



# CONSUMERS IN CARICOM



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# CONTENTS

<b>FOREWORD</b> .....	2
<b>WHO ARE CONSUMERS?</b> .....	2
<b>CONSUMERS IN THE CSM</b> .....	4
<b>HOW CAN CONSUMERS BENEFIT FROM THE CSM</b> .....	5
<b>WHAT DO CONSUMERS BUY FROM REGIONAL SUPPLIERS?</b> .....	7
<b>HOW ARE CONSUMERS PROTECTED IN THE CSM?</b> .....	8
<b>Are All Consumer Protection Laws the same in Member States?</b> .....	12
<b>The CARICOM Draft Model Consumer Protection Bill</b> .....	12
<b>How Does the CARICOM Competition Commission Promote Consumer welfare and Protect Their Interest</b> .....	10
<b>CARICOM Rapid Alert System for Exchange of Information on Dangerous Goods (CARREX)</b> .....	13
<b>How do Other Regional Bodies Promote Consumer Welfare and Protect Their Interest</b> .....	
<b>APPENDIX I</b> .....	16

# FOREWORD

One of the justifications for pursuit of Community integration is attainment of the goal of improved standards of living for CARICOM nationals. Although the determination of what this standard should be has evolved with time, it is commonly accepted that these standards can best be understood by examining the social, political, environmental and economic conditions under which individuals exist. From a social and economic standpoint, these conditions are in large part related to individuals' access to and use of goods and services, and particular those which meet their basic needs. It is expected therefore, that one of the outcomes of Community integration must be improvements in consumption conditions that affect individuals' quality of life.

The fashioning of the Caribbean Community has been such that thirteen (13) of fifteen (15) member territories located in the Caribbean, Central and South America that became signatories to the Revised Treaty of Chaguaramas, have agreed to pursue even deeper economic ties through the creation of a Single Market. The chief tool of this consolidation process has been the liberalization of markets through the removal of restrictions to movement of goods, services, labour and capital as well as to the establishment of businesses in these thirteen Member States. As a result, greater interaction is foreseen between consumers and business operators of the Region, including those interactions not requiring either the consumer or supplier to be present in the same jurisdiction at the point of completing a transaction.

As markets are liberalised and competition between firms increases, so do opportunities for unfair play between participants within the market, particularly in instances that information is neither readily accessible nor available to consumers to facilitate informed decision-making. The purpose of this booklet therefore is to explain the context within which consumers can engage the regional integration process in order to take advantage of the benefits arising therefrom. The booklet also serves as a useful guide to the laws and organisations operating throughout the region to protect and promote the interest of consumers regardless of where they acquire and utilize goods and services.

The booklet is a useful guide to CARICOM and non-CARICOM consumers as to avenues for obtaining redress as they travel to member territories of the Community, or acquire goods and services online from suppliers operating outside their own country. As movement of temporary service providers becomes more common place, the importance of a register of established agencies for protecting consumers in their cross-border consumption of services becomes increasingly apparent.

Special acknowledgement is given to the contribution of the various consumer departments which supplied information regarding the legal and institutional arrangements in their respective countries.

## WHO ARE CONSUMERS?

Article 184 (2) of the Revised Treaty of Chaguaramas defines a "consumer" as any person:

- a) **to whom goods or services are supplied or intended to be supplied in the course of business carried on by a supplier or potential supplier; and**
- b) **who does not receive the goods or services in the course of a business carried on by him.**



No single standard classification exists for consumers. For the purpose of examining consumers' role in the Single Market, it is useful to understand the basic social and economic profile of consumers in each Member State, which comprises the Single Market.

Currently, only thirteen (13) of fifteen (15) CARICOM Countries are participating in the CARICOM Single Market and Economy, which is intended to be a seamless trading space for the movement of goods and services among these countries.

The CARICOM Single Market (CSM) is the first part of the two major parts of the CSME which became operational on January 1, 2006, with the signing of the *Revised Treaty of Chaguaramas Establishing the Caribbean Community including the CARICOM Single Market and Economy* (Revised Treaty of Chaguaramas).

The following table provides a synopsis of the economic profile of each country:

MEMBER STATE	POPULATION 2009 (Mid Year Est.)	GDP PER CAPITA 2010 (Constant 2006/07 Prices) US\$	PRIVATE EXPENDITURE ON GDP IN CURRENT (2006) PRICES (%)
Antigua and Barbuda	89,138	9,597.3	34.2
Barbados <sup>1</sup>	275,344	12,098.2	58.9
Belize	335,100	3,158.5 <sup>+</sup>	65.2
Dominica	71,685	6,026.9	69.5
Grenada	110,821	5,345.4	81.5
Guyana	769,600	1,963.9	65.3
Haiti	9,923,243	397.0 <sup>++</sup>	127*
Jamaica	2,695,589	3,896.3	77.6
St. Kitts Nevis	51,970	10,178.4	62.4
St. Lucia	172,370	5,558.4	81.7
St. Vincent and the Grenadines	100,892	5,077.1	69.8
Suriname	524,143	6,181.8	36.1*
Trinidad and Tobago	1,310,106	11,102.8 <sup>+++</sup>	37.1
TOTAL/{AVG}	16,430,001	{6,198.6}	{66.6}

**TABLE 1**

1 Data reported in the base year of the Member States except in the case of Barbados where the base year was arithmetically re-calculated by CARICOM Secretariat Regional Statistics Programme from 1974 to 2006

\* - indicates 2010 figs + - indicates 2008 Fig

++ - 2010 GDP per capita in 2005 Base Prices Fig. +++ - indicates 2009w

Sources:

- CARICOM Secretariat Statistics Department and <http://www.caricomstats.org/Files/Publications/National%20Accounts%20Digest%2003-06/National%20Accounts%20Digest%2003-06.pdf>
- Suriname General Bureau of Statistics. [http://www.statistics-suriname.org/images/stories/pdf/2011/tabel\\_en\\_grafeken.pdf](http://www.statistics-suriname.org/images/stories/pdf/2011/tabel_en_grafeken.pdf)

The data and statistics presented above suggest that:

- (i) consumption activities on the part of households in Member States play a significant role (average of 2/3rd) in determining how Member States spend the income which they earn;
- (ii) most Member States have a consumer population that is below the regional (mean) average;
- (iii) although not an indication of personal income, most Member States and in particular four of the five most populous countries (Haiti, Jamaica, Guyana, Suriname) have GDP per capita Incomes that are below the mean average (US\$6,198.6) for the Region.

