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Consumer Protection and Market Regulations in Solomon Islands and Fiji, Comparative Analysis



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Synonyms

Competition; Consumer Affairs and Price Control; Consumer regulatory framework; Consumer welfare; Pacific Island countries

Brief Definitions

Monopoly – a business that does not have a competitor.

Externalities – the costs associated with the production and consumption but are not captured in the market price.

Public interest theory – unrestricted markets lead to failure; government is capable of

correcting these failures through regulations; regulators intervene to protect public interests from malpractices and misconduct in the marketplace.

Private interest theory – regulations only benefit certain effective groups in the society; wealth is maximized toward some effective group in the society.

Economic theory of regulation – regulations aim to achieve special interest of the powerful interest groups rather than upholding the public interest.

Capture theory – regulators are captured by the regulated private businesses with the intention of gaining a favor from the regulated businesses in the future.

Political theory – there are cases where the noneconomic interest groups may capture the regulator.

Introduction

Market regulations apply to markets operating within any government institutions such as the common law institutions including property rights, liability rules, and contract laws as well as the institutions influencing them (Joskow 2010). The significance of market regulation is to ensure that consumers are protected from unfair practices in the market. Thus, an effective consumer regulation should address market failures in an inexpensive manner without hampering the competitive process so that consumers have

choices regarding prices and products, and it should ensure that there are fewer barriers of entry and exit in the market (Koopman et al. 2015; Wright and Helland 2013). Apart from addressing market failure, market regulation also enhances the efficiency of the government programs, promotes civil rights, or provides for universal access to services deemed important (Dudley et al. 2017).

There are two theories that apply to consumer welfare and protection, and these are public interest theory of regulation and private interest theory of regulation. As per the former, consumer welfare can be enhanced through regulations. Therefore it refers to the optimal allocation of scarce resources to individual and collective goods and services to the society. However, the allocation of optimal resources is not optimal from the theoretical perspective; thus, the need to enhance the method of allocation by regulation arises (Hertog 2012; Koopman et al. 2015).

According to Brill (2011) and Koopman, Mitchell, and Thierer (2015), public interest theory assumes that unrestricted markets lead to failure due to the issues of monopolies (a business that does not have a competitor) and externalities (the costs associated with the production and consumption but is not captured in the market price), price gouging, and unequal bargaining powers and further assumes that government is capable of correcting these failures through regulations. The assumption of public interest theory is that regulators intervene to protect public interests from malpractices and misconduct in the marketplace (Ahmed 2016). Also, it has been assumed that its existence is due to significant market failures to protect the public interest (Urassa 2014).

However, this theory has been criticized since the public interest theories of regulations depend on leadership and the governments who have recently been seen as decreasing their capacity in boosting public value (Roman and Mcweaney 2017). As per Ginosar (2014), everybody wants to maximize their own interests; thus, this is not an exception for the regulators and results in regulation failure.

Private interest theory, on the other hand, states that regulations only benefit certain effective

groups in the society. This theory assumes that wealth is maximized toward some effective group in the society such as the consumers/consumers group, regulators or their staff, legislators, and union (Samaha and Khelif 2016). It also suggests that regulations will create much inefficiency in the market (Urassa 2014). Within the private interest theory, there are three main schools. The first school is the “economic theory of regulation” whose main assumption is that regulations aim to achieve special interest of the powerful interest groups rather than upholding the public interest. The second school of thought is the “capture theory” “which assumes that regulators are captured by the regulated private businesses with the intention of gaining a favour from the regulated businesses in the future” (Ginosar 2014, p. 305). The third school of thought is “political” which assumes that there are cases where the non-economic interest groups may capture the regulator (Morgan and Yueng 2007; Ginosar 2014).

Furthermore, an effective market regulation is one that will maximize consumer welfare in terms of setting fair prices and one that takes into account the unit costs, fixed costs, and the operational costs of resources. It also protects consumers from deceptive advertisements and hazardous products and promotes competition. For example, the United States and Australia have a regulation against harmful products, and that is the Consumer Product Safety Act 1972 and the Consumers’ Protection Law of Australia, respectively (Cowan 2004; McGarrit 2013; Rotfeld 2010; Wood 2017). Similarly developed countries such as Germany and France adopted different approaches to enhance consumer information. German policymakers concentrated on providing consumers with precise technical product information through a strict set of regulatory policies to regulate the content of commercial speech and provide useful information to consumers, whereas France policymakers impose relatively weak information requirement as they value creative advertisement. This approach is to uphold circulation of objective product information derived from comparative product tests (Rothschild 2016; Trumbull 2006).

