchase. Send photocopies
- Provide a phone number and/ or email address where you can be contacted

When complaining by phone:

- Make a note of what you want to say;
- Have receipts and useful facts nearby;
- Record the name of the person with whom you spoke;
- Note date and time and what was discussed and agreed to;
- Be calm.

In addition to making your complaints in person, you should also write to or phone the company to inform them of the problem experienced with the item

Redress

Always check items thoroughly before purchasing to avoid problems in the future

- Always seek redress from the branch of the store at which you purchased the item
- If this branch cannot help, contact the Managing Director or CEO at the Head Office
- If at this point you still cannot get any form of redress, you should contact the Consumer Affairs Division of the Ministry of Trade and Industry to make a formal complaint

Remember you have the right to the purchase of safe goods and services and the right to be heard.

When are you NOT entitled to redress?

Redress cannot be obtained if:

- You suddenly decide you do not like the item after you have made the purchase
- You tamper with an item which leads to its malfunction
- You use an item for purpose/s other than its intended use

Hire Purchase



Hire Purchase (HP) is the legal term used for a contract in which a purchaser agrees to pay for goods in part or a percentage over a period of time. In Trinidad and Tobago, hire purchase is perhaps the most widely used option for the purchase of household goods and appliances. Hire purchase is similar to leasing as it allows the hirer, the use of an item without having to pay the full purchase price in a lump sum. In a hire purchase agreement, the hirer only becomes the rightful owner of the item upon payment of the final installment. Until that time, the owner of the item is the seller.

Advantages

Hire purchase gives the consumer the option to spread the cost of acquiring an item over time, which makes purchasing the item more affordable. It is particularly effective with commodities; allowing possession and enjoyment of the item from day one.

Disadvantages

- The hirer does not own the item until it is completely paid for and it can be repossessed if payments are defaulted
- The cost of hire purchase is generally above the cash value of the item due to the additional money that is added in the form of interest
- Usually, a deposit is required and there is the likelihood of a penalty if the hirer does not keep the terms of the agreement
- Because of how enticing the hire purchase scheme can be, buyers are tempted to buy items that they actually do not need

Your Agreement

When entering a hire purchase agreement, the hirer should ensure his/her contract with the seller contains detailed information on the following:

- Cash price
- Hire purchase price
- The amount of the deposit, if any
- The number of installments and the amount to be paid
- The duration of the hire purchase agreement and the due date for installments
- Interest and finance rates
- Identification of goods purchased
- Rights of the hirer to terminate the agreement
- The steps which the seller may take in order to recover goods if the hirer defaults after having paid seventy percent (70%) of the hire purchase price

All hire purchase transactions should be carried out in accordance with the Hire Purchase Act, Chap. 82:33 of the Laws of Trinidad and Tobago.

Your Rights

- It is your right as a consumer to be given truthful and honest information on products and services in order to assist in making a wise choice

HP Facts

- A copy of the Hire Purchase Agreement must be delivered to the consumer within seven(7) days of signing
- It is a myth that the item cannot be repossessed if the consumer has paid 70% or more of the hire purchase price. It can be repossessed through the court system
- If an item is wrongfully repossessed and sold, the seller is obligated to replace it to the satisfaction of the consumer
- Goods purchased by a consumer under any hire purchase agreement belong to the seller until the final installment is paid
- The hirer is liable and will be fined if there is any obstruction by the hirer of the legal repossessing of an item



- During the period of the hire purchase contract, the hirer must maintain the goods and keep them safe. The hirer may not lease, rent or dispose of the item until full payment has been made
- If the commodities bought on hire purchase are stolen or damaged through fire or flood, the hirer may still be liable for their hire purchase installments unless their contract includes insurance coverage
- If you change address within the duration of the hire purchase contract, you must inform the seller of the new address where the item is now located. If you do not and the seller becomes aware, the item can be repossessed even though the account is not in arrears, since a fundamental term of the hire purchase agreement has been breached

