



"Protecting Your Rights, Securing Our Future"

Consumer Matters

ISSUE 014 DECEMBER 2018

9% increase in complaints filed about electrical equipment and appliances



Between April and October this year, 269 or 33.42% of complaints filed by consumers were related to electrical equipment and appliances. This represents a 9% increase over the same period last year. During the same period, other complaint categories completing the top 5 complaints are:- **Other Services 113 or 14.04%; Cable Services - 91 or 11.30%; Utilities - 82 or 10.19%; Motor Vehicles and Parts - 73 or 9.07%** of all complaints filed for the period.

The Consumer Affairs Commission (CAC) is therefore warning consumers to exercise due care when purchasing electrical equipment and appliances during the Christmas period. In particular, the Commission is reminding consumers to observe the following tips to make the Christmas shopping period less stressful.

- Read all labels and manuals carefully.
- Test all appliances in the store if possible.
- Get a Guarantee or warranty for all appliances.
- If installation is required, it is best to utilise the services of a store or certified electrician.
- 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. Does the warranty include installation?
- Get a receipt and look for missing General Consumption Tax (GCT). 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.

This Issue

- 9% increase in complaints filed about electrical equipment and appliances 1
- The 3Rs: Repair, Replacement, Refund 2
- Common Red Flags for Investment Fraud 3
- World Consumer Rights Day 2019 4
- Loans of Last Resort 5
- Demand your Receipt 6
- Be Cyber Smart this Christmas 7
- Christmas recipes 8

#BetterDigitalWorld

The theme for World Consumer Rights Day 2019 is 'Trusted Smart Products'.



The 3Rs: Repair Replacement Refund

As a consumer, you have the right to ask for repair, replacement or refund, also known as the 3Rs. The 3Rs are remedies under the Consumer Protection Act (CPA) 2005 (Amended 2012). They facilitate fair market practices if a product or service purchased by a consumer is defective or is not fit for purpose.

However, the likelihood of getting one of these remedies depends on:

- what types of products or services you bought and their uses
- what the seller told you about the product or service
- how you paid
- if your purchase was from a business or individual.



Consumers should be able to get a repair, replacement or refund if:

- products or services do not do what they are meant to, or are defective
- products or services are different from their description, example on packaging or in advertising
- products do not match the sample or model shown
- products or services are not reasonably fit for a particular purpose that was told to the seller
- the retailer did not have the right to sell the product
- delivery is late or never arrives, or products are damaged in transit.

The Consumer Protection Act (CPA) 2005 (Amended 2012) does not cover real estate transactions (*example the purchase or sale of house and land*).

It is important to note that vendors are not legally required to give you a refund or replacement if you have just changed your mind.



**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.

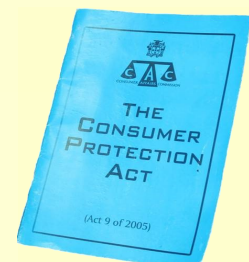
Common Red Flags for Investment Fraud

"I had a friend who lost a lot of money. She used her house title as collateral for a loan based on the idea that by the time she gets the money from the investment, she would be able to pay off the loan and she would be out of debt"

Risk	Explanation
High investment returns with little or no risk.	Every investment carries some degree of risk, and investments yielding higher returns typically involve more risk. "Guaranteed" investment returns or promises of high returns for little risk should be viewed sceptically.
Overly consistent returns.	Investments tend to go up and down over time, especially those seeking high returns. Be cautious of an investment that generates consistently high returns regardless of overall market conditions.
Unregistered investments.	Ponzi schemes typically involve investments that have not been registered with the regulators.
Unlicensed sellers.	Federal and state securities laws require certain investment professionals and their firms to be licensed or registered. Many Ponzi schemes involve unlicensed individuals or unregistered firms.
Secretive and/or complex strategies and fee structures.	It is a good rule of thumb to avoid investments you don't understand or for which you can't get complete information.
No minimum investor qualifications.	Most legitimate private investment opportunities require you to be an accredited investor. You should be highly sceptical of investment opportunities that do not ask about your salary or net worth.
Issues with paperwork.	Be sceptical of excuses regarding why you can't review information about the investment in writing. Always read and carefully consider an investment's prospectus or disclosure statement before investing. Be on the lookout for errors in account statements which may be a sign of fraudulent activity.

Did you know that the Consumer Protection Act (CPA) says that a 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; and,
- Such other information as may be prescribed.





World Consumer Rights Day 2019

Consumers International has announced that the theme for World Consumer Rights Day 2019 will be ‘Trusted Smart Products’. From smart phones to wearable fitness trackers, to voice-activated assistants and smart TVs, many of the products we use are increasingly becoming connected by default. This World Consumers Rights Day will highlight what consumers want and need from a connected world and how important it is to put them at the heart of the development of these digital products and services.

