

SECTION

9

CONSUMER RIGHTS,
PROTECTION AND
RESPONSIBILITIES



PRODUCTION, EXCHANGE AND CREATIVITY

Consumer Rights, Protection and Responsibilities

INTRODUCTION

In this section we are going to look at consumer rights, the importance of these rights and how we can claim these rights. All over the world, companies are producing goods or providing services for human use and it is a force for these producers to provide information such as date of manufacturing, expiring, the items used for the product, how to use it, who to use it and the effects of using those products. This makes consumer rights a fundamental human right which the state has to promote, protect and safeguard through the making of laws and its enforcement.

In Ghana, consumer protection is very weak because most consumers do not even know they have rights while those who do, do not check vital information like expiry date. Unfortunately, in Ghana, when a consumer walks into a shop to buy an item and takes it home and changes his or her mind, that consumer will not be able to return it because the shop has clearly written 'Goods sold are not returnable'. Because of this situation, customers are not able to return goods bought or cancel services after signing the contract. This has made our marketplaces and shops filled with inferior goods which are causing destruction to lives and properties. Hence, there is the need to address this problem by learning this sub-strand to promote consumer safety in the country.

At the end of this section, you will be able to:

- Examine the types and relevance of consumer rights.
- Discuss the meaning and importance of consumer protection and how the consumer can be protected in Ghana.

Key Ideas:

- All consumers have certain rights.
- These rights are meant to protect the interest of consumers.
- The rights include: the right to safety, information, redress and to choose.
- Consumer protection is a measure and a regulation put in place to safeguard the rights and interests of consumers.
- Consumer protection is made up of laws that ensure that, consumers are treated fairly.

- Consumer protection laws exist to prevent dangerous or unethical business practices, such as false advertising or faulty products.
- They play an important role in a reliable market economy, helping to keep sellers honest, with no threat of unpleasant surprises.

TYPES AND RELEVANCE OF CONSUMER RIGHTS

Meaning of Consumer and Consumer Rights

Have you ever been sent by someone to buy something from the market or supermarket and when you brought the item it was not good or has expired? What did you do? Again, imagine going to a store to buy a calculator and when you got home, the calculator did not work. What will you do? Certainly, you will go back and change the calculator. That is what *consumer rights* are all about. However, before we explain we have to first explain who a consumer is.

A consumer is a person who buys or uses goods and services to satisfy his or her needs and wants. This includes everyday activities like buying food, clothing, toys, or even using services like going to the doctor or riding the bus etc.

As a consumer, you have the freedom to make choices about what you want to buy and use. For instance, when you select your preferred cereal from the supermarket shelf, you are actively exercising your rights as a consumer.

Consumer rights are a set of rules and guidelines planned to protect individuals when they buy or use goods and services. These rights ensure that when you buy something, like a toy, a book, or a food, it should be safe, of good quality, and purpose as expected. Consumer rights also include the ability to return faulty items, obtain refunds, and seek compensation if a product does not meet the expected standards.

Types of Consumer Rights

There are so many rights consumers have and knowing them will help you make good choices when shopping. This will ensure that businesses do the right thing. Let's explore some of these rights so you can be a more informed and confident consumer. They include:

1. The Right to Safety

These right states that, consumers have the right to be protected from products that might be harmful. This means that products like food and appliances like television, phones, fridges iron should be safe to use. This includes clear instructions for safe use and warnings about any likely dangers of something which is not safe. You have the right to speak up!

Case Study: The Food and Drugs Authority (FDA) of Ghana

The FDA is a government agency in Ghana. Its main job is to make sure that the food we eat and the medicines we take are safe. They check products to ensure they are not harmful and that they work as they should. The FDA checks that food sold in Ghana is safe and healthy to eat. They make sure that medicines are safe and effective for people to use. Before a new food, drug, or cosmetic can be sold in Ghana, the FDA must approve it. They check to make sure it is safe.

The FDA visits factories, shops, and pharmacies to inspect products. They make sure that these places follow all the rules to keep products safe. The FDA also teaches people about the importance of safe food and drugs. They run campaigns to help people understand how to use medicines correctly and how to avoid fake or expired products.

If there is a problem with a product, like if people get sick from eating something, the FDA investigates. They can remove dangerous products from stores to protect everyone.

The FDA helps protect our health by making sure the food we eat and the medicines we take are safe. They prevent harmful products from reaching us, which keeps us from getting sick. They also help people learn how to stay safe by using products the right way.

These notes should give a good overview of the role of the FDA in Ghana, simplified for younger learners.



