

Awareness and Sources of Information on the Lagos State Consumer Protection Law (2015) Among Residents in Lagos

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ABSTRACT

This study examined the level of awareness and sources of information on the Lagos State Consumer Protection Law (2015) among residents in Lagos. The study employed survey and in-depth interview methods. It also adopted a questionnaire and in-depth interviews as the research instruments. Accidental sampling was adopted for the questionnaire distribution to the respondents. The General Manager of the Lagos State Consumer Protection Agency constituted a respondent for the in-depth interview. The findings revealed a high (75.4%) awareness among Lagos residents of the Lagos State Consumer Protection Law (2015). The second finding indicated that social media is the dominant (53.1%) source of information on the Lagos State Consumer Protection Law (2015) among Lagos residents. The study concluded that the Lagos State Consumer Protection Law (2015) is a crucial legislative framework protecting consumers.

Keywords: Awareness, Compliance, Consumer Protection Law, LASCOPA

INTRODUCTION

Consumer protection laws play a pivotal role in safeguarding the rights and interests of consumers in the marketplace. These laws ensure that consumers are treated fairly, have access to accurate information, and are protected from fraudulent practices. In Nigeria, the Consumer Protection Council (CPC) Act of 1992 and other related regulations provide the legal framework for protecting consumers' rights and prevention against harmful and fake products, which Nkamnebe, Idoko and Kalu (2009) affirm are those goods and services that fail to meet up to the promised specification, conformance and performance quality. They added that consumer protection became an important area of interest because of the knowledge imbalance coupled with the sophistication of consumer products, making it difficult for

consumers to ascertain and distinguish genuine products from fake and substandard ones.

Meanwhile, Singh, Lehtar and Patti (2017) opine that awareness of consumer rights varies in different regions of the country. It is abysmal, especially among the population in rural and far-flung areas of the country. Compared to the developed countries, the levels of consumer awareness in such a vast country with a large population like India are much lower. More than 30 years after the passage of the Consumer Protection Act of 1986, the public continues to be exploited by unscrupulous sellers and marketers who take advantage of the poor levels of awareness of rights and responsibilities on the part of consumers and the weak enforcement of remedial measures.

Furthermore, Nwobodo (2010) observes that the imbalance between the producers of goods and services and the consumer appears to tilt towards the advantage of producers, who are strengthened by the traditional maxim "caveat emptor" (let the buyer beware) and the ever-changing and growing free market trend which tends to put the producers and suppliers at liberty to do whatever they want to do. The consumer, as a result of this knowledge imbalance, has suffered so much at 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. Perhaps, these and other cases, such as infringement of consumers' rights and especially, the health concerns by experts and contributions of researchers on consumer protection have made the topic a global phenomenon. There exist numerous consumer protection laws on issues relating to product safety and liability, competition, credit practices, fair trade, packaging and labelling in the United States of America (Cohen, 1995).

Perhaps, the complaints by consumers over a while gave rise to the 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 (Arndt, Barksdale and Perreault, 1980). Mass movements comprised those formed directly by consumer groups or representative groups and the government (Ona, 1979). However, there was practically no real organised consumer movement to fight for the production of the rights of the consumers apart from a handful of groups around the country. This invariably placed the bulk of consumer protection on the shoulders of the government. As a result, the government took over, a development common in developing countries where consumerism is still low. Kaynak (1985) observes that since the government took over, consumer protection has been a matter of government policy through legislation and efficient enforcement rather than a matter of engaged public movement or support.

Meanwhile, the United Nations (UN) acknowledges the importance of protecting the rights of consumers and, thus, enumerates some guidelines on consumer protection. The General Assembly approved specified guidelines on consumer protection on the 9th of April 1985. These guidelines with the latest edition adopted by the UN General Assembly in 2015 include Physical safety; Promotion and protection of consumer economic interest; Standard of quality and safety of consumer goods and services; Distribution facilities for essential consumer goods and services; Measures enabling consumers to obtain redress; Education and information programs; Advancing consumer interest, particularly in developing countries; and International cooperation between government on the regional and sub-regional basis (Ebitu, 2014). Along the lines of the UN, the International Organisation of Consumer Union (IOCU) approved eight basic rights that consumers worldwide are expected to enjoy. These rights include basic needs, safety, a healthy environment, not to be exploited, redress, consumer education, and being informed and heard (Ebitu, 2014).

