

No. 2 The Laurels Dun An Oir Kanturk Co. Cork Republic of Ireland
Greenbelt Rd Lanham Md. 20706, Maryland, US



GoogleScholar

GoogleAnalytics

ORCID

Open Research Europe

DataCite

OpenAire

ResearchGate.net

THE ROLE OF VOLUNTARY CONSUMERS ASSOCIATIONS IN THE ENFORCEMENT OF CONSUMER PROTECTION LAWS IN NIGERIA

*Akutugba Akpoviri Michael

**Lilian Ifeoma Okere

*[Ph.D, B.L] Ag.. Dean, Federal University Faculty of Law, Otuoke-Bayelsa State, Nigeria

Email: <akutugbaam@fuo.edu.ng>

Id <<https://orcid.org/0009-0008-9565-4440>>

**[Ph.D, B.L] Lecturer Federal University Faculty of Law Otuoke-Bayelsa State, Nigeria

Email: <okereli@fuo.edu.ng>

Id <<https://orcid.org/0009-0001-0641-7953>>

DOI:10.5281/zenodo.15318303

Abstract

Protecting the consumers of goods and service has become a central issue of concern in many countries of the world, more than, it has ever been. The upsurge of attention in this issue could be ascribed to a number of factors which includes, but not limited to, upsurge in the rates of fake and substandard products and services offered in the market and the resultant health and life-threatening challenges it poses for man. The complex nature of plethora of problems has made the perception of consumers' to be difficult; for instance, the entirely new dimension of trade malpractices, information asymmetry, and power imbalance between the consumer and manufacturer, and suppliers of products and services. This is made even more difficult as a result of the complex nature of modern products occasioned by the use and adoption of advanced technology, the disadvantaged position of the large majority of consumers *vis-a-vis* the manufacturers and suppliers of products and services, apathy and high level illiteracy and poverty of many consumers in many countries, especially sub-Saharan Africa and parts of Asia, and absence of effectual and effective competition and aggressive advertising which often times create false impression about products. To ensure that consumers of products and services are not surcharged through trade malpractices in their dealings with manufacturers and suppliers-governments all over the world, governments usually enact laws and/or establish administrative regulatory measures to check and protect the interests of consumers. Any government that does not take the issue of consumer production serious is being likened to a government that toys with the human right and wellbeing of its people. Consequent on the above, the authors argued that the checks and measures established by governments, do go a long way to ensure that consumer interest is advanced and protected by voluntary non-governmental associations. The paper therefore maintained that the role of voluntary services offered in the market operated to improve the consumer-manufacturer-supplier market chain as well as ensuring the very best for the regime of consumerism.

Keywords: voluntary consumers association, consumerism, manufacturers/producers, suppliers, fake and substandard goods

© Terms & Conditions of access and use can be found at <<https://www.kblsp.org.ng/index.php/kblsp>>

1. Introduction

Consumer protection should receive adequate attention in every country as the consequences of not doing so are far reaching. A government that does not take the issues of consumer protection serious undeniably toy with the health and wellbeing of its citizens and put its economy at risk. Supply and sale of defective products poses a big problem to the consuming public, the manufacturers and governments. From the denial of the consuming public, proper worth of money spent on fake and substandard goods and services, to exposure to health hazards, and at times death, though for the consumers and for manufacturers of genuine products and services, the manufacturer is open to unnecessary competition from quack manufacturers of fake and unwholesome products and service providers, which are undoubtedly cheaper in price.

And often times, the manufacturer of genuine products struggle to remain in production. In order to remain in business and to safeguard the interest of the consuming public may have to engage in aggressive advertising and issue several statements and 'advise' to the public on how to detect the difference between a fake and genuine product at its own cost which invariably will add to the cost of the product. This strategy naturally pushes up the price of the genuine product thereby take it out of the reach of the average consumer because of the capital intensive nature of the strategy. Most times, the introduction of the fake brands may lead the consumer; when they become aware, to shun the product entirely for fear of purchasing the fake products.¹

