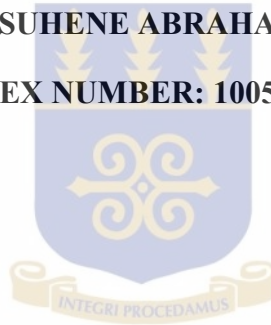


**CONSUMER PROTECTION AS A PUBLIC SAFETY MEASURE:
THE CASE OF GHANA STANDARDS AUTHORITY
AND THE PHARMACY COUNCIL**

BY

LORD OFOSUENE ABRAHAM YEBOAH

INDEX NUMBER: 10054383



**THIS DISSERTATION IS SUBMITTED TO THE UNIVERSITY OF GHANA,
LEGON IN PARTIAL FULFILMENT OF THE REQUIREMENT FOR THE
AWARD OF MA SOCIAL POLICY STUDIES DEGREE.**

OCTOBER, 2012

DECLARATION

It is hereby declared that this submission is my own work towards the acquisition of the MA degree and that, to the best of my knowledge, it contains no material previously published by another person nor material which has been accepted for the award of any other degree of the University, except where due acknowledgment has been made in the text.

Lord Ofosuhen Abraham Yeboah

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Index Number: 10054383

Signature

Date

Mr. Daniel Doh

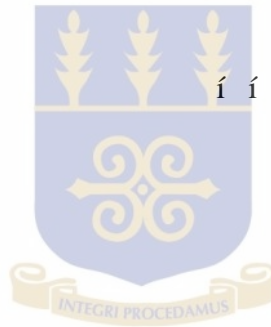
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Supervisor

Signature

Date



DEDICATION

This work is dedicated first to the Almighty God for His direction in completing it successfully. It is also dedicated to my family and all those who morally supported me in the course of the programme..



ACKNOWLEDGEMENTS

My heartfelt thanks first goes to the Almighty God for His care and guidance during the period of the programme. My next thanks goes to my Supervisor, Mr. Daniel Doh, for his scrutiny and constructive suggestions which have helped greatly to enrich this work.

I am grateful to the managements and staff concerned of the Ghana Standards Authority and the Pharmacy Council for their acceptance to provide me with the necessary information without any reservation. The project would not have been completed without their support.

My gratitude also goes to the numerous public respondents who wholeheartedly accepted to respond to the relevant questionnaires. Their contributions have greatly helped in making the research write-up what it is to meet the standards expected.

Finally, I wish to acknowledge the authors of my reference sources for their excellent works done in the various studies of relevance to the study. Without them the completeness of this work would not have been possible.

ABSTRACT

This is an institutional and a comparative case study involving the Ghana Standards Authority (GSA) and the Pharmacy Council (PC) on consumer protection as a public safety measure in Ghana.

Purposive sampling method was used in data gathering from 2 management representatives of GSA and PC, thirty (30) of the general workers of PC, fifty (50) of the general workers GSA and one hundred and twenty (120) consumers selected from the Accra City Campus of the University of Ghana, Ghana Atomic Energy Commission and its environs, and the Accra Shopping Mall. The respondents were made to complete questionnaires which were based on the objectives of the study. SPSS was used in generating the quantitative data from the relevant questionnaires. The quantitative data were then analyzed using descriptive statistics.

The study has found out that GSA somehow had the capacity to ensure consumer and public safety; but considering the size of Ghana's population and the volume of goods and services traded in much more ought to be done to guarantee the safety of the public. It was also found out that the PC lacked the capacity to perform thereby putting the safety of the public in jeopardy. With regard to the ability of the public to complement the efforts of the 2 institutions, the study shows that the public was not quite capable to complement those efforts. In sum therefore, the enforcement of existing consumer protection legislations for public safety purposes in Ghana calls for the immediate attention of all stakeholders concerned. Some policy recommendations have been made to curtail the situation. One of these is that existing policies on the works of CEPS, GIS and GAPOHA could be amended to make them more relevant for consumer protection.

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LIST OF ABBREVIATIONS

AFRCD	----	Armed Forces Revolutionary Council Decree
ASEAN	----	Association of South-East Asian Nations
BC	----	Before the birth of Christ
CEPS	----	Customs, Excise and Preventive Service
CPSC	----	Consumer Products Safety Commission
ECOWAS	----	Economic Community of West African States
EPA	----	Environmental Protection Agency
EU	----	European Union
FDA	----	Food and Drugs Administration/Agency
FDB	----	Food and Drugs Board
FTC	----	Federal Trade Commission
GEA	----	Ghana Employers Association
GHAPOHA	---	Ghana Ports and Harbours Authority
GIS	----	Ghana Immigration Service
GSA	----	Ghana Standards Authority
GSB	----	Ghana Standards Board
GSS	----	Ghana Statistical Service
ISSER	----	Institute of Social, Statistical and Economic Research
IOCU	----	International Organization of Consumer Unions

MA	----	Master of Arts Degree
NCA	----	National Communications Authority
NGOs	----	Non-Governmental Organizations
NIC	----	National Insurance Commission
NRCD	----	National Redemption Council Decree
NSW	----	North South Wales
NLCD	----	National Liberation Council Decree
PNDCL	----	Provisional National Defence Council Law
PURC	----	Public Utility Regulatory Commission
SADC	----	Southern African Development Community
TRASA	----	Telecommunications Regulatory Association of South Africa
TRPC	----	Technical Response Planning Committee
UN	----	United Nations
UNEP	----	United Nations Environmental Programme

CHAPTER ONE: INTRODUCTION

1.1 Background to the Study

The health and safety of citizens are of paramount importance to nations. For this reason, international organizations such as the United Nations and other bodies have stressed the need for member states to pay particular attention to the health and safety of their people. Consumer protection is one of the means of sustaining the health and safety of people.

Fundamentally, consumer protection is a right based issue. According to the United Nations Guidelines for Consumer Protection, the consumer has the following rights namely the right to satisfaction of basic needs, the right to safety, the right to be informed, the right to choose, the right to be heard, the right to consumer education, and the right to health and sustainable development (United Nations, 1985). There is therefore the need for states, communities and/or societies to guard against the exploitation of their members through unfair trade practices such as sales of goods and services to consumers without regard for the relevant local and international legislations. Such legislations, among other things, place emphasis on quality, safety and value for money.

According to the Institute of Social, Statistical and Economic Research [ISSER] (2008) of the University of Ghana, there is no centralized consumer protection legislation and/or policy in the country. However, there are pockets of legislations mandating some public institutions to oversee specific aspects of consumer protection. The Institutions include Ghana Standards Board, Food and Drugs Board, Public Utility Regulatory Commission, National Communications Authority, and Environmental Protection Agency (ISSER, 2008, page 12). Others are the Pharmacy Council, Medical and Dental Council, National Insurance Commission, Radiation Protection

Institute of the Ghana Atomic Energy Commission and the Bank of Ghana.

In spite of the establishment of these agencies, consumers in Ghana appear to be overwhelmed by provision of goods and services many of which do not conform to existing consumer protection standards. In a series of market surveillance exercises carried out by the Ghana Standards Authority in 2011 for example, 396 products were found to be using certification marks without the consent of the Authority suggesting that the products were sub-standard (GSA, 2012). The situation calls for more prudent measures to be put in place in ensuring, among other things, that products allowed in the local markets conform to national standards. More instances where substandard products had found their way into the open Ghanaian markets are captured in the following section.

1.2 The Problem

Since independence, Ghana has developed some important legislative frameworks resulting in the creation of institutions to ensure that consumers are protected for public safety purposes. Despite the series of legislations passed, Ghana continues to be overwhelmed by the influx of shoddy goods and services from both the outside world and within. For example, Dankwah (2006) asserts that in Ghana, just as in the United States, the maximum permissible level of hydroquinone by law is 2%. The reason for this is that the United States Food and Drug Agency has determined that when consumers use products containing more than 2% hydroquinone over a long period of time, they develop skin problems such as contact dermatitis, hyper-pigmentation and skin coloration among others; however, Ghanaians are importing and freely distributing 5% toxic hydroquinone creams with impunity (accessed from www.ghanaweb.com/GhanaHomePage/features/article.php on 05/05/12).

In 2010 also, some drug peddlers were apprehended for selling substandard pharmaceutical products during swoops in some of the regions by the Pharmacy Council's inspection teams; the Volta Region recorded a total swoop of 38, while Central region arrested 5 people for trading in unapproved pharmaceutical products (Pharmacy Council, 2011). Forensic analysis conducted in 2011 shows that 298 substances in the form of illegal and sub-standard drugs found their way into the consumer market in Ghana. Furthermore, 57 forensic samples involving adulterated drinks and poisoned foods, among others, were analyzed in 2011; these were sub-standard products which found their way into the open consumer markets in Ghana (GSA, 2012).

The reports by Dankwah (2006), the Pharmacy Council (2011) and GSA (2012) could indeed be a tip of the iceberg. The problem appears to have been further worsened by the lack of a central consumer protection law and the absence of vivid consumer protection articles even in the 1992 constitution of the country. For example, article 17 clause 4(a) of the directive principles of state policy in the 1992 Constitution suggests that Parliament may come in only after the unexpected has happened to the consumer. (Government of Ghana, 1992).

Though the repercussions of ineffective consumer protection policy or the lack of a more effective consumer protection policy could manifest themselves in health problems (as a result of the state's failure to prevent harmful products from reaching the consumer population some of whom could be illiterates), the concern expressed by the 1992 constitution in this regard could also lead to manipulation of the system by self-seeking individuals. This is notwithstanding the pockets of institutions such as the Ghana Standards Authority and the Pharmacy Council which are mandated by law to see to the protection of consumers in the country. Given the level of the influx of substandard goods into the Ghanaian market, the enforcement capacity of these institutions, perhaps among other things, calls for questioning.

1.3 The Research Questions

The main research questions are:

- a) Do the Ghana Standards Authority (GSA) and the Pharmacy Council (PC) have the capacity to perform with regard to public safety and consumer protection for that matter?
- b) Do Ghanaian consumers have the ability to complement the efforts of the GSA and PC in ensuring public safety?
- c) What could be the state of consumer protection and/or public safety in Ghana?

1.4 Objectives of the Study

Based on the questions raised, the study seeks to:

- i) Examine the institutional capacity of GSA and PC for consumer protection.
- ii) Examine the ability of Ghanaian consumers to complement the efforts GSA and PC in ensuring public safety
- iii) Based on the above objectives, examine the state of consumer protection and/or public safety in Ghana

1.5 Significance of the Study

Lack of appropriate technology, due to financial and other constraints, in monitoring goods and services providers put Ghanaian consumers at risk. The rampant rate at which substandard products, in the form of goods and services, find their way into the open markets calls for concern.

Based on these observations and more, the significance of the study are as follow:

To begin with, it will in the first instance reveal the state of consumer safety in Ghana with regard to the activities of the GSA and PC as bodies concerned with consumer protection.

It will also bring to the fore, the extent of awareness creation in Ghanaian consumers by the GSA and PC.

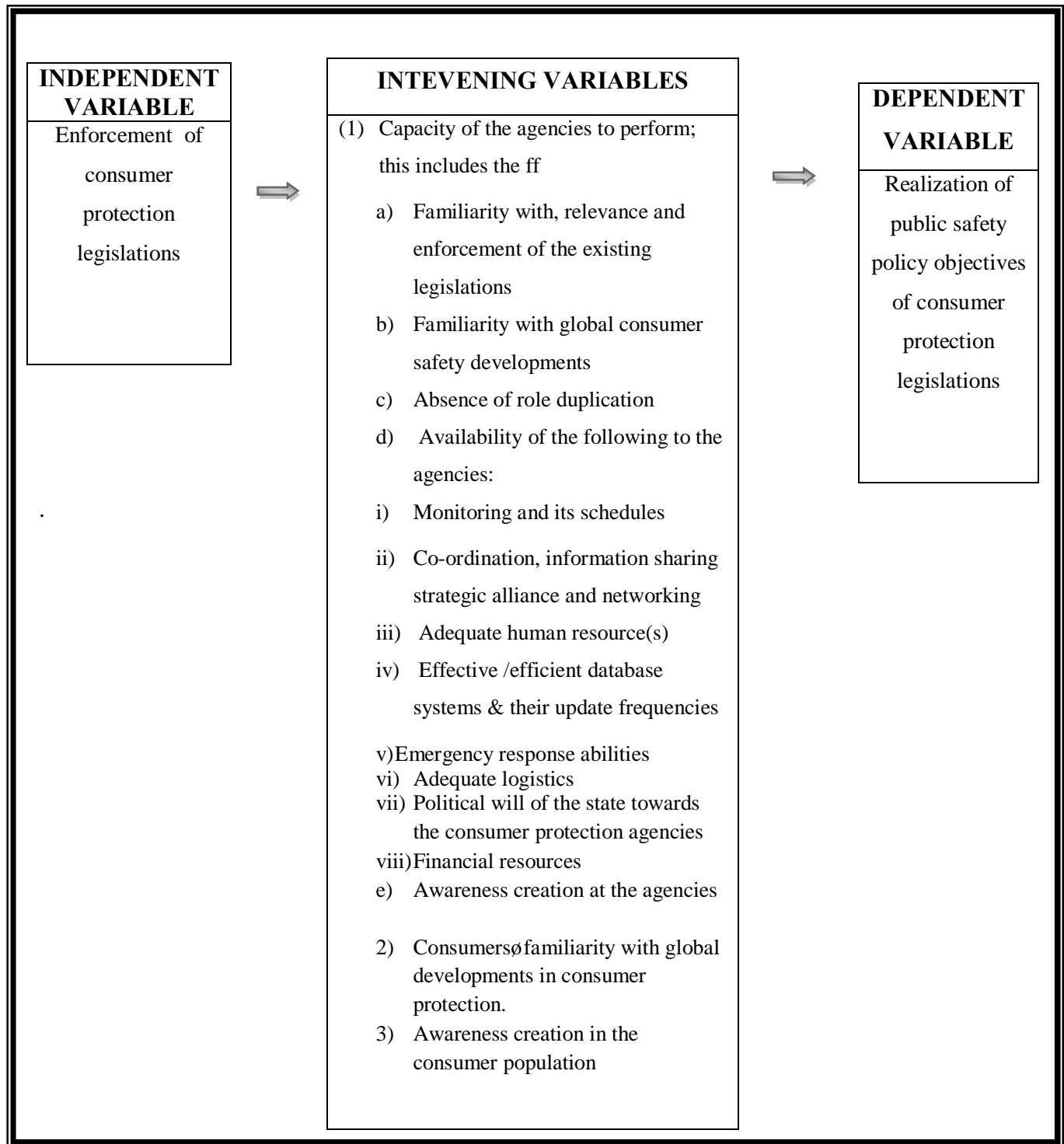
The study could further sensitize readers and the academia to extend or replicate it to other relevant areas.

Finally, the study seeks to add more to existing knowledge on consumer protection in Ghana.

1.6 Conceptual Framework

The conceptual framework showing the interplay of the enforcement of consumer protection legislations, and the realization of their public safety objectives is shown in the figure below. The framework shows the relationship between the enforcement of consumer protection legislations [independent variable] and the realization of the public safety policy objectives of the legislation (dependent variable). The study is based on the concept that the enforcement of legislations acting through intervening variables could affect the realization of the safety policy objectives of the legislations.

Figure 1.1: The Conceptual framework showing the interplay of enforcement of consumer protection legislations and the realization of consumer protection policy objectives.



Source: Researcherø Construct

1.7 Definition of Terms

The following definitions are made for the purpose of this study:

1.7.1 Consumer

According to the Longman Dictionary of Contemporary English, a consumer is someone who buys and uses products and services (Longman, 2001:289). For the purpose of this research, a consumer is the end-user of a product and/or a service.

1.7.2 Consumer Protection

It refers to safeguarding of consumers against the use of products and/or services which do not conform to standards set by the relevant authorities of a state. It is the safeguarding of consumers' interests in terms of quality, price and safety, usually within a statutory framework.

It is the efforts to ensure that products purchased by consumers are safe to use, will meet all express or implied performance standards, that consumers will have adequate information to make safe purchase and take decisions, that marketers are prevented from using fraudulent methods to sell their products, and that marketers compete fairly in the market place.

1.7.3 Consumer Protection Legislations

Consumer protection legislations refer to laws designed to aid retail consumers of goods and services that have been improperly manufactured, delivered, performed, handled or described. Such laws provide the retailer with additional protection and remedies not generally provided to merchants and others who engage in business transactions. It involves legislative, legal and/or statutory framework in securing the safety of the consumer from biological, environmental, economic, financial and/or social harm after spending money or anything of value in the acquisition of a good or service for personal or public use.

1.7.4 Other Definitions

a) Public: It refers to users of goods and services which are directly purchased or otherwise. It is used interchangeably in this study with consumers.

b) Products: They are goods and services patronized by consumers. Goods and services are thus used interchangeably with products

c) Ghana Standards Authority (GSA): Until the middle to the latter part of 2011, GSA used to be called the Ghana Standards Board (GSB). The change in name has not resulted in any major amendments in the law establishing the organization. In view of this, GSA and GSB could also used interchangeable in this study.

CHAPTER TWO: REVIEW OF LITERATURE

2.1 Why Consumer Protection

The need for consumer protection stems, among other things, from the inequalities in information availability to consumers and producers. A government's intervention and regulation in the area of consumer protection are thus justified on the basis of inherent information asymmetries and power imbalances in markets, with producers or service providers having more information about the product or service than the consumers. In support of this assertion, consumer protection framework should generally include the introduction of greater transparency and awareness about the goods and services, promotion of competition in the marketplace, prevention of fraud, education of consumers, and elimination of unfair practices (Ardic et al, 2011). This is necessary to avoid any repercussions or negative impacts of both centralized and decentralized markets on consumers.

