



**BERMUDA GOVERNMENT**  
**MINISTRY OF HOME AFFAIRS**

**PATI Information Statement**

**Name of Public Authority: CONSUMER AFFAIRS**

**Introduction:**

The Public Access to Information Act (PATI) 2010 provides the public with the right to obtain information not subject to exemption which is held by public authorities. Access to this information will ensure transparency and accountability within public authorities to keep information accurate, complete and up-to-date. Upon receipt of the written request for access to information the public authority has up to 6 weeks to provide the requester with their decision as to whether the request for the information will be granted.

Consumer Affairs has been mandated to carry out criminal and civil investigations under their Acts. Mediation and advice services are given for those Acts that fall in and outside of our jurisdiction but still have a direct impact on the Consumer. Consumer Affairs is responsible for all product recalls, consumer market research, assessing applications for rent increases, provide advice to landlords and tenants on tenancy issues (whether property is under rent control or not) and mediate disputes between parties upon request and all other tasks assigned to Consumer Affairs by the statutory Consumer Affairs Board and the Rent Advisory Panel.

**CLASS OF RECORDS:**

**Right of access to:** Annual Report  
All publications in public domain  
Financials as pertaining to the budget

**No right of access:** Case Management System  
Enforcement Documents  
Criminal Investigation Files  
Personnel Records  
Statutory Board Minutes (as criminal activity are discussed).  
Financial Information related to an Investigation or Prosecution  
Tribunals and Appeals to the Minister

**Section A: Structure, Organization and Legislation [s5(1)a]**

## ORGANIZATION CHART

### EXECUTIVE OFFICER

Karen Marshall  
Ext: 1200

#### CONSUMER AFFAIRS

##### Enforcement Officers

Rhonda Daniels Ext: 4225  
Paula Carlington Ext: 1380

##### Education Officer

Honey Adams Ext: 1498

##### Administrative Officer

Heather Marshall Ext: 1415

##### Consumer Affairs Statutory Board

#### RENT UNIT

##### Inspector

Dolores Vazquez Ext: 1413

##### Administrative Assistant

LaVonne Bean Ext: 1701

##### Rent Advisory Panel

### Legislation

#### Criminal Acts:

1. Consumer Protection Act 1999
2. Copyright and Design Act 2004 (Enforcement)

#### Civil Acts:

1. Supply of Services (Implied Terms) Act 2003
2. Rent Increases (Domestic Premises) Control Act 1978
3. Rent Apportionment Act 1880
4. Rent Increases (Domestic Premises) Control Rules 1972

### Section B: 1) Functions, powers, duties of the Authority [s5(1)b]

### MISSION STATEMENT

Consumer Affairs will strive for excellence by carrying out our mandate with the highest standard of integrity, efficiency and service to individuals, commercial, professional and

governmental organizations. We will ensure the rights of consumers to fair trade practices, product safety and redress by maintaining an international viewpoint, a spirit of partnership through collaboration, information sharing, and where necessary, enforcement and prosecution.

### **DECISIONS AND GUIDELINES:**

Guidelines for the authority and work carried out by Consumer Affairs are governed by the Acts; prosecution of offenders is carried out by the Department of Public Prosecution. Administrative guidelines are administered through Government policies and procedures such as Financial Instructions.

### **LEGISLATIVE POWERS:**

1. Powers to Conduct Investigations, Gather Evidence and Conduct Interviews
2. Powers to Enter Premises
3. Powers to Obtain Information
4. Powers to Seize Goods
5. Powers to make Test Purchases
6. Powers to issue Orders to Cease Unfair Practices,
7. Powers to issue Orders for Immediate Compliance
8. Powers to issue Orders of Voluntary Compliance
9. Powers to Remove Products for Sale
10. Powers to issue Prohibited Notices and Warning
11. Powers to Facilitate Prosecution
12. Powers to Remove Unsafe Products from Sale
13. Powers to Make Product Safety Regulations
14. Powers to Conduct Market Research
15. Powers to Grant Increases of Rent
16. Powers to Provide the Avenue for Appeals

### **Section B: 2) Obligations under PATI Act [s5(1)b]**

To provide in timely manner information that is in the public domain, such as our Education Publications, Annual Report, Social Media, etc. And to make every reasonable effort to assist persons in connection with their request.