Moreover, there are fines imposed on deceptive advertisements or misleading information to discourage businesses from misleading the consumers as well as to restructure their competitive marketing strategy. The optimal fines should exceed the benefits of the violation taking into account the cost of detecting the breach (Passarini et al. 2017).

Hence, there is a need for reform in the legislation regarding advertisement to prevent misleading information and price baiting (the practice of luring consumers with unrealistic low price to bring them to the shop and then selling them the expensive goods). An example of this reform in South Australia is what occurred between the years of 2000 and 2008. The reform ensures that there is transparency in real-estate transactions, targeting bait pricing in the real-estate advertisements, which are fraudulent or deceptive (Kupke et al. 2014; Meloni 2010).

In the United Kingdom, one contentious issue is, even though market regulation is a buffer between the regulated economic activities and the enhancement of consumers' welfare, it negatively impacted on competitiveness, firms' performances, and its inputs as well as employment. However, better institutions, (one that is independent from political influence, considers all contingencies, and incorporates all strategic versions of regulatory policies) can help to reduce the adverse impact of regulations on macroeconomic performances (Fooks and Mills 2017; Messaoud and Tehen 2014). Hence, an effective regulatory policy needs full government approach in order to take into consideration the dynamic perspectives that interplay between the different institutions involved in the regulatory process. The departments that hold vital responsibilities in the regulatory policies are finance, justice, trade, and industries, but accountability should be increased in all government ministries (OCED 2017). In addition, when comparing the regulatory regime of the developed and developing countries, it is essential to understand the interaction between the regulatory regime and the context of the country that will enforce the regulation (Lodge and Stirton 2001).

According to OECD (2017), an ideal market regulatory framework is able to capture all contingencies and incorporates strategic version of a healthier regulation policy that clearly defines its long-term directions and its intentions of contributing to the public policy goals. An ideal regulatory framework should be designed in a tailor-made manner, considering the findings of cognitive sciences (Atamer 2017).

Moreover, as per Wood (2017), consumers need protection in the following areas:

1. Weights and measures (the measurement of volumes of oil, wine, and grain) to ensure there is uniform trade measurement legislation.
2. Public health and food ensuring the businesses comply with the Public Health Act. Due to the increasing growth of patent, such protection is necessary for the protection of reputable businesses from disreputable competitors.
3. Dangerous people, prevention of undesirable people carrying out certain occupation, which is risky for consumers.
4. Building, to ensure only qualified contractors are allowed to construct buildings.
5. Deceptive products mitigated through the enactment of product liability provisions in the United States as well the English law.

Consumers need protection to ensure they enjoy and exercise their rights to safety, rights to be informed, rights to choose, rights to be heard, rights to redress, and rights of privacy (Alsmadi and Alnawas 2017; UNCTAD 2018a, b). Therefore, countries such as Croatia have a separate legal regulation of consumer protection to protect the citizen rights and interests when purchasing goods and services for their personal needs (Josipović 2013). According to Rotfeld (2010), consumer protection is not to protect consumer but to protect the system of competition since the businesses are getting bigger and the industrial world is becoming complicated. Therefore, the activism of consumer protection has been originally to protect the marketplace rather than the consumers. He further suggested that consumers could protect themselves if they are well informed about the market, and this can contribute

positively to the system of competition. However, a reasonably well-informed consumer is not always a perfectly reasonably informed consumer capable of making sound decisions since information is costly to obtain and translate (Pappalardo 2012). Hence, the argument is not always true.

As per Nyberg et al. (2012), in a market, there are rational and imperfectly rational consumers (consumers who misperceive the benefits and costs of a product or service). In this instance, the businesses can exploit the misperceptions of the imperfectly rational consumers and where there is limitation in educating those consumers in terms of the products, services, and contracts. In this situation, competition exacerbates the misperception of consumers. Hence, market regulation is needed to protect the imperfectly rational consumers, or a sophisticated mediator should assist in advising the imperfectly rational consumers since the benefit of competition does not necessarily cover the imperfectly rational consumers (Gans 2005; Bar-Gill 2011). However, according to Atamar (2017), information asymmetry is a myth since information is costly to produce and equal distribution of information is expensive, but an informed consumer can make a sound marketing decision.

