

## Protecting the Nigerian Consumer: An Expository Examination of the Role of Consumer Protection Council

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### Abstract

This study examines the protection of Nigerian Consumers with particular reference to the role of Consumer Protection Council of Nigeria (CPC) established by the Act C25 of 2004 and charged with the responsibility to promote, protect and safeguard the rights and interests of consumers in all areas of goods and services. The study analyzed primary data against the background of the objectives of the study. Evidences available indicate that consumer protection in Nigeria, like in most less developed countries had remained at the lowest ebb in spite of the prevalence of unwholesome business practices. The study observed that although the CPC Act recognized the rights of consumers, it does not specifically provide how these rights should be enforced, as they were merely implied and subsumed into the functions of the Act Council. The study also found that most of the consumers do not take time to study the labels on products before purchase and as a result, they do not have full information about the products that would help them to protect their rights. Consumers' awareness of their protection laws is low, which results in the absence of litigations against sellers even in cases of obvious infringements. The implication of the findings is that the Consumer Protection Council should be more proactive in safeguarding the rights and welfare of consumers in Nigeria. The paper recommended intensified consumer education, by Consumer Protection Council, focusing on consumers in order to increase their knowledge as well as push for the amendment of specific sections of the Act C25 of 2004 to add more powers to the Council to enable them give the aggrieved consumers unfettered access to courts to pursue their rights.

**Keywords:** Consumer; Consumer right; Consumer education; Consumer protection council

### Introduction

#### Background of the study

This study examines the role of the Consumer Protection Council of Nigeria (CPC) in terms of protecting and curbing the excesses of the producers and suppliers of goods and services in the Nigerian market. There has been global recognition of the fact that there is an existing imbalance of knowledge and power relationship between the producers of goods and services and customers. In the opinion of Kamarudeen, Suleiman and Danjuma [1], Eze, Eluwa and Nwobodo [2]. This imbalance as pointed out by many scholars in the field of marketing and business circles in general appear to tilt towards the advantage of producers, who are strengthened by the tradition maxim "caveat emptor" (let the buyer beware) and the ever-changing and growing free market philosophy which tend to put the producers and suppliers at liberty to do whatever they want to do.

The Nigerian consumers as a result of this knowledge imbalance had over the years suffered so much in the hands of producers and suppliers of goods and services with whom they were engaged in trade relationships in terms of supplying sub-standard goods and services, fake and expired products. Fake products in the opinion of Nkamnebe, Idoko and Kalu [3] are those goods and services that fail to meet up to the promised specification, conformance and performance quality. They posited that consumer protection became an important area of interest because of the knowledge imbalance coupled with the sophistication of consumer products which made it difficult for consumers to ascertain and distinguish the genuine products from fake and substandard ones.

Consumer protection in the opinion of Ladan is all about "the provision of appropriate and effective mechanism to protect the pecuniary, health, environment, safety and security interests of all legal

persons against misleading, fraudulent and harmful business practices including manufacturing, trading, packaging, advertising, distribution and selling of goods and services to the ultimate consumers". The issue of consumer protection became relevant since the reliance on the rule of "Caveat Emtpor" (Let the buyer beware) is no longer an adequate protective measure because the principle is based on the premise or assumptions that the buyer knows what he wants, has knowledge necessary to choose wisely and has adequate contact with the sellers.

This complaints by consumers over a period of time gave rise to mass movement of people (consumers) referred to as "consumerism" that forced marketing practitioners in most advanced countries of the world such as Europe and America to respond favourably and adopt better ways of delivering goods and services without abusing the fundamental human rights of consumers. These mass movements in the opinion of Ona comprised of those formed directly by consumer groups or representative groups as well as the government.

However, there was practically no real organized consumer movement as such to fight for the protection of the rights of the consumers apart from a handful of groups scattered around the country. This consequently placed the bulk of consumer protection on

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the shoulder of the government. As a result, the government took over, a development common in developing countries where consumerism is still low. Kaynak stated that since the government took over, consumer protection had been a matter of government policy through legislation and efficient enforcement than as a matter of engaged public movement or support.