On the part of the government, a low and unserious attitude to consumer protection always leads to unpleasant consequences. A country notorious for fake and substandard products and services can hardly attract external patronage, and therefore stands serious risk of being blacklisted by prospective importing countries. This invariably, will impact negatively on foreign exchange earnings and cause trade imbalance between the country and foreign trade partners. On the health of the consuming population of the country, the administration and injection of fake and substandard drugs and food can lead to serious health challenges, treatment failure and negative response expectations. These impacts negatively on a country's healthcare system and constitute embarrassment to the country and reduce consumer confidence in the system. Finally, a country with a low level of consumer protection mechanism or measure will undoubtedly be dumping

¹ Felicia Monye, Law of Consumer Protection, vol. 1, 2nd ed. (Kraft Books Ltd, 2023) 2

ground for all sorts of fake, substandard and adulterated imported goods. It is for these reasons that many countries feel concerned about consumer protection, so much so that they include this issue as a core subject² or in the form of important issues that impact on the subject in their constitution.³ To ensure that a country's consuming public is not hoodwinked in dealing with suppliers of products and services, government must enact veritable and upend legislations to deal with the associated challenges through regulatory agencies as well as factor other measures in order to protect the interest of consumers.

For instance, in Nigeria, the challenges of fake and substandard products have received appreciable attention from government and commentators.⁴ This challenge cuts across different product fields including food and drugs. Most times, consumers are enmeshed with shoddy and inept services or non-performance of obligation bargained and agreed upon. However and unfortunately so, most victims of fake and substandard products and services rarely seek redress due to a number of reasons; prominent among them is lack or inadequate knowledge of the law and the recondite agencies promoting and protecting the right of consumers as well as the procedures or channels of redress.

In order to bridge this gap of lack of awareness and channels of accessing redress, voluntary associations have been playing very prominent roles in the area of consumer protection over the years. For instance, they play instrumental roles in raising awareness and advocating policy changes and have successfully removed millions of counterfeit listing from online market place, and, etcetera. This paper therefore, strives to explore the role of voluntary associations in combating fake and substandard goods and services.

² Felicia Monye, 'The Consumer and Consumer Protection: Struggles, Burdens and Hopes' (59th Inaugural Lecture of the University of Nigeria, delivered on 26 May, 2011, P. 8.

³ The Countries include South Africa, the Portuguese Republic, Spain, Poland, Lithuania and India.

⁴ The Nigerian Government has enacted comprehensive laws to deal with challenges of fake and substandard products and services as well as created regulatory agencies across the field to handle the challenges. For more literatures on the above, see 'Menace of Substandard Products in Nigeria' <[https://www.blueprint.ng/menace of substandard-products-in-Nigeria](https://www.blueprint.ng/menace-of-substandard-products-in-Nigeria)> accessed on 21 August 2024, 'Burden of Fake Products', Thisdaylive, 2 April, 2018, 12:38am, <<https://www.Thisdaylive.com/index.php/2018/04/02/burden-of-fake-products/>>-accessed 21 August, 2024. Only recently the National Agency For Food And Drugs Administration And Control (NAFDAC) during enforcement exercise discovered and closed factories and warehouses in Anambra and Abia State where fake Drugs are being manufactured, stored, and thereafter, distributed to the consumers. .

2.Scope and role of Voluntary Associations and consumers in combating production and distribution of fake products and services

This segment is poised to consider the scope and role of voluntary associations and consumers in the process of collectively checking and/or combating the production distribution as well as consumption of fake products and services. The first arm embraces the incidental roles of voluntary associations, while the second arm will accommodate the roles of consumers.

A. Incidental roles of voluntary associations

Voluntary Consumer Association sometimes referred as Voluntary Consumer Organization, Consumer Interest Groups and Public Interest Organization are specialized non-governmental association focusing their attention and interest on issues of consumers concern. They complement the effects of regulatory agencies implementing consumer protection legislations by producing an independent voice against the prevalence of fake, substandard and adulterated products and shoddy service in the society.