Market regulation is important in protecting consumers against various issues such as misleading information, restriction of information to those who pay, difficulty in the evaluation of the characteristics of all products and services by consumers, and also the market incapability to regulate itself in the context of social and economic activity (Akinbami 2011; Lee 2017; Tireole 2014). However, in developing countries, less attention is given to consumer affairs, and it leaves a vague status of consumer rights with apparently poorly oriented consumer culture (Alsmadi and Alnawas 2017). Additionally, well-informed consumers would force the industries to enhance the quality of goods and services that meets their requirements, thus triggering competition (Campbell et al. 2011; Lodge and Stirton 2001). Another important consideration is the consumers' access to redress mechanism (the act of rectifying or compensating the consumers) if they have experienced unfair practices or suffer losses

in the market. It is important that consumers who suffer loss seek redress or compensation in the tribunal or court (Wood 2017; UNCTAD 2018a). The forms of redress can be strengthened by providing more efficient ways to resolve disputes between consumers and businesses (Sitnikov and Bocean 2014).

Moreover, consumers through procedures such as consumer dispute resolution and small claim courts can directly and indirectly use consumers' policy on redress. Countries such as the United Kingdom, United States, Canada, and Australia have small claim courts, which is moderately effective in providing consumer redress (Delgadillo 2014; Paterson 2011). Apart from that, consumer complaints are solved through direct resolution, for instance, the refund of product or service. That is a cheaper solution for businesses and provides the fastest recompense for consumers (Delgadillo 2014; Paterson 2011; Zakuan et al. 2012).

Background of the Consumer Protection Institutions in Solomon Islands and Fiji

The Solomon Islands is a sovereign Melanesian country located in the South Pacific Ocean, south-east of Papua New Guinea and northwest of Vanuatu. More than 90% of the population is Melanesian. The population size is 600,000 and the country has a total area of 28,900 km². The major languages are English (official) and Melanesian dialects. Major religion is Christianity and the currency is Solomon Islands dollar ("Solomon Islands country profile," 2018; "Country profile of the Solomon Islands," 2016).

Solomon Islands is an agricultural-based society with main industries of copra, timber, palm oil, fish, cocoa, and beef cattle. The country is relatively rich in minerals and forest resources ("Country profile of the Solomon Islands," 2016).

The Republic of Fiji is an island in Melanesia in the South Pacific Ocean about 1,100 nautical miles northeast of New Zealand's North Island. Fiji is one of the most developed economies in the Pacific relying heavily on its tourism and sugar industry. The population of Fiji is 900,000 with an

area of 18, 376 square km. The major languages in Fiji are English, Fijian, and Hindi. The major religions are Christianity, Hinduism, and Islam (“Fiji country Profile,” 2018).

The Consumer Affairs and Price Control (CAPC) Division is a unit within the Ministry of Commerce, Industry, Labour and Immigration. The Division’s vision is to become an effective advocator of consumer rights in Solomon Islands. Its mission is to promote and safeguard consumers’ legitimate interests and to ensure that the consumer rights of families, communities, cultures, and environments are protected through consumer protection, weights and measures, and control services.

The Fijian Competition and Consumer Commission (FCCC) is the competitor regulator in Fiji that ensures integrated framework for regulating the monopoly market structure encouraging competition, restrictive trade practices, and consumer protection and is responsible for controlling the prices of public utilities and some other price-controlled items such as the common basic goods consumed by the consumers such as flour, tuna, and bread.

The Consumer Council of Fiji (CCoF) is a watchdog that protects the rights of consumers through the promotion of fair delivery of goods and services. The insight of CCoF into consumer needs is a powerful tool in influencing the decision-makers to bring about change. The council protects the vulnerable groups in the society such as the poor, the physically and mentally challenged, children, and women by identifying and articulating policy issues that are important to consumers.

This entry focuses mainly on the functions and powers of the CAPC Division regarding market regulation and consumer protection and compares them to the functions and powers of FCCC and CCoF. The comparative analysis is to identify loopholes that need strengthening. Consumer protection is vital for a possible development in a Pacific Island country (PIC) such as Solomon Islands (ADB 2016).

The following acts in Table 1 mandate the three consumer protection institutions (CAPC Division,

FCCC, and CCoF) in Solomon Islands and Fiji, respectively.

Table 1 shows the acts that mandate the functions and powers of CAPC Division to protect the consumer interests, which are the Price Control Act 1982, Consumer Protection Act 1995, and Weights and Measures Act 1980. The FCCC functions and powers are mandated by the FCCC Act 2010, and CCoF functions and powers are authorized by CCoF Act 1976. As such, their duties and powers of regulating the market and protecting consumer interests are within these jurisdictions.

