

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

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.

NAME OF AGENCY	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: publichealthinspector@hotmail.com	Registers and approves all drugs and cosmetics entering the country.

NAME OF AGENCY	CONTACT INFORMATION	FUNCTIONS
Public Health Inspectorate (Cont'd)	<p>County Medical Officer of Health St. George West Jerningham Avenue, Belmont, Port-of-Spain T: (868)-285-8993</p> <p>County Medical Officer of Health St. George Central 21 Third Street, Barataria T: (868)-675-5253</p> <p>County Medical Officer of Health St. George East John Shaw Avenue, Arima T: (868)-667-3693</p> <p>County Medical Officer of Health St. Andrew/St. David, Guaico Sangre Grande T: (868)-668-2053</p> <p>County Medical Officer of Health Caroni Southern Main Road, Couva T: (868)-636-3690</p> <p>County Medical Officer of Health Victoria 160 Pointe-a-Pierre Road, San Fernando T: (868)-653-0515</p> <p>County Medical Officer of Health Nariva/Mayaro Corner De-Verteuil Street and Johnson Street, Rio Claro T: (868)-222-5005</p> <p>County Medical Officer of Health St. Patrick High Street, Siparia T: (868)-644-1827</p> <p>County Medical Officer of Health Tobago Robinson Street, Scarborough T: (868)-639-3751</p>	<p>Certifies vendors who handle, prepare and sell food.</p> <p>Inspects premises where food is prepared to ensure compliance with health and safety standards.</p>

NAME OF AGENCY	CONTACT INFORMATION	FUNCTIONS
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.legalaffais.gov.tt	Provides legal assistance and advice to persons of small or moderate means.
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. Protects environmentally sensitive areas and endangered species. Monitors compliance according to the standards in the Noise Pollution Control Rules 2001 and develops alternatives for persons wishing to exceed standards.
THE MINISTRY OF PUBLIC ADMINISTRATION AND COMMUNICATIONS		
Telecommunications Authority of Trinidad & Tobago (TATT)	#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	An independent regulatory body responsible for the liberalization and regulation of both the telecommunications and broadcasting sectors in Trinidad and Tobago. Prepares, revises and enforces broadcast codes. Receives and investigates complaints against providers in the telephone service and broadcast industries.

NAME OF AGENCY	CONTACT INFORMATION	FUNCTIONS
OTHER AGENCIES		
Regulated Industries Commission (RIC)	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	Sets and enforces standards of services amongst utility providers, except for telephone service providers. Monitors service providers' performance and efficiency and takes action, where necessary, to protect consumer interests. Handles complaints and settles disagreements, where possible, when consumers cannot get redress from service providers.
Office of the Ombudsman	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	Addresses concerns of the public regarding the unsatisfactory performance of Public Servants and Ministries of Government.
THE MINISTRY OF TRADE AND INDUSTRY		
The Trinidad and Tobago Bureau of Standards (TTBS)	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	Develops and monitors standards for consumer goods to ensure that they are safe and of acceptable quality. Tests products for conformity with acceptable standards. Investigates complaints on quality of consumer goods. Monitors measuring instruments such as scales, weights and rulers to ensure that they meet registration requirements.



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Contact Us

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