2.2 Consumer Protection Across the World

2.2.1 Consumer Protection in Developed Countries

The European Union (EU) represents a market of nearly 500 million consumers, who together play a key role in the economic development of the EU and the broader world. To ensure the safety of this consumer population, regulatory efforts continue to keep up with the incredibly rapid pace of change (EU, 2007). These dynamics have driven the development of a new but centralized blueprint for consumer protection for the period 2007 ó 2013 targeted around several principal themes. These and many more efforts are likely to continue in view of the non-static nature of modern technology (EU Insight, 2007).

The 1969 North South Wales (NSW) Consumer Protection Act of Australia has assisted in the adoption of a fresh approach to the problem of safeguarding the interests of the public by

establishing the Consumer Affairs Council and the Consumer Affairs Bureau as centralized agencies. It has also focused on trade descriptions, false and misleading advertisements and the safety of goods available to the consumer (NSW Government, 2003).

The Consumer Product Safety Commission is an independent centralized authority of the United States government charged with the responsibility of regulating the sale and manufacture of 15,000 different consumer products including all-terrain vehicles (accessed from <http://www.en.wikipedia.org/wiki/US> on 05/05/2012). These and more suggest that the issue of consumer protection in the developed world, unlike some developing countries, is not treated lightly.

2.2.2 Consumer Protection in Developing Countries

The Association of South-East Asian Nations (ASEAN) realizes that consumer protection is an essential tool in building up a people-oriented community, and that consumer protection laws ensure fair competition as well as the free flow of correct information in the market place. The ASEAN Committee on Consumer Protection was therefore established in August 2007. The Committee and its working groups serve as the focal point for the implementation and monitoring of regional arrangements and mechanisms on and to foster the sustainable development of consumer protection in South-East Asia (ASEAN, 2007).

Approaches to consumer protection, however, vary greatly in developing countries, pointing to the need for in-depth evaluation of the range of practices for consumer protection in low-income/low-access environments. For example, the lack of political will on the part of most governments in developing countries to ensure consumer safety has resulted in weaknesses of institutions which are supposed to be responsible for effective consumer protection. In Pakistan for example, International Aid Agencies have been emphasizing upon the need for consumer safety since the

last 35 years but little or no interest was shown by the Pakistani government. However, few Non-Governmental Organizations (NGOs) sprang up in the 1980s in order to share international help in setting up consumer protection bodies (Khan, 2011). In addition, UN (2001) stresses that "in some cases privatization and deregulation have been effected with scanty regard for consumer interests and often in the absence of an institutional and legal framework for consumer protection" (p. 3). The processes of deregulation and liberalization have thus exposed consumers in developing countries and economies in transition to unsafe products and services and fraudulent business practices.

Chimbandi and Sihanya (1996) assert that "country reports of Africa have emphasized the fact that states are pursuing progressive economic liberalization, privatization, private sector development, and sub-regional and international co-operation without paying any or due regard to consumer rights and interests. It is also clear that technological change is increasingly defying rules of social and political responsibility; it is adversely affecting cultures, consumer desires and tastes; and has compromised consumer protection under existing laws" (Chimbandi and Sihanya, 1996, page i). In the light of the foregoing, a model law for consumer protection in Africa has been formulated in assisting African countries to enact or amend and implement appropriate legislations for the protection of consumers. In spite of this initiative, almost all African countries, for example Ghana, continue to be crippled with the lack of a more effective consumer protection system.

2.2.3 Consumer Protection in Ghana

Ghana shares common borders with the Republic of Togo on the East, La Cote d'Ivoire on the West, Burkina Faso in the North and in the South with the Gulf of Guinea. The country has a total land area of 238,533km² with an exclusive economic zone of 110,000 km² of the sea. This economic zone together with the land area forms the territorial area of the country. The country

also has a coast line of about 550km². By the close of 2010, Ghana had a population of about 24.5 million people (Tamakloe, 2011). This geographical location of Ghana, among other factors, makes the country a potential international trading partner.

Consumer protection in Ghana dates back to the colonial era when Price Control Legislations began under the colonial administration in 1949 with the passage of Price Control Regulations. This Ordinance was aimed at curbing rising prices which followed a world shortage of shipping as well of consumer goods. The resultant effect of those shortages was a widespread black market and a sharp rise in prices. The steep rise in prices bore heavily on the consuming and purchasing public. In combating the situation, the colonial government passed the first price control law in the Gold Coast, as Ghana was formerly called (Ansah-Asare, 1985).

The above developments notwithstanding, the supremacy of the 1957 and 1960 Constitutions failed to secure as consumer protection requirements, the health and safety of the citizenry. These requirements were, somehow, given another boost with the coming into being of the 1969 Constitution. Article 13 of the 1969 Constitution states, among other things, that "the family being the unit of society, Parliament shall enact such laws as will ensure the right of women and children to such special care and assistance as are necessary for the maintenance of their health, safety, development and well-being" (Government of Ghana, 1969, p. 9).

The need for consumer protection was indirectly boosted further upon the coming into being of the 1979 Constitution. Article 30 clause (3) (c) of the 1979 Constitution states "Nothing contained in or done under the authority of any law shall be held to be inconsistent with, or in contravention of this article to the extent that the law in question makes provision for the imposition of restrictions

that are reasonably required in the interest of defence, public safety, public health or the running of essential services' (Government of Ghana, 1979).

As the supreme law of Ghana at the moment, one should expect the 1992 Constitution to highlight or be more emphatic on the need for consumer protection as a demonstration of one of the commitments of the state to the health and safety of its inhabitants. However, this is not exactly so. To confirm this again, article 17 clause 4(a) of the directive principles of state policy in the 1992 Constitution states 'nothing in this article shall prevent Parliament from enacting laws that are reasonably necessary to provide for the implementation of policies and programmes aimed at addressing social, economic or educational imbalance in the Ghanaian society' (Government of Ghana, 1992). The article and the clause referred to in the Constitution suggest that Parliament may come in only after the unexpected has happened to the consumer.

In addition to the civil society initiatives, various legislations have been passed by the state to back its consumer protection policies. The legislations have thus established and mandated consumer protection related institutions such as the Ghana Standards Authority and the Pharmacy Council to ensure consumer safety in the country. The laws establishing the Ghana Standards Authority and the Pharmacy Council are highlighted in section 3.2 of this write-up. Some consumer protection bodies and the respective laws or legislations establishing and mandating them are also captured in the following table.

Table 2.1: State Owned Consumer Protection Bodies in Ghana and the Laws or Legislations Establishing Them

Nº	Name of Regulatory Body	Law Establishing Regulatory Body
1	Food and Drugs Board	Food and Drug Law 1992, PNDCL 305B, and amended by Food and Drugs (Amendment) Act 523, 1996.
2	National Communications Authority	Parliament of Republic of Ghana Act 769 of 2008
3	Public Utility Regulatory Commission	Parliament of Republic of Ghana Act 528 of 1997

4	Medical and Dental Council	Medical and Dental Decree, 1972 (NRCD 91), as amended by the Medical and Dental (Amendment) Decree, 1979 (NRCD 91) and Medical and Dental (Amendment) Decree, 1979 [AFRCD 8].
5	Bank of Ghana	Bank of Ghana Ordinance (No.34) of 1957, as amended by Bank of Ghana Act, 2002 Act 612
6	National Insurance Commission	Insurance Law, 1989 PNDCL 227
7	District Assemblies	Local Government Act 1993, Act 462

Source: Government of Ghana (1957, 1972, 1979, 1989, 1992, 1993, 1996, 2002, 2008).

2.3 Achieving Consumer Protection

Consumer protection could best be achieved through the following concepts.

2.3.1 Existence of Relevant Legislations

The importance of legislations is that they regulate the way people live. Legislations can have many purposes some of which are to regulate, authorize, proscribe, provide, grant, and declare or to restrict (Government of Queensland, 2011). A consumer protection policy without the necessary legislative backing is thus incomplete. However, legislations meant to back consumer protection practices must be relevant and subject to review in order for its relevance to be in consonance with the times.

2.3.2 Enforcement Mechanisms

For the enforcement of consumer protection legislations to be possible and effective, there must be mechanisms to enable enforcement to be effected. Without the necessary campaigns, enforcement mechanisms could be complemented by awareness creation in the public, policy-makers, opinion leaders, enforcement agents and the media. Furthermore, penalties for breach of the legislation have to be tailored to avoid enforcement difficulties and must be serious enough to deter violations but not so excessive as to undermine public support. The procedures used to impose sanctions should meet basic standards of fairness and transparency, and should be

consistent with the jurisdiction's legal and constitutional standards of due process of law and procedural fairness (World Health Organization, 2011). Consumer protection legislations can also be enforced through civil pre-emptive or remedial enforcement mechanisms. The most obvious among them is a court order for injunction or interdiction (Masutha, 2011). Legislations could also be enforced through conscientization of the masses at grassroots about their rights.

2.3.3 Monitoring and its schedules

Monitoring is a basic and universal management tool for identifying strengths and weaknesses in a programme. It encompasses a wide variety of techniques and methods and it applies to the management personnel, vehicles, progress of programme activities and the way the activities are carried out. Monitoring is very relevant in that it determines the progress in implementing for example, a national multisectoral strategic framework (Government of Tanzania, 2003). Monitoring also necessitates a sound understanding of policy issues at different levels, grounded where possible in an analysis of potential impacts on consumer protection.

An efficient scheduling phase is crucial in order to ensure that the project is completed on time and within budget (Bruni, 2008). In this respect, a detailed baseline project schedule plays a crucial role; as widely recognized by Mehta and Uzsoy (1998) and Möhring and Stork (2000), it supports project managers in monitoring the work progress, facilitating resource allocation and providing a basis for managing external activities, such as relations with work and/or project managers (Mehta and Uzsoy [1998] and Mohring and Stork [2000], as cited in Bruni [2008]).

2.3.4 Co-ordination and Information Sharing, Strategic Alliance and Networking

Lack of coordination and information sharing, depending on the business of the organization, will result in distortion of demand; this is bullwhip effect. It will increase general operation cost, decrease in efficiency, profit and information distortion among others (Paik and Bagchi, 2007; as

cited in Singh, 2011). Co-ordination and information sharing must thus be well pursued to validate their relevance to the efficient and effective performance of the organization no matter the form.

A strategic alliance is a relationship between two or more parties to pursue a set of agreed upon goals while remaining independent organizations. Partners, depending on their fields of endeavour, may provide the strategic alliance with resources such as knowledge, expertise, or intellectual property. It often involves access to knowledge and expertise to mention some of them. Networks on the other hand allow the opportunities for new know-how to emerge, and furthermore, make it possible for individuals to share that new knowledge (Holmlund and Fulton, 1999). Networks could also tackle breaches of consumer laws in a variety of areas such as misleading advertising.

2.3.5 Human Resource(s)

According to Ghana Employers Association (GEA), "human resource refers to the people who are employed by an organization; human resources, however, refers to the sum total of inherent abilities, acquired knowledge and skills represented by the aptitude, attitude and talents of an organization's workforce" (GEA, 2004, p. 6). For an organization to be able to live up to its expectation, it is required among other things that its need for human resource(s) is given the attention it deserves.

2.3.6 Database Systems

Reliable database systems of services and their providers, goods and their manufactures, and imported goods and services together with their importers, among others, is also a prerequisite for achieving consumer safety. Information is the key to success in today's businesses though maintaining information in logically consistent and feasibly retrievable format could be a daunting task (Subharti, 2008). The significance of database systems stems from the following: provision of information basis; quick, relevant and accurate determination of information; their ability to

overcome duplicate data (data redundancy); avoidance of data inconsistencies; avoidance of difficulties in accessing data; development of standard data format; performance of protection and data security and easier creation of a view abstraction from the data (Supardi, 2011). Failure of a database system to exhibit the qualities mentioned thus makes the system incomplete.

2.3.7 Emergency Response Ability

Among the key areas of relevance in the establishment of an effective emergency response plan are personnel, equipment and organizational capabilities. Properly trained personnel should be the first line of defense against escalating emergency situations. All emergency equipment should be in working order and replaced as and when necessary. Assigned personnel should demonstrate knowledge of proper operating procedures before making use of equipment in emergency situations (TRPC, 2011). By implication, the ability of a consumer protection organization to respond to emergencies could not be ignored.

2.3.8 Logistics

Logistics includes any activities involved in the management of inventory at rest or in motion. Logistics may be inbound or outbound. Inbound logistics have to do with transport, equipment, and materials. They are activities relating to the flow of goods, services and information in and out of an organization (University of Johannesburg, 2011). This presupposes that whether an organization could be active or not in the performance of its functions depends also to a large extent, on the availability of the logistics needed in its operations.

2.3.9 Awareness Creation

Awareness creation, among other things, involves taking appropriate steps in making people as stakeholders abreast with their duties or responsibilities to the state or society. Some of the steps

are information dissemination; public education and advertising. Yormsor (2007) maintains that informing and educating people on issues affecting them is an onerous role transcending the mission of many a private or public sector organization. The information being disseminated should also include those on the relevance of packaging standards.

According to the Consumers International (1996), consumers by their rights are entitled to health and safety in the consumption of technology, goods and services; they are also entitled to consumer education, fair and non-discriminatory treatment by suppliers of goods and services among others. Awareness creation should be of paramount significance to consumer protection authorities in exposing consumers to their rights. To buttress this point, Porteous and Helms (2005) for example note the large asymmetry between borrowers and lenders in microfinance in terms of awareness of the financial product or service, arising from illiteracy and inexperience on the part of borrowers, and differences in language and ethnicity.

2.3.10 Financial Resources

Some firms provide services to consumers. The ability of the firms to continue with the provision of those services depends, among other things, on the availability of funds to them (Pandey, 2004). Financial resources are thus vital to the effectiveness of organizations in their operations. Considering the importance of consumer protection as a public safety measure, it is necessary for the state to support requests for its funding.

CHAPTER THREE: METHODOLOGY

3.1 Research Design

The study sought to examine the performance of the Ghana Standards Authority (GSA) and the Pharmacy Council (PC) in the enforcement of their consumer protection legislations as a public safety measure in Ghana. Questionnaires were used to gather data on the following variables: enforcement of consumer protection legislations (independent variables), capacity of the public agencies to perform their consumer protection roles, consumers or public familiarity with global developments in consumer protection, awareness creation in the public by the relevant agencies (intervening variables) and the realization of public safety policy objectives of consumer protection legislations (dependent variables). Qualitative and quantitative data were thus collected through open and closed ended questionnaires from 3 groups of respondents namely managements of GSA and the PC, general workers of these organizations and a section of the public. This was to weigh the responses of the CEOs or their nominees who represented management against the responses of the general workers; it was also to weigh the responses the two organizations against that of the public. Statistical Package for the Social Sciences (SPSS) was used to analyze the quantitative data. Section 3.8 deals more with the data analysis.

3.2 Study Area

The research was more of organizational based. For this reason, the researcher proceeds to give the profiles of the respondent organizations as follows.

3.2.1 Profile of the Ghana Standards Authority (GSA)

Established by the Standard Decree 1973, NRCD 173, GSA (formerly the Ghana Standards Board) aims at the setting up and promulgation of standards with the object of ensuring high quality of

goods produced in Ghana, whether for local consumption or export, promotion of: standardization in industry and commerce, industrial efficiency and development, standards in public and industrial welfare, health and safety. The Authority is also charged with prohibiting the importation into Ghana of foods which have not been certified by the Authority as complying with its standards (Government of Ghana, 1979). The Authority has 10 branches which are located in Accra, Koforidua, Kumasi, Takoradi, Bolgatanga, Tamale, Elubu, Paga, Ho and Aflao. As at the end of 2011, it had a workforce of 275 country wide.

From the aims and functions of the Authority, its responsibilities go beyond seeing to conformity to standards acceptable to the country in terms of goods. The phrase "standards in public and industrial welfare, health and safety" suggests that the promotional responsibilities of GSB as stipulated by the Decree could be extended to such services as medical and construction, to mention some of them, for compliance.

3.2.2 Profile of the Pharmacy Council

The Pharmacy Council is the only statutory Authority established through the Pharmacy Act 487 of 1997. The Council is mandated to determine the qualification of persons, approve or licence persons engaged in dispensing, supply or sale of medicines in Ghana. It is thus responsible for securing in the public interest, the highest standards in the practice of pharmacy in Ghana, among other things, as enshrined in section 3 of the Act establishing the Council (Government of Ghana, 1997). The Council has 9 branches located in Accra, Koforidua, Kumasi, Sekondi, Cape Coast, Sunyani, Tamale, Wa and Ho. The Council, as at the end of 2011 had a workforce of 75 nationwide.

A close examination of the functions of the FDB and those of GSB together with the aims of the latter suggests duplication of some of the roles of the two bodies. This could result in apathy leading to some portions of the legislations not being enforced hence the consumer not being protected. Some of the duplications of the roles of GSB and FDB, for example, arise in the area of inspection services provision where the two agencies are involved. Another problem has to do with the provision of certification services where FDB is involved in product registration which is sometimes confused with product certification by GSB. In addition, the two agencies are involved in post market surveillance and food premises inspection thereby compounding the problems associated with role duplication (Sefa-Dedeh, 2009).

3.3 The Target Population

In this study, the population included Ghanaian consumers on one hand and employees (including management) of the respondent organizations (Ghana Standards Authority and the Pharmacy Council) on the other. It should be stressed that the consumer population, for the purpose of the study, also included some of the members of consumer protection non-governmental organizations such as the Consumer Protection Association of Ghana, Alliance for Accountable Governance, Ghana Microfinance Institution Network, Consumer Watch - Ghana and Consumer Partnership-Ghana.