Fig. 9.1: A picture showing consumer safety and FDA officials destroying expired goods.

2. Right to Choose

You have the right to choose from a variety of products and services available in the market. This means you can carefully compare different choices and select the one that best meets your needs and preferences. Whether it is choosing a phone, a snack, or a book, you have the freedom to make your own decisions without feeling rushed or influenced by others.

3. The Right to Redress

This right says that, if a consumer buys something and that thing is faulty or does not work as it should, the consumer has the right to a refund, replacement, or repair. Usually, the shop or company have a period where this refund, replacement or repair can occur, and it is called warranty.

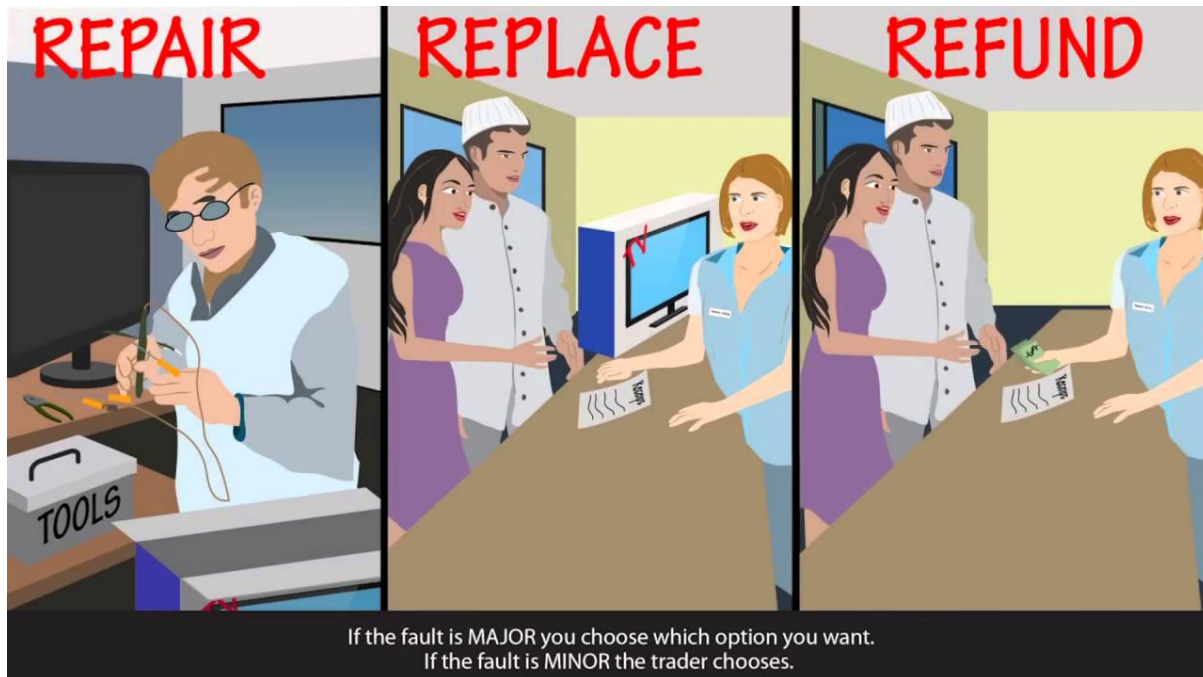


Fig. 9.2: A poster showing the three forms of redress

4. The Right to Be Heard

If you have a problem with a product or service, you have the right to voice your concerns. This means you can complain if something is wrong, and companies should listen and try to fix the issue.

5. The Right to Be Informed

You have the right to know what you are buying. This includes understanding what's in a product, how it works, and if there are any risks. For example, food packaging should tell you the ingredients and the expiration date. This helps the consumer to get the right information about the quality, quantity, purity, standard and price of goods or service so as to protect himself or herself against the abusive and unfair practices.



Fig. 9.3: Customers shopping

6. Right to Privacy

Consumers have the right to keep their personal information safe when they buy things or use services. Companies must follow rules to protect your data and make sure no one uses or shares it without permission.

7. Right to Fair Treatment

Consumers have the right to be treated fairly, no matter who they are or where they come from. This means you should be protected from unfair practices like being tricked, facing unfair rules, or being forced to buy something. Companies should always be honest and treat everyone with respect.

8. The Right to Consumer Education

As a consumer, you have the right to learn about your rights and responsibilities. This helps you make choices when buying things and ensures you know how to protect yourself.