Voluntary customers' organisations operates by raising awareness of the government and its agencies, and the general public by educating the consuming public of the existence of unwholesome products in the markets as well as provide information and data on hazardous products in the market. For example, in the United States the results of products analysis and views expressed in the 'which?' magazine published by the Consumers Associations is widely consulted by consumers to verify the quality of products and services they intend to purchase.⁵ Voluntary Consumers Associations, through advocacy are able to influence governmental policies in favour of consumerism. In the most advanced parts of the world, Voluntary Consumers Organizations are a force to reckon with. Their views are taken seriously and respected by governments, regulatory agencies and consumers alike, so much so that they are able to influence policies of government in respect of consumer issues.

Another role of Voluntary Consumers Association is that they collaborate with regulatory agents in the field of consumer protection through:

- A. Information Sharing: They share data, research and expertise to help the regulatory agencies make informed decisions.
- B. Joint Investigation: Through information sharing, they work together to investigate consumers' complaints, as well as real and potential violations.

⁵ See The Which Magazine <<http://www.which.co.uk/>> accessed 25 August, 2024

- C. Policy Development: Voluntary Consumers Organizations provide inputs and feedbacks on policy proposal and regulatory changes.
- D. Training and Capacity Building: Voluntary Consumers Organizations help build regulatory agencies capacity to address consumer protection issue.
- E. Dispute Resolution: VCAs help in no small measures in trying and resolving consumers' complaints through mediation and arbitration.
- F. Regulatory Monitoring: In addition to collaborating with regulatory agencies, they go a step further by monitoring regulatory agencies' effectiveness in the discharge of their statutory duties and hold them accountable if they are found wanting or derelict of duty.
- G. Sharing collaborative platform with regulatory agencies, participate in joint committees, taskforce and other collaborative platforms with sister associations and other organizations, with some motives and objectives by so doing, Voluntary Consumers Association are better positioned to promote a fair and safe market place.

B. Role of Consumers

As a matter of fact, the consumers themselves must play their own role. By implication, general apathy and illiteracy will not help the regulatory agencies as well as the voluntary consumers associations to play their roles. This is a major hindrance in the war against fake and substandard goods and services. It is common saying in Nigeria 'If you see something say something.' Emphasis therefore must be placed on the development of consumer education and information programmes. These programmes must take into account the interest of vulnerable consumer in both the rural and urban areas of the country. The focus should be on equipping consumers with relevant knowledge to make rational choices of goods and services and be conscious of the applicable rules, rights and responsibilities.⁶ Product safety and quality of consumer goods and services⁷ as well as the protection and promotion of the economic interest of consumers,⁸ in this respect, the voluntary Consumers Association and the regulatory agencies and authorities have a great role to play.

⁶ United Nations Guidelines for Consumers Protection 2015

⁷ Guideline 33-35

⁸ Guideline 20

3. Notable Voluntary Consumer Associations In Nigeria

There are many and varied voluntary consumer association, but the following are the dominant associations.

A. Consumer Advocacy and Empowerment Foundation⁹

The objectives of this association are to establish and entrench independent forum that address consumers' complaints and dissatisfaction, to equip youths with entrepreneurial skills by building partnership with the business ecosystem.¹⁰ This association is based in Lagos, Nigeria. In addition to the objectives stated above, it provides a platform to promote a just and humane society by creating opportunities for expressing consumer rights, advocacy and job creation. This initially was started by the need to increase the levels of awareness of the consuming public on standardization of products and services, enforcement and litigation as well as the desire to act as an incubator that promotes and drives entrepreneurial skills among youths.

B. Consumer Awareness Organization¹¹

This organization inter alia, carries out reviews on consumer protection legislations, raises consumer issues at conferences and workshops. It is a voluntary non-governmental and non-profit making organization. It was founded in 2001 in Enugu. It has done valuable work in seeking redress for injured consumers and creation of consumer awareness and enlightenment. The organization equips consumers with knowledge to protect their interest in matters relating to effective consumerism, eradication of unfair and commercial practices and promotes harmonious relationship between consumers and business.¹²

The organization has the approval and registration of the Federal Competition and Consumer Protection Commission¹³ and a member of Consumer International.¹⁴ This affiliation means that CAO is committed to promoting the eight basic rights namely: right to satisfaction of basic needs, safety, information, choice, representation, redress, education and healthy environment.¹⁵

⁹ [Hereafter, The CADEF]

¹⁰ <www.cadefng.org> accessed 26 August, 2024. [Hereafter, The CAO]

¹¹ <www.consumerawareness.org> accessed 26 August, 2024.