The acts indicate that CAPC Division and FCCC have regulated the market in terms of price control on basic goods and items. Tables 2 and 3 show the basic goods and items that are price controlled by the CAPC Division and FCCC, respectively.

These two institutions emphasize on controlling the prices of basic goods and items as a form of protecting consumers from being exploited by traders. Also prior to regulating the price, a thorough assessment is done to ensure that prices are viable and traders are not disadvantaged. On the same note, the effective market regulations enforced by CAPC Division and FCCC is to maximize consumer welfare in terms of price fairness. Scholars like Cowan (2004) and Rotfeld (2010) have also supported this practice.

The CAPC Division, FCCC, and CCoF further protect consumers in promoting social justice when an issue arises. Scholars such as Stinikov and Bocean (2014) and Wood (2017) also support

Consumer Protection and Market Regulations in Solomon Islands and Fiji, Comparative Analysis, Table 1 Acts

CAPC Division (Solomon Islands)	FCCC (Fiji)	CCoF (Fiji)
Price Control Act 1982	FCCC Act 2010	Consumer Council of Fiji Act 1976
Consumer Protection Act 1995		
Weight and Measure Act 1980		

Source: Interviews with Henry, 2018 (Solomon Islands); Rita 2018 (Fiji); Peters 2019 (Fiji)

Consumer Protection and Market Regulations in Solomon Islands and Fiji, Comparative Analysis, Table 2 The CAPC Division price-controlled goods/items

1	Milk
	Nestle Sweetened Condensed Milk
	Nestle Sunshine Full Cream Powder
2.	Meat
	Imperial Corned Beef (red)
	Imperial Corned Beef (blue with cereal)
	Ox & Palm Corned Beef
	Ma Ling Luncheon Meat
	Peck's Braised Steak & Onions
3	Fish
	Solomon Blue
	Solomon Blue Special
	Taiyo Skipjack Tuna
	777 Mackerel (with or without tomato sauce)
4	Sugar
	All brands
5	Flour (plain and self-rising flour)
	All brands – bulk packages 10 kg and over
6	Soap (bath)
	Lux
	Palmolive
	Lyla
7	Soap (washing)
	Omo
	Niu
	Solomon Soap Laundry Bar Soap
8	Rice
	Polished rice – local purchase (all brands)
	Polished rice – direct imports (all brands)
9	Cooking oil (all brands)
10	Curry powder
	Palm, Sunshine, Steric
11	Cabin or navy biscuits
	All brands produced locally
12	Liquified petroleum gas
	Butane gas and propane gas
13	Petroleum products
	Petroleum Motor Spirit
	Distillate (ADO)
	Kerosine (Kero)
	Mixed outboard motor fuel
14	Bread
	450 g and 900 g standard white loaves
15	Electricity charges
16	Water charges

Source: Price Control Act, 1982; interview with Henry, 2018

Consumer Protection and Market Regulations in Solomon Islands and Fiji, Comparative Analysis, Table 3 Price-controlled goods/items by FCCC

1	Rice
2	Blue peas
3	Salt
4	Split peas
5	Baby milk
6	Tuna
7	Sardines
8	Tin fish
9	Tea
10	Powdered milk
11	Liquid milk
12	Corned mutton
13	Corned beef
14	Edible oil
15	Butter
16	Margarine
17	Sugar of Fiji products (prepacked)
18	Breakfast and cabin crackers
19	Bread (long-loaf wrapped 400 g, loaf medium wrapped/sliced 600 g, loaf whole meal medium wrapped/sliced 600 g)

Source: Interview with Ben 2019; FCCC website

this view. However, CAPC Division has not done any prosecution so far, as the process is too lengthy and time-consuming. Therefore, cases are resolved through refund of cash and replacement of products. None of the complaints reach the court since consumers want to reach faster resolution (Interview with Adam 2018). FCCC also has the power to prosecute scrupulous traders unlike CCoF who do not have the power to prosecute; however, it supports complainants, should the case reach such resolution.

The three institutions also ensure that consumers function effectively in the market in terms of understanding their rights and responsibilities. They protect consumers by eliminating unacceptable behavior in the marketplace and ensuring products and services are safe for consumers to use or consume. These practices are supported by scholars Alsmadi and Alnawaz (2017), UNCTAD (2018a, b), and Wood (2017).