Sequel to the above, the successive Federal Governments in Nigeria set up agencies such as the National Agency for Food and Drug Administration and Control (NAFDAC), the Standards Organization of Nigeria (SON), the National Drug Law Enforcement Agency (NDLEA) and most recently the Consumer Protection Council of Nigeria (CPC) and charged them with the responsibility to protect and safeguard the rights of the consumers against the unwholesome practices of producers and suppliers of goods and services in the country.

### Statement of the problem

The existence of the imbalance of knowledge and power relationship between the producers of goods and services and customers led to the ugly marketing environment and situations that consumers were exposed to. Over the years, they were subjected to severe exploitations. They were continuously supplied substandard, fake and at times expired products. In physical products, producers and dealers create artificial scarcity in order to make superfluous profits through overpricing. In advertising, consumers were deliberately deceived by some desperate producers and dealers. In service industry, consumers were made to pay exorbitant estimated PHCN bills without services being rendered. In transportation, consumers were made to pay high transportation fares only to be provided with dilapidated vehicles that break down on the road leaving a lot of them stranded. In telecommunications consumers were overcharged, pay for unconnected calls, face a lot of drop calls and network congestions, subjected to low national network coverage despite the claims of service providers that one is covered everywhere one goes.

On the part of consumers themselves, they accept and pay for goods without adequate assurance of quality and quantity. The government agency and official responsible for consumer protection seem not to monitor adequately the activities of producers and dealers. All these resulted to the massive exploitation suffered by consumers. It is against this backdrop that this study seeks to examine the role of Consumer Protection Council in protecting the consumers against these activities of producers of goods and services.

### Objective of the study

The general objective of the study is to examine the role of Consumer Protection Council in terms of promoting and protecting the Nigerian consumers. The specific objectives for this study are to:

- i. Evaluate the activities of Consumer Protection Council in terms of sensitizing and educating the consumers.
- ii. Evaluate the performance of Consumer Protection Council in protecting Nigerian consumers.

### Significance of the study

The significance of this study lies on what the findings and recommendations offer to the academics, practitioners, students and government policy makers.

- It will bring greater understanding to the academics on the role of Consumer Protection Council.

- It will equally be of immense benefits to marketing practitioners and consumers as it will provide greater understanding to them on the role of Consumer Protection Council.
- It will help students studying the same or similar topics will benefit from the study.
- It will help the government policy makers to improve consumer protection in Nigeria generally.

### Review of Related Literature

This section involves the comprehensive examination and review of already well-researched journal articles in the field of consumer protection. The consumer protection in Nigeria like in other parts of the world is the practice structured to protect the consumers from the hands of unscrupulous goods producers and service providers [1]. The Federal government of Nigeria came up with different laws to ensure that consumer rights are enforced and for consumers to get value for the money they spend on goods and services bought. Ijewere and Obeki [4] stated that consumer protection laws has two-fold agenda. First, is the extent to which the law protects the interest, rights and safety of end users of goods and services, while the second aspect is on the extent to which it derives from and relates to the contractual transactions between the sellers and consumers.

### Conceptual review

**The Concept of consumer and consumer protection:** Many discussions have taken place on the way to define the “consumer” that is expected to be protected. Akomolade and Oladele in Kamarudeen et al. [1,5], stated that the consumer is any person who purchases goods and services and uses them at the end of a chain of production. The two key issues involved is that the consumer is the buyer of the goods or services, as well as a member of the production chain. These characteristics stress the importance of consumers in both economics and marketing services. In other words, without the consumer, there will be no basis for production and hence no market. That is why the consumer is seen as the pivotal point of not only marketing, but of all business activities [1] and whose interest must be protected.

The issue of consumer protection is very critical that some consumer rights were propounded [6]. The consumer rights were based on the Consumer Bill of Rights as presented to the USA Congress in 1962 by President John F. Kennedy. They include;

- (i) The right to know or the right to information
- (ii) The right to be heard
- (iii) The right to safety
- (iv) The right to choose
- (v) The right to satisfaction of basic needs
- (vi) The right to redress
- (vii) The right to consumer education
- (viii) The right to representation and right to healthy environment

These consumer rights give rise to “consumerism” which contributed a lot to stabilize the market place as most producers and service providers complied with the world best practices of doing business especially in the advanced countries.

