



CONSUMER AFFAIRS COMMISSION

An Agency of the Ministry of Industry, Investment and Commerce

CHRISTMAS BUYERS' GUIDE

**INFORMATION AND ADVICE FOR
CONSUMERS**

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Empowering Consumers

As the yuletide season approaches, many consumers will be making purchases. In so doing however, the Consumer Affairs Commission (CAC) is urging consumers to use their knowledge wisely, be vigilant and selective when conducting any transaction. It is for this reason that the Commission has created this Buyers' Guide.


The Commission hopes that the information will empower you to make better choices and your transactions in the marketplace will be satisfactory.



MORE INFORMATION INSIDE:

LOANS
RECEIPTS
WARRANTIES
REDRESS
HIRE PURCHASE

Beware: Electrical Equipment & Appliances top 2021 consumer complaints




"Be extra vigilant when buying from a street vendor, non-authorised dealer, online retailer or individual."

For the first six months of the 2021/2022 Financial Year, consumers complained mainly about Electrical Equipment and Appliances. With Christmas just around the corner, these items are usually bought as gifts for family and friends. However, given that this category of items is the most complained about, the Commission is urging consumers to be careful when making purchases of this nature as they also have a responsibility to be more vigilant about the purchases they make.

Below are a few tips to help prevent you becoming another unsatisfied consumer:

- Read all labels carefully.
- Test all appliances in the store if possible.
- Get a Guarantee or warranty for all appliances.
- Observe the manufacturer's instructions in the use of any product purchased as abuse or misuse may void the warranty coverage.
- Ask about the return policy and warranty. Get a receipt and look for missing sales tax. Businesses selling inferior or unsafe products often don't report their sales.
- Trust your instincts. If the price is "too good to be true" it could be because the product is inferior or unsafe.
- Be extra vigilant when buying from an unknown source such as a street vendor, non-authorised dealer, discount stores, online retailer or individual.



A Loan for Christmas?

If you are seeking a loan for the Christmas season this year, try to approach reputable organisations.

Leading up to and during the Christmas period, there are many advertisements offering same-day loans, pay-day loans and quick loans. While these offers may seem attractive, consumers you need to be cautious as many of these "deals" are often unrealistic and are being offered by predatory loan companies, which, are not regulated.

These types of loan companies often practice over-lending to customers and sometimes impose excessive fees and onerous contract terms. The most common is the requirement to pay a non-refundable processing fee. The loan application is frequently denied, as it is often used by unscrupulous lenders as a means of accumulating funds.

In instances where the loan is approved, consumers are faced with high loan repayments that are burdensome and some are not able to repay. As such, consumers find themselves in a bind when they are unable to make loan payments, and some may even go to other lenders – formal and informal – to get a new loan to repay the old one while accumulating more debt. The end result in situations like these is that consumers find themselves with payments that exceed their entire income.

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Remember, Christmas is only one day of the year.

Managing Your Credit Card

Credit cards are not like debit cards - cash withdrawals are not free!

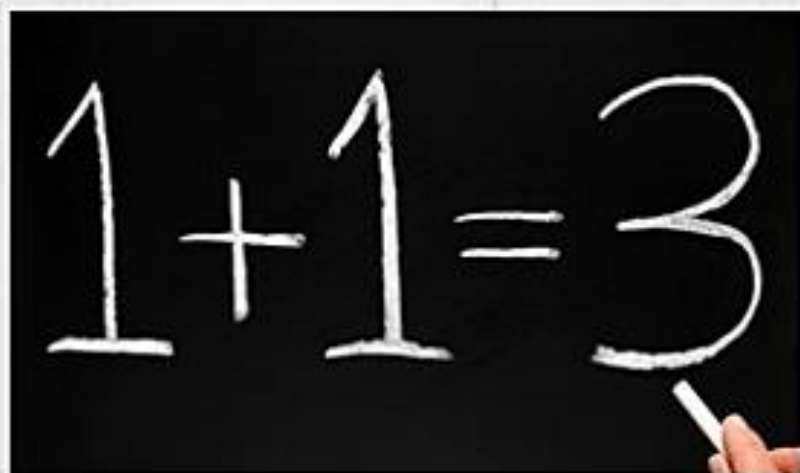
Credit cards can be a low or zero cost way to borrow if you use them in the right way – but get it wrong and you could find your debts spiralling out of control. Below are a few tips on how to better manage your credit card.

