

Consumer Rights and Responsibilities

Consumers have been identified and are recognized world-wide as drivers of the economy and are influential in developing markets. In telecommunications markets, consumers are vital to the operators, the government and society in general to drive the economy and provide revenue in return for services offered. Hence, there is a critical need for them to be educated, empowered, aware and protected, as stipulated in Part 8 of the 2009 Telecommunications Radiocommunications and Broadcasting Regulator Act No. 30 of 2009 (the Act) as amended by Amendment 22 of 2018.

To begin with, and assist you, let us define and tell you what the word 'consume' means. Generally, 'to consume' can be defined as either, eat, drink, or ingest (food or drink); buy (goods or services); use (resources), or reduce through a process (matter) such as burning. Put simply, a person who buys and uses goods and services is referred to as a consumer. Collectively, a mass of people who use goods and services are called consumers.

Consumers referred to in this Fact Sheet denote citizens who utilize telecommunication services. The Act defines them as "end user", "a person who is the ultimate recipient of a telecommunications service..."

Currently, in Vanuatu, there is little public documentation which defines the rights and responsibilities or roles of consumers. Although safeguards are being developed, and some are in place, there is a lack of comprehensive and cohesive laws and regulations developed to protect consumers from unscrupulous marketing practices they may be faced with. However, Vanuatu citizens, being part of the global community, and Vanuatu being a member of the United Nations, can draw from the eight basic human rights and five consumer roles summarized concisely below by the organization Consumer International:

1. The right to satisfaction of basic needs - To have access to basic, essential goods and services: adequate food, clothing, shelter, health care, education, public utilities, water and sanitation.
 2. The right to safety - To be protected against products, production processes and services that are hazardous to health or life.
 3. The right to be informed - To be given the facts needed to make an informed choice, and to be protected against dishonest or misleading advertising and labelling.
 4. The right to choose - To be able to select from a range of products and services, offered at competitive prices with an assurance of satisfactory quality.
 5. The right to be heard - To have consumer interests represented in the making and execution of government policy, and in the development of products and services.
 6. The right to redress - To receive a fair settlement of just claims, including compensation for misrepresentation, shoddy goods or unsatisfactory services.
 7. The right to consumer education - To acquire knowledge and skills needed to make informed, confident choices about goods and services, while being aware of basic consumer rights and responsibilities and how to act on them.
 8. The right to a healthy environment - To live and work in an environment that is non-threatening to the well-being of present and future generations.
- These rights are important, vital and are a critical need for consumers, and these are also applicable in respect of telecommunications services.



Equally important to consumer rights, are consumer responsibilities. Consumers must take necessary steps to become educated, empowered, aware and protected and TRBR has a key role in promoting this and assisting their awareness and these needs.

Critical awareness

Consumers must be aware of the need to be more questioning about the provision and the quality of goods and services being offered – as well as of all terms and conditions.

Involvement or action

Consumers must assert themselves and act responsibly and appropriately to ensure that they get a fair, reasonable, appropriate and well understood deal.

Social responsibility

Consumers must act with social responsibility and conscience, with concern and sensitivity on the impact of their actions on other citizens, service providers, the community and Government; including particularly, in relation to those disadvantaged groups in the community and in relation to the economic and social realities prevailing.

Ecological responsibility

There must be a heightened sensitivity to and awareness of the impact of consumer decisions on the physical environment, which must be developed in a harmonious way, to promote conservation as one of the most critical factors in improving the real quality of life for the present and future societies and citizens.

Solidarity

One of the best and most effective actions that can be taken by consumers is through cooperative efforts – solidarity! This can be through the formation of consumer/citizen groups who, together and collectively, can have strength and influence to ensure that adequate attention and outcomes are given to the consumer interests, needs, and desires.

Linking this knowledge and understanding, consumers of the Telecommunications / ICT industry have a key role to play towards their self- protection from fraudulent, unfair practices, high billing and rates of services, unclear terms of services, unsecured personal information, unsecured privacy, disclosure of private and confidential information. They can do this through expressing their dissatisfaction and complaints to their service provider(s) and, where appropriate, to TRBR for awareness and or resolution.

Be a smart consumer, know your rights, be responsible for all your words and actions, ask questions and more questions and stay protected.