For example, consumerism succeeded in combing its activities to create strong consumer demand for ideas and activities that would

help consumers to get satisfaction in the market place despite the increased complexity of products, broadening of self-service channels and depersonalized shopping, the growth of consumer services (whose quality is difficult for customers to judge), and increases in consumer's discretionary buying power. However, several opinion polls suggested that consumers strongly appreciate the benefits of consumerism especially the issues of positive attitudes towards various reform measures that would benefit and protect consumers generally [7].

### The Consumer protection council (CPC)

**Establishment of consumer protection council (CPC):** The Federal Government of Nigeria through Decree No. 66 of 1992 Laws of the Federal Republic (under the Federal Military government) established the Consumer Protection Council (CPC) on the 23<sup>rd</sup> day of November, 1992. The council commenced its operations properly in 1999 when the institutional framework for its take off was put in place.

However Decree No. 66 was amended to Act 25 of 2004 by the Nigerian Legislature in 2004 and it became an act of Parliament. The council was established solely because of the ugly marketing environment and situations consumers have been exposed to in terms of what they have suffered and how they have been exploited in the past by producers and suppliers of goods and services.

**Powers invested on the council:** The following represents the powers invested to the Consumer Protection Council (CPC) by the laws establishing it.

1. Apply to court to prevent the circulation of any product which constitutes an imminent public hazard.
2. Compel manufacturers to certify that all safety standards are met in their products.
3. Cause as it deems necessary, quality tests to be conducted on consumer products on regular basis.
4. Demand that products should bear date of production, place of production/manufacture, labels giving adequate information about the products as well as certification of compliance.
5. Compel manufacturers, dealers and service companies where appropriate, to give the public information regarding any health hazards inherent in their products.
6. Ban the sale, distribution, advertisement of products which do not comply with safety or health regulations (courtesy of CPC Act 25 of 2004 as amended).

**Functions of the council:** The council function includes the following:

- i. The Council provides speedy redress to consumer's complaint through negotiations, mediation and reconciliations.
- ii. It seeks ways and means of removing or eliminating from the market place hazardous products and causing offenders to replace such products with safer and more appropriate alternative.
- iii. Publish from time to time the lists of products whose consumption and sales have been banned, withdrawn, severally restricted or not approved by the Federal Government or foreign governments.
- iv. Cause offending companies, firms, trade associations or individuals to protect, compensate, provide relief and safeguards to injured consumers or communities from adverse effects of technologies

that are inherently harmful, injuriously violent or highly hazardous.

- v. Organize and undertake campaigns and other forms of activities as would lead to increased public consumer awareness.
- vi. Encourage trade, industry and professionals to develop and enforce compliance in their various fields quality standards designed to safeguard the interest of consumers.
- vii. Issue guidelines to manufacturers, importers, dealers and wholesalers in relation to their obligations under the Act.
- viii. Encourage the formation of voluntary consumer groups or associations for consumers well-being.
- ix. Ensure that consumers' interest receive due and adequate consideration at appropriate forum and to provide redress to obnoxious practices or the unscrupulous exploitations against consumers or individuals.
- x. Encourage the adoption of appropriate measure to ensure that products are safe for either intended or normally safe use.
- xi. Perform such other functions may be imposed on the council pursuant to this Act 25 (courtesy of Consumer Act 25 of 2004 as amended).

**Operations of consumer protection council:** The Act 25 of 2004 as amended empowered the Consumer Protection Council to attend to the failures of the producers of goods and services by sharpening consumers discerning skills, providing them with information against the obnoxious practices of unscrupulous producers in the market place.