- Keep your PIN secure.
- Check your bill - Make sure all the payments listed on your credit card statement are for things you bought, and query anything you don't recognise.
- Avoid the late payment trap - If you don't pay your bill on time, there could be some serious consequences: fees and charges, increased interest rates, and problems getting other credit. Instead, pay by Direct Debit, pay with time to spare
- Avoid the minimum payment trap - The minimum amount you need to repay on your card each month is often quite small. But paying just this amount will cost you a lot in the long run. Aim for paying as much as you can or better, paying it off in full.
- Keep within your credit limit.
- Increasing your credit limit - only do this if you are sure you can comfortably afford to repay the higher amount – and will not be tempted to over-spend and end up owing more money.
- Avoid cash withdrawals or credit card cheques.
- Avoid recurring payments on your credit card.





Too Good to be True? False or Misleading Advertising



The *Consumer Protection Act, 2005 section 30 subsection 1* states that,

No person shall, in the course of trade or business, in connection with the supply or possible supply of goods or services or with the promotion by any means of the supply or use of goods or services falsely represent that:

- the goods or services are of a particular kind, standard, quality, grade, quantity, composition, style, or model, or have had a particular history or particular previous use;
- services are of a particular kind, standard, quality, or quantity, or that they are supplied by any particular person or by any person of a particular trade or business, qualification, or skill;
- a particular person has agreed to acquire goods or services;
- goods are new, reconditioned, or that they were manufactured, produced, processed, or reconditioned at a particular time;
- goods or services have any sponsorship, approval, endorsement, performance characteristics, accessories, uses or benefits; or
- a person has any sponsorship, approval, endorsement, or affiliation;

This also relates to making a **false or misleading representation** regarding the price or need of any goods or services; the existence, exclusion, or effect of a condition, warranty, guarantee, right or remedy; or the place of origin of goods.

Contravention of the law can result in a fine not exceeding \$1 million or imprisonment for a term not exceeding one year or to both fine and imprisonment.



RETURNS & REFUND\$

Redress during the yuletide season and after...

At this time of year in particular, some merchants are so busy that they do not write receipts, or they offer bargains where discounts are given but no receipts provided.

However, without a receipt, there is no proof that the item was purchased from a particular establishment or individual. This therefore means that if there is no receipt, the redress is more difficult to obtain.

Regarding the issue of refund and the return of items, it is important that consumers be vigilant and find out the store's policy prior to making a purchase.

In addition, the Consumer Protection Act (CPA) supersedes signs which state "no refund, no exchange", as there are provisions under this Act which allow for items to be returned and a refund obtained in the event that something goes wrong.

**"The Consumer
Protection Act
trumps
*no refund, no
exchange signs.*"**





HIRE PURCHASE... Your Rights and Responsibilities

With a large number of consumers likely to enter into hire purchase agreements in the period immediately ahead, the Consumer Affairs Commission is urging consumers to read the fine print before signing any agreement.

Remember, hire purchase agreements allow for seasonal indulgence without the immediate obligation of paying in full. However, these agreements which may come across as quick solutions can instead be a minefield of trouble if consumers do not follow the rules. Why? Consumers neglect to read the fine print or the main details on their hire purchase contracts. It is only after an issue develops between the provider and the consumer that the consumer becomes aware of what is on the contract.

As such, consumers are being advised of the following: Slow down, get a clear understanding of what is involved and take the time to read before they affix their signature.