The implications of the foregoing are that:

- (i) for the greater majority of consumers in the entire CSM, income per capita is towards the lower end of the region's per capita income spectrum;
- (ii) from a demand side perspective, while the Region's overall consumer population is comparable to a country such as the Netherlands, there might not be a sufficiently large number of consumers whose incomes permit the acquisition of some of the Region's goods and services that are unable to compete on the basis of price;
- (iii) assuming minimum quality standards for health and safety purposes, goods and services destined for the larger majority of regional consumers must therefore satisfy their most basic needs and must be price competitive;
- (iv) goods and services which can command a premium among the lesser proportion of higher income consumers must be able to satisfy desires associated with conspicuous consumption based criteria such as:
  - status;
  - leisure/comfort;
  - hedonic expectations.

## **CONSUMERS IN THE CSM**

Consumers in CSM Member States can acquire goods and services from four sources, namely:

- (i) their domestic suppliers of goods and services;
- (ii) goods suppliers from 13 of the remaining 14 CARICOM Member States (goods suppliers from the Bahamas are not eligible for CARICOM treatment)
- (iii) service providers in 12 of the remaining 14 CARICOM Member States (Service Providers in Montserrat and the Bahamas are not eligible for CARICOM treatment); and
- (iv) suppliers outside of CARICOM.

What is the CSM? Five key regimes comprise the core of the CSM, and specific measures have been put in place in order to ensure the removal of restrictions, which affect free

movement/circulation within this single space. These regimes are:

1. the right of establishment
2. the free movement of goods
3. the free movement of service
4. the free movement of skills
5. the free movement of capital

Elements at “1” through “4” above are of particular relevance to consumers as they foster greater opportunities for interaction with the Region’s suppliers.

## HOW CAN CONSUMERS BENEFIT FROM THE CSM

Consumers are able to benefit from the CSM through:

### **I. The Right of Establishment to Supply Goods:**

- individuals and firms have been granted easier access to set up businesses throughout the CSM. Consumers will therefore have a wider array of suppliers of goods from whom they may choose;
- suppliers who manufacture goods are now freer to move to countries with productive inputs that are more competitive. The expectation is that lower production costs will be transmitted to consumers through lower prices;
- Article 65 and 67 of the Revised Treaty speak to the importance of environmental protection in production and trading processes: It is expected that productive processes will conform to certain requirements which uphold consumers’ right to live in a healthy and sustainable environment as recognized in the expanded UN (1999) Guidelines on Consumer Protection.

### **II. The Free Movement of Goods:**

- Where goods satisfy Rules of Origin requirements, they are allowed to move freely throughout the CSME without the application of customs duties, other charges and any other unauthorised restrictive regulations of commerce which serve to make them more expensive for consumers;
- The Revised Treaty (Articles 67- Standards and Technical Regulation) mandates the development of a standardization programme for CARICOM, which has among its objectives, consumer and environmental protection;
- This standardization programme also requires the establishment of harmonized standards to ensure that goods and services supplied from within the CSME, meet a minimum acceptable level to ensure consumer safety and that consumers are not misled regarding quality;
- The CARICOM Regional Organisation for Standards and Quality (CROSQ) located in Barbados was created to co-ordinate the CARICOM Regional Standardization Programme;

- The Caribbean Agricultural Health and Food Safety Agency (CAHFSA) located in Suriname was created to co-ordinate CARICOM's Programme regarding standards for agricultural products.

### III. The Free Movement of Services

**Twelve of thirteen CSM Member States have indicated that restrictions to entry to all service sectors have been removed.** As with the free movement of goods, consumers will therefore have a wider variety of suppliers to choose from.

Four (4) modes of supply of services are included under Chapter Three (Article 36) of the Revised Treaty of Chaguaramas, which embraces the World Trade Organisation General Agreement on Trade in Service (WTO GATS).

CROSS-BORDER SUPPLY – MODE 1 <i>(e.g. DISTANCE TRAINING)</i>	CONSUMPTION ABROAD – MODE 2 <i>(e.g. TOURISM SERVICES)</i>
COMMERCIAL PRESENCE – MODE 3 <i>(i.e. ESTABLISHMENT OF OFFICES)</i>	MOVEMENT OF NATURAL PERSONS – MODE 4 <i>(e.g. SHORT-TERM PROFESSIONALS)</i>

#### Mode 1: Cross-border

- i. a user in country "A" receives services from abroad through its telecommunications or postal infrastructure (fax, Internet, telephone, postal mail);
- ii. the consumer remains in his or her home territory while the service or good crosses the border;
- iii. the supplier is also located in another country and does not move to supply his service;
- iv. one example is distance training.

#### Mode 2: Consumption abroad

- i. nationals of country "A" move to country "B" as tourists, students, or patients to consume, for example, the services of hotels and restaurants, hospitals or educational institutions;
- ii. movement for this purpose is expected to be hassle-free under Facilitation of Travel arrangements which have been approved by successive decisions of the Conference of Heads of Government;
- iii. under these arrangements, CARICOM nationals in CSM participating states have the right to six months definite entry regardless of the purpose of travel.

#### Mode 3: Commercial presence

- i. services are provided within country "A" by a locally-established affiliate, subsidiary, or representative office of a foreign-owned and controlled company (bank, hotel group, construction company, etc.) in the territory of the consumer



- ii. this ensures closer contact with the consumer.