Despite the presence of LASCOPA, there are still concerns about the level of awareness and compliance with the agency's regulations among stakeholders in Lagos State. A study conducted by the Consumer Protection Council (CPC) in 2022 revealed that only 30% of consumers in Lagos State were aware of the existence of LASCOPA and its role in protecting consumer rights. This highlights the urgent need for targeted interventions to enhance consumer awareness and education on consumer protection laws in the state. In light of these findings, this study interrogates the awareness level and compliance with the Lagos State Consumer Protection Law (2015) enforced by LASCOPA among residents in Lagos.

Research Questions

1. What is the level of awareness of the Consumer Protection Law (2015) among Lagos residents?
2. What are the sources of information on the Lagos State Consumer Protection Law (2015) among Lagos residents?

Conceptual Clarifications

Lagos State Consumer Protection Law (2003-2015)

current Lagos State Consumer Protection Law, 2015 was formerly known as the Lagos State Consumer Protection Committee Law, Cap L15, Laws of Lagos, 2003, which was enacted and activated in the year 2008 with the inauguration of the Lagos State Consumer Protection Committee (LSCPC) now Lagos State Consumer Protection Agency (LASCOPA) on the 27th February, 2008. According to Channels Television (2014), the impressive performance of the free services provided by the

Lagos State Consumer Protection Committee (LSCPC) gave room to the further enactment of the Lagos State Consumer Protection Agency (LASCOPA) Law, Cap C13 Laws of Lagos State, 2014.

The former Governor of Lagos State, Mr. Babatunde Raji Fashola, on Monday, 10th March, 2014 gave his assent to the Lagos State Consumer Protection Agency Bill, stating that the purpose of the law was to protect consumers and to ensure that they get value for their money (Channels TV, 2014). He added that the piece of legislative intervention also aims at ensuring that goods that are put on the market are fit for the purpose for which they are sold. Fashola cited in Channels TV (2014), explained that consumers must be able to seek relief or remedy against manufacturers who put goods that are substandard or those that are not fit for purpose unto the market, adding that he expects that the law would tell consumers that they should not be helpless against erring manufacturers or vendors or service providers because the State Government has deemed it proper to give support to them so that their voices can be heard. Fashola (2014) added that:

I think everybody benefits because it raises the service levels of providers, it raises compliance levels, it improves the quality and standards of goods that are put in the market and the manufacturers and service providers also now know that there is at least a minimum service level expectation that the market will expect.

In addition, the former Attorney-General and Commissioner for Justice, Mr. Ade Ipaiye said the new law repeals the Lagos State Consumer Protection Committee Law, Cap. L15, LLS 2003 and does not affect any right that a consumer may have under any other law. The Lagos State Consumer Protection Agency is also conferred with all the powers of a corporate body and would have representatives of the Ministries of Health, Commerce and Industry, Manufacturers Association of Nigeria and Standard Organisation of Nigeria as well as two representatives of recognized private sector organizations, the Attorney-General said.

More so, the Attorney-General added that the agency shall also have the power to ensure speedy redress of consumer complaints through negotiation, mediation and conciliation, ensure replacement of hazardous products and their elimination from the market in addition to initiating an investigation into whether it has received a complaint or not. He noted that the agency is also empowered to publicize banned, withdrawn, restricted or unapproved products and cause offending businesses to compensate their consumers and also has the power to apply to court where necessary to stop the circulation of hazardous products. Section 14 of the new law provides that

“if a complaint is filed by one or more consumers, consumer associations, State or Local Government Agency, after due investigation, including laboratory test which gives both sides an opportunity to be heard, the agency may direct the person responsible

for the harmful product to remove the defect, replace the products, return the price paid, pay damages and withdraw the product from circulation.”

According to Mr. Ipaiye, a person found guilty under the law shall be liable on first conviction to a fine of 500,000 Naira or imprisonment for 3 months, while subsequent conviction attracts a fine of 750,000 Naira or 6 months imprisonment. Recall that the Lagos State Government under Mr. Akinwunmi Ambode equally enacted the law that established the Agency. The law, which was passed by the State House of Assembly in 2015, has since been assented to by the former state Governor, Mr. Akinwunmi Ambode. Thus, the Lagos State Consumer Protection Law, 2015 signed by Mr. Ambode has since repealed the Lagos State Consumer Protection Law, 2014 signed by Mr. Fashola, making it the existing law guiding the operations and activities of the Lagos State Consumer Protection Agency (LASCOPA). Under the law, a convict would be mandated to pay a penalty considered appropriate by the court as compensation to consumers whose rights have been infringed on (LASCOPA, 2018).