Furthermore, the institutions invite consumers for their views on legislations, regulations, and

other domestic policies and proposals. For instance, FCCC invites the consumers and stakeholders to give their submission or views on any changes in the market such as increases in tariff by Energy Fiji Limited (EFL) before it comes into effect.

The institutions further protect the consumers by ensuring that manufacturers or traders offer goods that meet reasonable standards of durability, utility, and reliability and are suitable for the purpose for which they are intended. This is similar to the Australian regulations against harmful and dangerous products, which is the Consumer Protection Law of Australia. These practices and examples of Australia are also highlighted by scholars Cowan (2004), McGarit (2013), Rotfeld (2010), and Wood (2017). Furthermore, the three institutions ensure efficient operation of any person or body engaged in the production of goods or in the provision of services or in activities connected with or incidental to the production of goods or the provision of services. They represent consumer interest internationally and in the government.

They also establish and maintain legal and administrative measures to enable redress through procedures that are expeditious, fair, inexpensive, and accessible. They help to develop, strengthen, and maintain a strong consumer policy for the protection of consumers in accordance with the economic and social circumstances for the country. This is in line with the suggestion of Atamar (2017) who stated that an ideal regulatory framework should be designed in a tailor-made manner. Scholars such as Lodge and Stirton (2001) also mentioned that it is vital to understand the regulatory regime and the context of the country. The practices of the institutions are in line with the above scholars' suggestion.

The CAPC Division further regulates the market and protects consumers by regulating weights and measures to ensure that the weighting and measuring instruments used by traders are in accordance with the Weights and Measures Act 1980 and that they are fair to consumers who purchase such goods and items. Scholars such as Wood (2017) contend that such measures will ensure that there is uniformity and fairness in the weights and measuring instruments in the market.

FCCC however does not regulate weights and measures since this comes under the responsibility of the Ministry of Industry, Trade and Tourism (MITT).

In terms of compliance and competition, awareness provided by the CAPC Division enhances the compliance level of the businesses as well. The number of complaints also declined compared to the past years. The number of complaints lodged in 2018 was only 20 (The CAPC Division did not disclose the number of complaints for previous years.). However, the CAPC Division's awareness coverage is limited as it focuses only on schools, clinics, and media (radio) once a week. This is why the message or information does not reach the entire population particularly those in the remote areas, resulting in consumers still lacking proper knowledge about their rights and responsibilities. Scholars like Rotfeld (2010) also suggest that well-informed consumers can protect themselves and can contribute effectively to the system of competition. However, Pappalardo (2012) argued that a well-informed consumer does not always make sound decisions in the market due to the cost of obtaining and translating information. Nevertheless, the practical side of awareness is positive which shows the declining number of complaints in Solomon Islands.

FCCC and CCoF, on the other hand, carry out greater awareness and are able to reach out to remote places or communities that are disadvantaged by transportation and distance. Also, they do not limit awareness to media but conduct workshops, visit schools and universities, make community visits, and send out teams to visit remote areas and facilitate World Consumers Rights Day. These means of awareness help to spread the information and educate the consumers as well as traders and reduce complaints and improve compliance level of businesses.

In addition, FCCC and CCoF have offices in the northern and western parts of Fiji which are responsible for these regions, unlike the CAPC Division that does not have any branch apart from the central office. Thus, reaching out to the scattered provinces with limited resources for awareness and monitoring purpose is quite impossible. In light of protecting consumers' interest,

the CAPC Division does not control competition unlike FCCC but promotes competition by enforcing the acts of other government ministries, as its competition policy is still underway with the assistance of Asia Development Bank (ABD). Therefore, the Division upholds the standards and acts of other government ministries and agencies since competition is the responsibility of other government ministries such as the Ministry of Mines, Energy and Electrification. Due to this limitation, the CAPC Division encounters discrepancies in the course of its duty when upholding the acts of other government ministries such as imported items not complying with the required standards in accordance to the acts they are enforcing.

For instance, electrical goods found in the shops do not meet the required standard in the Mines, Energy and Electrification Act 1990 which disrupts their duties.

FCCC, on the other hand, further protects the consumers by controlling and regulating the prices and charges in the industries that have less competition or are monopolies. Similarly, Commerce Commission NZ regulates industries where there is limited competition and monopolies to ensure consumers are not disadvantaged by lack of competition. Commerce Commission NZ promotes competition along the supply chain of the regulated industries. For example, in the airline industry, competition is facilitated between airlines (Commerce Commission NZ website). Likewise, ACCC regulates some national infrastructures such as communication and energy and monitors some infrastructures where there is limited competition (ACCC website).