#### **Mode 4: Movement of natural persons**

- i. individual moves to the territory of the consumer to provide a service or good on his or her own behalf as a non-wage earner or on behalf of his or her employer.
- ii. applies to non-permanent employment in the country of the consumer;
- iii. examples are short-term professionals (e.g. consultant), intra-corporate staff transfers, short-term employment of foreign staff in foreign affiliates, skilled artisans and domestic helpers
- iv. presents the greatest potential for increased trade in CARICOM and hence greater choices for consumers. The arrangement to facilitate the movement of service providers includes:
  - a. the establishment of coalitions for the certification of service providers
  - b. a draft model professional services bill which provides for the licensing of certain categories of service providers.



#### **IV. The Free Movement of Skills:**

- Ten (10) categories of skills are able to move freely without the requirement of a work permit. Persons with these skills are free to move where there are areas with or without shortages;
- sectors with shortages in the supply of certain categories of labour are able to more readily access skill inputs;
- the cost of goods and services produced from using these inputs should therefore become more competitive for consumers.

## **WHAT DO CONSUMERS BUY FROM REGIONAL SUPPLIERS?**

Among the top twenty goods traded among Member States are food items such as:

- (i) White Rice
- (ii) Cane Sugar
- (iii) Construction material such as Grey Cement
- (iv) Fuels such as:
  - a. Motor spirit
  - b. Kerosene
  - c. Gas Oil
  - d. Natural Gas.

The two major sources of these items are Trinidad and Tobago and Guyana.

Based on estimates of intra-regional trade in goods (APPENDIX I), it is clear that:

- (i) the region matters as a significant source of certain goods acquired by consumers,
- (ii) some countries being primarily suppliers while others are chiefly buyers.

In respect of services, available data suggest that intra-regional trade is also significant although not dominant. The traditionally dominant areas pertain to travel (tourism services), transportation (e.g. freight and passenger services) and commercial services (e.g. communication services such as courier and postal service; and insurance services)

With the implementation of the regime for **free movement of service providers**, consumers are expected to see greater levels of competition in the market for services provided by non-wage earners including:

- (i) self employed artisans, and
- (ii) professional service providers in the fields of:
  - a. education
  - b. construction
  - c. health and
  - d. personal care

Consumers will be able to directly contract service providers of their choice in any of the 13 CSM participating Member States.

## HOW ARE CONSUMERS PROTECTED IN THE CSM?

Within the context of the regional community and single market, the impetus and framework to protect consumers come from two levels, namely:

- Regional legal and institutional arrangements
- National legal and institutional arrangements.

### Regional Laws and Institutions

#### I. Revised Treaty of Chaguaramas, Part II, Chapter Eight

The architects of the CARICOM Single Market and Economy (CSME), in envisioning the requirements for the proper functioning of the single market, have explicitly identified consumers as key stakeholders whose interests ought to be recognized and safeguarded.

Articles 184 to 186 of the Revised Treaty contain the provisions for the protection and promotion of the interests of consumers in the operation of the single market and economy. It articulates:

- the responsibilities of Member States to promote and protect the interest of consumers in the Community; and
- actions to be taken by the Competition Commission to provide support to Member States in the Promotion of Consumer Welfare and Protection of Consumer Interest.

**PART TWO  
CONSUMER PROTECTION  
ARTICLE 184**

**Promotion of Consumer Interests in the Community**

1. The Member States shall promote the interests of consumers in the Community by appropriate measures that:
  - a. provide for the production and supply of goods and the provision of services to ensure the protection of life, health and safety of consumers;
  - b. ensure that goods supplied and services provided in the CSME satisfy regulations, standards, codes and licensing requirements established or approved by competent bodies in the Community;
  - c. provide, where the regulations, standards, codes and licensing requirements referred to in paragraph (b) do not exist, for their establishment and implementation;
  - d. encourage high levels of ethical conduct for those engaged in the production and distribution of goods and services to consumers;
  - e. encourage fair and effective competition in order to provide consumers with greater choice among goods and services at lowest cost;
  - f. promote the provision of adequate information to consumers to enable the making of informed choices;
  - g. ensure the availability of adequate information and education programmes for consumers and suppliers;
  - h. protect consumers by prohibiting discrimination against producers and suppliers of goods produced in the Community and against service providers who are nationals of other Member States of the Community;
  - i. encourage the development of independent consumer organisations;
  - j. provide adequate and effective redress for consumers.
2. For the purpose of this Part, "consumer" means any person:
  - a. to whom goods or services are supplied or intended to be supplied in the course of business carried on by a supplier or potential supplier; and
  - b. who does not receive the goods or services in the course of a business carried on by him.

While Article 184 of the Revised Treaty of Chaguaramas requires that measures, not limited to law, be taken to protect consumers, Article 185 obliges Member States to enact harmonized law throughout CARICOM to protect the interest of consumers.

This requires that Member States establish a legal framework that addresses issues such as standards, unsafe goods and unfair contract terms among others.

**PART TWO  
CONSUMER PROTECTION  
ARTICLE 185**

**Protection of Consumer Interests in the Community**

- The Member States shall enact harmonised legislation to provide, inter alia:
- a. for the fundamental terms of a contract and the implied obligations of parties to a contract for the supply of goods or services;
  - b. for the prohibition of the inclusion of unconscionable terms in contracts for the sale and supply of goods or services to consumers;
  - c. for the prohibition of unfair trading practices, particularly such practices relating to misleading or deceptive or fraudulent conduct;

- d. for the prohibition of production and supply of harmful and defective goods and for the adoption of measures to prevent the supply or sale of such goods including measures requiring the removal of defective goods from the market;
- e. that the provision of services is in compliance with the applicable regulations, standards, codes and licensing requirements;
- f. that goods supplied to consumers are labelled in accordance with standards and specifications prescribed by the competent authorities;
- g. that hazardous or other goods whose distribution and consumption are regulated by law are sold or supplied in accordance with applicable regulations;
- h. that goods or materials, the production or use of which is likely to result in potentially harmful environmental effects, are labelled and supplied in accordance with applicable standards and regulations;
- i. that producers and suppliers are liable for defects in goods and for violation of product standards and consumer safety standards which occasion loss or damage to consumers;
- j. that violations of consumer safety standards by producers or suppliers are appropriately sanctioned and relevant civil or criminal defences to such violations are available to defendants.