¹² This is particularly remarkable given the very high rate of unfair commercial practices and illicit manufacturing in South East, Nigeria.

¹³ [Hereafter, The FCCPC]

¹⁴ Consumer International is a strong and formidable global consumer association. The organization is dedicated to the promotion of protection of rights worldwide.

¹⁵ United Nations Guidelines on Consumer Protection 1985, 1999 and 2015

C. Consumer Advocacy Foundation of Nigeria¹⁶

Consumer Advocacy Foundation is very actively engaged in promoting a just, fair and open marketplace that guarantees and protects the rights of consumers, particularly those with merger means. The avowed objectives and functions of the foundations are creation of consumer awareness, advocacy against fraudulent, abusive and predatory business practices¹⁷ and in particular riding Lagos markets free from exploitation and thereby achieving transparency among parties.

D. Consumer Protection Organization of Nigeria¹⁸

Consumer Protection Organization of Nigeria is about, if not, the oldest voluntary consumer organization of Nigeria, founded in 1970. The objectives of the organization include consumer information, education and advocacy. In pursuance of these aim and objectives, it used to publish a quarterly magazine known as 'The Consumer,' which covers and reports different consumer related issues and public alerts and warnings on fake defective and substandard products.

Its activities were well recognized and appreciated by government. At a time, it had its representatives on board of government agencies such as Council of Standard Organization of Nigeria, the Oyo State Government Taskforce on Foodstuff Price and the Advertising Practitioners' Council of Nigeria.¹⁹

E. Consumers Empowerment Organization of Nigeria

This organization was established in 1995. It is a research-based advocacy non-profit making non-governmental organization.²⁰ Its major objective is to strengthen consumer protection, competition and sustainable development regimes in Nigeria²¹ through research advocacy, awareness raising and capacity building, collaboration with relevant stakeholders and governmental agencies. Improvement of consumers' access to relevant information so as to make

¹⁶ [Hereafter, The CAFON]

¹⁷ <<http://www.cafon.org.ng>> accessed 26 August, 2024.

¹⁸ [Hereafter, The CPON]

¹⁹ Felicia Monye, supra, Law of Consumer Protection vol. 2, 2nd Edition (Kraft Books Limited) at P. 26

²⁰ This organization is based and operates in Ogun State Nigeria

²¹ The United Nation General Assembly issue Guidelines for Consumer protection in 1985 following vigorous agitations by Consumer protection associations. The guidelines were modified and expanded in 1999. This modified version encapsulated eight basic Consumer rights which member countries are encouraged to adopt in formulating their National Laws and policies. The eight rights include the Four enumerated by President J. F. Kennedy of the United State of American 1962 before the United States Congress. They include right to safety, to choose, to be informed and to be heard. Implicit in these right are right to satisfaction of basic needs, right to safety in the state of in the use of basic needs, right of choose, rights of information about basic needs and consumer protection, right of representation and redress. These rights were further adopted in 2015 by the United Nations General Assembly Resolution 70/186 on 22nd December, 2015 to address the challenges brought about by the digital revolution. The objectives of the guidelines are to encourage high ethical Standards for those who carry on the business of goods and services.

informed decision and choices at the marketplace through awareness raising, education, information and counselling as well as influence the National Competition Policy and law advocacy, enlightenment and capacity building.

Voluntary Consumer Association has played pivotal and intensive roles in the formation of the United Nations guidelines on consumer protection, which are being currently adopted by developed and developing countries in formulation of their national laws and policies. The activities of voluntary consumers associations have been instrumental in raising awareness and instrumental in policy change and direction globally.²² In addition, they have successfully removed millions of counterfeit listing from online marketplaces. The initiatives of Voluntary Consumers Association have advanced and encouraged the development of general consumer education and information programmes and systems, including information on environmental consequences and impacts of consumer choices and behaviours.²³ They have encouraged and assisted consumers to institute formal or informal procedures for the resolution of disputes involving consumers including those measures that address trans-boundary cases.²⁴

Generally, the activities of Voluntary Consumers Association have in no small measure promoted and encouraged the formulation, elaboration and implementation of standards for the safety of and quality of goods and services.²⁵ The activities have made the efforts of the United Nations and national agencies in charge of standards development easier²⁶.