Table 4 shows the industries that are regulated by FCCC. Hence, FCCC promote competition in a more thorough manner and consider all relevant factors where cases are assessed individually and a thorough comparative analysis with literature review based on countries with similar economies like Fiji is carried out. This provides a holistic view on the needs of that industry that needs to be controlled and regulated and helps to make recommendations for suitable policies for that industry.

Consumer Protection and Market Regulations in Solomon Islands and Fiji, Comparative Analysis, Table 4 Regulated industries

1	Agriculture
2	Airports
3	Basic food items (shown in Table 2)
4	Cement
5	Electricity
6	Gas
7	Hardware
8	Marine
9	Mergers and acquisitions
10	Petroleum
11	Pharmaceutical
12	Ports
13	Postal services
14	Rental
15	Shipping
16	Stationary
17	Steel
18	Telecommunications
19	Wheat
20	Water

Source: Interviews with Ben and Sam 2018

Recommendations and Conclusion

The following suggested recommendations are put forward to enhance the operation of the CAPC Division regarding market regulations and consumer protection.

The government should prioritize market regulation and consumer protection as one of the key areas to focus on, in terms of budget and policies. When regulation is given importance as the key area, it shows government commitment and makes it easy to seek assistance from aid donors especially when the Division is always facing budget constraints. This recommendation was also suggested by the ADB report (17) in which it stated that prioritizing this area will lead to the achievement of viable development for a small island state such as Solomon Islands. The Division will also be more effective when enforcing their functions like FCCC and CCoF.

Moreover, the market is dynamic; thus, the CAPC Division's acts (Price Control Act 1982,

Consumer Protection Act 1995, and Weights and Measures Act 1980) and regulations need to be reviewed to cater for the current market. Hence, utilities such as electricity need to be regulated since it is largely used by consumers. For instance, Australian Competition and Consumer Commission (ACCC) and FCCC regulate electricity since it is a utility that is widely used by the general public.

Another recommendation is to increase the powers of the CAPC Division like that of FCCC so that the Division does not enforce other government ministries or agencies' acts, causing inconsistencies and disruption in their duties. These inconsistencies can be avoided if the Division's acts are reviewed and responsibilities are better consolidated.

On the same note, the CAPC Division should become a statutory body so that it has more powers to carry out its functions since it is an independent body such as FCCC and CCoF.

If the Division becomes a statutory body, there will be a possibility of establishing a small claims court to deal with compensation and small claims, since it is time-consuming and expensive for cases to be heard in magistrate court. Redress matters can also be reached promptly.

The CAPC Division can also enhance its awareness program from just going to schools, health clinics, and the weekly broadcast over the radio. It can, for example, conduct road shows and visit tertiary institutions such as the Solomon Islands National University (SINU) and University of the South Pacific (USP) campus in Honiara. Also, the Division should conduct workshops for consumers and organize a mobile team to visit the provinces or the communities so that they are fully aware of their rights and responsibilities like what is being practiced by FCCC and CCoF. This will make it easier for the Division to solve any complain and also further reduce the number of complaints.

To conclude, the market regulations enforced by the three institutions to protect the consumers' interest are quite similar. However, it appears that the CAPC Division regulates the market but not to the extent done by FCCC, CCoF, ACCC, and Commerce Commission NZ who regulate

monopolies, control and promote competition, and protect consumers by providing in-depth awareness. In addition, FCCC and CCoF are statutory bodies and have their branches in the western and northern divisions apart from the head offices in Suva (capital of Fiji) Central Division. As such, these institutions have broader powers to deliver their functions as well as employees to carry out the duties unlike the CAPC Division, which is not a statutory body and has limited employees with no branches apart from the main office in Honiara (capital of Solomon Islands). Overall, the CAPC Division's regulation framework is concrete and similar to the regulations implemented by FCCC and CCoF but in a narrow scope and with limited resources.