## II. How Does the CARICOM Competition Commission Support Promotion of Consumer Welfare and Protection of Consumer Interest?

Part Two of Chapter Eight of the Revised Treaty of Chaguramas assigns specific responsibilities to the CARICOM Competition Commission (CCC), which include:

- reporting to CARICOM's Council for Trade and Economic Development (COTED), business conduct by enterprises which impacts adversely on consumer welfare; and
- collaboration with competent Organs of the Community to promote consumer education and consumer welfare.

**Unlike its role to adjudicate competition issues arising at the regional level, the CCC's current structure, however, does not foresee an adjudicative role in the resolution of consumer complaints that have escalated beyond the national level.**

### PART TWO CONSUMER PROTECTION ARTICLE 186

#### Action by the Commission to Provide Support in the Promotion of Consumer Welfare and Protection of Consumer Interests

1. The Commission shall, for the purpose of providing support to the Member States in the enhancement of consumer education and consumer welfare:
  - a. promote in the Community the elaboration, publication and adoption of fair contract terms between suppliers and consumers of goods and services produced or traded in the CSME;
  - b. take such measures as it considers necessary to ensure that the Member States discourage and eliminate unfair trading practices, including misleading or deceptive conduct, false advertising, bait advertising, referral selling and pyramid selling;
  - c. promote in the Member States product safety standards as part of a programme of consumer education in order to assist the consumer to make informed choices concerning the purchase of consumer goods;

- d. keep under review the carrying on of commercial activities in the Member States which relate to goods supplied to consumers in such States or produced with a view to their being so supplied, or which relate to services supplied for consumers with a view to identifying practices which may adversely affect the interests of consumers;
  - e. educate and guide consumers generally in the practical resolution of their problems and in the best use of their income and credit, using such techniques and means of communications as are available;
  - f. confer, on request, with consumer organisations of the Member States and offer such advice and information as may be appropriate for the resolution of their consumer problems;
  - g. establish the necessary co-ordination with government agencies and departments for the effective education and guidance of consumers having regard to the programmes, activities and resources of each agency or department;
  - h. conduct research and collect and collate information in respect of matters affecting the interests of consumers;
  - i. compile, evaluate and publicise enactments for the protection of consumers in such States and recommend to COTED the enactment of legislation considered necessary or desirable for the protection of consumers;
  - j. promote, after consultation with the competent standardising agency and other public and private agencies or organisations, the establishment of quality standards for consumer products;
  - k. promote and monitor, after consultation with relevant agencies and departments of Government, the enforcement of legislation affecting the interests of consumers, including, but not limited to, legislation relating to weights and measures, food and drugs adulteration, the control of standards and price controls;
  - l. make recommendations to COTED for the enactment of legislation by the Member States for the effective enforcement of the rights of consumers.
2. The Commission shall:
- a. draw to the attention of COTED business conduct by enterprises which impacts adversely on consumer welfare
  - b. collaborate with competent Organs of the Community to promote consumer education and consumer welfare.

### III. Regional Organs and their Consumer Affairs Related Functions

In addition to the CARICOM Secretariat CSME Unit, the CARICOM Competition Commission, CAHFSA, and CROSQ there are two Organs of the Community whose activities impact consumers within the Region. These include:

1. the Council for Trade and Economic Development (COTED), which is responsible for the promotion of trade and economic development in CARICOM. Regular meetings of the COTED are convened to discuss issues of relevance to consumers;
2. the Council for Human and Social Development (COHSOD) which is involved in areas impacting health, education, conditions of work, youth and gender affairs and culture within the Community. Regular meetings of the Council are also convened to discuss issues of relevance to consumers;

These entities, combine to create an avenue for interventions that are regional in scope in safeguarding and promoting the interest of consumers.

## National Laws and Institutions

### I. Are All Consumer Protection Laws the same in Member States?

With the exception of Guyana and Saint Lucia, the legal system of the English-speaking Caribbean countries is chiefly derived from the British system of Statute and Case/Common Laws. Hence there are some commonalities. For example, there is a Hire Purchase and Sale of Goods Act in several member countries. These laws are relied on to a large extent, to secure redress for consumers when transactions are not in keeping with fair practice.



On the other hand, both Haiti's and Suriname's legal systems are based on Civil Law. Suriname's is founded on the Dutch Civil Law system and Haiti's, on the French Napoleonic Code/French Civil Code. Accordingly, the mechanisms which provide some measure of consumer protection would be aligned to these systems. The legal system of Guyana and Saint Lucia reflect distinct Common and Civil law traditions.

Notwithstanding initial similarities among some of the Member States, as economies and societies changed, individual territories have fashioned their own consumer protection framework. This has had the effect of wide variations in the levels of protection being available to consumers within the Region.

ANNEX I presents a list of the primary consumer protection laws and the chief organisations that are charged with protecting consumers in the Member States of the CSM and Montserrat.

### II. The CARICOM Draft Model Consumer Protection Bill

In view of the varying levels of protection which currently exist in Member States, a harmonised approach becomes necessary to ensure that consumers have a common level of protection in all Member States of the CSME.

In keeping with Article 185a, the CARICOM Model Consumer Protection Bill was prepared by the CARICOM Secretariat and approved and recommended by the Thirty Second Meeting of the Council for Trade and Economic Development on May 19-13 2011 in Georgetown, Guyana for the further approval of the Legal Affairs Committee of CARICOM.

The provisions of the Model Bill address:

1. Economic principles for maximizing consumer welfare. For example:
  - a. ease of access to simple, useful and timely information;
  - b. prohibition of unfair behaviour which distorts the market such as; as well as

2. Social principles such as:
  - a. granting greater voice to consumers;
  - b. affording greater protection for more vulnerable consumers.

The Bill also seeks to protect consumers both before and after entering transactions with suppliers.

