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Unfair Practices

The law is designed to protect both consumers and businesses, covering all business to consumer transactions.

1. There are 31 specific practices that have been banned outright by the Consumer Protection (Unfair Practices) (Jersey) Law which came into force on 8th June this year.
2. It bans traders from using unfair commercial practices towards consumers and stops aggressive selling techniques and misinforming and misleading people about goods or services.
3. A practice will be deemed unfair if it harms or is likely to harm the economic interests of the average consumer or group of targeted vulnerable consumers.
4. Businesses that deal fairly and honestly with their customers may not need to change the way they work at all.
5. It may be an unfair commercial practice to mislead consumers over the price of goods and services, the way in which the price is calculated or the existence of a specific price advantage.
6. Traders should not mislead consumers when using Recommended Retail Prices (RRP). They should distinguish between Jersey and UK RRP's.
7. It is a banned practice to claim to be a signatory to a code of conduct when you are not.
8. It is a banned practice to state or create the impression that goods can be legally be sold when they can't.
9. It is a banned practice to use editorial content in the media to promote a product where the promotion has been paid for by a trader without making this clear to the consumer.
10. It is a banned practice if you make a false claim regarding risks to the personal security of consumers or their families if they don't buy your product.
11. It is a banned practice to include in you marketing materials any invoice or document seeking payment which may give the impression that the consumer has ordered the product when they have not.
12. It is a banned practice to create the impression that the consumer cannot leave premises until they have bought goods or services.

**Call Trading Standards on 448160
or email TradingStandards@gov.je for further guidance.**

**[www.gov.je/industry/
regulatingunfaircommercialpractices/pages/
unfaircommercialpracticeslaw.aspx](http://www.gov.je/industry/regulatingunfaircommercialpractices/pages/unfaircommercialpracticeslaw.aspx)**



New website to show doctors' and dentists' fees

We are thrilled to have created 'JerseyHealthWatch.com' Our new website allows you to check prices of doctors and dentists. You will be able to see if some surgeries offer 'discounted' fees for under 5's or for students, who offers the longer doctor consultations and guidance on how the island's healthcare system works.

**The website due to be launched this week
will help you to;**

- Find the best fit doctor or dentist for you or your family
- Get the most out of your appointment
- Clarify and plan the questions you need to ask
- Understand how primary health care is funded in Jersey

Chairman's message: We need joined-up thinking

You may have seen the recent call from the retail sector to have GST applied to all of the online shopping we do, no matter what the price of the item.

At present anything bought online costing £220 or more (known as the deminimus level) has the 5% added as it arrives in the Island by Customs staff. The logic behind the value of the item being set at £220 was that if it was lower, the cost of administering the GST charge would cost more than the tax itself.

For instance, should an islander decide to buy an item of clothing or bottle of perfume for £25, the tax collected – after it being logged, processed and recorded by Customs staff, would be just £1.25. Some retailers believe the system currently in use by Jersey Post to add VAT to items exported from Jersey to the UK can be easily implemented to catch things coming the other way. And allegedly provide for consumer benefit too!

But is making sure all of us are charged GST on everything we order online the answer to saving the high street? Rather than look at ways of going on the offensive to try and create, what they may feel is, a level playing field, should we all be working together to create a shopping experience led by consumer choice to develop a vibrant new wave retail sector? Consumers want to be treated fairly, with good customer service, reliability and price transparency. We have just taken a call from a perplexed consumer who purchased a hose adaptor from a local garden centre at a cost of £6.29, only to discover that online the same item costs £3.85 (including VAT, which is to be deducted). He said he would not be 'making the same mistake again' as he didn't want to 'feel cheated'. Taking this example, adding the proposed GST tax on all imports would have meant the item would still have only cost £4.04 online. Therefore, what good is there adding the GST to everything, other than to create more work for the Customs department?

This call for GST on all of our internet shopping comes at a time when high streets everywhere are facing a hugely challenging time. As the GST call rang out, we have the States working on a retail strategy, Scrutiny conducting a retail policy review, the Retail Association working hard and the impending ten per cent retail tax. The Council urges greater collaboration and less of a fragmented and seemingly disjointed approach to creating a resilient retail community for everyone's benefit.