3.4 Sampling Procedure

Purposive sampling (a non-probability sampling method) was used in the collection of primary data. The choice of purposive sampling was based on the feasibility of collecting the data to answer the research questions. Two groups namely Ghanaian consumers (ie the public) and employees of the organizations being studied (ie the Ghana Standards Authority and the Pharmacy Council) were sampled. The groups were sampled based on the possibility of the sampling units or

individuals to understand the research questions. To attest to this, Twumasi (2001) mentions that in adhering to the objectives of a study, the researcher selects respondents who can answer his research questions (p. 27).

Using the purposive sampling methods, therefore, the public respondents were sampled from the Ghana Atomic Energy Commission and its environs, the City Campus of the University of Ghana, the Shoprite and the Game Discount World all in Accra. The second group of the population (ie employees of the Standards Authority and the Pharmacy Council) were sampled from their respective head offices in Accra. Because of their population size and busy schedules, as much as could avail themselves to the study were sampled.

3.5. Sample Size

In view of time and other constraints faced by the researcher and the respondent population, a sample size of 120 was taken from the consumer population. In the case of the respondent organizations, 30 and 50 samples were taken from the employee population of the Pharmacy Council and the Ghana Standards Authority respectively. The two organizations were chosen because of for example, the proliferation of imports and local manufacturing of certain goods including pharmaceutical and food products in the country. The choice was further necessitated by the willingness of the two organizations to respond to the questionnaires compared to that of other organizations.

3.6 Data Collection

Primary data was the main source of information for the study. The public respondents, apart from those of the Accra City Campus of the University, were approached directly by the researcher to explain the relevance of the research to them. Depending on the individual's readiness to avail himself or herself to the researcher for the study, he or she was sampled and given ample time (at

most one hour), privacy and the relevant questionnaire to answer. Depending on the wishes and understanding of the respondent, the researcher made himself available to clarify issues bothering on the questions. In the case of the Accra City Campus respondents, permission was sought from some Teaching Assistants who, upon showing them the researcher's identity, agreed to administer the questionnaires on behalf of the researcher to students who accepted to answer the questionnaires. Their names were written and cancelled as they respectively collected and returned the questionnaires.

With regard to the organizational respondents, introductory letters were also obtained from the Centre for Social Policy Studies, University of Ghana and sent to the Executive Heads of the selected public safety institutions to seek formal consent to use their staff members for the study.

After approval was granted, the questionnaires were administered to the relevant staff who consented to participate in the study. For the purpose of anonymity, participants were not made to state their names. Follow-ups were made by the researcher to retrieve completed questionnaires from participating staff. To enhance confidentiality, an A4 sized envelope accompanied each questionnaire that was given to a participant, for him/her to place in the questionnaires and seal after completion.

3.7 Data Management and Quality Assurance

In ascertaining the suitability and applicability of the questionnaires for the study, a pilot test was done prior to the data collection. This was to establish the procedures and variables, clarify instructions, determine the appropriateness of the intervening variable, and to determine the reliability and validity of the variables. In pre-testing the questionnaires, therefore, people were accordingly sampled from places and institutions similar to those selected for the actual data

collection. The samples were males and females of different ages, educational, ranks and professional backgrounds with varied experience.

3.8 Data Analysis

Qualitative and quantitative methods were respectively employed in the analysis of the data gathered from management representatives of the respondent organizations, and the general workers of the organizations and the consumer population. Thus mixed methods were used in the data collection and analysis. This is because they provide the researcher with better opportunities to answer the research questions [Tashakori and Teddlie (2003) as cited in Saunders et al, 2007, p.146]. Qualitative approach to data analysis again predates quantitative analysis and that it remains a useful approach to data analysis enjoying a resurgence of interest among social scientists (Babbie, 2005, p. 387).

Quantitative method was however employed in analyzing the data gathered from the remaining 2 groups comprising of the general employees of the respondent organizations and the consumer population sampled. Quantitative method was employed because apart from questions 3 and 14 of the questionnaires for the public (appendix 5) and the employees (appendix 4) respectively, all the questions were closed-ended giving room to coding for quantitative analysis. Statistical Package for the Social Sciences (SPSS) and excel were thus used to analyze the data quantitatively using descriptive instead of inferential statistics. This is because Saunders et al (2007) state that for non-probability sampling (eg the purposive sampling method used in this study), the probability of each respondent being selected from the total population is not known. It is therefore impossible to answer research questions or to address objectives that require one to make statistical inferences about the characteristics of the population. One may still, however, be able to generalize from non-probability samples about the population but not on the grounds of inferential statistics (p. 207).

This explains why in this study no hypothesis was tested for. Some secondary data (appendix 2) have, however, been used in enhancing the discussions of the findings.

The qualitative responses of management representatives to their interview questionnaires have been tabulated and treated as appendix 1. This was to make room for in-depth analysis of the data gathered from the general respondents. References were, however, made to the management responses to support the presentation and discussion of the findings.

CHAPTER FOUR: DATA PRESENTATION AND DISCUSSION OF FINDINGS

4.1 Background of Respondents

The significance of the respondents' background is that it gives an idea of the nature of the internal stakeholders of the respondent organizations and the public respondents. The idea could then make it more possible for one to anticipate the outcome of the research based on the questions asked.

The various data on the respondents' background are summarized in the following tables.

Table 4.1a: Gender Composition of Ghana Standards Authority's Respondents

Gender	Frequency	Percentage
Male	32	64%
Female	17	34%
No response	1	2%
Total	50	100%

Source: Field Survey 2012

Table 4.1b: Gender Composition of Pharmacy Council's Respondents

Gender	Frequency	Percentage
Male	17	56.7%
Female	13	43.3%
Total	30	100.0%

Source: Field Survey 2012

Table 4.1c: Gender Composition of Public Respondents

Gender	Frequency	Percentage
Male	58	48.33%
Female	61	50.84%
No response	1	0.83%
Total	120	100.0%

Source: Field Survey 2012

From the data presented in Tables 4.2a,b, the population of workers in both organizations is very active. In quantitative terms, 70% of the respondent working population is very active ranging from 20 to 40 years of age while the remaining 30% are aged between 41 and at least 46 years in the case of the Standards Authority.

Table 4.2a: Age Distribution of Ghana Standards Authority's Respondents

Age Group	Frequency	Percentage
20-25	6	12%
26-30	8	16%
31-35	15	30%
36-40	6	12%
41-45	9	18%
46 and above	5	10%
No response	1	2%
Total	50	100%

Source: Field Survey 2012

Table 4.2b: Age Distribution of Pharmacy Council's Respondents

Age Group	Frequency	Percentage
20-25	5	16.7%
26-30	8	26.7%
31-35	9	30.0%
36-40	1	3.3%
41-45	4	13.3%
46 and above	3	10.0%
Total	30	100.0%

Source: Field survey 2012

This is better still at the Pharmacy Council where 76.7% of the respondent working population could be described as very active ranging also from age 20 to 40 years with the remaining 23.3% being less active all things being equal. The implication is that the performance capacities of both organizations stand to be greatly enhanced.

Table 4.2c: Age Distribution of Public Respondents

Age Group	Frequency	Percentage
0-19	13	10.8%
20-30	45	37.5%
31-40	30	25.0%
41-50	18	15.0%
51-60	10	8.4%
61 and above	3	2.5%
No response	1	0.8%
Total	120	100.0%

Source: Field Survey 2012

Table 4.2c shows that the public respondents are very active in terms of age. Quantitatively, 73.3% of the respondents are very active ranging from at least 19 to 40 years of age while 25.9% are aged between 41 and at least 61 years. The effects, if any, of the youthful nature of the respondents on their safety conscience as consumers may call for further investigation.

Table 4.3a: Academic and Professional Status of Ghana Standards Authority's Respondents

Qualifications	Frequency	Percentage
Certificate	2	4%
Diploma	3	6%
First Degree	32	64%
Masters Degree	11	22%
PhD Degree	2	4%
Total	50	100%

Source: Field Survey 2012

Table 4.3b: Academic and Professional Status of Pharmacy Councils' Respondents

Qualifications	Frequency	Percentage
Certificate	1	3.3%
Diploma	2	6.7%
First Degree	20	66.7%
Masters Degree	5	16.6%
PhD Degree	2	6.7%
Total	30	100.0%

Source: Field Survey 2012

Inferring from Tables 4.3a,b, at least 90% of the respondents in each of the organizations have attained various levels of tertiary education. The organizations are thus endowed with human resources to further enhance their performance capacities.

Table 4.3c: Levels of Education Attained by the Public Respondents

Level	Frequency	Percentage
No Education	0	0.0%
Primary	0	0.0%
JHS/Middle	4	3.3%
Senior High	30	25.0%
Tertiary	86	71.7%
Total	120	100.0%

Source: Field Survey 2012

It could also be inferred from Table 4.3c that, quite a sizable percentage (71.7%) of the respondents have had tertiary education with 25% having had secondary education. Only 3.3% of them have had basic education (Junior High School/Middle school). What this means is that all things being equal, majority of the public should be at least familiar with consumer protection globally and the functions of the respondent. They should also have at least a better understanding of the relevance of packaging standards among other things. But whether this is actually the situation or not would be known in due course.

4.2 Capacity of the Ghana Standards Authority (GSA) and the Pharmacy Council (PC) to ensure the safety of consumers

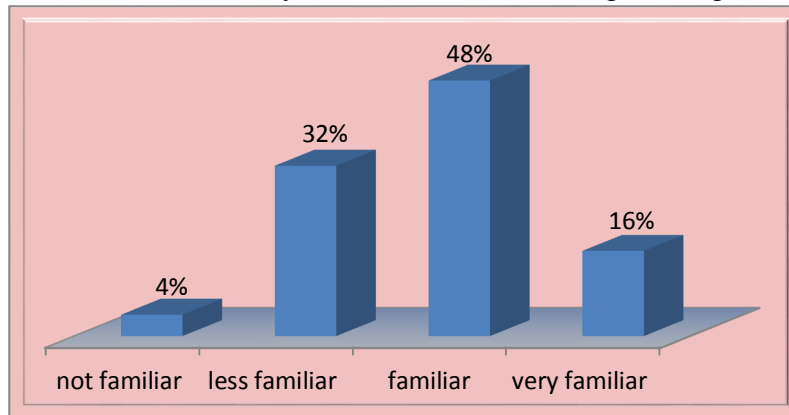
The capacity of GSA and PC to ensure the safety of consumers borders on the following:

4.2.1 Familiarity of GSA and PC employees with the laws from which they derive their mandates

It is important for the employees of GSA and PC to be very familiar with the laws from which their organizations operate. This is to enable them to weigh the laws against the current happenings in the consumer protection environment in order to make recommendations to the appropriate quarters when necessary for actions to be taken. In knowing whether the employees were familiar with the laws or not, they were asked (question 5 of appendix 3) how familiar they were with the laws from which their organizations derived the mandates to operate. The following figures show their familiarity with the laws.

From figure 4.1a, 64% (N=32) of the GSA employees were at least familiar with the law from which they operate as an organization. 36% (N=18) of them were at most not familiar with the law.

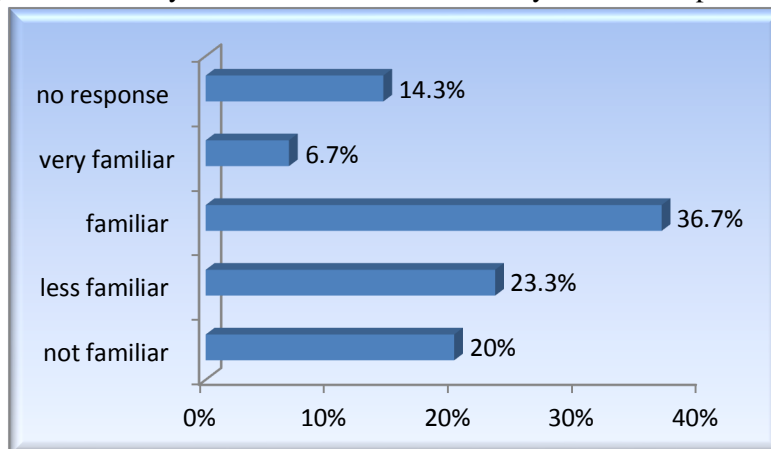
Fig 4.1a): Employees of GSA Familiarity with the Law Mandating the Organization



Source: Field Survey, 2012

Figure 4.1b below shows the response of Pharmacy Council's respondents to the same question asked their Standards Authority counterparts; the vertical and horizontal axes respectively represent the respondents' levels of familiarity and their percentages.

Fig 4.1b): PC Employees Familiarity with the Law from which they derive their powers to Function



Source: Field Survey, 2012

As the figure shows, 43.3% (N=13) of respondents were at most not familiar with the law with which their organization operates as a consumer protection body whereas 43.4% (N=13) were at least familiar with the law. 14.3% (N=4) did not respond to the question. It means therefore that GSA employees are far more familiar with the law than those of PC though from management perspectives (items 6 and 7a of Table 1, appendix 1) the organizations are almost at par with each

other. However, considering the calibre of the respondent employees and the importance of the functions of their organizations, they all need to be very familiar with the laws to enable them to interact better on issues regarding their roles with the public generally. This way the protection of consumers could be better guaranteed.

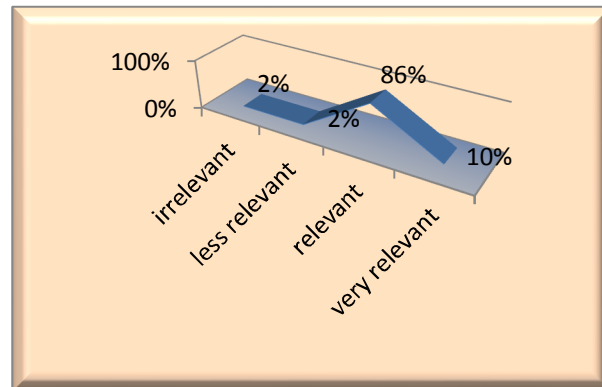
4.2.2 Relevance of the laws to GSA and PC employees in guaranteeing the safety of consumers

The figures below show the organizations' employees response to whether the laws mandating their organizations are relevant enough in guaranteeing the safety of consumers considering the current trade developments between Ghana and the international community (question 6, appendix 3). The vertical axes of the figures show the percentage of respondents while the horizontal axes show the degree of relevance of the laws from which the organizations operate to the respondents.

From figure 4.2a below, 4% (N= 2) of the employees of GSA said the law was at most irrelevant whilst 96% (N= 48) of them said the law was relevant at least. The response of the management of GSA (item 7b of Table 1, appendix 1) to a similar question indicates that the extent to which the law guarantees the safety of consumers is high meaning that the law is relevant just as the general workers maintain.

Figure 4.2b below also depicts that 13.3% (N= 4) of the PC employees said the law was irrelevant at most whereas 76% (N = 23) said the law from which the organization operates was relevant; 10.7% (N = 3) however said the law as it was, was very relevant in contemporary times. To the same question, the response of the management of the Council shows that the extent to which the existing law guarantees the safety of consumers is very high meaning the law is very relevant.

Fig 4.2a: Relevance of the Law to Standards Authority Employees for Consumer Safety

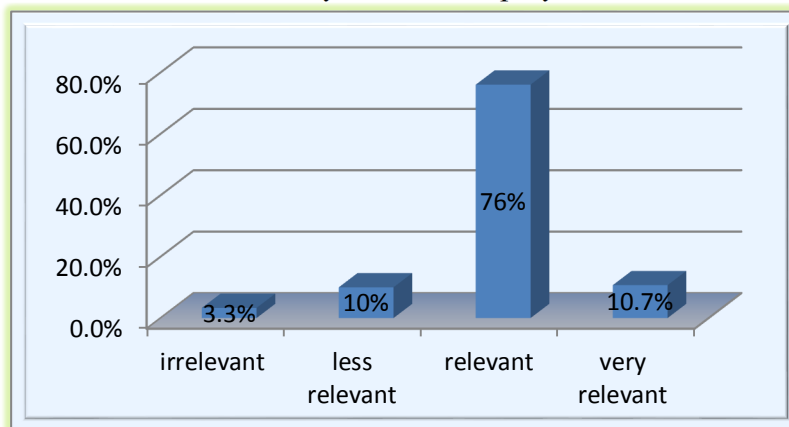


Source: Field Survey, 2012

This means, to both management and 76% of the respondent workers, the law is at least relevant.

In assessing the situation, the laws based on the opinions of the respondents of the 2 organizations were at least relevant in guaranteeing the safety of consumers. It means therefore that the protection of Ghanaian consumers by the organizations in question is guaranteed although the situation could be improved further.

Fig 4.2b: Relevance of the Law to Pharmacy Council Employees for Consumers Safety



Source: Field Survey, 2012

4.2.3 How the relevant legislations are enforced by GSA and PC in ensuring consumers' safety

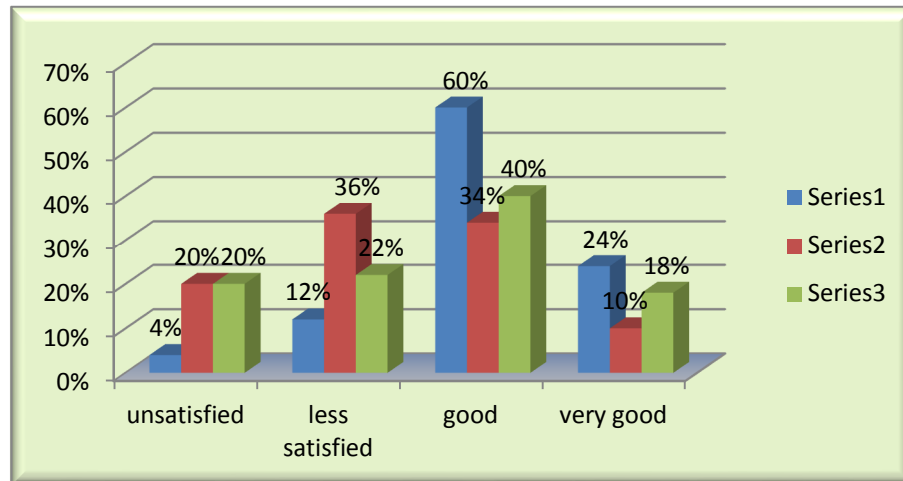
The respondent employees were asked (question 7 of appendix 3) to rate or score their respective organizations based on the realization of the 3 mechanisms in enforcing their consumer protection

legislations. Figures 4.3a, and 4.3b below show the employees' responses to the question asked. The vertical and horizontal axes represent the percentages of the respondents and their levels of satisfaction respectively. Series 1, 2 and 3 respectively represent public education on the institutions' standards, complaints making and dispute resolution avenues, and sanctions for non-compliance with the relevant legislation.