The Model Bill comprises more than 100 clauses covering the following key issues:

- The Establishment of a Consumer Affairs Commission
- Complaints Handling
- Consumer Rights
- Duties of Suppliers
- Unfair Practices
- Unfair Terms
- Product Liability
- Consumer Safety
- Recall of Goods
- Distance Selling
- Miscellaneous Provisions addressing Trade Promotions, Lay-Aways, Hire Purchase Agreements, etc

In addition to these provisions are three draft schedules that detail:

- the Constitution of the Consumer Affairs Commission - It was agreed by Ministers attending the 32nd COTED, that the preferred institutional arrangement for administration of the bill was the transitioning of existing entities that were currently involved in administering price controls, into Consumer Affairs Commissions.
- the contents of a standard Witness Summons
- Terms considered Unfair in a consumer agreement if an agreement with a supplier was not negotiated on an individual basis.

## **CARICOM RAPID ALERT SYSTEM FOR EXCHANGE OF INFORMATION ON DANGEROUS GOODS (CARREX)**

A CARICOM Rapid Alert system for Exchange of Information on dangerous goods (CARREX) has also been established to protect consumers. The COTED on November 14-18, 2011 approved the operationalisation of this system which commenced on January 3, 2012.

The system facilitates:

- (i) notification of national contact points by national authorities, consumers and consumer groups about the presence of harmful non-food and non-pharmaceutical products in the domestic market
- (ii) notification of other national contact points in the system via the regional secretariat located at the CSME Unit, CARICOM Secretariat, in order that quick

action can be taken to safeguard consumers' life and health throughout the CSME and Montserrat.

CARREX covers non-food consumer products such as motor vehicles, electrical items, toys and a range of others which more than 16 million consumers in CSME participating States and Montserrat use annually.

Consumers and Consumer Organisations are able to notify their CARREX national contact points by visiting the easy to use online portal at <http://carrex.caricom.org>.

The CARREX National Contact Points are as follows:

Member State	National Contact Point	National Contact Person	Telephone (T) and Fax (F) Numbers	Address
<b>Antigua</b>	Prices and Consumers Affairs Ministry of Health, Social Transformation and Consumer Affairs	1. Ms Hildred Simpson	(T) (268) 462-4183 (F) (268) 562-7556	REDCLIFFE STREET & CORN ALLEY, ST. JOHN'S, ANTIGUA
		2. Ms. Avonelle M. Griffith	(T) (268) 462- 4183 (F) (268) 562-7556	
<b>Barbados</b>	Department of Commerce and Consumer Affairs	1. Ms. Margaret Campbell-Leslie	(T) (246) 4373572 /437-3553 (F) (246) 228-3821	PELICAN INDUSTRIAL ESTATE FONTABELLE, ST. MICHAEL, BARBADOS
		2. Ms. Jillian Grant	(T) (246) 437-3552/3 (F) (246) 228-3821	
<b>Belize</b>	Bureau of Standards	1. Ms. Ninfa R. Matus		POWER LANE, MINISTRY OF WORKS COMPOUND, CITY OF BELMOPAN, BELIZE, C.A., P.O. BOX 430
		2. Ms. Samantha A. Budna-Banner	(T) (501) 822-0442 (F) 501-822-2571	
<b>Dominica</b>	Office of the Permanent Secretary, Ministry of Employment, Trade, Industry and Diaspora Affairs	1. Mr. Ronnie Guiste	(T) (767) 266 3265 (F) (767) 448 5200	ROSEAU, DOMINICA
		2. Mr. Wellsworth Bethelmie	(T) (767) 266 3266 (F) (767) 448 5200	
<b>Grenada</b>	Prices and Consumer Affairs Unit, Statistical Department, Ministry of Finance	1. Mr. Garrison Williams	(T) (473) 440-1369 /404-2826 (F) (473) 435-8741	ROSS BUILDING, THE CARNAGE ST. GEORGE'S, GRENADA
	Grenada Bureau of Standards	2. Mr. Billy Langaigne	(T) (473) 440-5886 (F) (473) 440-5554	P.O 2036 QUEEN PARK ST. GEORGE'S, GRENADA
<b>Guyana</b>	Competition and Consumer Affairs Commission	1. Ms. Seema Rambaran	(T) (592) 219-2800 EXT113 (F) n/a	N/A
	Guyana National Bureau of Standards	2. Mr. Lloyd David	(T) (592) 219-0063 (F) n/a	N/A



Member State	National Contact Point	National Contact Person	Telephone (T) and Fax (F) Numbers	Address
<b>Haiti</b>	Ministère du Commerce et de l'Industrie, Direction Contrôle de qualité et Protection du consommateur	1. Mr. Patrick Blanchet	(T) (509) 3754-9563/ 3482-2297/ 3473-4898 (F) n/a	8, RUE LEGITIME PORT-AU-PRINCE, HAITI
		2. Mr. Dieuseul Lefevre	(T) (509) 3731-3696 (F) n/a	
<b>Jamaica</b>	Consumer Affairs Commission	1. Ms Dorothy Campbell	(T) (876) 978-4998 (F) (876) 946-9214	2 SEAVIEW AVENUE, KINGSTON 6, JAMAICA
		2. Ms. Racquel Chambers	(T) (876) 978-4998 (F) (876) 946-9214	
<b>Montserrat</b>	Ministry of Economic Development & Trade Government Headquarters P.O. Box 292, Brades Montserrat	1. Ms. Cynthia Farrell	(T) (664) 491-3463/3378 (F) (664) 491-6780	P .O. BOX 292. OFFICE OF THE PREMIER TRADE DEPARTMENT BRADES, MONTSERRAT
<b>St Kitts &amp; Nevis</b>	Ministry of Trade, Department of Consumer Affairs	1. Mr. Paul Queeley	(T) (869) 467-1617 (F) (869) 465-1778	CHURCH STREET, BASSETERRE, PO BOX 86, ST. KITTS
		2. Ms. Yvette Bass	(T) (869) 467-1550 (F) (869) 465-1778	
<b>St Lucia</b>	Ministry of Commerce, Industry and Consumer Affairs	1. Mrs Mary Isaac	(T) (758) 452-3141/468-4224 (w) (C) (758) 518-2866 (F) (758) 453-7347	HERALDINE ROCK BUILDING, WATERFRONT CASTRIES, ST. LUCIA
		2. Ms. Pariet Herman	(T) (758) 452-6479/468-4225 (C) (758) 719-7723 (F) 758) 453-7347	
<b>St Vincent &amp; the Grenadines</b>	Ministry of Foreign Affairs, Foreign Trade and Consumer Affairs	1. Mrs Janice King	(T) (784) 456-2060 (F) n/a	KINGSTOWN, ST. VINCENT & THE GRENADINES
		2. n/a		
<b>Suriname</b>	Department of Market Control Ministry of Trade & Industry	1. Ms. Daniella Sumter	(T) (597) 402 080 EXT 1064/ 402 080 EXT 1053 (F) (597)403 440	HAVENLAAN, SURINAME
		2. Ms. Graciëlla Hardjopawiro	(T) (597) 402 080 EXT 1053 (F) (597) 403 440	
<b>Trinidad &amp; Tobago</b>	Ministry of Legal Affairs, Consumer Affairs Division	1. Ms. Anisha Ramadhar	(T) (868) 623-7741/358-3303 (F) (868) 627-2487	#58 POONAH ROAD, WILLIAMSVILLE TRINIDAD & TOBAGO
		2. Ms. Ava Bullard	(T) (868) 730-0568/625-4203 (F) (868) 627-2487	3 ¼ MM MARACAS ROYAL ROAD, MARACAS ST JOSEPH. TRINIDAD & TOBAGO