9. The Right to a Healthy Environment

Consumers have the right to live and work in a healthy and safe environment. This means companies should not pollute the air, water, or land, and they should make sure their products are environmentally friendly.

These rights are important because they help protect you and ensure that businesses treat you fairly when you buy their products or services. We believe strongly you are going to insist on your rights when buying from a shop or a market.



Fig. 9.4: An image showing the types of Consumer Rights

Activity 9.1

Atsu was excited to buy a new remote-control car. He had saved up his allowance for weeks and finally had enough money to buy the one he wanted. He and his mum went to the toy store, and Atsu carefully picked out the car. It was blue with shiny wheels, just like he had imagined. When they got home, Atsu could not wait to try out the new toy but when he took the car out of the box, he noticed something was wrong. The car did not have a remote control, and one of the wheels was broken.

They went back to the toy store and explained the problem to the store manager. The manager listened carefully and said, “Atsu, you are right! When you buy something, you should get what you paid for. Since this car is broken, you can choose a new one, or we can give you your money back” Atsu was relieved and decided to pick out a new car. This time, he checked the box carefully before leaving the store.

1. Why did Atsu go back to the store?
2. What type of consumer right Atsu has exercised?
3. What lessons have you learnt from Atsu’s story?

MEANING, IMPORTANCE OF CONSUMER PROTECTION AND HOW THE CONSUMER CAN BE PROTECTED IN GHANA.

Importance of Consumer Rights

Dear learner, consumer rights are important because they help make sure that buying and selling things is fair and honest. They protect people from being cheated or sold unsafe products. Here are some more reasons why consumer rights are important:

1. Protecting Helpless People

Consumer rights help protect people who might have a harder time in the marketplace, like children, older adults, people with disabilities, or those who don't know much about money. These rights make sure everyone is treated fairly and can get the things they need.

2. Empowering Consumers

Consumer rights give people the power to make smart choices about what they buy. They ensure people get correct information, are treated fairly, and can complain if something goes wrong. This helps people stand up for themselves and make sure businesses do the right thing.

3. Keeping us Safe and Healthy

Consumer rights help protect our health and safety by making sure products and services are safe to use. Laws and rules make sure that products meet certain safety standards so that we aren't harmed by unsafe products, false advertisements, or

4. Building Confidence in the Market

When consumer rights are respected, people feel safer and more confident when buying things. This trust helps create good relationships between consumers and businesses. When people feel protected and valued, they are more likely to spend money, which helps the economy grow.

5. Social Responsibility:

Businesses have a responsibility to care about their customers. By respecting consumer rights, companies show that they are decent and responsible. This helps them build strong relationships with customers and a good reputation.

6. Fair Treatment:

Consumer rights ensure that businesses treat us fairly. They protect us from being cheated, tricked, or charged unfair prices. For example, these rights stop companies from lying in their ads or selling fake products.

7. Encouraging Better Products:

When businesses know that consumers have rights, they work harder to create better products and services. This competition leads to better choices for us, with higher quality and lower prices.

8. Building Trust:

Consumer rights help build trust between people and businesses. When we know we are protected, we feel more confident buying things. This trust helps the economy grow because people are more willing to spend money.

Activity 9.2

Imagine you are shopping online for a new smartphone. You find a website offering a popular phone model at a much lower price than other stores. The website claims the phone is brand new and offers free shipping. However, when the phone arrives, you notice that it doesn't work properly, and the packaging looks different from what you expected.

1. Which consumer rights might have been violated in this scenario? Explain your reasoning.
2. What steps could you take to protect yourself and address the situation?
3. Who could you contact or what actions could you take to resolve the issue?
4. How do consumer rights protect other people from similar situation?
5. What responsibility does the business have in this situation?

MEANING OF CONSUMER PROTECTION

So far, we have looked at consumer rights its importance to the customer. However, the consumer is weak if a body or a law is not there to protect the consumer to enjoy these rights. This leads us to the next sub-strand called consumer protection.

Consumer protection is all about making sure that when you buy something, you get what you paid for and that it's safe to use. For example, imagine you bought a new video game, but when you got home, the game did not work. Consumer protection laws are there to help you in situations like this. These laws make sure companies are honest about what they sell, that products are safe, and that you can return or exchange something if there's a problem. So, consumer protection helps keep people safe and makes sure businesses treat customers fairly.

Importance of Consumer Protection

Consumer protection is important for several reasons. Below are some of them.

1. Ensuring Fair Treatment

Consumer protection laws make sure that businesses treat people fairly. This means no tricking customers with fake ads, unfair contracts, or pushy sales tactics. By ensuring fairness, both customers and businesses can trust each other.