Figure 4.3a suggests that with regard to **public education on their agency's standards**, 4% (N=2) of the respondents of GSA were unsatisfied while 12% (N=6) were less satisfied with what has been achieved through the said mechanism as a mean of enforcing the law. On the other hand 60% (N=30) of respondents attested to the fact that the rate of public education is good whilst 24% (N= 12) also said the rate is very good. Concerning **complaints making and dispute resolution avenues** (series 2) as an enforcement mechanism, 20% of the respondents (N=10) rated the organization's performance as unsatisfactory, 36% (N=18) of them stated they were less satisfied, whereas 34% (N=17) and 10% (N=5) rated the performance as good and very good respectively. In respect of **sanctions for non-compliance with the relevant legislation** (series 3), 20% (N=10) of the respondents rated the performance of the organization as unsatisfactory, 22% (N=11) said they were less satisfied; however, 40% (N=20) and 18% (N=9) of the respondents rated the organizational performance as good and very good respectively.

In assessing the situation, 16% (N=8), 56% (N=28) and 42% (N=21) of the respondents were not quite satisfied with the organization's performance pertaining respectively to public education on its standards, complaint making and dispute resolution avenues, and sanctions for non-compliance with the relevant legislations. The response of management to similar question[s] (items 8, 9b, 10 and 18 in Table 1 of appendix 1) also suggests that indeed apart from the issue on public education, management attests to the employees' opinion on the issues in questions.

Fig 4.3a: GSA Employees' Scores on the Realization of some Enforcement Mechanisms by their Institution



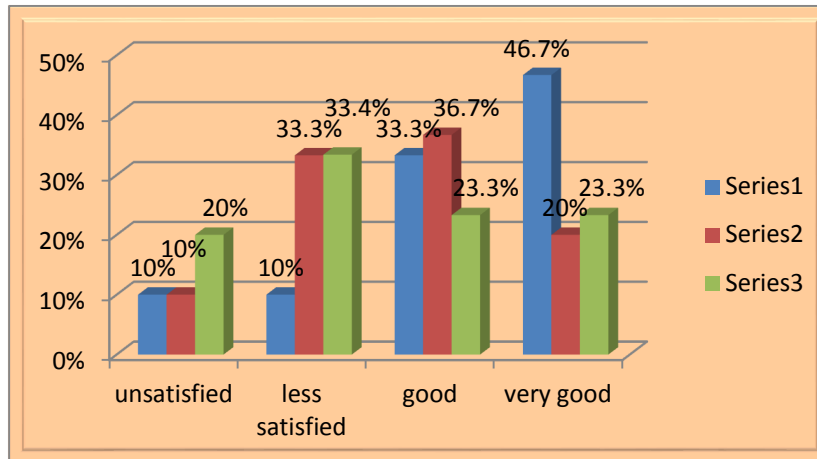
Source: Field Survey, 2012

It means therefore that to the respondents, the enforcement of the relevant legislation using the mechanisms stated is not the best. Figure 4.3b, on the other hand, suggests that with regard to **public education on their agency's standards** (series 1), 10% (N=3) of the respondents of PC were unsatisfied while another 10% (N=3) were less satisfied with what has been achieved through the said mechanism as a means of enforcing the law. On the other hand 33.3% (N=10) of respondents attested to the fact that the rate of public education is good whilst 46.7% (N=14) also said the rate is very good.

Concerning **complaints making and dispute resolution avenues** (series 2) as an enforcement mechanism, 10% of the respondents (N=3) rated the organization's performance as unsatisfactory, 33.3% (N=10) of them stated they were less satisfied, whereas 36.7% (N=11) and 20% (N=6) rated the performance as good and very good respectively. In respect of **sanctions for non-compliance with the relevant legislation** (series 3), 20% (N=6) of the respondents rated the performance of the organization as unsatisfactory, 33.4% (N=10) said they were less satisfied; however, 23.3%

(Né 7) and another 23.3% (Né7) of the respondents rated the organizational performance as good and very good respectively.

Fig 4.3b: PC Employeesø Scores on the Realization of some Enforcement Mechanisms by their Institution



Source: Field Survey, 2012

In assessing the situation, 20% (N=6), 43.3% (Né 13) and 53.4% (Né 16) of the respondents were not quite satisfied with the organization's performance pertaining respectively to public education on its standards, complaint making and dispute resolution avenues, and sanctions for non-compliance with the relevant legislations. The response of management to similar question[s] (items 8, 9b, 10 and 18b in Table 1 of appendix 1) also suggests that indeed with the exception of the issue on number of enforcement mechanisms and perhaps the mode of undertaking the mechanisms, management attests to the employeesø opinion on the issues raised in this instance. It means therefore that to the respondents, the enforcement of the relevant legislation using the mechanisms stated is not the best though it is somehow better than that of GSA.

The impressions of GSA and PC on the enforcement of the legislations with which they operate also borders on whether the employees of the respondent organizations agree to centralization of consumer protection legislations for more effective enforcement in Ghana or not (question 8 of appendix 3). According to the results of the quantitative analysis of the primary data gathered by

the researcher, 4% (N=2) of the GSA respondents strongly disagree with centralization of the relevant legislations, 12% (N=6) of the respondents disagree, 64% (N=32) of them agree with centralization of the relevant legislations while 20% (N=10) of them strongly agree to centralization. The response of GSA management to a similar question (item 11 in Table 1 of appendix 1) suggests that it strongly disagrees with centralization of the relevant legislations.

In the case of PC, the quantitative analysis shows that none of the respondents strongly disagree with centralization, 6.7% (N=2) of the respondents disagree with centralization of the relevant legislations, 73.3% (N=22) of them agree with centralization of the relevant legislations while 20% (N=6) of them strongly agree to centralization. The response of PC's management to a similar question (item 11 in Table 1 of appendix 1) suggests also that it strongly disagrees with centralization of the relevant legislations.

The impressions of GSA and PC on the enforcement of the legislations with which they operate further borders on how the employees of the respondent organizations see the importance of introducing consumer protection in Ghanaian secondary school curricula as a way of enhancing the enforcement of consumer protection legislations (question 9 of appendix 3). From the quantitative data generated from the analysis, none of the GSA respondents see the introduction of consumer protection in secondary schools as not being important, 4% (N=2) of the respondents consider the introduction to be less important, 84% (N=42) of them see the introduction as being important while 12% (N=6) of consider the introduction to be very important. The response of GSA management to a similar question (item 12a in Table 1 of appendix 1) suggests that it strongly agrees with introduction of consumer protection in Ghanaian secondary school curricula.

In the case of PC, the quantitative analysis shows that none of the respondents consider the introduction of consumer protection in the Ghanaian secondary school curricula as not being important, 6.7% (N=2) of the respondents consider the introduction to be less important, 60% (N=18) of them see the introduction to be important while 33.3% (N=6) of them view the introduction as very important. The response of PC management to a similar question (item 12a in Table 1 of appendix 1) however suggests that the introduction is not important.

4.2.4 Familiarity of GSA and PC respondents with global developments in consumer protection

The familiarity of the respondents with what pertains in the international community, as the relevant literature reviewed shows, is necessary when it comes to the organizations capacity to perform. The reason being that depending on how well the organizations workers are abreast with the happenings in the international scene, they could be able to compare their local performance with that of other countries in order to adjust to be better able to meet their consumer protection objectives. The end result is the enhancement of their capacity to perform. How the GSA and PC employees responded when asked to comment on their familiarity with consumer protection developments globally (question 10 of appendix 3) follows.

The response of GSA reveals that 32% (N=16) of the 50 respondents are not familiar with consumer protection developments globally whilst 30% (N=15) are less familiar; thus a corresponding 62% (N=16+15=31) of the staff respondents are at most not familiar with consumer protection developments globally. Also 36% [28% + 8%] (ie N=14+4=18) of respondents say they are familiar and very familiar respectively with consumer protection developments globally whilst 2% (N=1) of the respondents didn't respond to the question. Here the management of GSA was not

asked any such question because it was assumed that by its position, management is supposed to be abreast with consumer protection developments globally.

The response of the PC employees on the other hand reveals that 13.3% (N=4) are not familiar with consumer protection developments globally whilst 43.4% (N=13) are less familiar; thus a corresponding 56.7% (N=4 +13=17) of the staff respondents are not familiar at most with consumer protection developments globally. Also a corresponding 40% [33.3% + 6.7%] (ie N=10+2=12) of respondents claim that they are familiar and very familiar respectively with consumer protection developments globally whilst 3.3% (N=1) of the respondents didn't respond to the question. Here too the management of PC was not asked any such question because it was again assumed that by its position, management is supposed to be well abreast with consumer protection developments globally.

Considering the importance of familiarity with consumer protection developments globally, as an ingredient to performance capacity, the findings suggest that as far as employees who are more in direct contact with the public are concerned, the capacity of the organizations to perform fell below expectation. It means therefore that in the true sense, the organizations lack the needed capacity, in terms of the familiarity mentioned, for effective performance.

4.2.5 Absence of role duplication

According to Sefa-Dedeh (2009), some of the duplications of the roles of GSB and FDB, for example, arise in the area of inspection services provision where the two agencies are involved. When this happens, the capacity of the organization concerned to perform becomes negatively affected. It means therefore that the absence of role duplication could be seen as a performance capacity tool. To reveal the effects of role duplication (if any) on the performance capacity of the

organizations, the employees were asked how they see the effects of role duplication, if any, on the performance capacity of the organizations (question 11 of appendix 3).

The response from the GSA employees indicates that out of the 50 respondents, 2% (N=1) of them says the effect of role duplication is very alarming; 18% (N=9) of the respondents indicate that the effects of role duplication is alarming; 40% (N=20) of the respondents say they are less alarmed by the effects of role duplications on the performance of the organization; 30% (N=15) of the respondents say the effect is not alarming. Another 10% (N=5) of the respondents did not respond to the question. The response of a similar question posed to management (item 14 in Table 3 of appendix 1) of GSA however indicates that there is no such role duplication at all.

In the case of PC, out of the 30 respondents, 3.3% (N=1) of them says the effect of role duplication is very alarming; 46.7% (N=14) of the respondents attest to the fact the effect of role duplication is alarming while 3.3% (N=1) says the effect is less alarming. 40% (N=12) of the respondents say they are not alarmed by the effects of role duplications on the performance of Council. 6.7% (N=2) of the respondents didn't respond to the question. Again the response of a similar question posed to management (item 14 in Table 1 of appendix 1) of the Council however indicates that there is no such role duplication at all.

By way of assessment, the response of the majority of the employees shows in the first instance that role duplication is largely present in both organizations. The general response of the employees further shows the alarming nature of the situation. These coupled with the observations made by Sefa-Dedeh (2009) mean that the capacity of the organizations to perform is largely hindered although the two managements claim there are no role duplications. These divergent opinions in themselves show the lack of corporate governance in both organizations. According

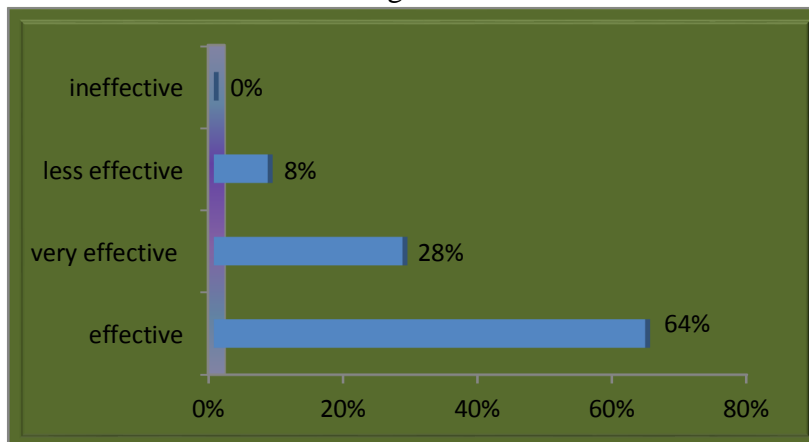
to Dess and Lumpkin (2003a), corporate governance can be defined as “the relationship among the various participants in determining the direction and performance of corporations” The participants include workers, management and shareholders among others. Depending on how good the relationship is between management and workers, the two are supposed to put their heads together in meeting the organization’s need for capacity to perform. When this happens the show of divergent views when it comes to certain questions is drastically reduced if not totally eliminated. The absence of good corporate governance practices as observed in the two organizations, therefore, hinders the organization’s capacity to perform.

4.2.6 Effectiveness of the monitoring schedules of the organizations

From the literature reviewed, the effectiveness of monitoring schedules could enhance the organization’s performance capacity. In knowing how effective the monitoring schedules of the respondent organizations were, the employees were asked to comment on the effectiveness of the schedules (question 12 of appendix 3).

Figure 4.4a below corresponds to the response of GSA employees to the question. The y-axis and x-axis of the figure show the level of effectiveness of the monitoring schedules and the percentage of employees respectively.

Figure 4.4a: The Effectiveness of the Monitoring Schedule of GSA

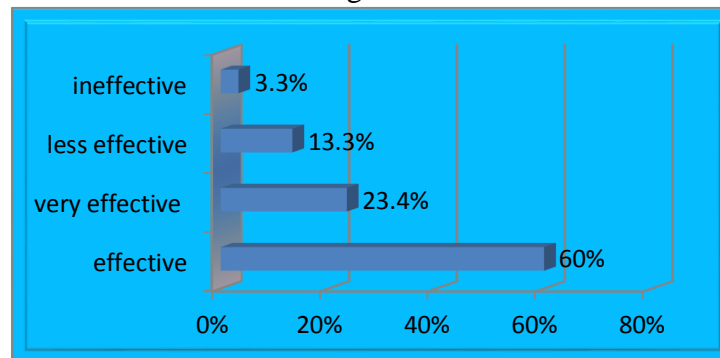


Source: Field Survey, 2012

From the figure, none of the 50 respondents considered the monitoring schedule of GSA as being ineffective. An equivalent number of 4 of the respondents viewed the schedule as less effective while 32 of them said the schedule was effective, with 14 of them considering the schedule as being very effective. An answer to a related question (item 15 in Table 1 of appendix 1) posed to management also confirms of the existence of such a schedule though the question was silent on its effectiveness

The following figure corresponds to the response of PC employees to the same question as those of GSA. The vertical and horizontal axes show the level of effectiveness of the monitoring schedule in the respondents' opinion and the percentage of respondents respectively.

Figure 4.4b: The Effectiveness of the Monitoring Schedule of PC



Source: Field Survey, 2012

According to figure 4.4b, an equivalent number of 1 of the 30 respondents considers the monitoring schedule of Council as being ineffective. An equivalent number of about 4 of the respondents view the schedule as less effective while 18 of them say the schedule is effective, with about 7 of them considering the schedule as being very effective. Here too an answer to a related question (item 15 in Table 1 of appendix 1) posed to management also confirms of the existence of such a schedule.

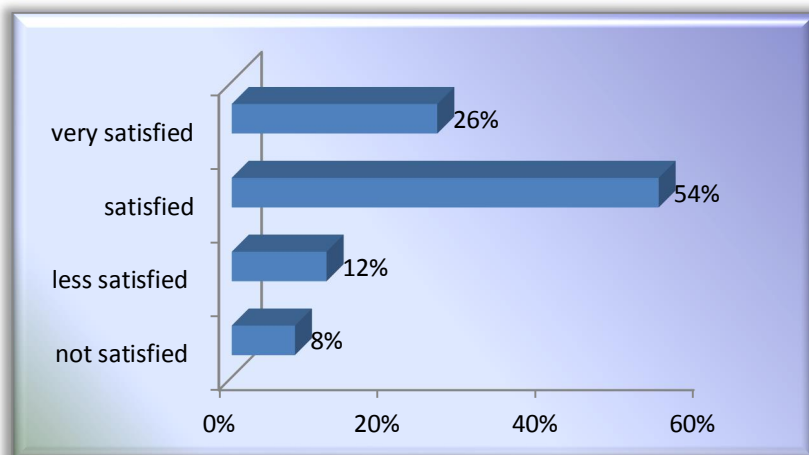
In simple terms, the findings have shown that as far as the effectiveness of monitoring schedules is concerned, both organizations had the capacity to perform. However, the degree of effectiveness suggests that the organizations could and should do much better than it is doing now. The relevant portions of the 2010/2011 annual reports of GSA and PC could attest to this.

4.2.7 Monitoring

The literature reviewed indicates that it is important for the respondent organizations to be up and doing in terms of monitoring since it is an ingredient to performance capacity. In knowing whether this is so or not, the sampled employees of the organizations were required in a question to describe or rate monitoring as one of the functions of their organizations (question 13 of appendix 3).

The figure below represents the responses of the Ghana Standards Authority's respondents to the question. The ordinate (y-axis) is the level of employees' satisfaction with the monitoring by their organization; the abscissa (x-axis) on the other hand is the percentage of employees.