# APPENDIX I

## INTRA REGIONAL MERCHANDISE IMPORTS AS A PERCENTAGE OF TOTAL IMPORTS 2001 - 2007

CARICOM COUNTRIES	2001	2002	2003	2004	2005	2006	2007
<b>CARICOM AVERAGE</b>	<b>11.3%</b>	<b>10.4%</b>	<b>12.4%</b>	<b>12.2%</b>	<b>13.9%</b>	<b>12.6%</b>	<b>11.5%</b>
<b>MDCs</b>	<b>10.4%</b>	<b>9.6%</b>	<b>12.1%</b>	<b>11.5%</b>	<b>13.0%</b>	<b>11.6%</b>	<b>11.0%</b>
BARBADOS	20.4%	15.9%	23.9%	24.7%	25.1%	26.3%	11.8%
GUYANA	18.8%	19.5%	37.5%	29.3%	36.8%	35.1%	28.4%
JAMAICA	12.7%	11.1%	13.0%	14.6%	16.9%	13.3%	17.6%
SURINAME	19.7%	19.3%	23.0%	20.1%	19.3%	24.3%	19.6%
TRINIDAD & TOBAGO	2.8%	2.4%	2.1%	1.8%	1.7%	1.5%	1.5%
<b>LDCs</b>	<b>15.8%</b>	<b>14.4%</b>	<b>14.1%</b>	<b>15.9%</b>	<b>18.7%</b>	<b>17.7%</b>	<b>14.8%</b>
BELIZE	5.1%	3.7%	3.7%	3.4%	3.1%	2.0%	2.1%
<b>OECS</b>	<b>19.3%</b>	<b>17.5%</b>	<b>16.6%</b>	<b>18.6%</b>	<b>22.2%</b>	<b>22.2%</b>	<b>19.9%</b>
ANTIGUA & BARBUDA	...	...	...	...	14.8%	12.6%	8.5%
DOMINICA	27.8%	30.5%	30.2%	29.6%	31.3%	32.1%	32.0%
GRENADA	25.1%	26.9%	23.9%	25.6%	26.7%	24.6%	...
MONTserrat	17.7%	11.0%	10.0%	11.1%	20.5%	38.6%	37.8%
ST.KITTS & NEVIS	17.8%	14.8%	18.5%	20.0%	20.1%	18.2%	16.2%
SAINT LUCIA	25.2%	21.9%	19.9%	21.8%	20.8%	25.4%	27.5%
ST.VINCENT & the GRENADINES	27.3%	28.2%	24.5%	28.6%	30.4%	32.6%	...

Note: "..." means not available

## INTRA REGIONAL MERCHANDISE EXPORTS AS A PERCENTAGE OF TOTAL EXPORTS 2001 - 2007

CARICOM COUNTRIES	2001	2002	2003	2004	2005	2006	2007
<b>CARICOM AVERAGE</b>	<b>18.8%</b>	<b>18.1%</b>	<b>17.7%</b>	<b>13.4%</b>	<b>19.3%</b>	<b>16.3%</b>	<b>13.1%</b>
<b>MDCs</b>	<b>18.7%</b>	<b>17.7%</b>	<b>17.4%</b>	<b>12.9%</b>	<b>19.0%</b>	<b>16.0%</b>	<b>12.9%</b>
BARBADOS	41.5%	46.2%	40.2%	37.8%	38.7%	48.0%	58.4%
GUYANA	14.7%	16.2%	16.4%	20.5%	19.2%	19.0%	20.2%
JAMAICA	4.1%	4.4%	4.3%	3.7%	3.1%	2.7%	2.5%
SURINAME	...	...	...	...	...	...	...
TRINIDAD & TOBAGO	23.6%	20.7%	19.4%	13.1%	20.7%	17.1%	13.1%
<b>LDCs</b>	<b>21.1%</b>	<b>23.4%</b>	<b>21.9%</b>	<b>22.3%</b>	<b>27.6%</b>	<b>25.9%</b>	<b>19.5%</b>
BELIZE	6.5%	6.9%	8.8%	11.1%	11.0%	8.4%	7.3%
<b>OECS</b>	<b>30.8%</b>	<b>35.9%</b>	<b>31.7%</b>	<b>29.7%</b>	<b>38.0%</b>	<b>45.9%</b>	<b>33.7%</b>
ANTIGUA & BARBUDA	...	...	...	...	22.6%	...	...
DOMINICA	60.1%	55.9%	65.5%	61.5%	59.0%	63.1%	64.3%

CARICOM COUNTRIES	2001	2002	2003	2004	2005	2006	2007
GRENADEA	21.7%	30.1%	26.1%	27.6%	46.8%	55.4%	...
MONTSERRAT	64.6%	61.6%	54.3%	51.7%	38.1%	51.7%	41.0%
ST.KITTS & NEVIS	2.9%	2.4%	1.7%	2.3%	3.8%	6.0%	6.5%
SAINT LUCIA	25.2%	37.1%	43.6%	35.6%	53.3%	44.8%	49.2%
ST.VINCENT & the GRENADINES	55.0%	50.9%	65.6%	57.6%	61.8%	65.0%	...

