ROLE OF GOVERNMENT ON CONSUMER PROTECTION IN NIGERIA

Abasilim Angela Nneka
Federal University of Technology, Akure
Email: anabasilim@futa.edu.ng+234-803-378-6414

Abstract
The purpose of this study was to examine the effectiveness of government agencies in protecting the Nigerian consumers in the process of selection, acquisition, and consumption of goods and services. The study used the Standard Organization of Nigeria (SON) as case study. Primary and secondary data were used for the study. A questionnaire comprising of 5 questions was the instrument for primary data collection. The secondary data was collected from the periodic news release of the Agency. The sample of the study was drawn from the workers of the agency. Descriptive statistics such as frequency distribution and percentages were used to highlight and analyse the variables. The findings revealed that the Agency is competent and effective in most of its programmes but not very effective in some others. From the findings, the study concludes that for the Agency to be very effective in protecting the Nigerian consumers, it needs to beef up effort in some areas of their programmes.

Keywords: Consumer, Protection, Effectiveness, Government

Introduction
Consumers face a lot of problems in making their buying decisions as regards the product quality and performance (Ekanem, 2011). In the face of global economic difficulties, especially the recent challenges facing the Nigerian naira from 2014 to date in 2016, the Nigerian consumers cannot afford to spend hard earned money on products and services that do not give value for their money. It has been observed that consumers all over the world, but especially in developing countries, have been known to be victims of both producers and sellers in the market place (Monye, 2005). This victimization is mostly noted in the area of product quality, price and promotion. In Nigeria, for instance, most of the products offered for sale in the market are usually of low quality, high price and sometimes even a threat to life (Umenyi, 2007). Some have been known to have actually killed consumers. Examples are the killer beans of 1998 that took the life out of daily consumers and the menace of fake drugs that manifested in 1989 when malaria infected children were treated with fake chloroquine injections and in 1996 when Trovafloxacin (Trovan), a drug manufactured by Pfizer International Incorporated, allegedly killed 11 children and injured 181 others in Kano, Nigeria (Ketefe, 2011).

Consumers in Nigeria face more hazards in the market place than their counterparts in more developed countries. Majority of Nigerians in most cases are either ignorant or poorly informed concerning their rights (Salako, 2009). They are, more often than not, ignorant of the fact that they can seek restitution in regards to product failures in both quality and performance; that they have right to warranties and guarantees of the product they buy from their producers and sellers. Contrary to this, however, what we have is a scenario whereby the average seller in the Nigerian market will include in his receipt booklet some captions like “No guarantee” or “No return of money after payment”. Ketefe (2011), in reporting a statement credited to Umenyi, the Director General of Consumer Protection Council (CPC), reported that in Nigerian airports, scheduled flights are cancelled or late without notice or explanation to consumers. In the motor parks or bus stations vehicles are overloaded and passengers treated with levy. Patients
die in the hospitals due to the carelessness and negligence of hospital staffs: fake, substandard and adulterated products abound in our markets. Therefore, the need for protecting the Nigerian consumers has never been greater than as today.

It is a widely accepted fact that the consumers need some protections because there is an imbalance in the power relations between consumers and producers of goods and services. This imbalance in power relations is exemplified by a number of factors which include consumers’ lack of knowledge of the characteristics and technical components of goods; and the greater superior power of the producers (Ketefe, 2011).

In the light of the above, the Nigerian government deemed it necessary to set up laws guiding trade practices as part of their constitution. To ensure that these laws are kept and adhered to, certain government agencies were set up to oversee the activities of both the producers and the consumers and make sure that everybody is adequately protected. In Nigeria, such government agencies include the Standard organization of Nigeria (SON) and the National Agency for Food and Drug Administration and Control (NAFDAC) and the Consumer Protection Council (CPC).

**Literature review**

A consumer is the ultimate user of a product or service; the person who derived the satisfaction or the benefit offered (Norman and Stapleton, 1981). The above definition implies that a consumer may not necessarily be the person who buys the product, but the person who actually uses up the value of the product thereby exhausting its exchangeable value. Okeafor (1995) defines a consumer as anybody who uses up a product that is produced, thereby exhausting its exchangeable value. A consumer can be seen as that person who engages in the physical activity of evaluating, acquiring, using or disposing of goods and services (Olufokunbi and Adetayo, 1998).