Fig: 4.5a: GSA Employees' Impressions on Monitoring by the Organization



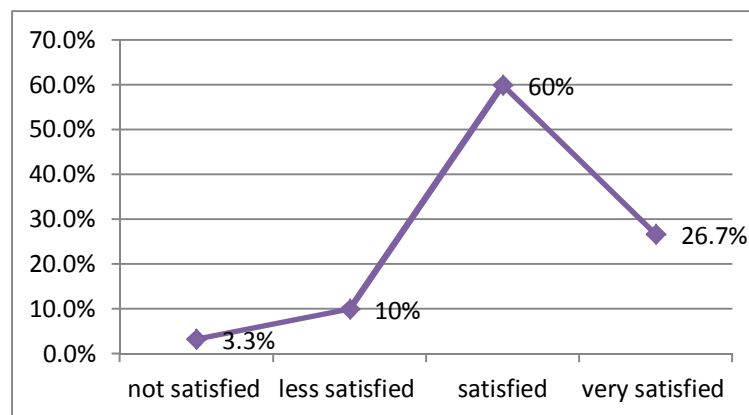
Source: Field Survey, 2012

The figure reveals that an equivalent number of 4 of the 50 respondents are not satisfied with the way monitoring is being conducted by the organization; 6 of them say they are less satisfied with the way monitoring is pursued. 27 of them however say they are satisfied with the conduct of

monitoring while 13 say they are very satisfied. Comparing this to management's response (item 16 in Table 1 of appendix 1) to a similar question, it is observed that management and majority of the respondents share the same impression that they are both satisfied at least with the way monitoring is carried out.

The figure below also shows the response of Pharmacy Council (PC) employees to the same question regarding monitoring by the organization. The vertical and horizontal axes show the percentage of the employees and their level of satisfaction with the monitoring by the organization.

Fig 4.5b: PC Employees Impression on Monitoring by the Organization



Source: Field Survey, 2012

The figure reveals that an equivalent number of 1 of the 30 respondents is not satisfied with the way monitoring is being conducted by the organization; 3 of them are less satisfied with the way monitoring is pursued. 18 of them however say they are satisfied with the conduct of monitoring whereas 8 say they are very satisfied. However, management's response (item 16 in Table 1 of appendix 1) to a similar question shows that both management and minority of the respondents share the same impression that they are at most less satisfied with the way monitoring is conducted. This observation tells you that both management and workers may not be well involved when it comes to planning for monitoring.

Going through the findings, it could be concluded that as far as monitoring is concerned, GSA has the capacity to perform. However, the extent of the capacity to perform suggests that it could and should do much better than it is doing now; the 2010 annual report of GSA attests to this as well.

For the PC, it could be concluded that about 13.3% of the employees and management do not come to terms with the majority whose response indicates at least that the organization has the capacity to perform in terms of monitoring. This also suggests the lack of good corporate governance practices in the organization. The absence of good corporate governance has been shown to hinder the performance capacity of organizations. It could therefore be concluded in terms of monitoring that the Pharmacy Council lacks the capacity to perform. The statistics presented on the monitoring performance of the Council in its 2011 annual report could not be relied upon either since they do not tally in some respects. For example, the total number of actual chemical sellers inspected in 2011 is 1,177 which is greater than 1098 as the number of existing facilities on record (Pharmacy Council, 2011).

4.2.8 Information sharing, co-ordination, strategic alliance and networking with relevant organizations and individuals

To know whether the employees of Ghana Standards Authority (GSA) and the Pharmacy Council (PC) were involved in the quest for the above tools because of their strategic importance to the organizations, they were asked (question 14 of appendix 3) of the number of times the organizations had involved them in their quest for the performance capacity tools. The responses of the sampled employees of the organizations to the question are captured as follows.

To begin with, the response received from the GSA employees indicates that out of the 50 respondents, 52% (N=26) of them are most of the times not involved in the organization's quest

for information sharing, co-ordination, strategic alliance and networking with relevant organizations; 26% (N=13) of them say they are most of the time involved. 8% (N=4) of the respondents, however, maintain that they are always involved while 14% (N=7) say they have never been involved. Management response (item 19 in Table 1 of appendix 1) attests though to the fact that GSA is involved in the above performance capacity tools. The observation here suggests that in terms of information sharing, co-ordination, strategic alliance and networking with relevant organizations and individuals, GSA's capacity to perform is not sufficient; extracts from the 2010 annual report of the organization testifies to that.

In the case of PC, 46.7% (N=14) of the 30 respondents are most of the times involved in information sharing, co-ordination, strategic alliance and networking with the relevant organizations; whilst 43.3% (N=13) of respondents state that they are most of the time not involved. On the other hand 10% (N=3) of respondents indicate that they have never been engaged in the organization's quest for those performance capacity tools. Here also, management's response (item 19 in Table 1 of appendix 1) attests though to the fact that PC is involved in the above performance capacity tools. The observation here again suggests that in terms of information sharing, co-ordination, strategic alliance and networking with relevant organizations, PC's capacity to perform is not good. Only pharmacists and chemical sellers were focused on when it comes to information sharing, co-ordination, strategic alliance and networking with relevant organizations and/or individuals (Pharmacy Council, 2011).

4.2.9 Adequacy of human resource (ie permanent employees) in possession of the organizations

To know whether the Ghana Standards Authority (GSA) and the Pharmacy Council (PC) have the needed human resource as a performance capacity tool, the respondents of the organizations were

asked (question 15 of appendix 3) if the permanent human resource in possession of their organizations is adequate to enable them to perform. The table below shows how the GSA employees responded to the question.

Table 4.4 Adequacy of Permanent Employees of GSA

Response	Frequency	Percentage
Adequate	29	58%
Very adequate	11	22%
Inadequate	8	16%
Woefully inadequate	2	4%
No response	1	2%
Total	50	100%

Source: Field Survey, 2012

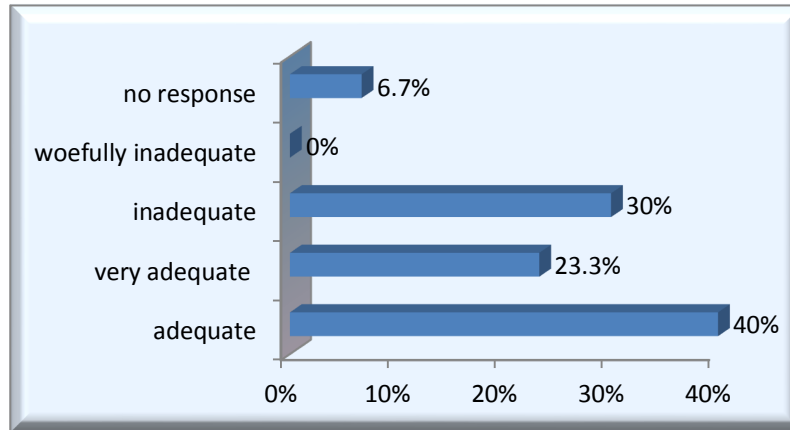
According to the table, the response from 80% of the employees suggests that human resource available to the organization is at least adequate. 20% of the employees however indicate from their responses that human resource available to the organization is at most woefully inadequate. Management's response (item 22b in Table 1 of appendix 1) to a similar question, however, suggests that the human resource available to the organization is woefully inadequate at most.

Weighing the responses of management and the 20% of the employees against Ghana's imports financing statistics, it could be said that the human resource of GSA is not adequate. It means therefore that in terms of human resource, the GSA does not have the needed capacity to perform.

The subsequent figure shows the PC's employees response to the same question as that of the GSA employees. The y-axis and x-axis of the figure represent the adequacy of human resource and the percentage of respondents respectively. The figure reveals that none of the 30 respondents sees the human resource in the organization to be woefully inadequate while an equivalent number of 9 consider the human resource to be inadequate. 12 of them however say the human resource available to the organization is adequate with about 7 of them saying the resource is inadequate. 2

of them did not respond to the question. Here too management's response (item 22b in Table 1 of appendix 1) to a similar question shows that human resource in the organization is not enough.

Fig 4.6: Adequacy of Human Resource (ie permanent employees) at PC



Source: Field Survey, 2012

Again weighing this response together with that of the 30% of the employees against the available imports' statistics of the country, it could be concluded that the organization's capacity to perform (as a consumer protection agency) in terms of human resource is not sufficient.

4.2.10 Adequacy of human resources available to the organizations

Human resources refer to the sum total of inherent abilities, acquired knowledge and skills represented by the aptitude, attitude and talents of an organization's workforce (Ghana Employers Association, 2004). In finding out how adequate are the human resources available to the organizations, the respondents were asked (question 16 of appendix 3) to describe their organizations' capacity to perform in terms of human resources available to them. The tables below show the response of GSA and PC employees to the question.

Inferring from Table 4.5a below, 88% of the GSA respondents indicate that human resources available to the organization is adequate at least. 12% on the other hand indicate that the human resources available to the organization are at most woefully inadequate. The response (item 23 in

Table 1, appendix 1) of management to a similar question also suggests that the human resources in the organization are woefully inadequate at most. It means that management and a minority of the employees are not in tune with the response of the majority of the employees.

Table 4.5a: Adequacy of Human Resources Available to GSA

Adequacy	Frequency	Percentage
Adequate	25	50%
Very adequate	19	38%
Inadequate	5	10%
Woefully inadequate	1	2%
Total	50	100%

Source: Field Survey, 2012

Table 4.5b: Adequacy of Human Resources Available to PC

Adequacy	Frequency	Percentage
Adequate	12	40%
Very adequate	18	60%
Inadequate	0	0%
Woefully inadequate	0	0%
Total	30	100%

Source: Field Survey, 2012

It could be inferred from Table 4.5b that, all the employees of the Pharmacy Council attest to the fact that the human resources available to the organization are at least adequate. Management's response (item 23 in Table 1 of appendix 1) to a similar question however suggests that the human resources available to the organization are woefully inadequate at least. This implies that management and the employees have divergent views when it comes to how adequate are the human resources available to the organization.

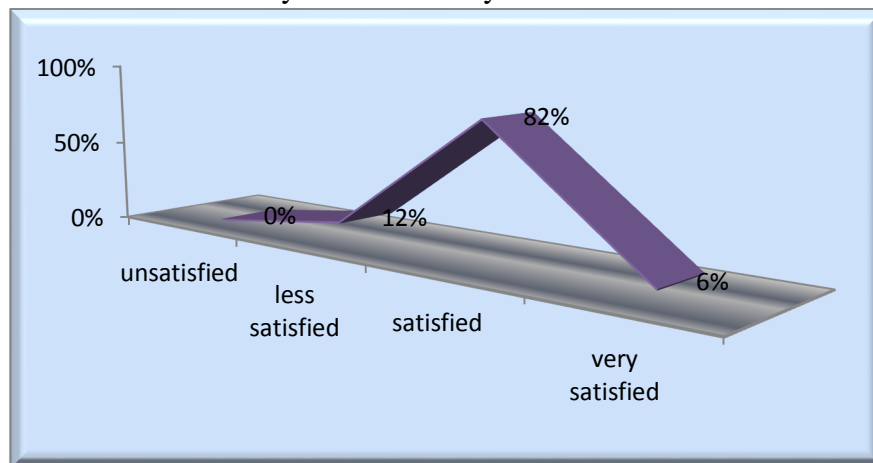
The disparity observed in the opinion of the respondent employees and management in both organizations suggests the lack of good corporate governance practices in them. According to Dess and Lumpkin (2003a), corporate governance can be defined as "the relationship among the various participants in determining the direction and performance of corporations" The participants include workers, management and shareholders among others. Depending on how good the relationship is

between management and workers, the two are supposed to put their heads together in meeting the organization's need for capacity to perform. When this happens, the show of divergent views when it comes to certain questions is drastically reduced if not totally eliminated. The absence of good corporate governance practices as observed in the two organizations hinders their capacity to perform.

4.2.11 Effectiveness and efficiency of database systems

To know whether the database systems of the organizations are effective and efficient or not, the employees concerned were asked (question 17 of appendix 3) to score or rate the efficiency and effectiveness of their database systems. Their responses are presented in figures 4.7 below. The ordinates (y-axis) represent the percentage of respondents and the abscissa (x-axis), the level of respondents' satisfaction with the effectiveness and efficiency of their database systems

Fig 4.7a: Effectiveness and Efficiency of Database Systems at GSA

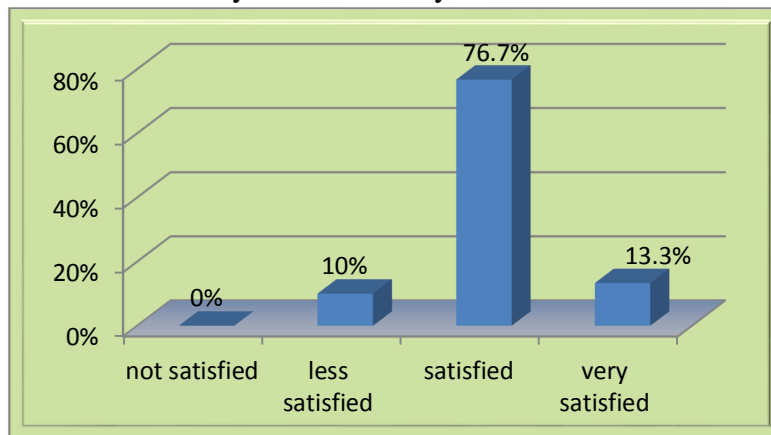


Source: Field Survey, 2012

From figure 4.7a, none of the respondents of GSA claimed to be unsatisfied with the efficiency and effectiveness of the organization's database systems. An equivalent number of 6 of the 50 respondents claimed they were less satisfied with the database system while 41 of them said they were satisfied. 3 of the respondents showed how very satisfied they were with the database system

of the organization. Management's response (item 26 in Table 1 of appendix 1) to a question, on whether the organization had database a system or not, indicates that there were such systems. Judging from the response of the workers generally, the database system of the organization could at least be said to be effective and efficient meaning in that regard that the organization has the capacity to perform.

Fig 4.7b: Effectiveness and Efficiency of Database Systems at PC



Source: Field Survey, 2012

From figure 4.7b, none of the respondents of PC considered the database systems to be unsatisfactory. An equivalent number of 3 of the 30 respondents said they were less satisfied with the effectiveness and the efficiency of the systems in question whilst 23 of them said they were satisfied. The remaining 4 of the 30 respondents said they were very satisfied. Here too, management's response (item 26 in Table 1 of appendix 1) to a question on whether the organization has database systems or not indicates that, indeed there were some database systems. However, there were no database on goods and services, in the form of medicals, imported and the importers. Based on the response of the majority, the database system of the organization could at least be said to be effective and efficient meaning in that respect that the organization has the capacity to perform. But considering the fact (as indicated by management) that the organization did not have a database on imported medical goods and services and their importers, the

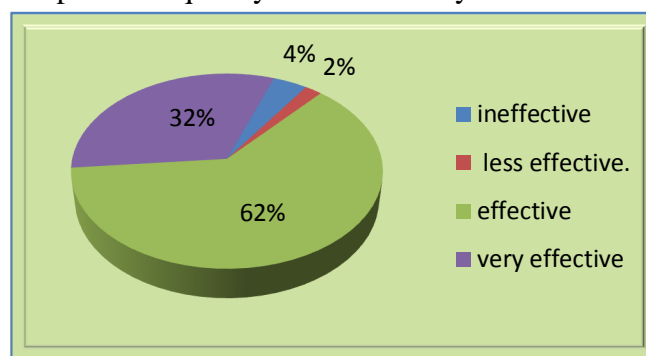
organization's capacity to perform in this case was not satisfactory in view of the volume of such goods and services imported. For example, according to the Ministry of Finance (2004, 2005, 2007, 2009a and 2010), Ghana's imports (including goods and/or services for direct consumption) financing had been respectively recorded in millions as follows US\$3,355.0; US\$3,465.84; US\$5,724.40; US\$10,260.97 and US\$7,995.41; the steep rise in the 2009 figure is due to the high price rise in crude to US\$147.00 per barrel in July, 2008 though.

4.2.12 Effectiveness of update frequencies of existing database systems

In knowing whether the update frequencies of the database systems of the Standards Authority and the Pharmacy Council are effective or not, the sampled employees of the organizations were given the opportunity (question 18 of appendix 3) to assess the effectiveness of the update frequencies of the database systems available to their organizations. The response of the employees are presented and discussed as follows.

Figure 4.8a below indicates the response of GSA employees on the effectiveness of the update frequency of the organization's database systems.

Fig 4.8a: Effectiveness of Update Frequency of Database Systems at Ghana Standards Authority



Source: Field Survey, 2012

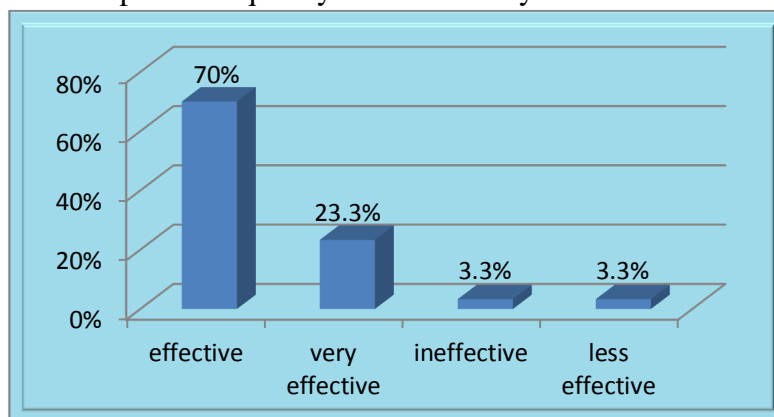
Out of the 50 respondents from the organization, an equivalent number of 47 [31 and 16] of them claim that the update frequency of the organization's database system is effective at least. To 2 of

the respondents, the update frequency of the database system is ineffective while the remaining 1 respondent say the frequency of update is less effective

Management's response (items 26 in Table 1 of appendix 1) to question(s) bordering on the same issue indicates that databases on local goods and/or services and their providers are updated bi-monthly and quarterly respectively. However, databases on foreign goods and/or services and their importers are updated daily and weekly respectively. Comparing the management's response to that of the employees, it could be said that the organization has the capacity to perform. This is because with regard to the local products and their producers, Ghana was yet to get to its industrialization peak making the situation within the ability of the organization to monitor for consumer safety. It means therefore that the organization has the capacity to perform as far as the effectiveness of the update frequency of its database systems is concerned.

