

Section	Fixed Penalty
Part VII <ul style="list-style-type: none"> Product labelling and trade descriptions Disclosure of used, re-conditioned, re-built or re-made goods Expiry date, etc. to appear outside packaged food products Prohibition respecting selling expired goods Information to consumer Disclosure of price of goods or services Warranties Over-selling and over-booking Sales record Return of defective goods Return of electrical goods Suppliers offering repair services Promotion of goods or services 	<p>\$750 applied to All sections EXCEPT the Section "Expiry date, etc. to appear outside packaged food products" which is \$1,000</p>

Section	Fixed Penalty
Part VIII <ul style="list-style-type: none"> False, misleading or deceptive representation Restrictive Trade Unfair method, deceptive practice or misleading public Unconscionable conduct Dual Pricing 	<p>\$1,500 applied to All sections EXCEPT the Section "Dual Pricing" which is \$750</p>
Part IX <ul style="list-style-type: none"> General consumer safety requirement Contravention of consumer safety requirement Imposition of permanent ban 	<p>\$2,000 applied to All sections</p>
Part XIII <ul style="list-style-type: none"> No Refund Signs 	<p>\$750</p>



Ministry of International Trade, Industry & Commerce and Consumer Affairs



CONSUMER AFFAIRS DEPARTMENT
ST. KITTS & NEVIS

Food for Thought:

"Expiration date" vs "Best if used by date"

The **'expiration date'** indicates the last day a product should be consumed.

The **'best if used by date'** tells you when you can expect the quality of the product to be at its peak.

Both will be removed from the shelves.

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Consumer Protection Act, 2023

Ticketable Sections under the Act

Product labelling and trade descriptions

- Suppliers should accurately label goods.
- They should not alter or obscure trade descriptions in a way that could mislead consumers.

Disclosure of conditions of goods

- Refrain from making false claims about products or services.
- Clearly label any used, re-conditioned, re-built, or re-made goods. Provide accurate information about their condition.

Expiry date, etc. on packaged food products

Imported and locally produced bottled, packed, or canned food products sold must display essential information such as:

- product type
- ingredients
- weight/volume
- production and expiry dates
- duration of use
- usage directions

Prohibition of selling expired good

- The sale, offer, or display for sale of goods that have passed their expiry date is prohibited.
- Officers have authority to instruct suppliers to cease selling expired goods and to remove them from display.

Ticketable Sections under the Act

Disclosure of price of goods and services

- Prices must be visibly attached to goods, listed in catalogs, or represented clearly.
- If providing an estimate for services, the final price cannot exceed the estimate without consumer consent.

Warranties

- Suppliers must provide clear warranties for their goods or services, whether new or used, including repairs.
- If a manufacturer's warranty is provided with the goods, the supplier is considered to have issued that warranty, and is responsible for honoring it.

Sales record

Provide consumers a written and durable record of each transaction, including:

- Registered business name.
- Business Address
- Date of the transaction.
- Description and quantity of goods or service.
- Unit price and total price before taxes.
- Amount of applicable taxes.
- Total price including taxes.
- Any other information required by law.

Return of defective goods

- Consumers can return defective goods if they were misled by the supplier's description.
- Goods must be returned in the condition purchased or with minimal damage from normal use.

Ticketable Sections under the Act

No Refund signs, Return policy, Restocking fees

- Suppliers cannot put up signs saying "no refund" or deny consumers a refund if there's a legitimate problem with the item purchased.
- They must clearly display store's return and restocking policies.
- Suppliers can only charge a restocking fee if the returned product is in a condition that prevents resale at the original price.

False, misleading or deceptive representation

- The law prohibits any false, misleading, or deceptive representations or conduct during trade or commerce, especially regarding the nature, characteristics, or quality of goods or services.

Restrictive Trade

- Suppliers cannot engage in practices that manipulate prices, delivery conditions, or supply flow in a way that unfairly burdens consumers with extra costs or restrictions.

Dual Pricing

- If multiple prices are displayed on goods, consumers have the right to pay the lowest price shown.
- A defense is available if the violation was caused by another person or unforeseeable circumstances, and the supplier took reasonable precautions to prevent it.