1. Safely retain receipts, agreements and other documents relating to their hire purchase transactions.
2. Pay the required instalments with the agreed interest to the supplier within the stipulated time frame.
3. Bear in mind that "possession is not ownership" and that it is unlawful to dispose or sell any part of the item until you have fully paid off the agreed price.

REMINDERS

- The ownership of the good passes only when the last installment of the good has been paid.
- Under the hire purchase agreement the buyer can return the good to the supplier if he or she does not want to continue with the agreement.
- The purchaser who has taken the good on hire purchase terms cannot transfer the good to a third party since he or she does not have ownership of the item.
- The supplier can, at any time, repossess the good in cases of delinquency in obtaining payment of instalments.





Demand a Receipt! It is Your Right.

Some shops do not give you a receipt, but you have a right to get one, no matter where you shop. It is your proof of purchase and is required in the event you need to make a claim. The Consumer Protection Act (CPA) says that the receipt must have certain basic information, like:

- The amount paid by the consumer.
- The date on which the purchase is made.
- A description of the goods or services sold.
- Where applicable, the professional fee charged.
- Such other information as may be prescribed.


If this information is not there, then the vendor is not obeying the CPA, which clearly says that suppliers and service providers must give consumers a receipt for goods or services purchased.

A vendor who fails to provide a receipt would have committed an offence and is therefore liable on summary conviction before a Resident Magistrate to a fine not exceeding Fifty Thousand Dollars (J\$50,000) or to imprisonment for a term of thirty (30) days or to both such fine and imprisonment.

For businesses, the importance of a receipt translates to:

1. Completeness of records.
2. Claim as deduction or refund.
3. Facilitate Audit queries.
4. Hard evidence that the transaction took place.





Buyer's Remorse and Refunds

Have you just bought a product or service and wished you had not? There is a phrase for that, and it is called "buyer's remorse".

This sometimes occurs when a consumer has made a costly purchase and fears that they have made a wrong choice, spent too much money, think that they have been overly influenced by the vendor or simply have a change of heart. In instances like these, and as long as the consumer has left the vendor's store, the Consumer Protection Act section 24, sub-section 4 states that:

A consumer who acquires a good that in every way is similar or identical to the one requested or described and declared by the provider, shall not be entitled to a refund if, having left the place from which the provider sold the good, the consumer for any reason decides that he no longer wants it.

When situations like these occur, it is left to the discretion of the vendor/provider. So in future, the Commission is urging consumers to do their homework before making a purchase, so the chances of experiencing buyer's remorse is reduced.

Did you know that some items attract a restocking fee? The vendor must however clearly display the fee prior to purchase.



Warranties

Did you know that YOU have a right to a SIX MONTH WARRANTY IN THE ABSENCE of ONE offered by the vendor upon purchase of all goods and services?

This applies in all instances whether the goods are new or used and whether the service offered is the repair of any appliance, furniture, equipment or other good.

Further, any warranty given by the manufacturer (whether the manufacturer operates from within Jamaica or outside of Jamaica) must be extended to the consumer.


A provider who fails to issue a warranty commits an offense and is liable to conviction before the Courts.



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The top section of the page features a dark, blue-toned image. In the center, a person wearing a dark hoodie is seen from the side, focused on a laptop screen. The background is filled with glowing digital code and text, including words like 'domain', 'data', 'cybercrime', and 'de la'. The image is flanked by two vertical panels showing close-ups of pine needles, suggesting a winter or Christmas theme.

Protecting yourself at the ATM this Christmas!