Online Shopping

Online shopping is a form of electronic commerce which allows consumers to directly purchase goods or services from a supplier over the Internet using:

- Websites or apps
- Emails
- Social media platforms and online marketplaces eBay, Amazon, FB Marketplace

Advantages

- Stores are open and sales are conducted 24/7
- Travelling expenses are eliminated
- Shoppers enjoy the convenience of shopping from home without parking issues, crowds, or checkout lines

Disadvantages

- Online shoppers often do not have the ability to physically inspect or try on the items being considered for purchase.
- There may be limited opportunity for price negotiation.
- Shoppers may be exposed to site legitimacy and security risks.
- Restocking and shipping fees are charged on returns.

Benefits of Shopping Online Locally

- Shipping costs are lower.
- Payments can be made in local currency.
- In some instances, consumers may be able to go to a store to touch and feel a product before they buy it
- Consumers can ask the store to price match better prices found online or at other local stores.
- It's easier to return/ exchange items, if necessary.

Local Online vs Online International Shopping

- Exchanges, repairs and refunds take longer when shopping internationally and may be more difficult to negotiate.
- Import duties and restrictions may apply for international shopping.

Practice Safe Online Shopping

- Research online sellers before making a purchase. Ensure that the online business is legitimate. Any legitimate online retailer should list where their business is located, as well as a phone number and email to reach them. Before entering any payment details, visit the Contact Us page. If there is no contact page or no visible contact information or address, refrain from purchase. To be extremely thorough, test to ensure that someone is on the other end checking customer requests. Fill out the contact form using only your email as a contact and delay your purchase until you hear back from customer service.
- Check reviews from verifiable sources.
- Make sure the seller's platform and method of payment is secure. A secure site starts with HTTPS, and an icon of a padlock will appear.
- Avoid using public WiFi for

online shopping.

- Use unique passwords. You will often be asked to create an account with a password when you make a purchase. Usually, you can choose not to do this. Only create an account if you intend to use the site frequently. If you do want an account, make sure to use a unique and strong password. Strong passwords may include a mix of upper and lower case letters, numbers and special characters. Refrain from using generic passwords for all your online accounts and profiles.
- Compare prices and conditions. Through research, you'll be able to find the best deals on products and avoid overpaying for shipping.
- Keep an eye out for scams. Beware of any e-store that promises way too much at way too low a price. Before you purchase, consider whether or not you will ever receive the items you paid for, whether the items are actually the brand shown or a cheap substitute, if the item will work, if you will be able to return damaged goods – or if the merchant is earning extra income by selling your financial information.

Online Shopping

Keep your personal data secure. Avoid stores that request more information than necessary:

Expect to provide some method of payment (inclusive of credit card information), shipping address, telephone number, and email address when purchasing something online. However, beware of stores that request bank account information, identification card or driver's license number and other unnecessary private information. Some companies ask questions about your interests, but these should always be optional and you should be cautious about providing the information. Check the site's privacy policy to understand how exposed your information may

become. Many stores clearly state that they do not share, sell or rent consumer's information – others say they own your information and can use it however they choose. Stick to the companies that respect your privacy.

- Work out the total cost of a purchase including any delivery charge, administrative fee, tax, duty or foreign exchange rate.
- Use a secure payment gateway, (e.g. PayPal or Endcash) or your credit card, if possible.
- Check Warranties and Policies. Legitimate online businesses should display a link to their return policies, shipping policies and product warranties. Ensure that you take a look at all policies and warranties to make certain that there are no hidden fees or charges that may show up on your bill and that, in the unfortunate event that the item is defective, you can obtain redress.

- Keep a record of all your purchases (receipts). Check bank statements to verify transactions

ensure that your overall experience is an enriching one.

Other Important Tips

Avoid impulse shopping, especially with daily-deal sites.

