

Consumer Rights in Jamaica

Consumer Protection is principally upheld through the enactment of the Consumer Protection Act, 2015, designed to shield consumers from unjust or deceptive practices in advertising and commerce. This legislation extends its coverage to all individuals engaged in trade or business, encompassing the buying and selling of goods or services.

In the context of this law:

1. **Goods refer to:**

- a. Any person acquiring or intending to acquire goods for personal use or consumption.
- b. Commercial entities purchasing consumer goods.

2. **Services or facilities encompass:**

- Any person employing or seeking services or facilities.

3. **Accommodation includes:**

- Any person aspiring to occupy accommodation.

The term "Goods" encompasses various forms of property but excludes real property, securities, money, or choses in action. The Consumer Protection Act enumerates the rights bestowed upon consumers, including:

1. The right to receive information about the goods being sold, presented in the English language. This information must cover origin, price in Jamaican currency, care instructions, terms, components, proper use, weight, size, assembly and installation instructions, and any applicable professional fees. In case of non-compliance, the provider is liable for damages attributable to the consumer's lack of information, irrespective of warranty terms.
2. The right to verify weight, volume, or other measurements if they significantly impact the goods' price.
3. The right to a receipt detailing:
 - a. Amount paid by the consumer.
 - b. Date of purchase.
 - c. Description of the goods or services.
 - d. Professional fees, where applicable.
4. Providers must issue explicit warranties related to goods or services, specifying whether the goods are new or used. Implied warranties may be imposed in the absence of explicit ones, subject to standard warranty provisions.

Consumers have entitlements to remedies in specific situations, such as the right to have defective goods repaired or returned, with the possibility of refunds instead of store credits. Failure to comply with these obligations may result in criminal sanctions for the provider if found guilty.

The Consumer Affairs Commission oversees and investigates consumer complaints related to potential contraventions of the Act in the sale of goods or provision of services. Disputes may be settled through mediation or, if unresolved, taken to the courts or the Consumer Protection Tribunal at the discretion of the parties involved