The figure below represents the response of the Pharmacy Council's employees to how effective the update frequency of their database systems is. The vertical axis shows the percentage of respondents while the horizontal axis shows the level of effectiveness.

Fig 4.8b: Effectiveness of Update Frequency of Database Systems at the Pharmacy Council



Source: Field Survey, 2012

Inferring from the figure, out of the 30 respondents, an equivalent number of 21 of them attested to it that the update frequency of the database system was effective. 7 of the respondents also said the system was very effective. To 1 of the remaining 2 respondents, the update frequency of the database system was ineffective but to the other respondent the system was less effective.

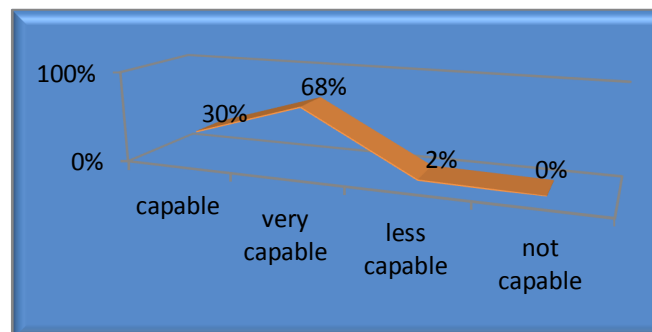
It means, therefore, that 93.3% majority of the respondents claimed that the update frequency of the database system of the organization was effective at least. Management's response (items 26 in Table 1 of appendix 1) to question(s) bordering on the same issue indicates that the organization had databases on local goods and/or services and their providers which were respectively updated as and when necessary, and annually. But surprisingly, the organization lacked databases on imported medical products and/or services and their importers; however, looking at the relevant portion, as captured in the organization's profile, of the act establishing the Council the situation needs not be so. Again, comparing the management's response to that of the employees, it could be said that the organization partially had the capacity to perform as far as the update frequency of its database system was concerned. This is because the lack of database on medical products and services imported into country could have some negative effects on the consumer.

4.2.13 Ability to respond to emergencies

Among the key areas of relevance in the establishment of an effective emergency response plan are personnel, equipment and organizational capabilities. In assessing whether the Ghana Standards Authority and the Pharmacy Council have the ability to respond to emergencies, the respondents were asked (question 19 of appendix 3) to rate their organizations in terms of their ability to respond to emergency situations. The response of the respondents are presented and discussed as follows.

To begin with, the figure below indicates the extent to which the Ghana Standards Authority (GSA) is able to respond to emergencies. The ordinate represents the percentage of respondents with the abscissa representing the degree of capability in responding to emergency situations. It could be deduced from the figure that, out of the 50 respondents, 49 of them consider the organization to be at least capable to respond to emergency situations. It implies, therefore, that 98% of the respondents consider the organization to have the capacity at least to respond to emergency situations when it comes to consumer safety. In its response (item 27 in Table 1, appendix 1) to a similar question, management indicates that indeed the organization is capable to respond to such emergency situations. It means therefore that in terms of emergency response ability, the GSA has the capacity to perform.

Fig 4.9a: Ability of GSA to Respond to Emergencies

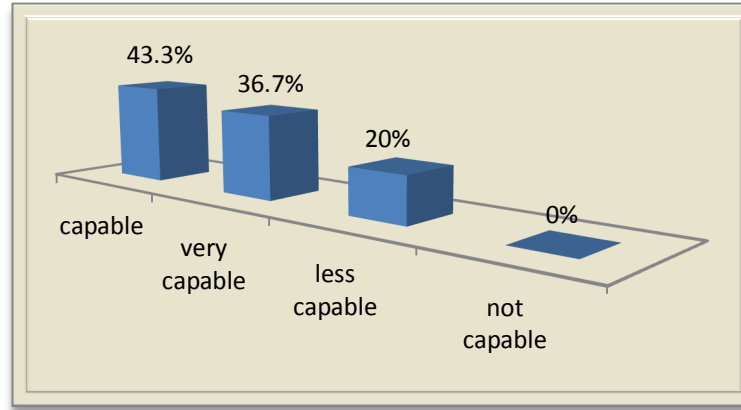


Source: Field Survey, 2012

Figure 4.9b below also shows the response of Pharmacy Council (PC) employees to the same question posed to their GSA counterparts. From the figure, out of the 30 respondents of the Council, an equivalent number of 13 attest to it that the organization is capable in terms of the ability to respond to emergency situations when it comes to consumer protection. 11 of the respondents indicate that their organization is very capable of responding to emergency situations which fall within the consumer protection environment; 6 of the respondents maintain that the

organization is less capable to respond to such situations. None of the respondents considers it as not being capable to respond to emergency situations.

Fig 4.9b: Ability of PC to Respond to Emergency Situations



Source: Field Survey, 2012

By implication, 80% of the respondents claim that the Pharmacy Council is capable at least of responding to emergency situations. From management's perspective (item 27 in Table 1, appendix 1) the organization is capable to respond to emergency situations. Relating the management's impression to that of the workers, one could say that the organization is indeed capable of responding to emergencies for the purpose of consumer protection. But looking at the situation from the workers point of view, it would be quite appropriate if something is done about the situation a little owing to the more dangerous risks associated with going for wrong medical products and services.

4.2.14 Logistics available to the organizations

In finding out whether the Ghana Standards Authority (GSA) and the Pharmacy Council (PC) have adequate logistics to enable them perform effectively and efficiently or not, the respondent employees were asked (question 20 of appendix 3) how adequate were the logistics available to them to enable them perform as such. The following tables indicate their responses.

It could be seen from Table 4.5a that 60% of the employees of GSA attest to the fact that logistics available to the organization are at least adequate. In other words 40% of them attest to the fact that logistics available to the organization are woefully inadequate. In the opinion of management (item 28a in Table 1, appendix 1), logistics available to the organization are enough for its effective and efficient performance.

Table 4.6a: Adequacy of Logistics Available to GSA

Adequacy	Frequency	Percentage
Woefully inadequate	6	12%
Inadequate	14	28%
Adequate	21	42%
Very adequate	9	18%
Total	50	100%

Source: Field Survey, 2012

Table 4.6b: Adequacy of Logistics Available to PC

Adequacy	Frequency	Percentage
Woefully inadequate	1	3.3%
Inadequate	7	23.3%
Adequate	12	40.0%
Very adequate	10	33.4%
Total	30	100.0%

Source: Field Survey, 2012

According to Table 4.5b, 73.4% of the employees of the organization attest to the fact that logistics available to the organization are at least adequate whilst 26.6% of them speak otherwise. In the opinion of management (item 28a in Table 1, appendix 1) too, the logistics available to the organization are not enough for its effective and efficient performance. Here also the variations observed in the opinion of some of the respondent employees and management on one hand and the rest of the respondents on the other in both organizations suggest the lack of good corporate governance practices in them. The absence of good corporate governance practices as observed in the two organizations thus hinders the organizations' capacity to perform.

4.2.15 Political will of government towards the organizations for effective performance

By this we mean whether there is any manifestation of a co-operative attitude of the state towards the organizations in helping the latter to effectively see to the implementation of policies aimed at securing the safety of the consumer. In knowing whether the political will of the state towards the Ghana Standards Authority (GSA) and the Pharmacy Council (PC) is lacking or not, the employees were asked (question 21 of appendix 3) whether or not they agree to the fact that the lack of political on the parts of current and previous governments has resulted in the weaknesses of their institutions as consumer protection bodies.

Table 4.6a shows that 80% of the GSA workers agreed at least to the fact that lack of political will on the part of the state has rendered the organization weak in enforcing and implementing consumer protection legislations and policies. Response by management to a similar question (item 30 in Table 1 of appendix 1) indicates that indeed government's lack of political will has weakened the organization in ensuring consumer safety. By implication the organization in that regard does not have the capacity to perform.

Table 4.7a: GSA Employees Response to the Lack of Political Will on the Part of the State

Response	Frequency	Percentage
Disagree	7	14%
Strongly disagree	3	6%
Agree	20	40%
Strongly agree	20	40%
Total	50	100%

Source: Field Survey, 2012

From Table 4.6b, 83.3% of the respondents of PC agree at least to the fact that the lack of political will on the part of the state has weakened the organization in enforcing and implementing consumer protection legislations and policies respectively. Response to a similar question (item 30 in Table 1 of appendix 1) posed to management also shows that government's lack of political will

has weakened the organization in ensuring consumer safety. It means, therefore, that the organization's capacity to perform could be weakened.

Table 4.7b: PC Workers' Response to the Lack of Political Will on the Part of the State

Response	Frequency	Percentage
Disagree	3	10.0%
Strongly disagree	2	6.7%
Agree	15	50.0%
Strongly agree	10	33.3%
Total	30	100.0%

Source: Field Survey, 2012

4.2.16 Awareness creation and the relevance of packaging standards at the Ghana

Standards Authority (GSA) and the Pharmacy Council (PC)

Some of the areas where awareness creation in the employees should focus on include the relevance of such packaging standards as batch number, expiry date, evidence of certification, product barcode, trade mark of producer, producer's location as well as name and address of producer. The relevance of the packaging standards stems from the following:

- 1) The batch number makes it possible for a whole batch of products to be withdrawn from the market in the event of a default thereby saving the consumer financially and perhaps health wise.
- 2) The expiry date informs the consumer on when a product is safe for consumption after it has been manufactured and accepted as wholesome.
- 3) The evidence of certification informs the public that the product has been scrutinized and approved as having conformed to the required national standards.
- 4) The product barcode is an optical machine-readable presentation of data which shows such data as the retail price of the product to which it attaches.

- 5) The trade mark, location as well as name and address of the producer make it easy for consumers and national stanmake it easy for consumers and national standard authorities to easily trace the producer in the event of say breaching a consumer protection law.

The respondents were asked how relevant are the packaging standards stated to them. No such question was extended to managements of both organizations since they most often do not engage themselves in field work. The following tables summarize the answers given by the respondents.

Table 4.8a: Relevance of Batch Number and Expiry Date to GSA Workers

Relevance	Batch number		Expiry date	
	No. of Respondents.	Percentage	No. of Respondents.	Percentage
Irrelevant	3	6%	1	2%
Less irrelevant	10	20%	1	2%
Relevant	28	56%	16	32%
Very relevant	9	18%	31	62%
No response	0	0%	1	1%
Total	50	100%	50	100%

Source: Field Survey, 2012

Table 4.8b: Relevance of Batch Number and Expiry Date to PC Workers

Relevance	Batch Number		Expiry Date	
	No. of Respondents	Percentage	No. of Respondents	Percentage
Irrelevant .	1	3.3%	1	3.3%
Less irrelevant	1	3.4%	1	3.3%
Relevant	15	50.0%	10	33.3%
Very relevant	12	40.0%	17	56.7%
No response	1	3.3%	1	3.3%
Total	30	100.0%	30	100.0%

Source: Field Survey, 2012

It could be inferred from Table 4.8a that 74% and 94% of the respondents of GSA respectively consider batch number and expiry date to be at least relevant. Though in terms of the two packaging standards, the organization could be said to have the capacity to perform, the remaining 26% who consider batch number as being irrelevant at most, in the opinion of the researcher, is on the higher side. On the other hand, Table 4.8b shows that 90% of the respondents of PC consider batch number and expiry date to be relevant at least. By implication the PC also has the capacity to

perform in terms of the relevance of batch number and expiry date to the workers. However, whereas the capacity of GSA to perform in respect of the relevance of expiry date to the workers exceeds that of the PC, the situation reverses in the case of batch number in favour of PC. However, there is still the need for all internal stakeholders of the organizations to increase their awareness on packaging standards.

Table 4.8c: Relevance of Evidence of Certification and Product Barcode to GSA workers

Relevance	Evidence of Certification		Product Barcode	
	No. of Respondents	Percentage	No. of Respondents	Percentage
Irrelevant	0	0%	0	0%
Less irrelevant	1	2%	14	28%
Relevant	41	82%	29	58%
Very relevant	7	14%	5	10%
No response	1	2%	2	4%
Total	50	100%	50	100%

Source: Field Survey, 2012

Table 4.8d: Relevance of Evidence of Certification and Product Barcode to PC Respondents

Relevance	Evidence of Certification		Product Barcode	
	No. of Respondents	Percentage	No. of Respondents	Percentage
Irrelevant .	0	0.0%	0	0.0%
Less irrelevant	2	6.7%	9	30.0%
Relevant	15	50.0%	10	33.3%
Very relevant	12	40.0%	10	33.3%
No response	1	3.3%	1	3.4%
Total	30	100.0%	30	100.0%

Source: Field Survey, 2012

Inferring from Table 4.8c, 96% and 68% of the respondents of GSA respectively consider certification evidence and product barcode to be at least relevant. Though the organization's capacity to perform with regard to the significance of certification evidence to the respondents is very high (96%), that of product barcode (68%) could be said to be low due to its significance as explained earlier for consumer safety. Table 4.8d, however, shows that in total 90% and 66.6% of the respondents of PC respectively consider certification evidence and product barcode to be relevant at least. By implication, the Council also has the capacity to perform in terms of the

relevance of certification evidence to the respondents; but in terms of the relevance of product barcode only 66.6% of them indicate the organization's capacity to perform in that regard. It means that, in terms of product barcode's significance to the respondents, employees' awareness creation in that packaging standard needs to be increased to enhance the organization's capacity to perform.

Table 4.8e: Relevance of Trade Mark and Location of Producer to GSA Workers

Relevance	Trade Mark of Producer		Producer's Location	
	No. of Respondents	Percentage	No. of Respondents	Percentage
Irrelevant	2	4%	2	4%
Less relevant	7	14%	2	4%
Relevant	23	46%	21	42%
Very relevant	18	36%	23	46%
No response	0	0%	2	4%
Total	50	100%	50	100%

Source: Field Survey, 2012

Table 4.8e shows that in total 82% and 88% of the respondents of GSA respectively view the trade mark and location of the producer to be at least relevant. 4% of the respondent, however, did not answer the question on the relevance of producer location. In terms of the relevance of the two packaging standards to the respondents, therefore, the organization could be considered as having the capacity to perform. There is however the need to enhance such a performance capacity of the organization due to the significance of packaging standards to consumer safety.

Table 4.8f reveals that only a total 56.7% of the respondents of PC consider trade mark to be relevant at least. A total of 80% of them view producer location as being at least relevant. By way of assessment, the Council has the capacity to perform in terms of the relevance of producer location to the respondents more than that of producer location.

Table 4.8f: Relevance of Trade Mark and Producer Location to PC Workers

Relevance	Trade mark of Producer		Producer's Location	
	No. of Respondents	Percentage	No. of Respondents	Percentage
Irrelevant	6	20.0%	1	3.3%
Less relevant	7	23.3%	4	13.4%
Relevant	11	36.7%	16	53.3%
Very relevant	6	20.0%	8	26.7%
No response	0	0.0%	2	3.3%
Total	30	100.0%	30	100.0%

Source: Field Survey, 2012

Tables 4.8g,h indicate that in total 86% and 76.7% respectively of the respondents of GSA and PC see name and address of the producer to be at least relevant.

Table 4.8g: Relevance of Name and Address of Producers to GSA Respondents

Relevance	No. of Respondents	Percentage
Irrelevant	1	2%
Less relevant	3	6%
Very relevant	23	46%
Relevant	20	40%
No response	3	6%
Total	50	100%

Source: Field Survey, 2012

That is, in respect of the relevance of name and address of producer to the respondents, the organizations could be said to have the capacity to perform. But there is still the need for improvement through more awareness creation in the employees due again to the significance of packaging standards to consumer and for that matter public safety.

Table 4.8h: Relevance of Name and Address of Producers to PC Respondents

Relevance	No. of Respondents	Percentage
Irrelevant	1	3.3%
Less relevant	5	16.7%
Very relevant	11	36.7%
Relevant	12	40.0%
No response	1	3.3%
Total	30	100.0%

Source: Field Survey, 2012

4.2.17 Financial Resources

To find out whether financial resources available to the organizations were enough to enhance their capacity to perform or not, managements of the respondent organizations were asked (question 25a of appendix 2) how sufficient the financial resources available to them were. This question was limited to management only because it was assumed that in almost all organizations, their financial directions are most often determined by key managements only. Responding (item 25a in Table 1 of appendix 1) to the question, the Ghana Standards Authority maintained that the resources available to them by way of funds were sufficient whereas the Pharmacy Council maintained that financial resources available to them were not sufficient. It means therefore that, in terms of funds, the Standards Authority has the capacity to perform while the Pharmacy Council has not.

In answering the question on whether the Ghana Standards Authority (GSA) and the Pharmacy Council (PC) have the capacity to perform or not, the findings suggest that only the GSA has the capacity to perform. This is because eight (8) of the seventeen (17) variables used to examine whether the GSA has the capacity to perform its consumer protection and/or public safety functions did not manifest themselves in the organization. They were the following : familiarity of employees with global developments in consumer protection; absence of role duplication; satisfactory monitoring; involvement of employees in information sharing, co-ordination, strategic alliance and networking with relevant organizations and individuals; adequate human resource; adequate human resources; political will of the state in honouring its obligations to the organization, and finally good corporate governance practices (more especially when it comes to decisions affecting logistics). These variables did not manifest themselves in the PC as well. In addition to that, three (3) more variables did not manifest themselves in the organization. These

were effective and efficient database systems, logistics and financial resources. It means, therefore, that eleven (11) of the 17 variables did not manifest themselves in the PC making the organization lacks the capacity to perform its consumer protection and/or public safety functions. Further still, the pharmacy Council partially lacks the capacity to perform in terms of effectiveness of the update frequency of its database systems.