4. Challenges and Limitations of Voluntary Consumers Associations

The crucial role that Voluntary Consumers Associations play in combating fake products and services cannot be overemphasized. Notwithstanding the important roles, Voluntary Consumers Associations face various challenges ranging from funding and resources constraints; there are also the challenges of legal and regulatory hurdles as well as coordination and co-operation challenges.

Voluntary Consumer Association faces serious challenges when it comes to mobilization of funds for its operations and this challenge has a long time limitation to achieving the aim and

²² <www.google.com> accessed 1st September, 2024.

²³ United Nations Guidelines 42

²⁴ Ibid, at guideline 39

²⁵ Guidelines 33-35

²⁶ In Nigeria, the agency saddled with the responsibility of development of standards is the Standard Organization of Nigeria (SON). Nigeria is a member of the International Organization of Standardization (ISO).

objectives of most associations. This is an onerous challenge that impacts negatively on their effectiveness. The usual source of funding for Voluntary Consumers Association includes:

- I. Membership fees and subscriptions
- II. Funds and grants from government consumer protection agencies, foundations, corporate bodies and public minded individuals and organization which are committed eradication fake and substandard products from the market.
- III. Fund raising events, campaigns and drives.
- IV. Sales of publications and educational literatures and materials.
- V. Project specific funding from international organizations.
- VI. Collaborations, sponsorship and partnerships with other organizations.

In spite of the known and mentioned sources of funding, Voluntary Consumers Associations nevertheless face funding challenges. The amounts of funds received from these sources are usually inadequate when compared to the enormous roles of the associations. More so, these funds are not certain because of the dependence on grants and donations which are in themselves not certain. There are also challenges of uncertainty of funding renewal, insufficient funding for projects and activities. There is the issue of difficulties in accessing funds generally from private financial institutions. Finally, there is also the challenge of high administrative cost and high energy cost currently being experienced in Nigeria and most parts of the world.

Apart from funding challenges, there are also the challenges of legal and regulatory hurdles. The first is a definitional or conceptual one. One of the challenges that emerge from the definition of consumer²⁷ as products and services are becoming more increasing transferable thereby making it possible for others to use products and services bought by others.

Be that as it may, most of the challenges presented by the definition of consumers are deemed to have been effectively resolved by judicial interpretation.²⁸ The decision in *Donoghue v*

²⁷ The concept of 'end user' or user as it is simply called becomes significant and popular in present day consumer protection. The attempt by some legislations and writers to define the meaning of the term to the purchasers of goods and services alone is legally restrictive and could impact on the work of voluntary consumers associations who in most cases may be hard-pressed to prove that a consumer is a contractual consumer or an end user. This implies that only contractual consumer/plaintiff is deemed to be a consumer, thereby negatively impacting on the chances of end users to sustain actions for damages or compensation reclaims. The approach of user has become more referable than consumer in the light of the foregoing because the concept of user is more significant today products and services are becoming increasingly transferable thereby making it possible for others to use products and services not bought by them.

²⁸ Felicia Monye, *supra*, at p 49

Stevenson,²⁹ and *Stennett v Harncock Peter*,³⁰ clearly and decisively illustrates that the meaning of the term consumer goes far beyond the sphere of contract to the realms of duty and negligence. In *Nigerian Bottling Company Limited v Ngonadi*,³¹ the Nigerian Supreme court held that the explosion of a kerosene refrigerator which caused serious bodily injuries to the respondent renders the applicant liable and proceeded to hold that the respondent is entitled to damages. A Furthermore, in the case of *Solu and ors v Total Nigeria Limited*³² involving a defective gas cylinder which exploded and caused injuries to members of the family. The court awarded damages in favour of the users.