- Remember to check Trinidad and Tobago's Customs website for prohibited imports - there are some things you can't import from overseas.
- Monitor children's access - some businesses market directly to children.

Shopping online can be a convenient option for shoppers on the go. The overall experience can be a rewarding one. Consumers are reminded, however, that with e-commerce as with any other form of shopping, it is important to gather all pertinent information before making a purchase.

Consumers have the right to safety, and so, before sharing financial information or engaging in any transaction online, it is important to practice due diligence. **DO YOUR RESEARCH.** Additionally, consumers have the right to information. Where pertinent information is not available, you should not feel pressured to make a purchase. Adopting a preventative approach when shopping online can help to eliminate some risks and

Frequently Asked Questions

What triggers an investigation?

The Consumer Affairs Division is empowered to investigate any breach or violation or apparent breach or violation of the Laws designed to protect consumers' rights and safety in Trinidad and Tobago. An investigation may be triggered by a consumer's complaint or through the Division's intelligence gathering and monitoring processes.

To begin a consumer-triggered investigation, the consumer should provide as much information on the good(s) as possible, including the terms and conditions of purchase, a clear description of the complaint, and information on the way in which it was handled by the seller.

As a first line of action, consumers should attempt to settle complaints directly with the seller of the item. If the complaint is not satisfactorily addressed or resolved, the Division will assist.

What happens next?

- Once a complaint is received by the Division, it is reviewed to determine the need for further investigation. If there are grounds to proceed, the complaint is assigned to a Consumer Advocate in the CAD for investigation.
- Guided by the Law, the Consumer Advocate proceeds to objectively gather as much information as possible that is relevant to the complaint and its circumstances. Information can be gathered from interview, contracts, warranties, the item itself, pictures and videos.

- The findings are then analyzed and reviewed by the Division and a report is generated. At this point the complainant will be advised of the outcome and any proposed course of action.

What authority do we have?

Under Section 4(1) 2 of the Consumer Protection and Safety Act, the Division and its Consumer Advocates, are empowered under the Director of Consumer Guidance to:

- Monitor all commercial activities in Trinidad and Tobago related to goods and services supplied locally.
- Collect information with respect to the above-mentioned activities.
- Educate and support consumers with regard to their understanding and upholding of their rights under the Law.
- Investigate consumer complaints and mediate settlement and redress between consumers and sellers.

How long does the process take?

While the Division makes every effort to conclude investigations promptly and without incurring another complaint, each complaint is unique and presents its own circumstances and peculiarities. Every attempt is

made to keep complainants informed of progress and encourage them to stay in touch with their Advocate.

Will I get my money back?

The objective of the Division is to mediate an amicable resolution. In some instances, money is returned for unsatisfactory goods. However, if the goods are not of merchantable or acceptable quality, the consumer is entitled to a full cash refund.

Can the Information given be used in Court?

Under the Freedom of Information Act, any information gathered by the Division may be retrieved by the Courts or the public for legal use.

Can I withdraw my complaint?

Yes. A complainant may withdraw a complaint at any step of the process. However, the Division may continue to investigate if the complaint lodged is relevant to the protection and safety of other consumers.

Our role

Through legislation, monitoring, enforcement, and public education, the Consumer Affairs Division will promote a fair marketplace where consumers feel empowered to obtain value for their money and enjoy their purchases safely and for a reasonable length of time.

CARREX:

CARICOM Rapid Alert System for the Exchange of Information on Dangerous (Non-Food) Consumer Goods

CARREX is a real time information exchange system developed to address consumer concerns related to unsafe non-food products. It incorporates established market surveillance systems across fifteen (15) CARICOM Member States to safeguard consumers. The regional clearing house facilitates standardised product monitoring and also minimises the challenges encountered by local products entering neighboring markets.

The system protects persons from serious risks and safeguards the health and safety of consumers. It also restricts the supply of dangerous goods in territories and plays a strategic role in national and regional policy formulation through the provision of validated data.