The important question to ask will be "is the Consumer Protection Council really protective?" The Council in their duty to protect the consumers gives them tips on how to buy well and eliminate waste. They include:

- i. Consumers should go for organized shopping instead of going for random shopping.
- ii. They should discuss their purchase decisions with others in order to increase their knowledge of the market and the goods and services concerned.
- iii. That consumer should visit more than one shop to compare prices before making purchases. They should also inspect items properly to make sure they are without defects.
- iv. Make sure they read the external labels on the containers, expiry dates, contents and prices in order to be on the safe side.
- v. They should select the best quality item with comparatively cheaper prices.
- vi. They should haggle, if and when necessary.
- vii. They should not purchase more than they need.
- viii. They should obtain and read through the receipt after payment to be sure of the contents – for this is the only documents that consumers could use to enforce compliance against fraudulent companies and dealers.

In services, the Council encourages consumers to seek for clarity when not sure of the terms of the service providers and possibly they must demand for the copy of the terms as well as making sure that the service providers stick to the terms. Obtain receipts of payment and finally do not hesitate to make immediate complaint to the Council if a defect is noticed.

In other words, total consumer protection is a collective effort. Its actualization demands collective input from not manufacturers, service providers and the government, but the consumers must also be fully involved. Therefore, the consumers have the following responsibility to:

- i. Beware – i.e., they must be alert to quality and safety of goods and services.
- ii. Be aware – i.e., they must gather the necessary information and facts available about products as well as keep abreast of changes and innovations in the market.
- iii. Think independently – they must take decisions about well-considered needs and wants.
- iv. Speak out: They must inform manufacturers and government of their needs and expectations.
- v. Complain: They should inform businesses and other consumers in a fair and honest manner about their dissatisfaction and satisfaction with goods and services (products).
- vi. Be an ethical consumer: They should be fair and never engaged in dishonest practices, which will cost all consumers money.
- vii. Respect the environment: They should avoid waste, littering and contributing to pollution. It is hoped that as consumers become aware of their rights and responsibilities, and report unremedied infringements to the council, the dynamics of free market economy would be triggered off to generate better, sustainable, thriving growing economy in the country. Such would remove wasteful expenditures, reduce poverty as value for money gets assured [8].

### **Consumer protection situation in Nigeria**

The Consumer Protection Council has been doing a lot of things to protect the consumers but the problem of our consumers is that most of the time they do not have time to complain or go to court. In other words, they are complacent about their predicaments, leading to lack of awareness of the laws meant to protect them and consequently resulting in the absence of consumerism and the absence of litigations against producers and sellers even in the cases of obvious infringement of their rights [3]. These situations still placed the consumers in the perilous position of being easily exploited by producers of goods and providers of services with impunity.

Olakunori [9] in his study of NEPA, which changed to PHCN and now privatized stated that the outcry of consumers were centred on the unabated poor services to consumers over the years which the Consumer Protection Council has no answer to. The consumers were made to pay bills without services rendered. In addition, the inability of aggrieved consumers to sue the power authority's default succeeded in keeping them arrogant and obstinate. Kanyip [10], stated that lack of competition in the market to a large extent contributed to why defective and unwholesome goods and services were prevalent in the market. Ordinarily, in the face of competition, consumers could express their preferences by the choice they make and would consequently drive undesired suppliers of goods and services out of the market. Uche in Kamarudeen, Suleiman and Danjuma [1] also stated that lack of adequate avenue for checkmating manufacturers or advertisers' claims on goods and services, as well as accepting to pay for goods and services by Nigerian consumer without the assurance of quality and quantity pose great challenge to Consumer Protection activities of the Consumer Protection Council (CPC).

Obijiofor [11] studied the services of telecommunications service providers of whom he said belittled customers. The service subscribers had systematically received from their respective providers (MTN has the major share of the market) a mix of rudeness, lies, disrespectful treatment, frustration, headache and services that just could not match the type of efficient network, and warm customers' service relationships required of them. These appalling services provided by those telecommunication companies seem to reach their peak towards the end of the year. Usually, their lousy excuses range from that of too many people possessing too many phones that are equipped with internet-enable applications is not acceptable since it is not only in Nigeria did the uptake of mobile phones has permeated the large population that they would claim that their ludicrous performance every December is attributed to abnormally high telecommunications traffic.