4.3 Ability of the public to complement the efforts of Ghana Standards Authority (GSA) and the Pharmacy Council (PC)

The ability of the Ghanaian public to complement the efforts of GSA and PC in safeguarding consumer safety depends on the following:

4.3.1 Familiarity of the public with the global development in consumer protection, and the functions of GSA and PC

Depending on how the public as consumers are abreast with consumer protection in the international scene and the functions of GSA and PC, they could be encouraged to insist on their consumer protection rights just as their counterparts in other countries. In knowing whether the public is abreast with consumer safety globally and the functions GSA and PC or not, they were asked (questions 4, 5 and 6 of appendix 4) how familiar they were with consumer protection developments globally, and the functions of the two agencies. Their responses are summarized in the tables below.

Table 4.9a: Familiarity of the Public with Global Developments in Consumer Protection

Familiarity	No. of Respondents	Percentage
Not familiar	16	13.3%
Less familiar	58	48.4%
Familiar	42	35.0%
Very familiar	3	2.5%
No response	1	0.8%
Total	120	100.0%

Source: Field Survey, 2012

From Table 4.9a, only a total of 37.5% of the respondents are familiar and very familiar with what pertains in the international community as far as consumer safety is concerned. It means that Ghanaian consumers face the risk of being taken for granted by the international community in view of the ignorance of the former of international safety standards. It could also be deduced from Table 4.9b that 62.5% of the respondents are familiar and very familiar with the functions of GSA. Only 45.0% of the respondents are familiar and very familiar with the functions of the Council.

Table 4.9b: Familiarity of the Public with the Functions of GSA and PC

Familiarity	GSA		PC	
	No. of Respondents	Percentage	No. of Respondents	Percentage
Not familiar	14	11.7%	16	13.3%
Less familiar	30	25.0%	48	40.0%
Familiar	60	50.0%	48	40.0%
Very familiar	15	12.5%	6	5.0%
No response	1	0.8%	2	1.7%
Total	120	100.0%	120	100.0%

Source: Field Survey, 2012

Though GSA appears to be more familiar to the public in terms of its functions than PC, the overall situation in the opinion of the researcher is not good. The familiarity of the public, as noted in Table 4.9a, with international consumer safety affairs falls below expectation; and the abreast of the public with the functions of the respondent organizations, according to Table 4.9b, is also not the best. It means, therefore, that the public could not sufficiently tell how effective the consumer protection laws of the GSA and the PC had been.

4.3.2 Awareness creation in the public on their safety rights by GSA and PC

In finding out from the public, the awareness created in them if any, by the GSA and PC, the respondents were asked (questions 7 [i to vii] of appendix 4) how they would rate the enhancement of their rights awareness by the two agencies. The findings are presented in the tables below.

Table 4.10a: Enhancement of Consumers' Awareness of their Right to Safe Goods and Services

Ratings	By GSA		By PC	
	No. of Respondents	Percentage	No. of Respondents	Percentage
Unsatisfactory	12	10.0%	24	20.0%
Less satisfactory	41	34.2%	54	45.0%
Good	61	50.8%	38	31.6%
Very good	5	4.2%	2	1.7%
No response	1	0.8%	2	1.7%
Total	120	100.0%	120	100.0%

Source: Field Survey, 2012

Table 4.10b: Enhancement of Consumers' Awareness of their Right to Information on Products

Ratings	By GSA		By PC	
	No. of Respondents	Percentage	No. of Respondents	Percentage
Unsatisfactory	17	14.2%	23	19.2%
Less satisfactory	42	35.0%	59	49.2%
Good	49	40.8%	34	28.3%
Very good	11	9.2%	1	0.8%
No response	1	0.8%	3	2.5%
Total	120	100.0%	120	100.0%

Source: Field Survey, 2012

Table 4.10c: Enhancement of Consumers' Awareness of their Right to be Heard

Ratings	By GSA		By PC	
	No. of Respondents	Percentage	No. of Respondents	Percentage
Unsatisfactory	29	24.2%	33	27.5%
Less satisfactory	39	32.5%	55	45.8%
Good	45	37.5%	24	20.0%
Very good	5	4.2%	6	5.0%
No response	2	1.6%	2	1.7%
Total	120	100.0%	120	100.0%

Source: Field Survey, 2012

Table 4.10d: Enhancement of Consumers' Awareness of their Right to Join or Form Consumer Associations or Unions

Ratings	By GSA		By PC	
	No. of Respondents	Percentage	No. of Respondents	Percentage
Unsatisfactory	23	19.2%	27	22.5%
Less satisfactory	56	46.7%	57	47.5%
Good	35	29.2%	33	27.5%
Very good	6	5.0%	2	1.7%
No response	0	0.0%	1	0.8%
Total	120	100.0%	120	100.0%

Source: Field Survey, 2012

Table 4.10e: Enhancement of Consumers Awareness of their Right to Fair Treatment by Suppliers

Ratings	By GSA		By PC	
	No. of Respondents	Percentage	No. of Respondents	Percentage
Unsatisfactory	21	17.5%	32	26.7%
Less satisfactory	42	35.0%	44	36.7%
Good	52	43.4%	39	32.4%
Very good	4	3.3%	3	2.5%
No response	1	0.8%	2	1.7%
Total	120	100.0%	120	100.0%

Source: Field Survey, 2012

Table 4.10f: Enhancement of Consumers Awareness of their Right to Compensation from Suppliers

Ratings	By GSA		By PC	
	No. of Respondents	Percentage	No. of Respondents	Percentage
Unsatisfactory	35	29.2%	42	35.0%
Less satisfactory	36	30.0%	55	45.8%
Good	43	35.8%	19	15.8%
Very good	6	5.0%	2	1.7%
No response	0	0.0%	2	1.7%
Total	120	100.0%	120	100.0%

Source: Field Survey, 2012

Table 4.10g: Enhancement of Consumers Awareness of any other Rights, Freedoms, Entitlements and Interests.

Ratings	By GSA		By PC	
	No. of Respondents	Percentage	No. of Respondents	Percentage
Unsatisfactory	29	24.1%	37	30.8%
Less satisfactory	56	46.7%	55	45.8%
Good	26	21.7%	18	15.0%
Very good	9	7.5%	5	4.2%
No response	0	0.0%	5	4.2%
Total	120	100.0%	120	100.0%

Source: Field Survey, 2012

Going through tables 4.10a, b, c, d, e, f and g, it could be deduced that the average percentage of the public who see the awareness created in them of the rights by the Authority to be at least good falls below 50%. Also, an average of 26.9% of the public see the awareness created in them of their rights and enhanced by the Council to be good at least.

4.3.3 Public understanding of the relevance of packaging standards

In knowing the public understanding of the relevance of packaging standards, the respondents were asked (question 8 of appendix 4) to rate or score their understanding of the importance of some given packaging standards. The tables below summarize the answers received from the respondents.

Table 4.11a: Public Understanding of the Relevance of Batch Number and Expiry Date

Level of Understanding	Batch Number		Expiry Date	
	No. of Respondents	Percentage	No. of Respondents	Percentage
Rarely understood.	23	19.2%	2	1.5%
Less understood	38	31.3%	4	3.5%
Understood	35	29.0%	42	35.0%
Highly understood	24	20.5%	72	60.0%
Total	120	100.0%	120	100.0%

Source: Field Survey, 2012

Table 4.11b: Public Understanding of the Relevance of Certification Evidence and Product Barcode

Level of Understanding	Evidence of Certification		Product Barcode	
	No. of Respondents	Percentage	No. of Respondents	Percentage
Rarely understood.	23	19.2%	43	35.8%
Less understood	41	34.2%	48	40.0%
Understood	31	25.8%	20	16.7%
Highly understood	24	20.0%	8	6.7%
No response	1	0.8%	1	0.8%
Total	120	100.0%	120	100.0%

Source: Field Survey, 2012

Table 4.11c: Public Understanding of the Relevance of Trade Mark and Company Location

Level of Understanding	Trade Mark of Producer		Producer/Company location	
	No. of Respondents	Percentage	No. of Respondents	Percentage
Rarely understood.	10	8.3%	7	5.8%
Less understood	19	15.8%	12	10%
Understood	57	47.5%	59	49.2%
aHighly understood	32	26.7%	40	33.3%
No response	1	0.8%	2	1.7%
Total	120	100.0%	120	100%

Source: Field Survey, 2012

From Table 4.11a, 45.5% of the respondents are said to understand and highly understand the relevance of batch numbers; 90% of them understand and highly understand the relevance of expiry dates. Table 4.11b, however, shows that 45% of the respondents understand and highly understand the relevance of evidence of certification; 23.4% of them claim to understand and highly understand the relevance of product barcode; 2 persons did not respond to both questions. Inferring from Table 4.11c, 74.2% of the respondents understand and highly understand the relevance of trademarks whereas 82.5% of them understand and highly understand the relevance of producer or company location; 3 people failed to answer the questions on the 2 packaging standards. Table 4.11d below also indicates that 78.5% of the respondents understand and highly understand the importance of name and address of company or producer.

From the presentation, between 54.4% and 76.7% of the public do not understand the relevance of batch numbers, certification evidence and barcodes of products. On the average, however, between 90.1% and 74.3% of the respondents claim to at least understand the relevance of expiry dates, trademarks, producers' location and, names and addresses of producers.

Table 4.11d: Public Understanding of the Relevance of Name and Address of Producer/Company

Level of Understanding	No. of Respondents	Percentage
Rarely understood	10	8.1%
Less understood	14	11.7%
Understood	49	40.8%
Highly understood	45	37.7%
No response	2	1.7%
Total	120	100.0%

Source: Field Survey, 2012

To answer the research question, it could be said that the familiarity of Ghanaian consumers with global developments in consumer protection on one hand and the functions of the organizations on the other is not good. Since the laws or legislations establishing the GSA and PC specify their

functions and the public was not quite familiar with the functions of these organizations, it meant that the public was not quite familiar with those laws or legislations. The implication here is that the public and for that matter consumers could not sufficiently tell whether those laws had been effective or not. Also 57.9% of the public opined that the awareness of their rights created in them as consumers and enhanced by the Standards Authority is not good; in the case of the Pharmacy Council, it is 73.1%. The 2010 and 2011 annual reports of the organizations on information dissemination and public education further attest to these observations; the reports make it clear that the information dissemination and public education were made to benefit some professionals and business stakeholders mostly but not the general public per se. Though majority of them appear to understand the relevance of 4 out of the 7 packaging standards, due to the size of about 24.4 million Ghana's population and the country's trade liberalization policy, the public's understanding of the greater number of the standards should not be hailed.

By way of assessment, the ability of the consumer population and the public for that matter to complement the efforts of Ghana Standards Authority and the Pharmacy Council far fell below expectation in view of the significance of consumer safety in the economy.

4.4 The state of consumer protection and/or public safety in Ghana

Enforcing consumer protection legislations requires that the complementary roles of stakeholders concerned are effectively played. The stakeholders are the government, state owned consumer protection agencies and the consumer population including individuals and private consumer protection organizations. The state agencies are required to lead the enforcement of the relevant legislations, and their ability to do this depends on their capacity to perform and the ability of consumers to complement the efforts of the state agencies concerned.

The findings show that 36% of the employee respondents of GSA and at least 43.3% of the PC respondents are not quite familiar with the laws from which they derive the powers to function as organizations. Also 96% of the workers of GSA said the law is relevant at least; management of attested to this response. For the PC workers, 86.7% of them and management say that the law from which the organization operates is relevant at least. These observations call for further investigations in the case of the workers since they contradict themselves.

Concerning the enforcement of legislations, the findings do not portray consumer protection in Ghana to be one of the best. In respect of whether the respondent organizations have the capacity to perform or not, the revelations suggest that their capacity to perform is not quite encouraging despite the active nature of the workforce as well as their professional backgrounds.

Coming to the public respondents, the findings first and foremost show that the familiarity of Ghanaian consumers with global developments in consumer protection on one hand and the functions of the respondent organizations (ie Ghana Standards Authority and the Pharmacy Council) on the other are not good. Secondly, it is revealed that on the average 57.9% of the public see the awareness created in them of their rights by the Standards Authority as not good. In the case of the Pharmacy Council, an average of 73.1% (100.0% - 26.9%, section 4.3.2) of the public are of the opinion that the awareness created in them of their rights by the Council is not good either. Majority of the public appear to understand the significance of 4 out of the 7 packaging standards, but due to the country's trade liberalization policy, this observation should not be hailed. The study also shows that the 2 institutions, especially the Council cannot be said to have lived up to expectation in sensitizing the public on the need to uphold consumer safety.

To answer the research question, it could thus be said based on the overall findings of this study that the enforcement of consumer protections legislations for the purpose of public safety by the two institutions falls below expectation. It means, therefore, that consumer protection and for that matter public safety in Ghana is not in any good state.

CHAPTER FIVE: SUMMARY, CONCLUSION AND RECOMMENDATIONS

5.1 Summary

Consumer protection as a public safety measure has been necessitated, among other things, by information asymmetry between producers and consumers. In Ghana various legislations have been passed to curtail the problems arising from information asymmetry on one hand, and the insecurities associated with public exposure to sub-standard products and services on the other. The legislations have also resulted in the establishment of the relevant institutions to champion the enforcement of those legislations. In spite of all these, evidence has shown that the Ghanaian market has been overwhelmed by the influx of sub-standard products and services both from outside and within.

The study sought to look at the consumer protection as a public safety measure, through the enforcement of the relevant legislations in Ghana using the Ghana Standards Authority (GSA) and the Pharmacy Council (PC) as institutional but comparative case study. In so doing, the capacity of the two (2) institutions to perform their consumer protection and/or public safety functions and the ability of the public to complement the efforts of the institutions were examined. Through these examinations, the state of consumer protection in Ghana was also assessed.

Questionnaires were used to gather data from three groups of respondents namely managements of the 2 organizations, general workers of the organizations and a section of the public. The questionnaires were accordingly designed based on the objectives of the study. Purposive sampling method was used in data gathering from 2 management representatives of GSA and PC, thirty (30) of the general workers of PC, fifty (50) of the general workers GSA and one hundred and twenty (120) consumers selected from the Accra City Campus of the University of Ghana, Ghana Atomic

Energy Commission and its environs, and the Accra Shopping Mall. SPSS was used in generating the quantitative data from the relevant questionnaires. The quantitative data were then analyzed using descriptive statistics.

The study has found out that GSA somehow had the capacity to ensure consumer and public safety; but considering the size of the Ghana's population and the volume of goods and services traded in much more ought to be done to guarantee the safety of the public. It was also found out that the PC lacked the capacity to perform thereby putting the safety of the public in jeopardy. With regard to the ability of the public to complement the efforts of the 2 institutions, the study shows that the public was not quite capable to complement those efforts. In sum therefore, consumer protection as a public safety measure in Ghana calls for the immediate concern of the relevant stakeholders.

5.2 Conclusion

In concluding the study, we will be guided by its objectives.

5.2.1 Capacity of the Ghana Standards Authority (GSA) and the Pharmacy Council (PC) to perform their consumer protection/public safety functions

The following variables were used in examining the institutional capacity of the two organizations to perform their consumer protection and for that matter public safety functions:

5.2.1.1 Employees familiarity with the laws from which the organizations derive their mandates

From the findings, 64% of the GSA employees were at least familiar with the law from which they operate as an organization. For PC 43.3% of them were at least familiar with the law. 14.3% did not respond to the question. From management perspectives, however, the organizations were almost at par with each other. These observations in the opinion of the researcher are not in

consonance with the caliber, in terms of age and education for example, of the respondent employees; it is also not in consonance with the importance of the functions of their organizations.

5.2.1.2 Relevance of the laws to the employees in guaranteeing public safety

The findings have revealed that 96% of the employees of GSA found the law to be relevant at least. On the other hand, 76% of the PC employees said the law from which the organization operates was relevant. Management of the organizations also confirmed that the laws were very relevant. The situation, however, calls for further investigation since it is not possible for such fractions of the workers to know whether the law is relevant or not without being at least familiar with it all the same.

5.2.1.3 How the relevant legislations are enforced by the organizations

Public education on national standards, complaints making and dispute resolution avenues, and sanctions for non-compliance, among others, were used as the means of enforcement. In the case of complaints making and dispute resolution avenues, 44% and 56.7% respectively of the respondents of GSA and PC claimed the mechanism to be at least good whilst 58% and 46.6% also respectively of GSA and PC respondents saw sanctions for non-compliance to be at least good. The percentage responses regarding public education on national standards were generally favourable. However, managements of the organizations disagree to the centralization of the legislations but with the introduction of consumer protection in second cycle schools only GSA management agrees. In short, the means of enforcement could not be said to be in consonance with current dynamics of local and international trade.

5.2.1.4 Familiarity of employees with global developments in consumer protection

The findings show that 36% of the Standards Authority respondents were at least familiar with such developments. At the Pharmacy Council it was 40%. This is notwithstanding the fact that 90% of the employees have had the relevant tertiary education.

5.2.1.5 Role duplication at GSA and PC

Of the GSA respondents, 70% confirmed the existence of the duplication of roles of the organization but were less alarmed at least by it. At PC, the situation was 43%. Managements in both organizations however indicated that there were no such role duplications. The role duplication, according to Sefa-Dedeh (2009) could affect the organizations' capacity to perform. These divergent opinions, of management and workers, in themselves demonstrate the lack of corporate governance in both organizations. The absence of good corporate governance practices hinders organizations' capacity to perform.

