

INSTITUTIONAL FRAMEWORK FOR CONSUMERS PROTECTION IN NIGERIA

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ABSTRACT

This study examined the framework institutionalized for the protection of consumers in Nigeria. In particular it x-rayed the administrative and regulatory mechanisms put in place for the protection of consumers and considered the attitude of the courts in matters affecting the consumers. It was evidenced from the study that there are several regulatory agencies, with functions sometimes overlapping, set up to advance the consumer's course. The effectiveness of these agencies is brought into scrutiny, as sometimes, their existence is hardly known to the consumers. The study expressed a general lacklustre approach of the courts in consumer protection cases and its adverse effect on the consumers. If the consumer is to take benefit of whatever legal framework institutionalized for his protection in Nigeria, some level of judicial activism are required.

Keywords: *Institutional framework, Consumer Protection, Courts*

INTRODUCTION

Consumption is the essence of production of goods and services. The process of production would be worthless if the products of that process are not consumed. In Nigeria however, the incidence of fake, substandard, defective and adulterated product assumes an alarming dimension. The quality of services rendered by service providers leaves much to be desired. The consumer is left in a precarious position, having to pay for shoddy services, sometimes no services, and for goods that are below the regulated standards. Consumers of goods and services have been exposed to myriad of problems including problem of safety and quality of product and service.

Some framework has been institutionalised to address these consumer problems. These take the form of administrative interventions that regulate the activities of manufacturers and suppliers of goods and providers of services. Furthermore, the courts are there to enforce consumer legislation and award appropriate remedies to aggrieved consumers. This study analyses the existing framework for the protection of consumers in Nigeria. To achieve the objective of this study some cases that relate to consumer protection have been critically appraised to determine the attitude of Nigerian courts towards consumers protection.

A consumer is broadly defined as a person who buys or uses goods and services¹. This definition imports contractual nexus into the concept of consumer. It presupposes that the consumer retains his freedom; freedom to choose what and where to buy and freedom to choose to use or not to use a particular product or

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Xiang Xie



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