There is a further issue of challenge confronting Voluntary Consumer Associations in litigious matters. This is the defence of lack of locus standi.³³ Most of the cases pursued by Voluntary Consumers Associations are cases fought on behalf of other or what is referred to public interest litigation. The defendants in such cases will naturally raise the question of the Voluntary Consumers Associations not having the requisite locus standi to initiate such a case not being a 'contractual consumer' or a 'user' as the case may be.

However, it is necessary to discuss the recent development in the principle of locus standi as stated by the supreme court of Nigeria in *Centre Oil Pollution Watch v Nigerian National Petroleum Corporation*³⁴ which provides an interesting extension of the application of the principle of *locus standi*. Though this is not directly based on consumer protection but can positively impact on future public interest cases that may be initiated by Voluntary Consumers Associations or indeed any non-governmental organisation protecting the rights of citizens. The regime of *locus standi* impacts heavily on consumer protection cases. For instance and by way of illumination of the investigation at hand, the applicants sued the respondents at the Federal High Court, Lagos, claiming reinstatement, restoration and remediation for the contaminated and impaired environment in Acha Autonomous Community in Abia State. Ancillary claims include the provision of portable water as replacement for the contaminated river which serves as the major source of drinking water for the community and medical facilities for the analysis, evacuation and treatment of the victims of the spillage and contaminated water. The appellants contended strongly that the community environment particularly their streams were contaminated by the oil spill caused by the respondent's negligence.

²⁹ (1932) AC 562

³⁰ (1939) 2 All E.R. 578; see also *Grant v. Australian Cotton Mills Ltd.* (1940) AC. 85, *Barnett v. H.J Packer & co. Ltd.* (1940) 3 All ER 575

³¹ (1985) 1 NWLR (4) 739

³² High Court of Lagos State suit no. ID/619/85, 1988

³³ *Locus standi* literally means the right of standing to bring a suit for adjudication.

³⁴ (2019) 8 NWLR (pt. 1666) 519 SC

In their statement of claim, the appellants were described as a non-governmental organization registered under the laws of Nigeria which functions inter alia, ensuring reinstatement, restoration and remediation of the environment belonging to no one including rivers, ecosystem and aquatic lives. The organization has over 2,000 members from within and outside Nigeria, including some members of the impacted community. The respondent denied the allegation of negligence contending that the damage to the pipeline, spillage and contamination was caused by acts of sabotage or interference by unscrupulous person within the community. At the trial, the respondents raised an obligation of law that the appellants have no locus standi to sue. The court accepted this contention and struck out the case for want of locus standi. On appeal, the Court of Appeal upheld the ruling of the Federal High Court dismissing the case: the appellant further appealed against the rulings of the Federal High Court and the Court of Appeal to the Supreme Court.

The major issue for determination before the apex court is whether the Court of Appeal was right in dismissing the appellant's appeal for want of *locus standi* to maintain the suit. The Supreme Court took into consideration the provisions of 3 main laws relating to the issue namely: Section 24 the African Charter of Peoples and Human Right,³⁵ Sections 20 and 33(1) of the Nigerian Constitution 1999³⁶ and section 17(4) of Oil Pipeline Act 1956.³⁷

The African Charter, in article 24, provides that: "all people shall have the right to a general satisfactory environment favourable to their development," while section 20 of the Constitution of Nigeria 1999, provides that;

The state shall protect and improve the environment and safeguard the water, air and land, forest and wide life of Nigeria. Section 33(1) enacts that "every person has a right to life; and no one shall be deprived intentionally of his life, save in execution of the sentence of a court in respect of a criminal offence of which he has been found guilty in Nigeria.

Section 17(4) of the Oil Pipeline Act provides that,

every license shall be subject to the provisions contained in this Act as in force at the data of its grant and to such regulations concerning public safety, the avoidance of interference with works of public utility In, over and under the land included in the licence and the prevention of pollution of such land and any waters as may from time to be in force.