Monye, Mogaba, Eze, Eluwa and Nwobodo, Ketefe, Ijwerre and Obeki [2,4,12-14], stated that low level of literacy, ignorance and the absence of customer awareness and education of the market transactions, high poverty rate constitute challenge of Consumer Protection Council in protecting consumers. They also observed that consumerism issues were the least of the consumer problems coupled with the judicial stress resulting from the judiciary's rigid adherence to strict legal rules, even when dealing with customers' discontent or losses suffered in trade relations or transactions with producers and providers of goods and services. All the above contributed to why consumers were continuously supplied substandard products and they still kept quiet without doing anything about that.

Nkamnebe, Idoko and Kalu [3] stated that the average Nigerian consumer has not been exposed to the type of product sophistication and proliferation he is now experiencing since consumer do not care to study the labels attached to products they buy, which is not unconnected with the low level of their awareness of consumer protection laws and consumerists activities meant to protect them.

### **Empirical review**

Kamarudeen, Suleiman and Danjuma [1], conducted a study focusing on the issues and the challenges relating to consumerism and consumer protection in Nigeria with particular attention to the Consumer Protection Council (CPC) Act C25 of 2004. This study conducted in Nigeria was titled: "Perspectives on Consumerism and Consumer Protection Act in Nigeria". The researchers reviewed a number of literatures on consumerism and consumer protection in Nigeria. The study used the Quantitative Method with Inductive Approach. The study used Quantitative Method with Inductive Approach. Evidences from the available literature reviewed by them indicated that consumerism and consumer protection in Nigeria like in most less developed countries of the world, is at its lowest ebb despite the prevalence of unwholesome business practices. In other words, the Nigerian consumers are continuously saddled with substandard goods and services, coupled with the lack of information and limited choice in the market, thus necessitating the government intervention to help the consumers to enforce their rights. The study observed that consumerism and consumer protection are more established in developed economies of the world.

The findings of the study were that the Consumer Protection Council (CPC) Act C25 recognized the rights of the consumers; but it does not specifically provide how these rights would be enforced, as they are merely implied and subsumed into the functions of the council and the state committees established by the Act.

The study therefore, concluded that the mere existence of the law is not enough and solicited for specific protection and compensatory measures being clearly stated to enable CPC to tackle infringements on any of the consumers rights, as doing so would strengthen the Council's powers in Nigeria. The study recommended that the Council (CPC) should embark on sustained sensitization of consumers on their rights and how to enforce them, since they have been unaware of the laws and objectives including the strategies employed by the Council (CPC) to protect them. They also recommended the amendment of specific sections of the CPC Acts that would give the aggrieved consumers unfettered access to courts to pursue their rights.

Nkamnebe, Idoko and Kalu [3], conducted a research on the topic titled: "Consumer Protection in Market Transactions in Nigeria". The study examines the complex issues of consumer protection in Nigeria with the aim to understanding the role of relevant stakeholders in protecting the rights of Nigerian consumers. The study utilized questionnaires and depth interviews conducted among selected consumers and institutional buyers, as well as employed observation method especially in supermarkets, open markets and departmental stores in Enugu and Onitsha (Nigeria). The study examined the Consumer Complaint Behavior and observed the complexity of the process by which a consumer will decide about what he/she will do after experiencing dissatisfaction. This revealed that factors such as the influence of marketers, consumer related factors, circumstantial or environmental may likely influence the consumer complaint behavior process undertaken by dissatisfied consumers [15,16].

The finding of the study was that Nigerian consumers do not take time to study the labels and products before buying and as a result, they rarely have full information about the products they buy.

Moreover, most consumers indicated that the languages or the terms used to describe the products especially pharmaceutical products are too technical for them to understand, coupled with the fact that consumers' awareness of the laws meant to protect them is generally low, resulting in the absence of consumerism and the resultant absence of litigations against producers and sellers even in cases of obvious infringement of their rights.