Consumers, the most important thing you can do is keep your personal information safe and never share your online passwords and PINs with anyone, not even bank employees, as a bank will never ask you for this information. In addition, ensure that you shred, cut or burn all bank statements, ATM and sales receipts and expired cards before disposing of them. Here are some other tips when using a Debit Card at the ATM:

- Take a look around as you approach the ATM and if there's anything suspicious, don't use the machine at that time (report any suspicious activity to the police).
- Keep your card in a safe place and never lend it to anyone.
- Protect your PIN – don't write it down or tell anyone.
- Choose a PIN that is not easy for someone to guess (like 1234, your telephone number or your birthday)
- Use your hand or your body as a shield when entering your PIN in case anyone is watching you.
- Keep your receipts and track your transactions online or on your statements so that you can identify suspicious transactions.
- If you lose your card or it is stolen, report the matter to your bank immediately.

Source: Jamaica Bankers Association

- In addition, the Consumer Affairs Commission advises you to touch all keypads before entering your pin. This will make it difficult for your fingerprints to be captured and your pin deciphered.





Be safe paying online

Don't fall foul of online scams or fraud this Christmas - take a few simple steps to protect yourself:

- Install the right software.
- Make sure you have good virus protection, anti-spyware software and a firewall.
- Update your browser.
- Make sure you're using the latest version of your browser, and have it set to the highest security level and install updates when prompted.
- Avoid dubious links.
- Don't navigate to sites by clicking links in emails or from adverts. If you're unsure about the legitimacy of a site, use a search engine to research it.
- Do some security checks.
- Secure sites will display a locked padlock symbol in the browser window. They will also have an address that begins 'https' instead of the usual 'http'.
- Choose your payment method wisely.
- It can be a good idea to get a credit card that you use just for online purchases as it will make it easier for you to track your genuine purchases.
- Be savvy about your password.
- If a site asks you to create a password, use a combination of letters and numbers and avoid using passwords that you've used before.



Christmas Shopping Tips



PURCHASING GIFTS

READ all labels carefully.

TEST all appliances in the store if possible.

GET a Guarantee or warranty for all appliances.

DO NOT sign hire purchase agreements without reading every word.

MAKE SURE that when you buy a gift, it can be changed if necessary either for another item or cash refund.

WHEN OUT AND ABOUT

CONTROL your social status: Resist the urge to broadcast to the whole world that you are not going to be home or are about to leave.

KEEP all purses and bags zipped and snapped closed.

DO NOT flash large amounts of cash when paying for merchandise.

DO NOT leave valuables in plain view in your vehicle.

MAKE SURE that your car keys are in hand when you are about to return to your vehicle.

ALWAYS lock your vehicle when you are driving or not.


AT HOME

NEVER leave young children alone with candles, fires and matches.

DO NOT OVERLOAD electric plugs with too many appliances, or with lights for Christmas trees.

UNPLUG Christmas tree lights when you leave the house or going to bed.

CAREFULLY INSPECT holiday light strings each year and discard any with frayed cords, cracked lamp holders, or loose connections. When replacing bulbs, unplug the light string and be sure to match voltage and wattage to the original bulb.



How to Complain Successfully

Assemble all your facts

You better your chance of winning when you are an expert in the situation. Be prepared with your receipt and other documents that are related to your complaint. Your receipt should contain the vendor's name, address and telephone number, date of transaction, the description and cost of item or service.

Complain promptly

Complain immediately when you realise that you have a defective good in your possession or received sub-standard service. Do not wait for a product warranty to expire or for extended periods during which an item might be sold out.

Call, visit or write

Phone calls and letters are effective ways of getting the attention of the vendor. However, the vendor will find it harder to disregard you if you are sitting across from him/her, or to be disrespectful when you are face to face.

Explain yourself clearly

Ensure that you have the necessary information for ease of reference. Speak precisely and with clarity when presenting your case. The vendor will realise that you are a 'no nonsense person'.

Stay Cool

Go with an open mind. Approach the vendor calmly and politely. This will encourage him/her to listen and be attentive. If you storm in and lose your temper or raise your voice, you might be treated with contempt.

Start with your Sales Representative

Yes, it is frustrating, but starting at the bottom gives you time to practise presenting your complaint. By the time you get to the top (if necessary), you will know your argument up, down and sideways. No one will be able to sway you.