A consumer is that person who buys a product for the purpose of consumption because he believes that the product’s value can satisfy the needs or felt deprivation for which it is bought. The consumer as such has certain rights and claims to make if the product fails to give the desired satisfaction.

Consumer protection on the other hand is defined as the effort made either by the consumer himself, the government, and/or independent organizations to protect the consumer from the unscrupulous practices of businesses in their quest for profit. It is the organized efforts of consumers seeking redress, restitution and remedy for dissatisfaction they have accumulated in the acquisition of their standard of living (Kotler, 1997). Going further, he stated that this organized effort is called consumerist movement, which he defines as “an organized movement of citizens and government to strengthen the rights and powers of buyers in relation to sellers”. Norman and Stapleton (1981) called it “consumerism” which they defined as the movement by individuals and pressure groups designed to ensure that consumers’ interests are safeguarded.

Consumer protection, is the effort made either by the consumer himself, by government agencies or independent organizations to protect the rights of consumers to basic needs; the right to safety of the products and services; the right to be informed adequately concerning the product usage and properties; the right to choose; the right to be heard; the right to know the basic ingredients in a product; nutritional quality and value of food, the freshness of products and the true benefits of a product (Wikipedia, 2012).

**Historical background of Standard Organisation of Nigeria (SON)**
It is the duty of all Governments to protect the health and welfare of the citizens. This is essential to social development (Salako, 2009). As such, the Standard Organisation of Nigeria was established by Decree No.56 of 1971 and was vested with sole responsibility for preparing standards for products and processes and for ensuring compliance with the Federal Government’s policies on standardization and quality control of locally manufactured goods and services, imported products, as well as metrology, throughout the country (www.son.gov.ng, 2016).

The decree has under-gone three amendments since promulgation. The decree was first amended in 1976, when the Honorable Minister of Industry was conferred with the power to prescribe mandatory standards by Decree No.20 of 1976. A second amendment was effected vide decree No.32 of 1984 which changed the name of the organisation from Nigerian Standard Organisation (NSO) to the Standards Organisation of Nigeria (SON) to avoid confusing the agency with the Security Organisation with the acronym of NSO. The third amendment, decree No. 18 of 1990, excised the organisation from being an integral part of the Federal Ministry of Industry, and granted the organisation the status of a body corporate with perpetual succession and common seal, which may sue and be sued in its corporal name.

The last amendment of 1990 has had far-reaching impact on the corporate image of SON as it enhanced the status and powers of the Organisation in carrying out its statutory functions in the Industrial Sector of the National Economy. The highlights of Decree No.18 of 1990 include among other things, the provision for strict enforcement of the powers of seizure, confiscation and destruction of substandard products and the power to seal up the premises where defective products are manufactured or stored, and increasing the penalties of offending manufacturers, importers and sellers of substandard products.

The Standards Organisation of Nigeria is an active member of the African Regional Organisation for Standardisation (ARSO), Codex Alimentarius Commission, which is the Food Standardisation Organ of the United Nations Food and Agriculture Organisation (FAO) and is also a member of the International Organisation for Standardisation (ISO). The Standards Organisation of Nigeria is also an intending member of the World Standards Services Network (WSSN), International Electro-technical Commission (IEC)(associate member) and International Telecommunications Union (ITU). SON participates fully in the programmes and activities of international bodies and appropriate UN agencies, in particular, UNIDO and UNICEF, in the interest of Nigeria (www.son.gov.ng, 2016).

Functions
The functions of the Standard Organisation of Nigeria as entrenched in its enabling Decree No.56 of 1971 and its subsequent amendments include the following:

To organize and do everything necessary to ensure compliance with standard designated and approved by council; to undertake investigations necessary into the quality of facilities and products manufactured and imported into Nigeria so as to establish a quality assurance system including certification of factories, products and laboratories; to ensure reference standards for calibration and verification of measures and instruments; to compile an inventory of products requiring standardization; to compile Nigerian Standards Specifications; to foster interest in the recommendation and maintenance of acceptable standards by industry and the general public; to develop methods for testing of materials, supplies and equipment including items purchased for use by departments of
the Government of the Federation or a State, and private establishments; to prescribe Standard for mandatory status; to undertake preparation and distribution of standards samples; to establish and maintain such number of laboratories for its functions under the law; to compile and publish general scientific or other data resulting from either (a) the performance of its functions under the law or (b) other sources when such data are of importance to scientific or manufacturing interest or to the general public and are not available elsewhere; to advise any department of the Government of the Federation or State on specific problems relating to Standards specifications; to sponsor such national and international conferences as it may consider appropriate; to co-ordinate all activities relative to its functions throughout Nigeria and to co-operate with corresponding national or international organisations, in such fields of activity as it considers necessary with a view to securing uniformity in standards specifications; and to undertake any other activity likely to assist in the performance of the functions prescribed for it under the Act setting up the organisation (www.son.gov.ng, 2016).

In pursuing their objectives and discharging their functions and duties, Nigerian Standard Organisation has been able so far to achieve some desired results in respect of quality and performance of products and in handling some consumer cases and complaints. Among their achievement is the development of Nigerian Industrial Standard (NIS). A Nigerian Industrial Standard (NIS) is a precise and authoritative statement of the criteria/specifications necessary to ensure that material, product or procedure is fit for the purpose for which it is intended. Standard Development involves a series of action, which usually progress from initial drafting of standards to approval, and later, reviewing of out dated standards.

Standard Organisation of Nigeria also carries out some quality assurance activities. The quality Assurance Directorate ensures that both the imported and locally manufactured products meet the minimum requirements of the relevant Nigerian Industrial Standard or relevant International Standards. The totality of the quality assurance activities of the organisation is, therefore, to ensure that goods produced meet the quality performance requirement and are able to compete effectively and favourably with other similar products both at the local and international levels. These activities further promote the quality control practices of the manufacturing industries.

In pursuit of the above, the Directorate carries out various factory inspection visits such as; Routine Surveillance; Certification (for both new award and revalidation of products certificates); consumer complaints investigation; pre-shipment export inspection, import inspection; and market surveys. Factory inspection surveillance is a very important aspect of the quality assurance activities. It involves continuous monitoring of products from manufacturing companies, through regular routine factory inspection visits. The purpose of these visits is not for product certification or for consumer complaints, but to ensure that local manufacturers meet the relevant NIS requirements. Samples are collected during such visits from the production line where applicable and later subjected to laboratory testing to determine the degree of the product's conformity to standard.

Consumer complaints investigations activity is another function undertaken by SON. As an integral part of standardization and quality assurance activities of SON, the consumer complaints investigations activity is geared towards ensuring compliance with the relevant Nigerian Industrial Standards and established quality
control practices. The activity involves a system whereby SON officers carry out investigations on complaints received from consumers in respect of defective products purchased by them. This activity offers consumers the opportunity to seek redress against the manufacturers of any defective products in order to take necessary corrective actions. Thus, SON acts as a forum or intermediary, between the consumers and the manufactures.

Port operation scheme is also another responsibility of SON. They carry out import inspection at all the designated sea ports and air ports of entry into Nigeria. In carrying out this task, SON encounters certain constraints that make the total eradication of substandard goods from Nigerian market impossible at the moment. The constraints range from insufficient funds to influx of goods through unauthorized routes outside the jurisdiction of the Standard Organisation of Nigeria’s statutory authority.

However, it should be noted that the treatment meted out on substandard goods depends on the level of non-conformance of NIS. In some cases warnings were issued to importers for non-conformance and opportunity for corrective action given. SON also acknowledged that they have been able to do so much with the help and cooperation from other government inspection agencies, importers, clearing agents and the consumers themselves.

Methodology
The study covered the activities of the selected government agency which is the Standard Organisation of Nigeria (SON). The corporate headquarters of SON is at No. 8 Dariola Street, Wuse, Zone 1, Abuja. The paper used primary as well as secondary sources of information. To generate the primary data, the questionnaire approach was used. Under this approach, detailed questionnaire was administered to workers in the agency. However, the secondary data were collected from published articles from the official publications and the website of the organization.

The sample was drawn from all workers of the government protection agency using stratified and random sampling techniques. A questionnaire was designed and administered to a total of randomly selected 15 respondents. Five (5) respondents were selected from each of the three levels of management.