### **Theoretical framework**

The theoretical framework of the study is in the "Theory of Consumer Protection" as expounded by John E. Kushman University of Delaware, USA in 1999. He propounded this consumer protection theory with regards to health care. The theory uses the neoclassical economic principles to articulate the theory of Consumer Protection in health care. The theory assumed that consumers maximize perceived expected utility, which is a function of price and quality of their service [17].

Consumers who purchase health care services ultimately buy quality - effectiveness and efficiency. Thus, theory of consumer protection holds that quality is the probability that a service will be safe and effective [17]. Consumers are marketed when the tradeoff they made in purchase of health services offer effectiveness for their money.

Consumers either perceive the price quality tradeoffs offered by sellers accurately ("accurate") or they perceive those tradeoffs inaccurately ("in accurates") or they perceive the product worth, that when the perceived quality of services intandem with price(s) paid for such services, the consumer must have been accurate in his or her evaluations of such services and is therefore protected as he/she obtains consumerate quality for price(s) paid for services. Whereas he or she

who fails to accurately evaluate the quality of services, he/she becomes susceptible to exploitations paying more than the service worth.

The theory of consumer protection has two categories or class of sellers: Class I or Class II with differing attitudes and relationships with potential consumers. According to Kushman [17] 91,999 sellers are either in class I or class II. In an unregulated market inaccurate patronize class II sellers; because they unaccurately perceive this class as offering a high expected utility. Consumers who perceive price - quality tradeoffs accurately always patronize class I sellers. Class I sellers offer the better price-quality tradeoff to all consumers. Regulation removes class II sellers from the market, so that inaccurate must patronize class 1 sellers. This increases the expected utility of inaccurate must patronize class 1 sellers.

The implications of the theory of consumer protection with regards to MTN Nigeria and her consumers/customers is that because the former operates in a de-regulated market, it acts in line with the culture of class II sellers thereby causing consumers to perceive price-quality tradeoffs inaccurately and as a result are highly exploited through poor services offerings.

### **Methodology**

This section deals with discussion of the study in terms of how the strategies employed by the study help in accomplishing the stated objectives of the study. It also discussed the theoretical framework in terms of its strengths and weaknesses, as well as discusses the literature reviewed in the study in terms of gaps observed while reviewing the literature. The matter of interest that is expected to generate new and original thought will also be discussed here.

### **Discussion of strategies (methods) for achieving objectives**

Strategies adopted in order to accomplish the stated objectives of the study include the use of primary data from self-administered questionnaires against the backdrop of the similar or related studies and the set objectives of which the study sought to; examine the activities of the Consumer Protection Council in terms of sensitizing the customers; examine the performance of the Consumer Protection Council in protecting the Nigerian consumers.

Since the study aims to explain the role of the Consumer Protection Council (CPC) on protecting the consumers, the survey method is the most appropriate methodology to adopt for the study. Furthermore, interviews should be granted to illiterate consumers who could not fill the questionnaire properly in order to elicit their own opinion of the services of Consumer Protection Council (CPC).

Data on Consumer Protection Council (CPC) for the past five years should be sourced in order to determine their performance. Sample sizes of 300 consumers were used for the study and out of which 286 copies of questionnaires administered to them were properly filled and returned. Finally, the chi-square statistical tool will be used to process primary data generated.

### **Discussion on stated theoretical framework**

The theoretical framework of the study is rooted in the theory of consumer protection as expounded by John E. Kushman, University of Delaware, USA in 1999. The theory was propounded with regards to health care and other services. It uses neoclassical economic principles to articulate theory of consumer protection in health care and other services.

The assumption if the theory is that consumers maximize perceived

expected utility which is a function of price and quality of their service [17]. Consumers are therefore, protected when the tradeoffs they made in purchase of services offer effectiveness or value of their money. The strength of the theory lies on the fact that consumers that accurately perceive price-quality tradeoffs, always get the best satisfaction and are protected.

The weakness lies on the fact those who could not perceive price-quality tradeoffs accurately suffer exploitation. Be it as it may, theory of consumer protection sees the consumers buying as efficiently enough because it increases their satisfaction.

