Under the Counter Inflation Act PIB can:

- **Enforcement Powers**
  - controlled goods in excess of the designated price.
  - prices of some goods and services as well as regulates rent items
- PIB monitors the price of inflation Act.
- The Prices and Incomes Board was set up under the Counter
- **PRICES AND INCOMES BOARD**
  "I was doing bulk shopping from a supermarket at Robertson road last week. When I weighed a bag of 4kg sugar on the scale it showed a short weight of 3.819kg and another bag was 3.919kg. When queried I was told that the scale in the bulk did not show the short weight but read exactly 4kg."

**Case Study Four – an issue for the Trade Measurement & Laboratory**

- PIB monitors the price of 23 food items and 14 non-food items which are under price control. It also determines the prices of some goods and services as well as regulates rent increases. The Board deals with offenders who sell price controlled goods in excess of the designated price.
- **Enforcement Powers**
  - Under the Counter Inflation Act PIB can:
  - Fix the price on services (such as hire of taxi or bus service).
  - Deal with rental increases of residential or commercial properties.
  - Investigate and prosecute offenders who charge amounts in excess of the designated prices.
  - **Prohibitions in the Counter Inflation Act**
    - No person should either buy or sell goods at a price which is the maximum.
    - No person should provide or obtain services at a price which is the maximum.
    - No person should apply a different method of fixing prices of goods and services.
    - No person should, without the approval of the Board, sell goods or provide a service if it is not in line with the Act.
  
**COMMERCE COMMISSION**

The Commerce Commission is an independent statutory body that promotes effective competition and informed markets; encourages fair-trading; protects consumers and businesses from restrictive trade practices and control prices of regulated industries and other markets where competition is lessened or limited.

**The objectives of the Commission are to:**

- Foster the development of an equitable commercial environment which protects the interests of both consumers and producers.
- Ensure that there is non-discriminatory access to infrastructure facilities in monopoly or near-monopoly situations.
- Promote compliance with the Commerce Act, parts of the Fair Trading Decree and Amendments, and other legislation that protects consumers through education, investigation, and where necessary, litigation.

**Functions of the Commission**

The Commission has the following functions:

- promote competition and fair trading in Fiji’s markets;
- collect, examine, and disseminate information in respect of matters affecting the interests of consumers;
- facilitate negotiations regarding facilities or services under access regimes;
- arbitrate disputes about access facilities or services under access regimes;
- impose, modify or revoke conditions in respect of licenses granted under law to a regulated industry delegated by a referring authority to the Commission;
- recommend the review and control of prices;
- administer the Fair Trading Decree and its amendments;
- receive and consider applications for authorizations and notifications from businesses that intend to enter into restrictive trade practices (anti-competitive behavior).

**Enforcement Powers**

- Commerce Act 1998
- Fair Trading Decree 1992
- Fair Trading (Amendment) Act 1998

**Case Study Five – an issue for the Commerce Commission**

“We are writing this letter to bring to your attention our concerns with the electricity company’s deposits. It has been noticed that every time a property is owned or bought by us we are required to pay a deposit that is equivalent to two months consumption by us. This deposit makes up a large sum of our money, which is engaged by the Company. We as consumers bear the burden of this deposit with no benefit on our part while the Company has access to these funds.”

**REDRESS MECHANISM**

If complaints are not addressed by any of these agencies effectively, then consumers may lodge a claim not exceeding $5000.00 to Small Claims Tribunal. (Detail information material made available on SCT)
ConSUMER COUNCIL OF FIJI (CCOF)

The Consumer Council of Fiji (CCOF) is a statutory body established under the Consumer Council of Fiji Act 1976 (Cap 235). The Council is an advocacy organization that provides the external pressure as a watchdog to create a fair and just environment for businesses in which all participants are treated fairly and equitably, and promotes and enhances a trading environment for consumers and businesses in which all participants are treated fairly and equitably.

The Council promotes and protects the rights and interests of consumers, in particular the disadvantaged groups, rural poor and women by identifying and articulating the policy issues that are of importance to consumers.

Simply, CCOF is a consumer mouthpiece: it is the voice, eyes and ears of the consumer. It represents and protects the rights and interests of consumers, in particular the disadvantaged groups, rural poor and women by identifying and articulating the policy issues that are of importance to consumers.

Functions of the Council

Section 6 of the Consumer Council Act stipulates the functions of the Council. Section 6(1) states that:-

"The functions of the Council shall be to do all such acts and things which it may consider necessary or expedient to ensure that the interests of consumers of goods and services are protected and promoted".

WHO CAN HELP YOU

There are a number of consumer protection agencies established to assist you with your consumer needs. This brochure is designed to help you understand the roles and legislative (legal) powers of the consumer protection agencies in Fiji. Case studies are also demonstrated to guide you to the agency best suited to deal with your problems.

In totality there are 4 important agencies. These are:-

- Consumer Council of Fiji (the only non-enforcement agency)
- Ministry of Industry, Trade, Tourism and Communication which has the Department of Fair Trading & Consumer Affairs. The department comprises 3 sections: - Fair Trading Unit - Trade Standards & Quality Control Office, and - Trade Measurement & Laboratory
- Commerce Commission
- PIB

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Case Study Three – an issue for the Trade Standards & Quality Control Office

The Office is responsible for the administration and enforcement of the Trade Standards and Quality Control Decree 1992.

The Decree is intended to:

- Ensure that goods and services sold are of an acceptable and uniform standard;
- Remove from the market place any dangerous and unsafe goods;
- Ensure that warning statements are issued on any dangerous or unsafe goods

Case Study Three – an issue for the Trade Standards & Quality Control Office

"Please visit the X supermarket in Valelevu and see the Z brand bottled water displayed on the shelves. The bottom of the bottle has algae growth."

Disciplinary Powers of the Board.

Apart from the above functions the Department also oversees the following legislations:-

- Misleading Markings and Deceptive Packaging Regulations 1989.
- Safeguard the interests of small businesses from unfair and deceptive practices.
- Real Estate Agents Act 2006
- “An Act to make provision for the regulation of Real Estate Agents and for related matters, such as:– Establish Licensing Board; Registrar of Real Estate Agents; Licensing of Real Estate Agents; Approval of Branch Managers, Salespersons; Duties of Real Estate Agents; Disciplinary Powers of the Board.

C. Trade Measurement & Laboratory

The Office is responsible for the administration and enforcement of the National and Trade Measurement Decree 1989.

Apart from National and Trade Measurement Decree 1989, there are associated regulations, namely:

- National Trade Measurement Regulations 1989
- (Pre-packed Articles) (Packaging) Regulations 1989
- Bread Regulations 1989; and
- Misleading Markings and Deceptive Packaging Regulations 1989.