The dependent variable of the study, effectiveness, was measured by the number of times the agencies were able to carry out the independent variables. The independent variables were the various programmes of the agencies which include registration and certification of products, factory inspection, consumer complaints investigation, import and export inspections, public awareness campaigns and market survey. In order to achieve this, descriptive analysis was employed in the study using frequencies, mean, and percentage distribution.

Data presentation, analysis and discussion
The first segment is the analysis of the different programmes of SON. It also examined the influences of these programmes on effectiveness of the organization. Effectiveness was measured by the number of times the organizations was able to carry out or implement the programmes.

A sample of 15 respondents from the organization was surveyed. However only 11 of them responded. The data in table 1 show the respondents according to their management levels.
Table 1: Distribution of respondent on management level of SON

<table>
<thead>
<tr>
<th>Variables</th>
<th>Respondents</th>
</tr>
</thead>
<tbody>
<tr>
<td>Top level managers</td>
<td>4</td>
</tr>
<tr>
<td>Middle level managers</td>
<td>5</td>
</tr>
<tr>
<td>Low level managers</td>
<td>2</td>
</tr>
<tr>
<td>Total</td>
<td>11</td>
</tr>
</tbody>
</table>

Source: Survey 2015

SON Programmes

The data in Table 2 show the various programmes from which the respondents were asked to pick the programmes they run in their Agency. These include the following programmes; Consumer complaints investigation, Factory inspection visits, Import and export inspection, Registration and certification of products, Market survey, Public awareness campaign. The data in the table showed that all the respondents from SON agree that their organization implements all the programmes.

Table 2: Distribution of respondents on consumer protection programmes

<table>
<thead>
<tr>
<th>Programme</th>
<th>Frequency</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Consumer complaints investigation</td>
<td>11</td>
<td>100</td>
</tr>
<tr>
<td>Factory inspection visits</td>
<td>11</td>
<td>100</td>
</tr>
<tr>
<td>Import and export inspection</td>
<td>11</td>
<td>100</td>
</tr>
<tr>
<td>Registration &amp; certification of product</td>
<td>11</td>
<td>100</td>
</tr>
<tr>
<td>Market survey</td>
<td>11</td>
<td>100</td>
</tr>
<tr>
<td>Public awareness campaign</td>
<td>11</td>
<td>100</td>
</tr>
</tbody>
</table>

Source: Survey 2015

Programme effectiveness

Organizational Programme Frequency indicates the agency’s programme effectiveness which was measured based on the number of times they were able to carry out the programmes and they are presented into three sub-sections namely; Organizational Programme Frequency; Consumer Complaints Cases and Number of cases treated.

(a) Organizational programme frequency

The data in table 3 show that 36.4% of the respondents agreed that the organisation is able to pay inspection visit for the maximum of ten times in a year. While 54.6% agreed with at least 31 times. However, 9% did not tick any at all. For certification of product, 34.4% of the respondents agreed with less than ten times, while 54.6% agreed with 31 times. However, 9% did not tick any at all. Majority (72.7%) agreed that SON carries out import inspection at least 31 times in a year, while 18.2% agreed that it is routine and as such a daily activity. However, 9% did not tick any at all.

For the programme, public seminars and workshops, 18.2% of the...
respondents agreed with less than 10 times and 9.1% agreed with between 21 and 30 times, while 27.3% agreed with as from 31 times and above. However, 27.3% said no workshop at all, while 9.1% respondents said the organisation attends workshop and seminars only when invited. For market survey, 9.1% of the respondents agreed with less than ten times, 45.5% agreed with at least 31 times, and 18.2% agreed on random visits with no specific time range, while 27.2% did not tick any of the frequencies.
Table 3: Distribution of respondents of SON on programme frequency per year

<table>
<thead>
<tr>
<th>Programme</th>
<th>Frequency &amp; Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>0-10 %</td>
</tr>
<tr>
<td>Inspection visits</td>
<td>4</td>
</tr>
<tr>
<td>Certification of product</td>
<td>4</td>
</tr>
<tr>
<td>Import inspection</td>
<td>-</td>
</tr>
<tr>
<td>Public seminars &amp; workshop</td>
<td>2</td>
</tr>
<tr>
<td>Market survey</td>
<td>1</td>
</tr>
</tbody>
</table>

Source: Survey 2015.