A recent front page of the Jersey Evening Post reported a new town retailer claiming that 'good service' could 'save the high street'. He added that his 'new shop just gives our customers a bit more convenience. I give my staff lots of training to make sure that they are knowledgeable and customer friendly.' If everyone follows this example, we could see more people heading into town to shop rather than logging on to the internet.

The Consumer Council feels very strongly that this disjointed approach is only going to hurt the consumer in the long run. We would like to see all of the relevant agencies come to the table and come up with something which not only sees St Helier and other local shopping outlets continuing to have a vibrant and successful business but also one in which the consumer feels happy and confident to spend money.



All change at the Consumer Council

We are pleased to introduce you to our new members of the Consumer Council. The eight everyday islanders' have been recruited to help tackle and highlight consumer issues

Under the leadership of newly-elected Chairman Carl Walker, the new members will help shape the views of the Consumer Council by drawing on their day-to-day experiences of island life.

"Our role is to be the consumers' champion. We investigate and publicise anomalies in consumer affairs and provide Islanders with accurate and timely information to help them make informed decisions."

Carl has made up a Council from a cross-section of the community so that all consumers are being represented. The Council investigates and publicises anomalies in consumer affairs and provide Islanders with accurate and timely information to help them make informed decisions.

We are constituted to

- Help consumers make informed decisions when purchasing goods and services. For example, we offer tips and guidance on how to employ a tradesman; advice on the ins and outs of different phone and broadband packages and explain how consumer feedback helps shape services for others.
- Undertake research and surveys to measure public opinion. We then present our findings to the public and to those who are in a position to respond to the results and make any necessary changes.
- Raise consumer concerns with decision makers and policymakers within businesses and at the States of Jersey. This

is on a whole range of issues, including primary health, transport difficulties, fuel prices and much more.

Whilst welcoming our members I am writing to say a fond farewell to you all. I am Anne King, the executive officer and having thoroughly enjoyed my seven years at the Council I am moving onto a fresh new set of challenges at the end of September. I have worked alongside 3 Council chairs and I have thoroughly enjoyed the projects, the variety and even the tough phone calls. I have had the pleasure of meeting a medley of great people. I will miss the 'fun' uncertainty of what each day often brings and the satisfaction of knowing we are making small, and in some cases bigger, differences to help all of our lives.

The aim of the JCC is to encourage businesses to put the consumer first and to help those consumers understand the issues that matter to them.



Front row left to right: Sheila Ponomarenko, Anne King (executive officer) Michael Sampson, Pat Le Masurier. Back Row left to right: Curt Volpert, Mike Le Galle, Dave Crocker, Amanda Shaw, Laurent Ybert, Carl Walker (Chair).

When your bank writes to you

If your bank writes to you requesting action on your behalf, here are our recommendations;

- Do not ignore the request; if you are concerned that it may be a fraudulent letter contact your bank directly and ask. But be advised that potentially NO response from you can ultimately result in your account being closed.
- Once you are sure that the bank contact is genuine follow the instructions or contact the bank if you are unable to provide the requested information by the deadline, explain the situation and ask for assistance as necessary. If this does not work, complain to the bank, then contact the Channel Islands Financial Services Ombudsman for guidance;

Channel Islands Financial Ombudsman (CIFO)
P O Box 114, Jersey, Channel Islands, JE4 9QG
Tel; 748610 | enquiries@ci-fo.org

When responding to your bank's requests for information – keep copies of your letters, notes of conversations, dates and bank responses.

- Remember that a bank will never contact you by phone, email or letter to you to ask for your account passwords or your PIN number. If

you get a call or email 'out of the blue' do not assume the telephone number or the email address, the caller may provide you to contact your bank is in fact your bank's. The safest approach is for you to call your bank back on their general number (shown on the back of your debit or credit cards or on your statements). The bank's call centre staff can transfer you to the appropriate bank department to resolve the matter.

- Ensure the bank has your up-to-date address and contact details so that you do not miss any important correspondence.

Other banks can be understandably hesitant to open a new account for you if they know your account at another bank has been closed.

