

PROTECTING THE RIGHTS OF CONSUMERS

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controlled goods at the wholesale and retail level, and prescribed stiff and stringent penalties for infractions. The Act also created a Prices Commission whose function is to advise and assist the Minister on matters relating to the control of prices of goods and services in The Bahamas and otherwise in relation to the exercise of his functions under the Act.

The Inspectorate Division of the Consumer Welfare Unit of The Minister of Labour and National Insurance enforces the Price Control Act and Regulations and serves as agents to the Prices Commission. Consumer Officers of this Division conduct daily inspections of the market place to ensure that the Act and Regulations are not being violated. Additionally, the Division responds to complaints, regardless of the nature and serves as referee in attempting to bring resolution to disputes through use of moral suasion. However, consumers have the right to pursue any unresolved issues in a court of law.

Consumer officers are stationed in New Providence, Grand Bahama, Abaco, Acklins Andros, Bimini, Cat Island, Eleuthera and, Exuma.

Price inspectors, acting under the authority of the minister responsible for

price control, are empowered to enter into any premises at any reasonable time to conduct inspection of goods offered for sale or stored, and where services are provided or made available to members of the public in cases where such goods or services are under price control.

Price control has been a prominent feature in consumer protection in The Bahamas for decades. However, its primary focus has been the policing of breadbasket items where there is a maximum percentage mark-up placed on those breadbasket items at the wholesale and retail levels. This particular policy regulation and legislation has been debated for decades and those in opposition to the continuance of price control maintain that it hurts the very same consumers that it is intended to help.

In fact, the proponents for the abolition of price control do not see the need for government involvement in the market place whatsoever, believing that market forces through competition will steer prices and afford benefits to the consumer accordingly. Those who favour price control maintain that it is critical to consumer protection.

Moving forward, it will be necessary to expand the mandate of the Consumer Affairs Unit of The Ministry of Labour and National Insurance to effectively address every aspect of economic activity that affects consumer spending. Professional services such as medical and hospitalization, banking and finance, insurance,

real estate, automobile sales and repair services, funeral and burial services are critical and affect consumers daily consuming large portions of their limited incomes wages and salaries. The noted areas will be sustainably addressed in the expanded mandate as they affect consumer spending.

In the meantime, to meet the expanding challenges, a consumer education programme will be developed where applicable with reciprocal dialogue between consumer advocacy groups and merchants, and other providers of goods and services.

The focus of consumer education will be directed towards the development and maintenance of standards for goods and services ensuring that goods meet reasonable demands and are safe, durable and reliable. Consumers should be provided with sufficient information to enable them to make fair and reasonable choices and they should be protected from one-sided contracts which provide no recourse to the consumer while protecting providers from any liability for their actions.

In 2006, the Government expanded the protection afforded consumers with the passage of The Consumer Protection Act by Parliament. This new Act makes provisions for the greater protection of consumers and requires merchants and service providers to be more accountable and ensure that in their dealing with consumers, value is received for the goods and services provided.

The Act established a Consumer Protection Commission, which was reappointed on July 1, 2013, whose primary function is to provide consumers with an avenue of easy redress to their complaints against unfair business practices of merchants and service providers.

Additionally, the commission's role is to provide consumers an avenue of redress as regards:

- Substandard / faulty goods;
- Misleading or deceptive conduct;
- False advertising;
- Unsatisfactory services
- Unfair contract terms;
- Product liability;
- Products and consumer safety

Consumers need to educate themselves and recognise when their rights are being compromised. Should consumers' attempts to resolve a complaint with the providers of a good or service fail, the Consumer Protection Commission may be approached to assist with a resolution.

By enforcing these Acts and the Regulations and through some degree of moral suasion, the Government of The Bahamas will continue in its resolve to provide maximum protection for consumers and concurrently seek to promote and maintain an economic market that adheres to established international standards and sustainable practices where business and other enterprises can thrive successfully.



The National Prescription Drug Plan ANNOUNCES COVERAGE OF MORE CHRONIC CONDITIONS

As of March 2012,
for all eligible persons, the
National Prescription Drug
Plan will provide access,
FREE OF CHARGE
to medications used in the
treatment of the following
chronic diseases:

- >> **Benign Prostate Hypertrophy (BPH)**
- >> **Epilepsy**
- >> **Sickle Cell Anemia**
- >> **Thyroid Disease**

Additionally,

- **Ischaemic Heart Disease** has been expanded to Ischaemic Disease to include medications used to prevent recurrences of stroke, a life-threatening condition.
- **Major depression and Psychosis** are now combined under the diagnosis of Psychiatric Illness. This will allow eligible patients suffering from any psychiatric disorder access to the medications covered under the Drug Plan Formulary.

Following is the complete list of chronic medical conditions that will be covered by NPDP, as of **March 2012**:

Asthma
Arthritis
Benign Prostate Hypertrophy (BPH)
Breast Cancer
Diabetes
Epilepsy
Glaucoma

High Cholesterol
Hypertension
Ischaemic Disease
(including Heart Disease & Stroke)
Prostate Cancer
Psychiatric Illness
Sickle Cell Anemia
Thyroid Disease

"Your National Insurance At Work For You"

For details of the new benefits, eligibility and registering for the National Prescription Drug Plan, visit the National Prescription Drug Plan Office at NIB Wulff Road Office. Or contact us via:

Drug Plan Office: (242) **356-2032** NPDP Toll-free line: (242) **300-0001** Fax: (242) **356-2026**
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