### Discussion of gaps in literature

The study recorded some basic gaps from the literature. The imbalance of knowledge and economic power between the producers and suppliers of goods and services is too wide. Consumers also show comparatively low interest in matters concerning the protection of their rights, safety and environmental pollution [3,12].

Secondly, there are real consumerists groups engaging in consumerism activities that would protect the interest of members apart from small groups scattered all over the country. That was why most consumers had not been fully integrated in consumerism that would have fully exposed them to the sophisticated products they demand. As the result of the lack of knowledge, they shy away from litigations against the unwholesome activities of producers and suppliers of goods and services [2,4,6,13,14,].

Furthermore, the Consumer Protection Council Act 25 of 2004 did not in any of its sections specifically provided for the rights of consumers as the rights of consumers are subsumed into the functions of the Consumer Protection Council. For example, in the enforcement of the claims of an injured consumer, section 8 of the Act 25 of 2004 provided that “whereupon” it is only when an investigation of the complaint of the consumer by the council or any other state committed has proved that;

- (a) The consumer’s right has been violated or
- (b) A wrong has been committed or advertisement thereby causing injury or loss to the consumer shall the consumer have the approval of the council to go for civil or redress for compensation or restitution in any competent court of law (CPC, Acts 25, 2004).

The words “whereupon” means that it is only after the positive result of the council’s investigations can the Consumer seek redress to his right.

This particular section 8 of the Acts 25 is clearly inconsistent with the constitution which entitles a person(s) the unfettered right to institute action in court or tribunal (Encarta, 2009).

### Analysis

The above statistical tool (chi-square) (Table 1) was adopted to critically examine whether the activities of Consumer Protection Council in terms of its sensitization to the Nigerian consumers are properly applied. From the analysis carried out, it is revealed that the calculated chi-square value of 93.097 and with a P-value of 0.011 shows that the statistical examination is significant. Therefore, the study to a great extent established that Consumer Protection Council (CPC) has sensitized the consumers but more roles need to be carried out in order for Nigerian consumers to know and adhered strictly to their right. This is owing to the fact that the Consumer Protection Council (CPC) has been doing a lot of things to protect the consumers but the problem of Nigerian consumers is that most of the time they do not have time to complain or go to court. In other words, they are complacent about their predicaments, leading to lack of awareness of the laws meant to protect them and consequently resulting in the absence of consumerism and the absence of litigations against producers and sellers even in the cases of obvious infringement of their rights [3]. These situations still placed the Nigerian consumers in the perilous position of being easily exploited by producers of goods and providers of services with impunity.

To be able to achieve the stated objective II, the study equally adopted chi-square statistical tool in the examination of the performance of Consumer Protection Council (CPC) in protecting the Nigerian consumer. The chi-square statistics of 142.763 and with a p-value of 0.000 indicate that the statistical examination is significant (Table 2). Therefore, this study established that Consumer Protection Council (CPC) has not done too well in protecting the well-being of the right of Nigerian consumers irrespective of the fact that in service provision, the Council encourage consumers to seek for clarity when not sure of the terms of the service providers and possibly they must demand for the copy of the terms as well as making sure that the service providers stick to the terms. Obtain receipts of payment and finally do not hesitate to make immediate complaint to the Council if a defect is noticed. In spite of all these conditions, the Council has not done well in protecting the right of consumers being that many, Nigerian consumers are not fully aware of their right and even those who claimed of knowing their rights are sometimes not protected in the peak of the crises.

Test Statistics	
	Examine the activities of Consumer Protection Council in terms of sensitizing the customers.
Chi-Square	93.097 <sup>a</sup>
Df	3
Asymp. Sig.	0.011

a. 0 cells (0%) have expected frequencies less than 5. The minimum expected cell frequency is 71.5.

**Table 1:** Examine the activities of consumer protection council in terms of sensitizing the customers (Chi-Square Test).

Test Statistics	
	Examine the performance of the Consumer Protection Council (CPC) in protecting the Nigerian consumer.
Chi-Square	142.763 <sup>a</sup>
Df	4
Asymp. Sig.	0.032

a. 0 cells (0%) have expected frequencies less than 5. The minimum expected cell frequency is 57.2.