Consumers in Member States can submit complaints on all defective non-food products purchased in their respective countries through an online portal accessible on CARREX's website (<https://www.carrex.caricom.org>) for resolution of complaints.

For more information on CARREX,
please visit <http://tradeind.gov.tt/consumer-affairs-division/>

AGENCY NAME	CONTACT INFORMATION	FUNCTIONS
THE MINISTRY OF FINANCE		
Office of the Financial Services Ombudsman	1st Floor, Central Building, Independence Square, Port of Spain T: (868) 625-4835/5028 ext. 2650/2657/2681/2685 F: (868)-627-1087 Website: www.ofso.org.tt Email: info@ofso.org.tt	Investigates complaints from individuals and small businesses with respect to services provided by participating banks and insurance companies. Supervises the banking, non-banking and insurance institutions.
THE MINISTRY OF HEALTH		
Chemistry, Food and Drug Division	92 Frederick Street, Port of Spain T: (868)-624-5968/623-5242 F: (868)-623-2477 Toll Free: 800-CFDD (2333) Website: www.health.gov.tt Email: cfdd@health.gov.tt	Responsible for the administration of Food & Drug Act and its regulations, as well as the Pesticides and Toxic Chemicals Act and its regulations. Tests food, drugs and cosmetics to ensure their fitness for consumption.
Health Education Division	3rd Floor Sacred Heart Building 16-18 Sackville Street, Port of Spain T: (868)-625-0197/285-9126 Website: www.health.gov.tt Email: healtheducation@health.gov.tt	Educates consumers on health issues and promotes wellness.
Insect Vector Control Division	Jerningham Avenue, Cunupia T: (868)-693-2696 F: (868)-693-2006 PBX: (868)-612-IVCD (4823), (868)-612-0088	Controls spread of diseases transmitted by insects; inspects and treats buildings and homes for insect vector control.
The Pharmacy Board of Trinidad and Tobago	11-13 Fitz-Blackman Drive, Port of Spain T: (868)-627-9802 F: (868)-627-6731	Ensures compliance with the requirements of the legislation governing the sale and quality of pharmaceuticals.
Public Health Inspectorate	Website: www.health.gov.tt Email: publicealthinspector@hotmail.com County Medical Officer of Health St. George West Jerningham Avenue, Belmont, Port-of-Spain T: (868)-285-8993 County Medical Officer of Health St. George Central 21 Third Street, Barataria T: (868)-675-5253	Registers and approves all drugs and cosmetics entering the country. Certifies vendors who handle, prepare and sell food. Inspects premises where food is prepared to ensure compliance with health and safety standards.

Public Health Inspectorate (Cont'd)	County Medical Officer of Health St. George East John Shaw Avenue, Arima T: (868)-667-3693	
	County Medical Officer of Health St. Andrew/St. David, Guaico Sangre Grande T: (868)-668-2053	
	County Medical Officer of Health Caroni Southern Main Road, Couva T: (868)-636-3690	
	County Medical Officer of Health Victoria 160 Pointe-a-Pierre Road, San Fernando T: (868)-653-0515	
	County Medical Officer of Health Nariva/Mayaro Corner De-Verteuil Street and Johnson Street, Rio Claro T: (868)-222-5005	
	County Medical Officer of Health St. Patrick High Street, Siparia T: (868)-644-1827	
County Medical Officer of Health Tobago Robinson Street, Scarborough T: (868)-639-3751		

THE MINISTRY OF THE ATTORNEY GENERAL AND LEGAL AFFAIRS

Legal Aid & Advisory Authority	1st Floor, Trinidad and Tobago Manufacturing Building, #42 10th Avenue, Barataria T: (868)-638-5222 Website: www.legalaffairs.gov.tt	Provides legal assistance and advice to persons of small or moderate means.
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THE MINISTRY OF PLANNING AND DEVELOPMENT