Notes: ... mean.s not available

Source: CARICOM Regional Statistics

## ANNEX I – Consumer Protection Organisations and Laws in CARICOM Member States

<b>ANTIGUA AND BARBUDA</b>		
Primary Consumer Protection Laws		
<ul style="list-style-type: none"> <li>The Consumer Protection and Safety Act (1987)</li> <li>The Hire Purchase Act;</li> <li>The Unfair Contract Terms Act;</li> <li>The Sale of Goods Act and its Amendments;</li> <li>The Supply of Goods and Services (Implied Terms) Act;</li> <li>The Distribution and Price of Goods Act; and</li> </ul>		
Primary Consumer Protection Agencies/Organisations	Telephone	Website/ E-Mail
Prices and Consumer Affairs Division	(268) 462-4183	consumeraffairs@antigua.gov.ag
<b>BARBADOS</b>		
Primary Consumer Protection Laws		
<ul style="list-style-type: none"> <li>Consumer Protection Act - 326 D (2002)</li> <li>Control of Standards Act CAP 326A 2006</li> <li>Weights and Measures Act CAP 331 1977</li> <li>Consumer Guarantees Act -326 E (2002)</li> <li>Miscellaneous Control Act, CAP 329 1970</li> </ul>		
Primary Consumer Protection Agencies/Organisations	Telephone	Website/ E-Mail
<b>GOVERNMENT</b> Fair Trading Commission Consumer Complaints Division	(246) 424-0260	info@ftc.gov.bb www.ftc.gov.bb
Office of the Public Counsel	(246) 310-2605	www.commerce.gov.bb
Ministry of Commerce, Consumer Affairs & Business Development	(246) 437-3552	
<b>NON-GOVERNMENT</b> Barbados Consumer Research Organization Inc.	(246) 419 [CONSUMER] 2667 / 8637/253 4794	www.consumers.org.bb consumers@sunbeach.net
<b>BELIZE</b>		
Primary Consumer Protection Laws		
<ul style="list-style-type: none"> <li>Ombudsman Act (Chapter 5)</li> <li>Dangerous Goods Act (Chapter 134)</li> <li>Authority Act (Chapter 211)</li> <li>Act (Chapter 223)</li> <li>Hire Purchase Act (Chapter 292)</li> <li>National Metrology Act 23 of 2003</li> <li>Standards Act (Chapter 295)</li> <li>Public Health Act (Chapter 40)</li> <li>Belize Agricultural Health</li> <li>Public Utilities Commission</li> <li>Food and Drugs Act (Chapter 291)</li> <li>Supplies Control Act Chapter (293)</li> <li>Sales of Goods Act (Chapter 261)</li> </ul>		
Primary Consumer Protection Agencies/Organisations	Telephone	Website/ E-Mail
<b>GOVERNMENT</b> Belize Bureau of Standards Consumer Protection Unit	0-800-[2 TELL US] 0-800-283-5587 501-822-0446/0447 (501) 822-0446	bbs@btl.net

<b>DOMINICA</b>		
Primary Consumer Protection Laws		
<ul style="list-style-type: none"> <li>• Supplies Control Act (1979)</li> <li>• Hire Purchase Act</li> <li>• Tenancies and Rent Control Commission Act</li> <li>• Banking Act</li> <li>• Noxious and Dangerous Substances Act</li> <li>• Trade Description act (replaces Merchandise Marks Act)</li> <li>• Public Utilities Commission Act</li> <li>• Pesticide Act</li> <li>• Insurance Act</li> <li>• Legal Metrology Act (replaces Weights and Measures Act)</li> </ul>		
Primary Consumer Protection Agencies/Organisations	Telephone	Website/ E-Mail
<b>GOVERNMENT</b> Consumer Affairs Section The Ministry of Trade, Industry, Consumer and Diaspora Affairs	767) 266-3264 (767) 448-2401	-
<b>GRENADA</b>		
Primary Consumer Protection Laws		
<ul style="list-style-type: none"> <li>• Price Control Act 1959</li> <li>• Hire Purchase Act 1990</li> <li>• Weights and Measures Act 1997</li> <li>• Standards Act 1989</li> <li>• Public Commission Act 1994</li> </ul>		
Primary Consumer Protection Agencies/Organisations	Telephone	Website/ E-Mail
<b>GOVERNMENT</b> Price and Consumer Affairs Division	(473) 440-1369	Gogstats@hotmail.com or finance@gov.gd
Grenadian Organisation for Consumer Affairs	(473) 403-0912; 538-2960	goca032011@gmail.com
<b>GUYANA</b>		
Primary Consumer Protection Laws		
<ul style="list-style-type: none"> <li>• Competition and Fair Trading Act (2006)</li> <li>• Standards Act 1984</li> <li>• Weights and Measures Act 1981</li> <li>• Consumer Protection Bill Passed in 2010 but has not received ascension.</li> </ul>		
Primary Consumer Protection Agencies/Organisations	Telephone	Website/ E-Mail
<b>GOVERNMENT</b> Consumer Affairs Division of the Ministry of Tourism, Industry & Commerce	(592) 226-6996	
<b>NON-GOVERNMENT</b> Guyana Consumer Organisation (GCA) Consumer Advisory Bureau (CAB) Guyana Consumer Movement (CMoG)	(592) 226-3090	
<b>HAITI</b>		
Primary Consumer Protection Laws		
<ul style="list-style-type: none"> <li>• Article 19 – Haitian Constitution and Penal Code</li> <li>• Commerce Code 1968</li> <li>• Weights and Measures law</li> <li>• Civil Code 1987 (Sales of good obligations)</li> <li>• Hygiene code 1954</li> </ul>		
Primary Consumer Protection Agencies/Organisations	Telephone	Website/ E-Mail
Division of Commerce at the Ministry of Trade and Industry 8 Legitime Street, Port-au-Prince, Haïti	(509) 223-5630/ 222-2565	dcqpc_mci@yahoo.fr
Association Haitienne de Management de la Qualite (AHMAQ)		ahmaqhaiti@yahoo.fr
<b>JAMAICA</b>		
Primary Consumer Protection Laws		
<ul style="list-style-type: none"> <li>• Consumer Protection Act (2005)</li> <li>• Hire Purchase Act</li> <li>• Electronic Transactions Act (2006)</li> </ul>		