**Table 2:** Examine the performance of the consumer protection council (CPC) in protecting the Nigerian consumer (Chi-Square Test).

## Discussion of Areas of Interest that May Generate New Knowledge

The area that may generate new knowledge is the study why the consumers fail to seek redress in court of law despite the obvious prevalence of infringements of their rights. Another areas is that the revisiting of the laws protecting the consumers to add more bite to it as well as find ways to improve the level of illiteracy of consumers.

However, some level of activities though not enough to correct the anomaly has been recorded in consumer protection in the country due to the increasing safety consciousness of consumers, increasing consumerist activities, media influence, activities of Consumer Protection Council (CPC) and other regulatory agencies especially NAFDAC, as well as the increase of literacy of consumers. All these are the areas that will generate new knowledge if studies are conducted on them.

## Conclusions and Recommendations

The study recommended that the Federal government should revisit the protection laws in the country with the view to enacting a more comprehensive legal regime in consumer protection. The Consumer Protection Council should on her own embark on intensive sensitization and education of consumers on their rights and how to enforce them, including what they stand to lose if they fail to protect their rights.

It is generally believed that the ability to enforce the laws relating to consumer protection by the Consumer Protection Council, National Agency for Food Drug Administration and Control (NAFDAC) and other regulatory agencies and the consumers themselves, would provide the necessary tonic and impetus for safeguarding the rights and safety of consumers and their properties.

Finally, the areas that require further investigations in consumer protection in Nigeria include the ways to improve the knowledge of consumers in terms of the protection laws, roles of consumers themselves and the effects of "Nigerian Factor" which they said pervert justice.

Therefore, there is the need to encourage research in these areas with the general view to improving the overall success in consumer protection in Nigeria.

## References

1. Bello KB, Suleiman JBA, Danjuma I (2012) Perspective on Consumerism and Consumer Protection Act in Nigeria. *European Journal of Business and Management*.
2. Eze KO, Eluwa N, Nwobodo B (2010) *The Nigerian Consumer @ 50*.
3. Nkamnebe AD, Idoko E, Kalu SE (2009) Consumer Protection in Market Transactions in Nigeria. *Journal of Innovative Marketing*.
4. Ijewere AA, Obeki SO (2011) Consumerism in Nigeria. *JORIND* 9: 186-192.
5. Akomolede TI, Oladele PO (2006) Consumer Protection in a Deregulated Economy: The Nigerian Experience. *Research Journal of International Studies* 3: 13-23.
6. Kotler P, Keller KL (2006) *Marketing Management*. Prentice-Hall of India Private Limited, New Delhi.
7. Bloom PN, Greyer SA (1981) The Maturing of Consumerism. *Harvard Business Review* pp: 130-139.
8. (2013) Consumer Protection Council.
9. Olakunori OK (2003) The Marketing violations of an arrogant monopolist: The Case of NEPA in Enugu Metropolis. *Marketing Hallmark, Journal of Marketing*.
10. Kanyip BB (2005) *Consumer Protection in Nigeria: Law, Theory and Policy*. Rekon Books Ltd.
11. Obijiofor L (2003) Mobile Phone Firms: Poor Services, More Profits. *Daily Sun Newspapers*.
12. Monye F (2006) Consumer Protection and ADR in Nigeria.
13. Mogaba JE (2008) Consumer Problems And Consumerism In Nigeria. *Journal of Business and Social Sciences* 3: 129-136.
14. Ketefe K (2010) Enforcing Consumers' Rights in Nigeria. *The National Mirror*.
15. Day RL, Landon EL (1977) Towards a Theory of Consumer Complaining Behavior. *Consumer and Industrial Buying Behavior* pp: 425-437.
16. Fornell C, Wernerfelt B (1988) Managing Complaints Incentive.
17. Kushman JE (1999) The Economic Theory of Consumer Protection in Health Care Services. *Consumer Interests Annual* 45: 107-108.