(b) Consumer complaints cases
This sought to know the number of cases that the organization receives on the average in a given year.
The data in table 4 show that 9.1% of the respondents of SON agreed with less than 20 cases in a year, 18.2% agreed with between 21 and 40 cases in a year, 9.1% agreed with between 41 and 60 cases, 36.4 agreed with between 61 and 80 cases, while 27.3% agreed with as from 101 cases and above.

Table 4: Number of cases received by SON in a year

<table>
<thead>
<tr>
<th>No of Cases</th>
<th>0-20</th>
<th>21-40</th>
<th>41-60</th>
<th>61-80</th>
<th>81-100</th>
<th>101 &amp; above</th>
</tr>
</thead>
<tbody>
<tr>
<td>Frequency &amp; Percentage</td>
<td>1(9.1)</td>
<td>2(18.2)</td>
<td>1(9.1)</td>
<td>4(36.4)</td>
<td>-</td>
<td>3(27.3)</td>
</tr>
</tbody>
</table>

Source: Survey 2015

(c) Number of cases treated in a year
This sought to know the number of cases which the organisation was able to handle conclusively in a given year.
The data from table 5 show that 18.2% of the respondents agreed that their organisation handles between 11 and 20 cases per annum and 9.1% agreed with between 21 and 30 cases in a year, while majority 72.7% agreed that the organisation is able to handle as from 41 cases and above in any given year.
Table 5: Treated cases of SON in a year.

<table>
<thead>
<tr>
<th>No of Cases</th>
<th>0-10</th>
<th>11-20</th>
<th>21-30</th>
<th>31-40</th>
<th>41 &amp; above</th>
</tr>
</thead>
<tbody>
<tr>
<td>Frequency</td>
<td>-</td>
<td>2</td>
<td>1</td>
<td>-</td>
<td>8</td>
</tr>
<tr>
<td>Percentage</td>
<td>-</td>
<td>18.2</td>
<td>9.1</td>
<td>-</td>
<td>72.7</td>
</tr>
</tbody>
</table>

Source: Survey 2015

**Discussion of findings**
The research findings indicate that the Agency has been very effective in most of its programmes on consumer protection. This is especially noted in the areas of import inspection, certification of product and inspection visits. However, responses from the respondents and information available from secondary data indicate that in some of the programmes they have not been very effective. This is noted in the areas of consumer complaints investigation and market survey. The number of cases received in a given year is far greater than the number of cases treated conclusively in that same given period. Another factor revealed from the findings is the non-challant attitude of the consumers themselves. This may be due to literacy level in the country, the unnecessary protocol and bottleneck involved in channeling their grievances to the appropriate authorities and sometimes unsatisfactory ways of settling these complaint cases like asking the companies or importers to pay meager sum of money to the aggrieved consumers.

**Conclusion**

Human lives are increasingly dependent on the quality of products and services. Serious human inconvenience, economic waste, loss of life and damage to the environment do occur as a result of quality failures of materials, products and services. Hence the need for consumers to be protected cannot be over-emphasized. To ensure that standards in product and services are kept, the government set up some organizations or agencies to check on the activities of producers, importers and sellers. The effectiveness of one of these agencies (SON) was evaluated on the basis of the consumer protection programmes being implemented by them. These consumer protection programmes include consumer complaints investigation, factory inspection visits, import and export inspection, registration and certification of products, market survey and public awareness campaign. Findings revealed that the government protection agency SON was effective in most of its programmes on consumer protection especially in the areas of import inspections, certification of product and inspection visits. However it was noted that in some of their programmes like consumer complaints investigation, public seminar and workshop, and market survey, they have not been very effective. It was also noted that the consumers themselves show apathy to their situations.

**Recommendation**

The following recommendations will be useful in enhancing the effectiveness of government agencies on consumer protection activities: There should be effective enforcement of existing legislative and regulatory provisions; Provision of health facilities for the populace will also go a long way in helping to protect the consumers especially in the areas of drugs and food; Education and enlightenment of the population should also help at least in sensitizing the consumers to their rights and benefits; Government effort at poverty alleviation should also be strengthened; There should also be establishment of essential mechanisms for adherence to national obligations under international treaties with respect to institution and supply of controlled substances and products and finally the protection agencies should try and extend most of their activities to all the states in the country including the rural areas.

**References**