The court while unanimously allowing the appeal held that section 20 of the Constitution provides that the state shall protect and improve the environment and safeguard the water, air

³⁵ The African Charter of Peoples and Human Right

³⁶ The Constitution of the Federal Republic of Nigeria 1999 (as amended)

³⁷ Cap-O, Laws of the Federal Republic of Nigeria. See also the Oil Pipeline Regulations.

and land, forest and wildlife of the country. On the part of section 17(4) of the Oil Pipeline Act. forbids compromise of public safety by the holder and prevention of pollution of land and water as in the instant case, therefore the issue of locus standi cannot be held as a defence in the instant case. It held that public interest litigation is instituted in the interest of the general public. An application to the court in this regard is initiated by one or more persons on behalf of some victims who cannot apply to court to seek redress for themselves due to one reason or the other. It is intended to improve access to justice to the poor where their rights are infringed and for the protection of the public affected. And again, such public interest litigation serves as a medium for protecting, liberating and transforming the interest of marginalized groups. It raises issues against non-personal interest of the appellant, public interest litigation is a catalyst for sustainable development. The above reasoning may have weighed in the minds of the court of English and Commonwealth and other countries Courts, which made them depart from the rigid application of the concept of *locus standi* particularly when litigation on public interest is concerned.

The concept of *locus standi* is a common law doctrine of practice developed by the English Courts in the context of private litigation without regards to public interest litigation, although with greater public awareness of environmental degradation and public health and safety and the emergence of many non-governmental and non profit making organizations such as the Voluntary Consumers Association coupled with the liberation of the doctrine of *locus standi* in England, commonwealth and other countries the Nigerian Courts have followed in this stead in respect of public interest litigation it is hoped that this trend will be sustained.

5. Conclusion

Consumerism in essence and in true conceptual context is about maximizing consumers' satisfaction and safeguarding the right and interest of the consumer of products and services which cuts across different issues, from the product and service it-self, to quality, price, durability, product labelling and competent and effective complaint resolution mechanism. It has been demonstrated the undeniable impact of Voluntary Consumers Association, which ought to be empowered by government, regulatory agencies as well as public spirited individuals. The development and improvement of products and services today, especially public electricity supply is due to the commitment and doggedness of Consumers Associations. The role of voluntary Consumers Association in Nigeria cannot be overemphasized.

Consequent on the above, it is recommended that since Voluntary Consumer Associations over the years and far back in time have championed the issue of social movement of enhancing the position of the consumers in spite of the principle of *caveat emptor*, governments, all over the world should provide some measure of protection for consumers.³⁸ The major objective of consumers is to ensure that consumers enjoy/have value for their money as well as satisfaction and wellbeing from the products and services they consume. This is consumerism, a socio-legal mechanism aimed at enhancing the overall satisfaction of goods and services bought and consumed by the public. These movements or associations are a product of consumers' dissatisfaction and discontentment. It is therefore recommended that government and regulatory agencies should provide and ensure the safety and welfare of the people, by providing steady funding for the voluntary Consumers Associations. Provide training and sponsorship for members of recognized Associations to attend local and international conferences, seminars etc.

This is to enable them acquire the relevant knowledge to tackle challenges brought about by evolution of the digital age, rules, and guidelines relating to e-commerce, good business practices, public utilities, consumers redress systems, enforcement of trans-boundary deceptive and fraudulent practices which today constitute major area of abuse of consumers rights by promoting international co-operation and coordination.³⁹

Furthermore, government must deliberate on encouraging formation of voluntary Consumers Association to complement the work of regulatory agencies, since most of the regulatory bodies lack adequate manpower to cover the field in a large country like Nigeria. Much of the successes recorded by the regulatory agencies are owed to the whistle blowing efforts of these Associations

The courts must also continue and sustain the liberalization of application of the doctrine of *locus standi* as it concern public interest cases as well as put in place more effective, transparent and impartial mechanisms to address consumer complainants through administrative, judicial and alternative dispute resolutions and recognize the right of voluntary consumers association to present complainants and cases without let or hindrance.

³⁸ As early as 1266 there were legislations in England criminalizing the supply of 'corrupt foods.' There was the Magna-Carta 1215; the Assizes of Bread and Ale Act 1266; the Bread Act 1836, and host of others.

³⁹ United Nations Guideline for Consumer Protection 2015, Guideline 2

Akatugba Akpoviri Michael [*Ph.D*, B.L] & **Lilian Ifeoma Okeke** [*Ph.D*, B.L]

DOI:10.5281/zenodo.15318303



KBLSP Journal