2. Providing Access to Information

These laws require businesses to give clear and honest information about their products and services. This includes things like labels, prices, and safety details. When consumers have the right information, they can make better decisions and avoid being tricked.

3. Preventing Fraud and Deception

Consumer protection helps stop businesses from lying, cheating, or using unfair tricks. For example, it prevents businesses from using false ads, charging too much during emergencies, or selling fake products. These build trust in the marketplace.

4. Safeguarding Public Health and Safety

Consumer protection laws make sure that products are safe to use. This includes rules about food safety, product labels, and environmental standards. These laws protect people from dangerous products, harmful chemicals, or pollution.

5. Redressing Consumer Complaints

When consumers have problems with businesses, consumer protection gives them ways to complain and seek help. This can include contacting consumer rights agencies, using dispute resolution services, or taking legal action. This helps consumers stand up for their rights and ensures businesses are held responsible for their actions.

6. Promoting Economic Stability

When consumers feel safe and protected, they are more likely to buy products and services. This helps the economy grow by reducing uncertainty and maintaining trust in the marketplace.

Activity 9.3

1. List two reasons why consumer rights are important.
2. How do consumer rights help in promoting a fair and competitive marketplace?
3. What could happen if consumers are not aware of their rights?

How Can Consumers Be Protected in Ghana?

In Ghana, consumers are protected by various laws, regulations, and organisations to ensure that they receive fair treatment and high-quality goods and services. Here are some key aspects of consumer protection in Ghana:

1. Consumer Protection Act (Act 850)

The Consumer Protection Act provides a framework that outlines the rights of consumers and the responsibilities of businesses. It includes the right to safety, the right to be informed, the right to choose, and the right to be heard. If consumers are

treated unfairly, they can seek redress through legal channels, such as complaints to the relevant authorities or even taking legal action.

2. Food and Drugs Authority (FDA)

The FDA is responsible for ensuring that food, drugs, cosmetics, and other products meet safety standards before they are sold. They monitor the market and can recall unsafe products. The FDA also educates consumers about their rights and how to identify safe products.



FDA cautions public on adulterated palm oil containing hazardous ‘Sudan Four dye’

Fig. 9.5: An example of the FDA warning the public on poisonous oil.

3. Ghana Standards Authority (GSA)

The GSA ensures that products sold in Ghana meet specific standards. They inspect and test products to protect consumers from substandard goods. Products that meet GSA standards receive certification, which helps consumers identify safe and quality goods.



Fig. 9.6: A picture of the GSA Head Office

4. Competition and Fair -Trading Commission

This commission ensures that businesses compete fairly, preventing controls or unfair practices that could harm consumers. They monitor the market to prevent price-fixing, false advertising, and other unfair practices.

5. Consumer Protection Agencies

There are several consumer protection agencies and non-governmental organisations (NGOs) in Ghana that advocate for consumer rights and assist consumers in resolving disputes. These organisations also provide education and awareness campaigns to help consumers understand their rights and how to protect themselves.

6. Consumer Complaints and Redress

Consumers can file complaints with relevant agencies, such as the Consumer Protection Agency, if they feel their rights have been violated. If necessary, consumers can take legal action against businesses that fail to comply with consumer protection laws.

7. Advertising Standards

Laws in Ghana require that advertisements be truthful and not misleading. The Advertising Standards Board monitors advertisements to ensure they comply with these standards.

8. Bank of Ghana (BOG)

The Bank of Ghana oversees financial services in Ghana, including banks and microfinance institutions. They make sure these institutions operate properly and protect consumers from fraud and unfair practices.

These organisations work together to keep the market safe and fair for everyone in Ghana.

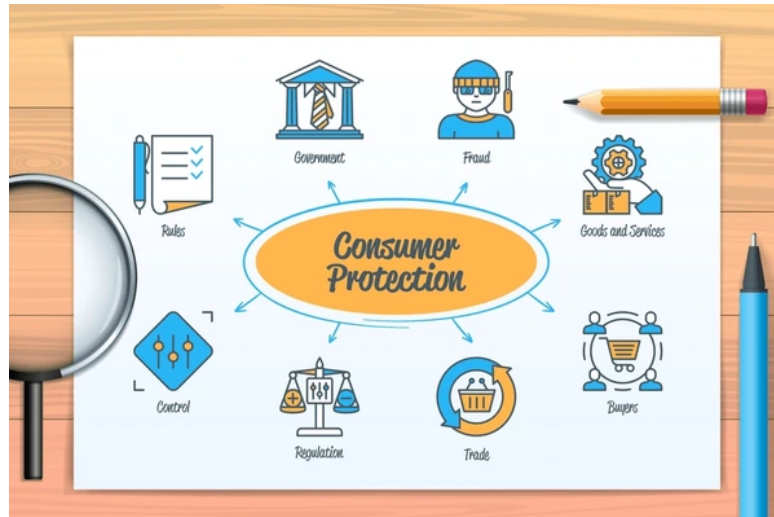


Fig. 9.7: A picture showing the Consumer Protection.