References

- Adam A (2018, November 2) Chief inspector. (A. Mapuru, Interviewer)
- ADB (2016) Continuing reforms to stimulate private sector investments: a private assessment for Solomon Islands. Asian Development Bank, Manila. Retrieved August 3rd, 2018, from <http://www.adb.org>
- Ahmed MJ (2016) A conceptual framework for the Basel accords-based regulations. Emerald Insight 90–103. Retrieved October 15, 2018, from <https://doi.org/10.1108/JFRC-02-2015-0007>
- Akinbami F (2011) Financial services and consumer protection after the crises. *Int J Bank Mark* 9(2):134–144. Retrieved August 3rd, 2018, from <https://doi.org/10.1108/02652321111107620>
- Alsmadi S, Alnawas I (2017) Consumer rights paradigm: development of the construct in the Jordanian context. *J Bus Ethics*. Retrieved October 2018, from <https://doi.org/10.1007/s10551-018-3815-4>
- Atamer YM (2017) Why judicial control of price terms in consumer contracts might not always be the right answer – insights from behavioural law and economics. *Modern Law Rev* 80(4):626–642. Retrieved August 11, 2018, from <https://doi.org/10.1111/1468-2230.12277>
- Bar-Gill O (2011, December) Competition and consumer protection: a behavioural economics account. Law & economics research paper series working paper no. 11–42. New York University School of Law, New York. Retrieved from <http://ssrn.com/abstract=1974499>
- Ben J (2019, March 28). Senior Marketing Analyst-Price Control & Monitoring. (A. Mapuru, Interviewer)
- Brill J (2011) The intersection of consumer protection and competition in the new world of privacy. *Competit*

- Policy Int 7(1):8–20. Retrieved February 14, 2019, from <http://www.competitionpolicyinternational.com>
- Cowan S (2004) Utility regulation and risk allocation: the roles of marginal cost pricing and future markets. *J Regul Econ* 26(1):23–40. Retrieved July 20th, 2018, from <https://link.springer.com>
- Delgadillo LM (2014) An assessment of consumer protection and consumer empowerment in Costa Rica. <https://doi.org/10.1007/s10603-012-9206-9>
- Fiji country profile (2018, May 31) Retrieved July 20, 2020, from News: <https://www.bbc.com/news/world-asia-15896396>
- Fooks G, Mills T (2017) The tolerable cost of European Union regulation: leaving the EU and the market for politically convenient facts. *J Soc Policy* 46(4): 719–743. <https://doi.org/10.1017/S0047279417000526>
- Gans JS (2005) Protecting consumers by protecting competition: does behavioural economics support this contention? ResearchGate, 1–13. Retrieved from <https://www.researchgate.net/publication/228397223>
- Ginosar A (2014) Public-interest institutionalism: a positive perspective on regulation. *Adm Soc* 46(3): 301–317. <https://doi.org/10.1177/0095399712453926>
- Hertog JD (2012) Review of Economic Theories of Regulations. Retrieved August 3rd, 2018, from <https://www.uu.nl/rebo/economie/discussionpapers>
- Josipović T (2013) Enforcement activity in consumer protection regulation in Croatia. *J Consum Policy* 36: 287–314. <https://doi.org/10.1007/s10603-013-9238-9>
- Joskow PL (2010) Market Imperfections versus Regulatory Imperfections. Munchen: Econstor. Retrieved February 17, 2019, from <http://hdl.handle.net/10419/167005>
- Koopman C, Mitchell M, Thierer A (2015) The sharing economy and consumer protection regulation. 8(2). Retrieved September 21, 2018, from <https://heinonline.org/hol/license>
- Kupke V, Rossini P, Kershaw P (2014) Bait pricing: evaluating the success of regulatory reform in advertising. *Int J Hous Markets Anal* 7(3):333–345. Retrieved July 23, 2018, from <https://doi.org/10.1108/IJHMA-02-2013-0016>
- Lee K (2017) Consumer perception, information provision and regulation of insurance markets. *J Regul Econ* 51: 1–16. Retrieved August 8th, 2019, from <https://doi.org/10.1007/s11149-017-9317-y>
- Lodge M, Stirton L (2001) Regulating in the interest of the citizen: towards a single model of regulatory transparency? *Soc Econ Stud* 50(2):103–137. Retrieved July 18, 2018, from <http://www.jstor.org/stable/27865234>
- McGarit TO (2013) Freedom to harm, Consumer protection. Yale University Press. Retrieved July 17, 2018, from <https://www.jstor.org/stable/j.ctt32bhht.21>
- Meloni G (2010) Enabling regulatory reform, in making reform happen: lessons from OECD countries. Paris: OECD Publishing. Retrieved November 29, 2018, from <https://doi.org/10.1787/9789264086296-10-en>
- Messaoud B, Tehen ZE (2014) Business regulations and economic growth: what can be explained? *Int Strateg Manag Rev* 2:69–78. Retrieved August 3rd, 2018, from: <http://www.elsevier.com>
- Morgan B, Yueng K (2007) An introduction to law and regulation: text and materials. Cambridge University press, Cambridge, UK
- Nyberg S, Bar-Gill O, Heidhues P, Köszegi B, Murooka T, Stucke ME, . . . Bennett M (2012) The pros and cons of consumer protection. Konkurrensverket Swedish competition authority. Davidsons Tryckeri AB, Stockholm, pp 6–41
- OCED (2017) Regulation & the economy the relationship & how to improve it. Retrieved July 14, 2018, from <http://www.oecd.org>
- Pappalardo JK (2012) Product literacy and the economics of consumer protection policy. *J Consum Aff* 46(2): 319–332. Retrieved August 3rd, 2018, from <https://www.jstor.org/stable/23859863>
- Passarini P, Cavicchi A, Santini C, Mazzantini G (2017) Deceptive advertising and unfair commercial practices in the agrifood sector. The role of the Italian competition authority. *Br Food J* 119(8):1781–1800. Retrieved August 3rd, 2018, from <https://doi.org/10.1108/BFJ-12-2016-0600>
- Paterson JM (2011) Consumer affairs 36(4), 1–2. Retrieved October 18, 2019, from <https://doi.org/10.1177/1037969X1103600111>
- Peters G (2019, Mar 7). Senior consumer officer. (A. Mapuru, Interviewer)
- Rita S (2018, Nov 27) Senior compliance officer. (A. Mapuru, Interviewer)
- Roman AV, Mcweeney T (2017) Assessing the capacity for public value creation within leadership theories: raising the argument. *Int J Org Theory Behav* 20:480–510
- Rotfeld HJ (2010) A pessimist's simplistic historical perspective on the fourth wave of consumer protection. *J Consum Aff* 44(2):423–429. Retrieved August 3rd, 2018, from <https://www.jstor.org>
- Rothschild D (2016) Social and associational capital: social embeddedness and government intervention, pp 2–40. Retrieved November 13, 2019, from <https://www.researchgate.net/publication/319448302>
- Sam P (2018, Nov 27) Senior marketing analyst-infrastructure. (A. Mapuru, Interviewer)
- Samaha K, Khlif H (2016) Adoption of and compliance with IFRS in developing countries. *J Account Emerg Econ* 6:33–43
- Sitnikov CS, Bocean CG (2014) Ways to reduce consumer complaints – the EU perspective. *Amfiteatru Econ* 16(35):336–350
- Solomon Islands country profile (2018, January 4th) Retrieved July 20, 2020, from News: <https://www.bbc.com/news/world-asia-pacific-14919067>
- Tirole J (2014) Market power and regulation. The Prize in Economic Sciences. Retrieved Aug 3rd 2018, from <http://nobelprize.org>
- Trumbull G (2006) Consumer capitalism. Cornell University Press. Retrieved July 17, 2018, from <https://doi.org/10.7591/j.ctv2n7gj.1.8>