## **Section C: Services and Programmes [s5(1)c]**

### **Services:**

- Investigations / Enforcement / Prosecution
- Consumer Redress
- Mediation
- Advice
- Product Safety / Recalls
- Consumer Education
- Granting of Rent Increases
- Rental Inspections

### **Programmes:**

#### **For Businesses:**

- Training in Consumer Conflict Resolution
- Best Business Practices
- Seminars on the Acts which Govern their Business
- Product Safety and Recall adherence
- Business Trends

#### **For Public:**

- Talks on Consumers Rights and Responsibilities
- Talks on Various Topics such as Scams, Budgeting, Vendor Solicitation etc.
- Participation on monthly Radio Shows on various topics
- Interactive Web-Site with direct access to the office for Q & A
- Facebook Q & A
- TV and Cinema Commercials
- Consumer Campaigns and Consumer Week
- Education of both landlords and tenants on the Act

## **Section D: Records and documents held [s5(1)d]**

### **Classified Documents:**

- Case Management System which houses all investigation and prosecution records
- Court Documents
- Evidence Records
- Statutory Board Minutes
- Staff Personnel Records
- Rent Files and Documents

**Public Documents:**

Access can be gained from our Web-Site [www.ca.gov.bm](http://www.ca.gov.bm) and [www.rentcommission.gov.bm](http://www.rentcommission.gov.bm)

The Web-Sites carry a wealth of information on CA as well as links to relevant resources, the following is a list of some of the info found on our sites.

[Auto and Cycle Repairs](#)

[Bake Sale Requirements](#)

[BlackBerry Security Tips](#)

[Budget Planner CA](#)

[Budgeting Tips](#)

[Business Help Section for Providers of Goods and Services](#)

[Charitable Organizations](#)

[Children's Coloring Book on Finance \(hard copy\)](#)

[Complaint Process](#)

[Consumer Q & A](#)

[Consumer Guide to New Car Purchases](#)

[Consumer Protection Act 1999](#)

[Customer Service Guide](#)

[Food Labels](#)

[Guide to Buying a New Car](#)

[Gift Cards](#)

[Home Conveyance Information](#)

[Hurricane Tips](#)

[Landlord and Tenant Act Revised 1989](#)

[Landlord and Tenant Rent Control](#)

[Links](#)

[Making a Complaint](#)

[Misuse of Drugs Act 1972](#)

[Misuse of Drugs Amendment Act 2005](#)

[Money Management Plan](#)

[Multi-Level Marketing/Pyramid Schemes](#)

[National Pension Scheme \(OCCUPATIONAL PENSIONS\) Act 1998](#)

[National Training Board Act 1997](#)

[News Paper and Web Articles](#)

[Pedlars Act 1894](#)

[Phishing Scams](#)

- [Planning A Wedding](#)
- [Press Releases](#)
- [Product Recalls](#)
- [Responsible Trader Booklet](#)
- [Sample Refund Letter](#)
- [Senior Safety Tips](#)
- [Scams](#)
- [Shopping on the Internet](#)
- [Small Claims Court Guide](#)
- [Small Claims Court Fee Schedule](#)
- [Snowball Stand Requirements](#)
- [Teen Advice](#)
- [The Laws and You](#)
- [The TCD Guide to Selling Your Car](#)
- [The World of Copyright and You](#)
- [Vehicle Repair Tips](#)
- [Your First Motorbike](#)
- [Youth Guide to the Bermuda Court System English](#)
- [Youth Guide to the Bermuda Court System Portuguese](#)

On the Rent Control Web-Site:-

- [Sample Forms](#)
- [The Act](#)
- [Landlord and Tenant general information](#)

**Section E: Administration (all public access) manuals [s5(1)e]**

Manuals used by Consumer Affairs are those that are produced by Government such as Financial Instructions, Code of Conduct, the Legislative Process, Human Resource Procedures etc.

**Section F: Decision-making documents [s5(1)f]**

The Decision-Making Process is located within the Acts we enforce. Every decision is subject to the Nature of the Offence, Rules of Evidence and Prosecution Procedures. Office administration

and personnel decisions are govern by those identified in section E.

**Section G: The Information officer [s5(1)g]**

Karen Marshall  
Ext. 1200  
Consumer Affairs

Alternate in the absence of Ms. Marshall  
Rhonda Daniels  
Ext. 4625  
Consumer Affairs

**Section H: Any Other Information [s5(1)h]**

Any information that we are legally allowed to distribute to the public can be found on our Web-Site which is up dated on a regular basis and on our Facebook page as well as in hard copy within our offices.

**Section I: Any Other Information To be Provided? [s5(1)i]**

No

**Section J: Information Statement: Copies and Updates [s5(2,3,4,5)]**

Every public authority shall update its information statement at least once a year, and make it available for inspection by the public at reasonable times by [s5(1-5), PATI Act]:

**Date Information Statement was updated:** March 2015

**Locations of Information Statement:**

*Confirm copies of Information Statement are available at the following sites:*

- |   |    |
|---|----|
| • Your principal office:  | Y/ |
| • The Bermuda National Library;   | Y  |
| • The Bermuda Archives;   | Y/ |
| • Available electronically,   | Y/ |
| • Website for public authority  | Y/ |
| • Have you published a notice in the Gazette indicating the places where the information statement is available for the public? | N/ |
| • With the Information Commissioner.  | /Y |

**Sign and Date:**