Activity 9.4

1. Sarah buys a pack of biscuits that claims to be made with “100% natural ingredients.” However, after reading the ingredients list, she finds several artificial additives. What actions can Sarah take if she believes the packaging is misleading?
2. In groups, debate the following statement: ‘Increased consumer rights prevent Ghana’s economy from growing.’

Consumer rights are important for the economy	Consumer rights can harm the economy
My conclusions:	

3. Research task: how have consumer rights increased safety in Ghana? Find an example of a specific case study or project.

Review Questions

1. Which of the following organisations in Ghana ensures that food and drugs meet safety standards?
 - a. Ghana Standards Authority (GSA)
 - b. Food and Drugs Authority (FDA)
 - c. Competition and Fair-Trading Commission
 - d. Consumer Protection Agency
2. What does the Consumer Protection Act in Ghana aim to do?
 - a. Increase product prices
 - b. Protect businesses from competition
 - c. Ensure consumers receive fair treatment
 - d. Reduce the quality of goods
3. If a product is substandard, which organisation would most likely take action?
 - a. Food and Drugs Authority (FDA)
 - b. Consumer Protection Agency
 - c. Ghana Standards Authority (GSA)
 - d. Competition and Fair -Trading Commission
4. Which of the following is a right of consumers in Ghana?
 - a. The right to increase prices
 - b. The right to be informed
 - c. The right to mislead others
 - d. The right to refuse payment
5. Who can consumers in Ghana contact if they have a complaint about a product or service?
 - a. The police
 - b. A bank
 - c. Consumer Protection Agency
 - d. Their school
6. Kwame bought a new toy from a local shop. When he got home, He noticed that the toy has sharp edges and could be dangerous to play with. He also saw that the packaging doesn't have any safety warnings. What should Kwame do to ensure his safety and that of other children who might buy the same toy?

7. A new electronic gadget is being sold in Ghana, but some customers complain that it breaks easily after a few days of use. The company that makes the gadget refuses to offer refunds or repairs. How can consumers seek redress in this situation?
8. Explain the importance of the Consumer Protection Act in Ghana.

References

1. Jacobs, W., Stoop, P. N., & Van Niekerk, R. (2010). Fundamental consumer rights under the Consumer Protection Act 68 of 2008: A critical overview and analysis. *Potchefstroom Electronic Law Journal/Potchefstroomse Elektroniese Regsblad*, 13(3)
2. Jackson, H. E., & Rothstein, P. (2019). The Analysis of Benefits in Consumer Protection Regulations. *Harv. Bus. L. Rev.*, 9, 19 [SciHub - Using Copyrighted and Library Content - Research Guides at Kansas State University \(k-state.edu\)](#)
3. Van Loo, Rory (1 November 2019). [“Broadening Consumer Law: Competition, Protection, and Distribution”](#). *Notre Dame Law Review*. 95 (1): 211.

Extended Reading

Click on these links below to learn more about

- [The Eight Consumer Basic Rights - Consumer Affairs Council \(gov. mt\)](#)
- <https://www.consumercouncil.org.uk/consumers/help-consumers/your-consumer-rights>
- https://en.wikipedia.org/wiki/Consumer_Rights_Act_2015
- Metro Television “Kapito Show” Wednesdays 8:pm

Glossary

- Misleading:** Giving the wrong idea or impression and likely to lead someone into error.
- Framework:** A basic structure underlying a system, concept, or text.
- Faulty:** Not working or made correctly; having defects.
- Compensation:** Something, typically money, awarded to someone in recognition of loss, suffering, or injury.
- Standards:** An accepted or approved example of something against which others are judged or measured.
- Expiration:** The ending of the fixed period for which a contract, agreement, or offer is valid.
- Tricked:** Deceived or duped, often by being deliberately misled.
- Redress:** Remedy or set right (an undesirable or unfair situation).
- Uncertainty:** The state of being unsure or not having complete knowledge.
- Advertisement:** A notice or announcement in a public medium promoting a product, service, or event.

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