Having your current account closed creates difficulties, for example with missed direct debits. Be mindful of course when setting up any new account to be vigilant that all your regular payments are set up and are not disrupted.

If your bank wants to close your account, they should give you sufficient time to make alternative arrangements. Be sure to ask for an extension, if you need more time.

Lunchtime talks

We are pleased to offer the following lunchtime talks, these are informal, free and very informative. All the talks take place between 13:05 – 13:50. To reserve a seat email: talks@jerseyconsumercouncil.org.je or call: 611161 or book via Eventbrite.

DATE	DAY	TOPIC	SPEAKER	VENUE
SEPTEMBER				
24th	Monday	Why is Customer Service so important? 10 Steps to deliver exceptional customer service	Claire Bosquott Busy Queen Bee	Library
OCTOBER				
3rd	Wednesday	All About Family Mediation	Alison Brown Family Mediation	Library
9th	Tuesday	GDPR from an Employment Perspective	Eleanor Colley Lara Zambon Viberts	Viberts House, Don Street, St Helier
10th	Wednesday	Lasting Powers of Attorney & Advanced Decisions to Refuse Treatment Capacity & Self Determination (Jersey) Law 2016	Toby Farlan Capacity & Liberty Officer States of Jersey	Library
11th	Thursday	Bring your router to lunch – understanding how to adjust security settings and more	Tom Brossman IT Consultant	Digital Jersey Hub Grenville Street, St Helier
15th	Monday	Topical Pension matters; transfers, investing & understanding more about pensions	Pete Culnane Director Fairway Pension Trustees Limited	Library
17th	Wednesday	Lasting Powers of Attorney & Advanced Decisions to Refuse Treatment Capacity & Self Determination (Jersey) Law 2016	Toby Farlan Capacity & Liberty Officer States of Jersey	Library
18th	Thursday	Getting the best out of your time with your Doctor	Lee Bennett Health Department States of Jersey	Library
24th	Wednesday	Understanding your Duties as an Attorney	Donna Withers Bedell Cristin	Bedell Cristin 26 New St, St Helier
25th	Thursday	Know your Consumer Rights	Trading Standards	Library
NOVEMBER				
6th	Tuesday	Inheritance and Divorce/Separation	Jamie Orchard Alexandra Cohen	Viberts House, Don Street, St Helier
8th	Thursday	“En desastre (bankrupt): what does it mean?”	Elaine Millar Viscount	Library
14th	Wednesday	Identity Theft	Chris Ingham States of Jersey Police	Library
15th	Thursday	Lasting Powers of Attorney & Advanced Decisions to Refuse Treatment Capacity & Self Determination (Jersey) Law 2016	Toby Farlan Capacity & Liberty Officer States of Jersey	Library
19th	Monday	‘Mental Health’ - what do we really mean?	Lee Bennett Health Department States of Jersey	Library
21st	Wednesday	Insurances; claiming, complaints and tips on insurance do’s & don’ts’s	Tim De Gruchy 365 Tickets	Library
27th	Tuesday	Shopping online safely	Tom Brossman IT Consultant	Digital Jersey Hub Grenville Street, St Helier
29th	Thursday	Lasting Powers of Attorney & Advanced Decisions to Refuse Treatment Capacity & Self Determination (Jersey) Law 2016	Toby Farlan Capacity & Liberty Officer States of Jersey	Library
DECEMBER				
5th	Wednesday	Lasting Powers of Attorney & Advanced Decisions to Refuse Treatment Capacity & Self Determination (Jersey) Law 2016	Toby Farlan Capacity & Liberty Officer States of Jersey	Library
6th	Thursday	Lasting Powers of Attorney & Advanced Decisions to Refuse Treatment Capacity & Self Determination (Jersey) Law 2016	Toby Farlan Capacity & Liberty Officer States of Jersey	Library
10th	Monday	Lasting Powers of Attorney & Advanced Decisions to Refuse Treatment Capacity & Self Determination (Jersey) Law 2016	Toby Farlan Capacity & Liberty Officer States of Jersey	Library
12th	Wednesday	Long Term Care	Abbie Moore Social Security	Library