Smart products are connected to the internet and receive, collect and send data. Globally, there are currently 23.1 billion smart products in the world, outnumbering people three to one. As more people come online across the world and our connection to the internet becomes better and faster, smart products will become more of a day-to-day reality for consumers everywhere, marking a major change in the way many consumers interact with products and services.

The emergence of smart technology brings many opportunities for consumers; access to new services, more responsive products, greater convenience and choice. There are, however, some significant causes for concern: lack of security, privacy and meaningful choice over how we use them, as well as a lack of clarity about who is responsible when things go wrong. There are also issues around lack of access, with millions of people globally locked out of this new technology by overly high data charges. Therefore on World Consumer Rights Day, the Consumer Affairs Commission (CAC) will join consumer advocates across the globe and use the occasion to remind the world about the importance of observing and enforcing consumer rights. You can join the call for trusted smart products by using the **#BetterDigitalWorld** hashtag. Connect with us on Facebook and www.cac.gov.jm for all the latest news and announcements about the day.

Common Red Flags cont'd from page ..

Risk	Explanation
Difficulty receiving payments.	Be suspicious if you don't receive a payment or have difficulty cashing out your investment. Ponzi scheme organizers sometimes encourage participants to "roll over" promised payments by offering higher investment returns.
Account discrepancies.	Unauthorized trades, missing funds or other problems with your account statements could be the result of a genuine error—or they could indicate churning or fraud. Keep an eye on your account statements to make sure account activity is consistent with your instructions, and be sure you know who holds your assets. For instance, is the investment adviser also the custodian of your assets? Or is there an independent third-party custodian? It can be easier for fraud to occur if an adviser is also the custodian of the assets and keeper of the accounts.
It comes through someone with a shared affinity.	Fraudsters often exploit the trust derived from being members of a group that shares an affinity, such as a national, ethnic or religious affiliation. Sometimes, respected leaders or prominent members may be enlisted, knowingly or unknowingly, to spread the word about the "investment."

Source: Financial Services Commission



Loans of last resort: Payday Loans...

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 need to be cautious as many of these “deals” are often unrealistic and are being offered by predatory loan companies.

These types of loan companies often practice over-lending to customers and sometimes impose excessive fees and onerous contract terms which once signed to, the consumer has to honour because it is a private contract. 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 persons 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.

If you are seeking a loan for the Christmas season this year, try to approach reputable organisations. However, before you do so, consider the purpose of the loan:

- review the terms and conditions of the loan - including interest (add-on versus reducing balance) and processing fees;
- time period for repayment; and,
- other non-interest related charges

Remember, Christmas is only one day of the year, and we at the CAC want you to enjoy the season. However, be mindful that after Christmas, all the other bills will have to be paid (rent, utilities, transportation, food as well as sending the children back to school).

CONSUMERS

USE POINT OF SALE MACHINES WITH CAUTION!

Read the information presented on the point of sale machine.

Pay attention to your card when it is being swiped.

Check your online statements to verify your most recent purchases.

For consumers who do not have access to online statements, check your printed statements as soon as possible.

If there are any irregularities, speak with the manager of the store.

Always keep your receipts. If you misplace the receipt, use your online statement as proof of purchase.



Demand your Receipt

The importance of asking for an official receipt on every purchase or payment made is not a common knowledge to all businesses and consumers. 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; and,**
- **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.

**Vendor's Name
and Address**

Date of Purchase

Item(s) Description
(The information provided
should clearly distinguish the
product from any other,
example, the use of a serial
number)

Amount Paid

Any additional Fees
(Example transportation,
installation and prescription
costs)

For businesses, the importance of a receipt translates to:

- **Completeness of records**
- **Claim as deduction or refund**
- **Facilitate Audit queries**
- **Hard evidence that the transaction took place**

DO YOU KNOW YOUR
**CONSUMER
RIGHTS?**



- ♦ ***The Right to Choose***
- ♦ ***The Right to be Informed***
- ♦ ***The Right to be Heard***
- ♦ ***The Right to Redress***
- ♦ ***The Right to the Satisfaction of Basic Needs***
- ♦ ***The Right to a Healthy Environment***
- ♦ ***The Right to Consumer Education***
- ♦ ***The Right to Safety***

**With Rights, come
Responsibilities**

- ⇒ ***Be aware***
- ⇒ ***Gather all the information and facts***
- ⇒ ***Think Independently***
- ⇒ ***Speak Out***
- ⇒ ***Complain***
- ⇒ ***Be an Ethical Consumer***

Be Cybersmart this Christmas

→ What types of electronics are vulnerable?