- UNCTAD (2018a) Dispute resolution and redress. UNCTAD Secretariat, Geneva
- UNCTAD (2018b) Manual on consumer protection. United Nations Conference on Trade and Development. UNCTAD Secretariat, New York, Geneva, pp 1–151
- Urassa GC (2014) The effect of the regulatory framework on the competitiveness of the dairy sector in Tanzania. *Int J Public Sect Manag* 27(4):296–305. <https://doi.org/10.1108/IJPSM-08-2011-0100>
- Wood JT (2017) In: Drahos P (ed) *Regulatory theory*. ANU Press, Canberra. Retrieved Aug 3rd 2018, from <https://www.jstor.org/stable/j.ctt1q1crtm.49>
- Wright JD, Helland E (2013) The dramatic rise of consumer protection law. In F. H. Buckley (Ed.), *The American Illness, the Dramatic Rise of Consumer Protection Law*. Yale University pres. Retrieved August 3rd, 2018, from <https://www.jstor.org>
- Zakuan ZZ, Ismail IR, Yusoff SS, Ismail R (2012) Consumer redress mechanism in Malaysia. 3rd International Conference on Business and Economic Research (3rd ICBER 2012) Proceeding, (pp. 1–8). Bandung. Retrieved August 13, 2019, from <http://www.researchgate.net/publication/268300377>
- Legislations
Fiji
Consumer Council of Fiji Act, 1976
Fijian Competition & Consumer Commission Act 2010
- Legislations
Solomon Islands
Consumer Protection Act 1995 c C.63
Price Control Act 1982 c C64
Weights and Measures Act 1980 c C.155