

HOW YOUR RIGHTS

a non-existent price of any merchandise, outlawed. The Board of certain other agencies enforce these changes at Britain. From these foundations, the British government passed the Consumer Protection Bill, nicknamed "Housewives' Charter" aimed at bringing to the malpractices of the few unjustly impugn the name of the whole business.

British government also led a governmental department which would act in the name of consumers. The Consumers Council, as it was called, continued for seven years to campaign on issues of great importance to the consumer. One of its major accomplishments was to introduce a star system of rating goods, thus creating order in the chaotic system which used to be known as "economy" to rate gasolines. Eventually, the British government withdrew its support of the Consumers Council in March, 1971.

Canada is the only country in the world which has a distinct government department with "consumer" in its title. The Canadian Department of Consumer and Corporate Affairs is respected and envied by consumer organizations all over the world. It was in the latter part of the 1960s that the Department had its beginnings.

Last year, the Committee of the Senate and House of Commons, jointly chaired by David Croll and Ronald M.P., noted that the responsibility in the consumer

field was spread over several Departments, and it recommended a co-ordinated approach to give consumers a stronger voice in government and a greater influence in the marketplace, as well as to achieve greater administrative efficiency. A year later, legislation was passed by Parliament giving the Department of the Registrar General the added responsibilities of consumer affairs and corporate securities. The name of the Department was changed to Dept. of Consumer and Corporate Affairs to reflect more clearly the nature of its new assignment.

In July, 1968, the Prime Minister announced that several consumer-oriented functions of other departments had been transferred to the Dept. of Consumer & Corporate Affairs. The Dept. of Trade transferred its Standards Branch to the new Dept., and the Dept. of National Health and Welfare transferred certain of its functions that related to the sale of foods. As well, the Dept. received the retail inspection functions of the Departments of Agriculture and Environment. On November 1, 1968, all the functions of the new department were grouped together under a Bureau of Consumer Affairs in the Department of Consumer and Corporate Affairs.

The Department's programs to carry out its functions come under three headings: (1) Consumer Protection, (2) The Orderly Conduct of Business and (3) Competition Policy. Under the first heading, the Department attempts to convey information to consumers concerning grades and standards used in the description of products, as well as conveying

to the consumer certain ideas which will enable him to make the best choice according to his means and requirements.

The Department also tries to improve the lines of communication between buyers and sellers so as to make consumers' complaints more effective. The Consumer, Box 99, Ottawa, is a mailing address of the Dept. which serves to attract consumer complaints in order that they may be drawn to the attention of the manufacturers or suppliers involved. Box 99 acts as a direct line of communication between the Dept. and the public, and it helps to show the Dept. where there are classes of problems which may require remedial action.

The Department, in pursuance of its Consumer Protection program, also conducts research and periodic inspections in order to protect the public, including the business community, by ensuring that goods on sale comply with federal standards, and that the weights and measures used are accurate.

Under the second heading, The Orderly Conduct of Business, the Dept. of Consumer and Corporate Affairs acts to provide facilities for incorporation through the Canada Corporations Act. The Dept. also acts to ensure that investors are not defrauded, that shareholders and prospective investors are fully informed about the affairs of the corporation, and that shareholders are provided with proper means to exert their influence on the operations of the corporation, including any changes in corporate structure. The Dept. also regulates securities, issues patents, and administers bankruptcy laws.

The Dept., under the third heading of Competition Policy, acts to ensure that competition exists in the market consistent with the government's overall economic objectives. It acts to enforce the anti-combines law, and also has the function of ensuring that economic policies are not adopted by the government without taking into account the necessity of maintaining a freely-competitive market system.

The local branch of the Department of Consumer and Corporate Affairs is situated at 51 Regent Street in downtown Fredericton. It receives complaints from residents mostly by telephone, although some people do take the time to write to or drop into the office. The most common complaints handled by the office, according to Regina Kearsay, the region's Complaints & Inquiries Officer, are basically quality-related problems.

"This tends to fluctuate," she stated in an interview, "almost from month to month. As winter approaches and it gets colder, we get complaints about mobile homes. In August and September with school starting, we receive complaints about school supplies and school clothes for the kids, especially the costs."

"We receive complaints about quality for practically every subject area," she continued. "Furniture, appliances, electrical products, stereos, and automobiles are common sources of

complaints," she said, "but right now one of the major bones of contention is food prices."

Another major source of difficulty for consumers cited by Mrs. Kearsay was automobiles.

"The great difficulty with automobiles," she said, "is in getting replacement parts for them. Furniture presents its problems as well—although most warranties guarantee the frame of a piece of furniture, the fabric is not covered."

Complaints are most often telephoned to the office where the secretary obtains all the pertinent information from the complainant. If she decides that the complaint comes under provincial jurisdiction, she will refer the complainant to the provincial Consumer Bureau, and let the regional headquarters in Halifax know that the complaint has been referred. The provincial Consumer Bureau sends a notice to Halifax to tell them what has been done with the case for future reference and information.

However, if the complaint does not fall under provincial jurisdiction, it is written up with all the pertinent information and forwarded to Halifax. Halifax sends a notice of acknowledgement to the complainant, and decides what action to take. Sometimes the HQ requires further information from the complainant, and it gets in contact with him to see if he can supply more details, or more proof, such as warranties, specimens of shoddy goods, or correspondence between himself and the manufacturer or retailer of the particular good. If the matter is urgent, Halifax calls direct to the complainant to discuss the matter with him.

If the regional office feels that the complaint has merit, it writes a letter to the business or company involved, explaining to them the facts as they see it, and politely asking the company to do what it can to rectify the situation. It depends on the co-operation of the business, and the only power it exercises is that of moral suasion. If the first letter fails, the regional office refers back to the complainant for additional information, and sends another letter. In all cases, the Department attempts to act as a mediator between the consumer and the vendor.

However, where the offending company has been found to be in violation of one of several statutes, certain officers of the company are empowered to prosecute the company under the terms of the law broken by the company. The Dept. has its own branch of inspectors who watch for infringements of the law, and, says Mrs. Kearsay, this branch is actually larger than the Complaints and Inquiries Branch which is most often in public view. Some of the acts the Dept. may act under are: the Combines Investigation Act, Timber Marking Act, Pension Fund Societies Act, and the Hazardous Products Act. There are 21 such acts administered by the Dept.

Perhaps the biggest misconception concerning the function of the Department of Consumer and Corporate Affairs is that it hands

Continued to page 16