Consumer Roles in the Patronage of Products and Services

Consumer responsibilities are pivotal in the modern-day marketplace. It entails the ethical obligations and duties that consumers hold towards the products and services. This concept encompasses the moral principles that guide responsible consumption behaviours. Numerous studies have explored the importance of consumer responsibilities in the context of ethical consumption and sustainable development. According to Maignan and Ferrell (2001), consumers play a vital role in shaping corporate social responsibility practices through their purchasing decisions. The researchers argue that consumers who are aware of their responsibilities are more likely to support companies that demonstrate ethical behaviour and environmental stewardship.

Consumer responsibilities include advocating for fair trade practices, supporting local businesses, and challenging unethical marketing tactics. Research by Shaw and Shiu (2002) demonstrates that consumers who are socially responsible are more likely to resist deceptive advertising, boycott unethical brands, and demand greater accountability from corporations. This highlights the role of responsible consumers in driving positive change and fostering a more ethical and sustainable marketplace. Consumer responsibilities are integral to promoting ethical consumption, sustainable development, and a fair marketplace for all. Through informed decision-making, it was affirmed that with ethical purchasing behaviours and active engagement with consumer rights and responsibilities, consumers can play a transformative role in shaping a more sustainable and equitable economy.

Consumer Protection Law in Nigeria

Consumer protection is a crucial aspect of any economy, ensuring that consumers are shielded from unfair practices and fraudulent activities by businesses while promoting transparency, fairness, and accountability in the marketplace. In the Nigerian context, the Consumer Protection Law plays a pivotal role in safeguarding the rights and interests of consumers, aiming to create a conducive environment for economic transactions while balancing the power dynamics between consumers and businesses. The Consumer Protection Council (CPC) Act of 1992 established the legal framework for consumer protection in Nigeria, with the primary objective of promoting consumer welfare and ensuring that consumers receive value for money. The Act empowers the Consumer Protection Council to enforce consumer rights, investigate consumer complaints, conduct product quality tests, and engage in advocacy and public enlightenment campaigns. Furthermore, the Act prohibits unfair trade practices, misleading advertisements, the sale of substandard products, and other activities that may harm consumers.

The Consumer Protection Council has been doing a lot 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 a 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 (Nkamnebe, Idoko & Kalu, 2009). These situations still placed the consumers in the perilous position of being easily exploited by producers of goods and providers of services with impunity. Adegbite and Olayinka (2019) evaluated the enforcement mechanisms of the Consumer Protection Council in Nigeria. The study identified challenges such as inadequate funding, limited manpower, bureaucratic red tape, and the slow judicial process as hindrances to the effective enforcement of consumer protection laws. To address these challenges, the study recommended increased funding for the Consumer Protection Council, capacity building for staff, streamlined complaint resolution processes, and collaboration with other regulatory agencies to enhance enforcement efforts.

Despite the existence of the Consumer Protection Law, Nigeria still faces significant challenges in protecting consumer rights. Counterfeit products, false advertising, price gouging, and poor product quality remain prevalent issues in the Nigerian marketplace, undermining consumer trust and confidence. Additionally, the lack of access to justice, the high cost of litigation, and lengthy legal procedures often deter consumers from seeking redress for grievances, perpetuating a culture of impunity among unscrupulous businesses. Obijiofor (2013) studied the services of telecommunications service providers 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.

Moreover, digital tools such as mobile applications and online complaint portals can streamline the process of lodging complaints and seeking redress, making it more convenient for consumers to assert their rights. The integration of technology in consumer protection efforts can also enhance data collection, monitoring, and enforcement mechanisms, enabling regulatory agencies to detect and respond to emerging consumer protection issues more effectively. In addition to technological advancements, international best practices and standards in consumer protection can offer valuable insights for enhancing the Nigerian consumer protection framework.

METHOD

The study adopted descriptive and explanatory methods to interrogate the level of Awareness and Compliance with the Lagos State Consumer Protection Law (2015) among residents in Lagos. According to the 2006 National Population Census, Lagos State has a population of 9,013,534. Therefore, this constitutes the population of the study. All staff of the Lagos State Consumer Protection Agency (LASCOPA) constitute the population for the qualitative research design. According to LASCOPA (2024), the agency has a total number of 12 principal officers and 32 junior staff members.