Any piece of electronic equipment that uses some kind of computerised component is vulnerable to software imperfections and vulnerabilities. The risks increase if the device is connected to the internet or a network that an attacker may be able to access. Remember that a wireless connection also introduces these risks. The outside connection provides a way for an attacker to send information to or extract information from your device.

→ How can you protect yourself?

Remember physical security – Having physical access to a device makes it easier for an attacker to extract or corrupt information. Do not leave your device unattended in public or easily accessible areas.

Keep software up to date – If the vendor releases updates for the software operating your device, install them as soon as possible. Installing them will prevent attackers from being able to take advantage of known problems or vulnerabilities.

Use strong passwords – Choose devices that allow you to protect your information with passwords. Select passwords that will be difficult for thieves to guess, and use different passwords for different programs and devices. Do not choose options that allow your computer to remember your passwords.

Disable remote connectivity – Some mobile devices are equipped with wireless technologies, such as Bluetooth, that can be used to connect to other devices or computers. You should disable these features when they are not in use.

Encrypt files – If you are storing personal or corporate information, see if your device offers the option to encrypt the files. By encrypting files, you ensure that unauthorized people can't view data even if they can physically access it. When you use encryption, it is important to remember your passwords and passphrases; if you forget or lose them, you may lose your data.

Be cautious of public Wi-Fi networks – Follow these recommendations when connecting to any public wireless hotspot—like on an airplane or in an airport, hotel, train/bus station or café:

- Confirm the name of the network and exact login procedures with appropriate staff to ensure that the network is legitimate.
- Do not conduct sensitive activities, such as online shopping, banking, or sensitive work, using a public wireless network.
- Only use sites that begin with “https://” when online shopping or banking. Using your mobile network connection is generally more secure than using a public wireless network.

Source: Cybersecurity and Infrastructure Security Agency (CISA) and Stop.Think.Connect™



Christmas Recipes



Ginger Beer

300 grams ginger
2 litres boiling water
6 cups sugar **or sugar to taste**
2 limes
1/2 packet yeast



Method

Peel the limes thinly and squeeze out the juice
Crush the ginger and place in a large container
Pour the boiling water over it. When lukewarm, place in yeast in mixture. Leave to ferment for 12 hours then strain and bottle.
Keep 3 to 4 days. Makes 2 litres.

Tropical Chicken Surprise

2 chicken breasts, skinned and cut in cubes
3 teaspoons curry sauce
1 teaspoon crushed pepper
2-3 tablespoons vegetable oil
1/4 cup tomato ketchup
1/2 cup cranberry apple juice cocktail
1-2 teaspoons cornstarch
3 tablespoons cashew
3 tablespoons raisins
1 large sweet pepper, tomatoes, onions, cut in strips



Method

1. Combine chicken, curry sauce and crushed pepper. Marinate for 20 minutes.
2. Heat pan with oil. Add chicken and saute' for 2-3 minutes. Meanwhile combine tomato, ketchup, cranberry and cornstarch. Pour over chicken.
3. Sprinkle on raisins, nuts, onions, tomatoes and sweet pepper. Heat through for 1 minute. **Serves 4.**

Matrimony

Recipe 1 - Ingredients

3 star apples
3 oranges
4 tbsps. heavy cream
2 tsps. sugar

Recipe 2 - Ingredients

3 star apples
3 grapefruits
4 tbsps. condensed milk



Method

Wash star apples and remove pulp.

Recipe 1: Peel orange and remove seeds and all skin around fruit. Mix with pulp of star apple. Add cream and sugar. Chill and serve as a dessert.

Recipe 2: Cut grapefruit, squeeze and strain juice into a blender, add star-apple pulp and condensed milk. Blend with ice and serve as a drink..

CONSUMER AFFAIRS COMMISSION

Head Office

34 Trafalgar Road, Kingston 10
Tel: 1.876.906.5425 | 906.8568 | 906.0813 Toll Free: 1.888.991.4470
Fax: 1.876.906.7525

Montego Bay Branch

30 Market Street, Montego Bay, St. James
Tel: 1.876.940.6154 | Toll Free: 1.888.991.4470 Fax: 1.876.979.1036

Mandeville Branch

RADA Office
23 Caledonia Road, Mandeville
Tel: 1.876.625.0487 | Toll Free: 1.888.991.4470 |
Fax: 1.876.961.0032

"Protecting your Rights, Securing our Future"

Consumer Matters
ISSUE 014 DECEMBER 2018