The Environmental Management Authority (EMA)	8 Elizabeth Street, St. Clair, Port of Spain T: (868)-628-8042 F: (868)-628-9122 Help Desk: Ext 2254 Website: www.ema.co.tt Email: ema@ema.co.tt	Takes all the appropriate measures to ensure the prevention and control of pollution and the conservation and enhancement of the environmental issues and programs. Promotes public awareness of environmental issues and programs.
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<p>The Environmental Management Authority (EMA) (Cont'd)</p>	<p>8 Elizabeth Street, St. Clair, Port of Spain T: (868)-628-8042 F: (868)-628-9122 Help Desk: Ext 2254 Website: www.ema.co.tt Email: ema@ema.co.tt</p>	<p>Protects environmentally sensitive areas and endangered species.</p> <p>Monitors compliance according to the standards in the Noise Pollution Control Rules 2001 and develops alternatives for persons wishing to exceed standards.</p>
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OTHER AGENCIES

<p>Telecommunications Authority of Trinidad & Tobago (TATT)</p>	<p>#5 8th Avenue Extension, Off 12th Street, Barataria T: (868)-675-8288(TATT) F: (868)-674-1055 Toll Free: 800-8288 Website: www.tatt.org.tt Email: info@tatt.org.tt</p>	<p>An independent regulatory body responsible for the liberalization and regulation of both the telecommunications and broadcasting sectors in Trinidad and Tobago.</p> <p>Prepares, revises and enforces broadcast codes.</p> <p>Receives and investigates complaints against providers in the telephone service and broadcast industries.</p>
<p>Regulated Industries Commission (RIC)</p>	<p>1st & 3rd Floors, Furness Building, 88-90 Independence Square, Port of Spain T: (868)-625-3655/5384 F: (868)-624-2027 Toll Free: 800-4RIC Website: www.ric.org.tt Email: ricoffice@ric.org.tt complaints@ric.org.tt</p>	<p>Sets and enforces standards of services amongst utility providers, except for telephone service providers.</p> <p>Monitors service providers' performance and efficiency and takes action, where necessary, to protect consumer interests.</p> <p>Handles complaints and settles disagreements, where possible, when consumers cannot get redress from service providers.</p>
<p>Office of the Ombudsman</p>	<p>Aziz Elias Hadeed building, 132 Henry Street, Port of Spain T: (868)-624-3121-4 F: (868)-624-0955 Website: www.ombudsman.gov.tt Email: feedback@ombudsman.gov.tt</p>	<p>Addresses concerns of the public regarding the unsatisfactory performance of Public Servants and Ministries of Government.</p>

THE MINISTRY OF TRADE AND INDUSTRY

<p>The Trinidad and Tobago Bureau of Standards (TTBS)</p>	<p>1-2 Century Drive Trincity Industrial Estate, Macoya T: (868)-662-8827 F: 663-4335 Website: www.ttbs.org.tt Email: ttbs@ttbs.org.tt</p>	<p>Develops and monitors standards for consumer goods to ensure that they are safe and of acceptable quality.</p> <p>Tests products for conformity with acceptable standards.</p> <p>Investigates complaints on quality of consumer goods.</p> <p>Monitors measuring instruments such as scales, weights and rulers to ensure that they meet registration requirements.</p>
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Contact Us

Phone: 623-2931-5 | 800-4CPS
Email: consumeraffairs@gov.tt

 **HEAD OFFICE**

Level 16 Nicholas Tower,
63-65 Independence Square,
Port of Spain

 **COUVA**

Sugar Industry Labour Welfare
Committee (SILWC) building,
Cor. Dove and Balisier Avenue

 **PENAL**

Penal/Debe Regional Corporation
218A S.S. Erin Road, Debe

 **POINT FORTIN BOROUGH
CORPORATION**

Guapo Cap-de-Ville Main Road
(opp. the Open Bible Cathedral)
Point Fortin



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