To obtain the sample for the study, Taro Yamane (1967) formula was adopted.

$$\text{Taro Yamane Formula: } n = \frac{N}{1+N(R)^2}$$

The values used are

N= Study population (9,013,534)

R=0.05

n= sample size

The computation for this is expressed below

$$n = \frac{N}{1+N(R)^2}$$

$$n = \frac{9013534}{1+9013534 (0.05)^2}$$

$$n = \frac{648720}{1+9013534 (0.0025)}$$

$$n = \frac{9013534}{1+22533.835}$$

$$n = \frac{9013534}{22534.835}$$

n=399.9 approximately 400

Therefore, 400 copies of the questionnaire were administered to the respondents. Also, the study used the accidental sampling technique to administer the questionnaires to the respondents across Lagos State at different malls such as Twins Faja Supermarket, Bokku! Mart, Reno Superstores and Jendol Superstores. Five (5) respondents who were drawn from the Lagos State Consumer Protection Agency (LASCOPA) were to be interviewed. However, the in-house policy allowed only the General Manager of the Lagos State Consumer Protection Agency to be interviewed, while a total number of 382 valid questionnaires were returned. Furthermore, the Key Informant Interview (KII) was adopted for the qualitative data.

RESULTS AND DISCUSSION

Table 1: Respondents' Level of Awareness of the Lagos State Consumer Protection Law (2015)

Option	Frequency	Percent (%)
Yes	288	75.4
No	94	24.6
Total	382	100

Source: Field survey, 2024

According to research findings as revealed in Table 1, a substantial majority (75.4%) of respondents are aware of the Lagos State Consumer Protection Law. This high level of awareness indicates effective information dissemination, although there is still room for improvement to reach the remaining 24.6%. The findings, which focuses on the level of awareness of the Consumer Protection Law (2015) among Lagos residents, revealed that a substantial majority (75.4%) of respondents are aware of the Lagos State Consumer Protection Law. This high level of awareness indicates effective information dissemination. This is in line with Ebitu (1995), who emphasized the importance of consumer education in protecting consumer rights.

Table 2: How Respondents Know about the Lagos State Consumer Protection Law (2015) of LASCOPA

Option	Frequency	Percent (%)
Television	62	16.2
Radio	49	12.8
Social Media	203	53.1
Print Media (Newspaper and Magazines)	37	9.7
Word of Mouth	31	8.1
Total	382	100

Source: Field survey, 2024

According to research findings, social media is the most common source of information (53.1%), followed by television (16.2%). This highlights the importance of digital platforms in spreading awareness and suggests that traditional media might be less effective in reaching the population.

The study identifies multiple sources of information about the Consumer Protection Law, with media outlets and social media being the most prevalent. The study found that social media is the dominant source of information (53.1%). Additionally, the General Manager of the Lagos State Consumer Protection Agency (LASCOPA), who was the sole interviewee, revealed that social media constitute the dominant source of information dissemination among Lagos residents. The study found that social media is the most effective means of reaching the public, while platforms like Facebook, Instagram, and X are regarded as communication channels being used by the agency to complement traditional media in sharing information and engaging with consumers. It also found that Lagos State Consumer Protection Agency (LASCOPA) engages in special events like World Consumer Rights Day, which further spreads awareness about consumer protection laws. The agency actively promotes consumer rights through public enlightenment campaigns, which are conducted in markets, schools, and other public spaces.

CONCLUSION

The study concludes that while the Lagos State Consumer Protection Law (2015) is a crucial legislative framework aimed at protecting consumers, its impact is hindered by several factors. The findings reveal a commendably high level of awareness, with respondents indicating familiarity with the law and its provisions. This suggests that the efforts made by the Lagos State Consumer Protection Agency (LASCOPA) in disseminating information through various channels, particularly social media, have been effective in reaching a significant segment of the population. The integration of traditional media alongside digital platforms has undoubtedly played a crucial role in enhancing consumer awareness, demonstrating the importance of a multi-faceted approach to information dissemination. Moreover, the findings illuminate the necessity for LASCOPA to strengthen its outreach efforts and streamline its processes to support consumers better. The study calls for targeted interventions that not only raise awareness but also facilitate a more profound understanding of consumer rights, thereby enabling residents to navigate the complexities of the consumer landscape effectively.

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