Primary Consumer Protection Agencies/ Organisations	Telephone	Website/ E-Mail
<b>GOVERNMENT</b> Consumer Affairs Commission (CAC), Ministry of Industry, Investment and Commerce	(876)978-4998 /5309; 927 - 4518 /8358	consumeraffairsjamaica.gov.jm cacjam@infochan.com
<b>NON-GOVERNMENT</b> National Consumers' League (NCL)	(876) 926-5545	natcomle@n5.com.jm http://www.mct.gov.jm/national_ cons_league.htm
<b>MONTSERAT</b>		
Primary Consumer Protection Laws		
<ul style="list-style-type: none"> <li>• Distribution and Price of Goods Ordinance (1982)</li> <li>• Weights and Measures Act</li> <li>• Sale of Goods Act</li> <li>• Price and Distribution of Goods Act</li> <li>• Food Hygiene Regulations</li> </ul>		
Primary Consumer Protection Agencies/Organisations	Telephone	Website/ E-Mail
<b>GOVERNMENT</b> Price Control Division Trade Department Ministry of Agriculture, Trade, lands, Housing and the Environment	(664) 491-2075 (664) 491-2546 (664) 491-2066/2557	ocm@gov.ms or Devunit@gov.ms
<b>NON-GOVERNMENT</b> Montserrat National Consumer Association	(664) 491-3876 (664) 491-8115 (664) 492-1725	msjflowers@candw.ms
<b>ST KITTS AND NEVIS</b>		
Primary Consumer Protection Laws		
<ul style="list-style-type: none"> <li>• Sale of Goods Act (1949)</li> <li>• Consumer Protection Act (Act is to be brought into force)</li> <li>• Distribution of Goods and Price Control Act (1968)</li> </ul>		
Primary Consumer Protection Agencies/Organisations	Telephone	Website/ E-Mail
<b>GOVERNMENT</b> Ministry of Industry, Commerce and Consumer Affairs	(869) 467-1617	pqueueley@yahoo.com
Department of Consumer Affairs	(869) 467-1547	
<b>SAINT LUCIA</b>		
Primary Consumer Protection Laws		
<ul style="list-style-type: none"> <li>• Consumer Credit Act No. 29 (2006)</li> <li>• Public Health Food Regulations Act 1980, revised 2003</li> <li>• Telecommunications Act 2000</li> <li>• Banking Act 1991</li> <li>• Public Health Act 1975, revised 2001</li> <li>• Water and Sewerage Act 2005</li> <li>• Metrology Act No. 17 2000</li> </ul>		
Primary Consumer Protection Agencies/Organisations	Telephone	Website/ E-Mail
<b>GOVERNMENT</b> Ministry of Commerce, Investment and Consumer Affairs Consumer Affairs Department	758) 452-3141 (758) 468-4224	www.commerce.gov.lc consumeraffairs@candw.lc
<b>NON-GOVERNMENT</b> National Consumers' Association	(758) 468-3184	antoinea@candw.lc
<b>ST. VINCENT AND THE GRENADINES</b>		
Primary Consumer Protection Laws		
<ul style="list-style-type: none"> <li>• Food Vendors and Establishments Regulations 1957</li> <li>Public Health Act 1977</li> <li>• Standards Act 2001</li> <li>• Weights and Measures Act 2003</li> <li>• Price and Distribution of Goods Act 1975 (revised 1990)</li> <li>• Sale of Goods Act</li> <li>• Telecommunications Act 2001</li> <li>• Pharmacy Act</li> </ul>		

Primary Consumer Protection Agencies/Organisations	Telephone	Website/ E-Mail
GOVERNMENT Ministry of Foreign Affairs, Commerce & Trade Consumer Affairs Unit	(784) 456-2442	
NON- GOVERNMENT National Consumer Association	(784) 524-6886/456-2243	insteadinc@gmail.com/ juniorbacchus@yahoo.com
<b>SURINAME</b>		
Primary Consumer Protection Laws		
• Decree E-47 [Price Control Law]		
Primary Consumer Protection Agencies/Organisations	Telephone	Website/ E-Mail
GOVERNMENT Ministry of Trade and Industry; Department of Market Control	(597) 434294	
NON- GOVERNMENT Consumenten Kring	(597) 885-1462 (597) 030-5313	http://www.consumentenkring.com consumentenkr@yahoo.com
<b>TRINIDAD AND TOBAGO</b>		
Primary Consumer Protection Laws		
<ul style="list-style-type: none"> <li>• Consumer Protection and Safety Act (1985; amended 1998)</li> <li>• Hire Purchase Act (1957 amended 1979, 1982 &amp; 1985)</li> <li>• Standards Act (1997)</li> <li>• Sale of Goods (Amendment) Act (1983)</li> <li>• Unfair Contract Terms Act (1985)</li> </ul>		
Primary Consumer Protection Agencies/Organisations	Telephone	Website/ E-Mail
GOVERNMENT Ministry of Legal Affairs: Consumer Affairs Division (CAD)	(868)623-7741/3821 (868) 625-5829 (868) 627-2419	www.consumer.gov.tt consumer@consumer.gov.tt
Legal Aid Advisory Authority	(868) 625-0454/3215	www.legalaid.org.tt
Trinidad and Tobago Bureau of Standards	(868) 662-8827	www.ttbs.org.tt ttbs@ttbs.org.tt