5.2.1.6 Monitoring and the effectiveness of its schedules in the organizations

At the GSA 80% of the employees were at least satisfied with the way monitoring was being conducted by the organization; management also attested to this observation. At the PC too, 86.7% of the employees were quite satisfied with monitoring by the organization; management was however not quite satisfied with monitoring by the organization. This suggests the lack of good corporate governance practices in the organization. Such a situation has been found to hinder the organization's performance capacity. The findings further indicate that 92% of the GSA employees consider its monitoring schedules as being at least effective. 83.4% of PC employees on the other hand see its monitoring schedules to be effective at least. Managements of the organizations have also confirmed the existence of such schedules. Considering the views of employees of the organizations in this regard, one could say that they have the capacity to perform.

5.2.1.7 Information sharing, co-ordination, strategic alliance and networking with relevant organizations and individuals

It was confirmed by 34% of the GSA employees that they were most of the time at least involved in the above activities. In the case of PC, 46.7% of the employees made similar confirmation. Managementsø also confirmed that the two organizations were involved in the above activities with the relevant organizations. It means therefore that the organizationsø capacity to perform in those regards was not quite good.

5.2.1.8 Adequacy of human resource(s) in the organizations

It was opined by 80% of the general workers of GSA that human resource available to the organization was quite adequate. This was 73.3% in the case of PC. Managementsø response showed, however, that human resource in the organizations was not enough. The managementø response is further upheld by Ghanaø import trade financial statistics which, according to the Ministry of Finance and Economic Planning (2004, 2005, 2007, 2009a and 2010) have since been rising thereby requiring more human resource for consumer safety checks. However, 88% of the GSA employees indicated that human resources available to the organization were at least adequate. With respect to the PC, nearly all the employees claimed that the human resources available to the organization were adequate at least. It is further confirmed that 90% each of the organizationsø employees have had the relevant tertiary education. Managements of the two organizations however saw the human resources to be quite inadequate.

5.2.1.9 Effectiveness and efficiency of database systems

Majority (88%) of the GSA employees claimed to be quite satisfied with the effectiveness and efficiency of the organizationø database system. At PC, 90% of the employees said they were quite satisfied with the effectiveness and efficiency of their organizationø database system.

Managementsø responses to a question on whether the organizations had database systems or not indicated that indeed there were database systems. The response of the workers generally showed that the database systems of the organizations were at least effective and efficient meaning that the organizations had the capacity to perform. However, according to the management of the PC, it lacked database on imported medical goods and services and their importers. This puts its capacity to perform in doubt due to the volume of certain medical products imported into the country.

5.2.1.10 Effectiveness of update frequencies of existing database systems

Almost all (93.30%) of the GSA employees considered the update frequencies of its database to be quite effective. This is not quite different from PC where 98% of its employees considered the update frequency to be quite effective. Management of GSA confirms the workersø stand on the issue. PCø management on the other hand partially confirms its workers stand on the issue. This is because the lack of database on medical products and services imported into country could have some negative effects on the consumer.

5.2.1.11 Ability to respond to emergencies

On their ability to respond to emergencies, 98% and 80% respectively of GSA and PC employees said they had the ability to respond to do so. Both managements attested to the claim. It means in this case that both organizations had the capacity to perform. However, it would be quite appropriate if something is done about the situation at PC a little owing to the more dangerous risks which could be associated with the patronage of wrong medical products and services.

5.2.1.12 Logistics available to the organizations

About 60% of the workers of GSA indicated that logistics available to them were quite adequate which was confirmed by management of the organization. It means that corporate governance

practices, though looks good in the organization, should be given a boost. At PC, 73.4% of the workers said they had enough logistics to work with but management said otherwise. In sum, the GSA needs to boost its capacity to perform; PC, however, could be said to lack the capacity to perform in respect of logistics.

5.2.1.13 Political will of government towards the organizations for effective performance

It was confirmed by 80% of GSA workers that lack of political will on the part of the state had rendered the organization weak in enforcing and implementing consumer protection legislations and policies respectively. 83% of the PC employees made a similar confirmation. Managements of the 2 institutions also confirmed the situation which could jeopardize the organizations' capacity to perform.

5.2.1.14 Awareness creation on the relevance of packaging standards

The mean percentage of GSA employees who considered the packaging standards to be at least relevant is 84% while that of PC is 78.5%. By way of assessment, the relevance of the standards to the organizations in most cases suggests that they have the capacity to perform. However, they need to do more to guarantee the safety of consumers.

5.2.1.15 Financial Resources

The GSA maintained that resources available to it by way of funds were sufficient whereas opposite is the case at PC. It means therefore that in terms of funds, GSA had the capacity to perform while the PC had not. The relevant question was limited to managements of the organizations only because the financial directions of the organizations were almost always determined by managements only.

To the question on whether the 2 organizations have the capacity to perform or not, the findings show that the organizations' capacity to perform were not sufficient in terms of the following : familiarity of employees with global developments in consumer protection; absence of role duplication; monitoring; involvement of employees in information sharing, co-ordination, strategic alliance and networking with relevant organizations and individuals; human resource, human resources; political will of the state in honouring its obligations to the organizations, and good corporate governance practices more especially when it comes to decisions affecting logistics. The PC in addition lacks 3 of the remaining 9 variables used to examine the organizations' capacity to perform. These include effective as well as efficient database system, financial resources and logistics. It also partially lacks the capacity to perform in terms of effectiveness of the update frequency of its database systems. These loopholes are notwithstanding the relevant tertiary level of education attained by 90% of the employees of both organizations.

5.2.2 Ability of the Ghanaian public to complement the efforts of the Ghana Standards Authority (GSA) and the Pharmacy Council (PC)

This depends on the following among others:

5.2.2.1 Familiarity of the public with global developments in consumer protection and the functions of the GSA and PC

The findings indicate that only 37.5% of the public were generally familiar with what pertains in the international community when it comes to consumer safety. 62.5% were, however, quite familiar with the functions of GSA. In respect PC, 45% of the public were quite familiar with the functions of the organization.

5.2.2.2 Awareness creation by GSA and PC in the public on safety rights

It could be deduced from the findings that an average of 57.9% of the public saw the awareness created in them of their rights by GSA to be quite unsatisfactory. For the PC, an average of 73.1% of the public saw this awareness creation in them to be quite unsatisfactory.

5.2.2.3 Public understanding of the relevance of packaging standards

It could again be deduced from the findings that 54.5% of the public did not quite understand the relevance of batch numbers; 55% and 76.6% of them respectively did not quite understand the significance of certification evidence and product barcode. Public understanding of the remaining 4 packaging standards was quite good though.

5.2.2.4 The state of consumer protection and/or public safety in Ghana

The findings show that 36% of the employee respondents of Ghana Standards Authority and 43.3% of those of the Pharmacy Council were not quite familiar with the laws from which they derive their powers to function as organizations. This, depending on which of the workers are assigned to interact with consumers, could put the relevance of the laws to the general public in doubt since they could not be effectively interacted with on the relevant legislations. Managements of both organizations however consider the legislations to be very relevant implying that they are very familiar with it. Regarding the enforcement of the relevant legislations, the impressions of the employees of the two organizations did not portray consumer protection in Ghana to be one of the best. The findings further indicate, to a larger extent, that the organizations lack the capacity to perform despite the active and professional nature of the workforce.

The familiarity of the public both with global developments in consumer safety and the functions of the respondent organizations were not quite good. 57.9% of the public claim that the awareness

created in them on their rights by the Standards Authority is not good. 73.1% of the public respondents were also of the opinion that the awareness created in them by the Pharmacy Council is not quite good either. It could, therefore, be stated from above that the enforcement of consumer protection legislations for public safety purposes in Ghana generally, and by the two institutions in particular fall below expectation.

From the foregoing, the enforcement of consumer protection legislations as a public safety measure in Ghana is confronted with some challenges. To begin with, a sizeable percentage of employees of the Ghana Standards Authority and the Pharmacy Council are not well vexed with the laws from which they derive their powers to function.. The lack of more proactive enforcement mechanisms is another cause for concern.

Another significant challenge is that the performance capacity of the organizations is not encouraging to a large extent; it is more so in the case of the Pharmacy council. This is not withstanding the persistent rise in the volume of goods and services the country trades in, especially, with international sources.

The enforcement is also confronted with the challenge of the consumer population not being familiar with consumer protection developments globally and the functions of the organizations concerned. Such familiarity is required to enable the public to better play its complementary role as a stakeholder in the enforcement of the relevant legislations. The lack of awareness creation in consumers is another challenge.

5.3 Recommendations

The anomalies revealed in consumer protection as a public safety measure in Ghana suggest that consumers are not protected as expected. There is therefore the need for re-examination of the country's policies concerned. As a policy option, the following recommendations are made:

i) The relevant legislations should be amended to make them more responsive to consumer protection needs. In doing so the agencies concerned could be compelled to co-ordinate, network and strategically ally with their local and perhaps international counterparts to make them more effective and efficient. They should also be made to accept good corporate governance practices, which are guaranteed by the 1992 constitution of the country, as one of the surest ways of bringing management and workers together in spearheading consumer protection in the country. Article 36 (11) of the 1992 Constitution of the country states "The State shall encourage the participation of workers in the decision-making process at the work place" (Government of Ghana, 1992, p.34).

ii) Where necessary, more legislations could be passed to take care of the weaknesses associated with the existing laws. The passage of a consumer protection bill which is in progress could also be accelerated to better guarantee the safety of consumers.

iii) The laws establishing CEPS, GIS and GAPOHA could be amended to make these institutions to accept co-ordination, networking and alliance formation with consumer protection agencies since they are also located at some of the country's entry points which are susceptible to the passage of all kinds of sub-standard goods and services.

iv) The government could also be made by non-governmental and civil society organizations in consumer protection to honour its obligations to the state owned consumer protection agencies to enable the latter to meet their performance capacity needs.

v) The government could again go into partnership with non-governmental and civil society organizations concerned with public safety and for that matter consumer protection, charging these private institutions to educate the public on the importance of such packaging standards as batch numbers, evidence of certification and product barcode among others.

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APPENDIX I

MANAGEMENTS' RESPONSE TO INTERVIEW QUESTIONNAIRES

It should be noted that the responses to **Part 1** (questions 1 to 5) are captured in sections 3.2.1 and 3.2.2 of chapter three as profiles of Ghana Standards Authority and Pharmacy Council.

Part 2: Institutional Capacity to Perform**Table 1: Familiarity, Relevance or Guarantee, and Enforcement of Existing Legislations**

No	<i>Familiarity with, Enforcement and Relevance of Existing Legislations</i>	Name of Organization	
		<i>Ghana Standards Board</i>	<i>Pharmacy Council</i>
6	Law(s) under which organization operates	NRCD 173 of 1973, and amended in 2004	Pharmacy Act 489, and LI 1645
7a	Law(s) guarantee for protection of consumers	Yes	Yes
7b	Extent of guarantee for protection of consumers	High	Very High
8	Number of enforcement Mechanisms adopted	2	5
9a	Avenues for complaints and dispute resolution	Yes	Yes
9b	Number of avenues for complaints and dispute resolution	1	2
10	Severity of sanctions to deter producers	Not Severe	Severe

11a	Need for Ghana to centralize its consumer protection laws	No	No
12a	Need to introduce consumer protection in secondary schools	Yes	No
12b	Any initiatives taken based on 13a	No	-

Source: Field work, 2012

The Pharmacy Council, according to Table 1, indicates five (5) mechanisms through which its laws are enforced. These are licensing of pharmaceutical facilities, inspection and monitoring to enforce standards, disciplinary action against offenders, training and registration of professionals. In the case of the Standards Board, the only avenue available to it for complaints making and dispute resolution involves investigations and subsequent communication of the outcome to the complainant. This is followed by an amicable settlement between the complainant and the producer. The two (2) avenues for making complaints and resolving disputes at the Pharmacy Council involves writing formal complaints to the Registrar either directly or through any of the regional offices, and disciplinary procedures to deal with offenders.

Part 2 Continued

Table 1: Institutional Capacity to Perform Continued

		Name of Organization	
	<i>Performance and Linkages' Criteria</i>	<i>Ghana Standards Board</i>	<i>Pharmacy Council</i>
14	Presence of role duplication	No	No
15a	Existence of monitoring schedules	Yes	Yes
15b	Frequency of monitoring	Quarterly	Monthly

16	Monitoring rating	Satisfactory	Less Satisfactory
17	Companies monitored in the last three to five years in Accra	All companies certified by the Board	Pharmacies and licensed chemical shops
18a	Information dissemination and public education undertaking	Yes	Yes
18b	Mode or method of undertaking in 18a	Public lectures, use of Flyers, electronic and print media advertisements.	Organized group discussions involving faith-based organizations, public lecture in schools, etc.
19a	Pursuit of information sharing, networking, strategic alliance etc with relevant organizations and/or individuals	Yes	Yes
19b	Number of organizations/ individuals indicated	Five (5)	Seven (7)
20a	Existence or presence of strategic alliance	No	Yes
20b	Number of allied organizations indicated	-	Two (2)
21a	Existence or presence of networking	No	Yes
21b	Number of networked organizations indicated	-	Seven (7)

Source: Field work, 2012

The following achievements were also made by GSB in respect of public education and information dissemination in 2010 according to the Board's annual report for the year:

- 1) Eighteen (18) articles and advertisements were published in the media.
- 2) Seventeen (17) electronic media programmes for awareness creation were held.
- 3) Media dialogues were held with seven (7) radio stations, Ghana Television and Metro Television.
- 4) Sensitization seminars were held for eighty (80) students from the Department of Nutrition and Food Science of the University of Ghana and four hundred and thirty-eight (438) students from various science associations.

The Standards Board mentions Food and Drugs Board, Ghana Cocoa Board, Ministry of Trade, Food Research Institute and the Municipal and District Assemblies as the 5 organizations it has been sharing information with. The Pharmacy Council on the other hand names Food and Drugs Board, Pharmaceutical Society of Ghana, Ghana Police Service, Ghana Private Road and Transport Union of the TUC, Media Houses, Ghana National Licensed Chemical Sellers Association and the National Malaria Control Programme as the 7 organizations with which it has been sharing information.. The Council also networks with the organizations with which it has been sharing information; but strategically it is in alliance with only the Food and Drugs Board and the National Malaria Control Programme.

Table 1: Institutional Capacity to Perform Contd

		Name of Organization	
	Performance Tools and/or Lapses	Ghana Standards Board	Pharmacy Council
22a	Number of employees	275	75
22b	Sufficiency of employees	No	No
22c	Factors stopping more employment	Embargo	No clearance from

		placement on employment	Ministry of Finance
23	Sufficiency of human resources	No	No
24	Sources of funding activities	Government subvention	Government subvention
25a	Sufficiency of financial resources	Yes	No
25b	Steps taken to address financial constraints	-	Needs based budget drawn, continuous re- quest for funding from government
26	Availability of database :		
a (i)	On local goods and/or service providers	Yes	Yes
a (ii)	Update frequency of database	Bi-monthly	Annually
b(i)	On goods and/or services produced locally	Yes	Yes
b (ii)	Update frequency of the database	Quarterly	As and when necessary
c (i)	On goods and/or services imported	Yes	No
c (ii)	Update frequency of the database	Daily	-
d(i)	On importers of goods and/or services	Yes	No
d (ii)	Update frequency of database	Weekly	-

27	Emergency response capability	Good	Good
28a	Availability of logistics for effective and efficient performance	Yes	No
28b	Logistics lacking	-	Tools and vehicles
29a	Support for health claims	No	No
29b	Actions taken against health claims	Removal of claims from products	Action not within the Council's remit
30	Lack of political will on the part of the state to pursue consumer insecurity	Yes	Yes

Source: Field Work, 2012

Metrology is the science of measurement and it is concerned with the ways and means by which measurements are carried out, the accuracy to which they are determined and to a lesser extent, the use to which they are put. It is one of the key requirements for quality products and services.

the necessary scrutiny by the regulatory bodies, it should be stressed that it does not help for the database on such goods and services providers to be quarterly updated. It is also disturbing that the Pharmacy Council has chosen to update the database in question as and when necessary. The reason is that in some cases the harm might have already been done especially if it has to do with unwholesome drug producers.

APPENDIX 2

Consumer Protection As a Public Safety Measure: The Case of Ghana Standards Authority and The Pharmacy Council

QUESTIONNAIRE FOR MANAGEMENT

Introduction

This questionnaire is aimed at collecting primary data for the above study. The information to be provided is for academic purposes only. Be please assured that whatever information you are made by the organization to disclose for the purpose of this study would be strictly treated in confidence. It would thus not be made available to any person(s) without the prior permission of the organization. Please answer the questions freely.

Thank you

Part 1: Organizational Profile

1) Name of organization/Institution (Optional)

í .

2) Ownership of organization/institution (Please tick as you consider appropriate)

a) Government owned b) Privately owned [local] c) Privately owned [foreign] d)

Others (Please specify) í ..

3) What is the nature of the business of your organization/institution?

a) Regulatory b) Advisory c) Advocacy d) Advisory and Regulatory e) Others (Please

specify) í .

4) How many branches does your organization have?.....

5) Where are the branches located?.....

í ...

Part 2: Institutional Capacity to Ensure Consumer Protection as a Public Safety Functions

6) Under what law(s) does your organization operate?.....

í í

7a) Does the law or do the laws guarantee(s) the protection of consumers of goods and/or services?

a) Yes b) No

7b) If yes, to what extent? a) Very low b) Low c) Average d) High e) Very High

7c) If no, why?.....

í .

8) What are the mechanisms adopted by your organization in enforcing its consumer protection legislation(s)?
í

í í

9a) Are there avenues in your organization for making complaints and dispute resolution between producers and consumers for substandard delivery of goods and/or services? a) Yes b) No

9b) If yes, what are the avenues?.....

í í

10) Are the sanctions for non-compliance with consumer protection legislations in the country severe enough to deter producers of goods and services? a) Yes b) No

11a) Events unfolding in the global market have resulted in some countries taking steps to have centralized consumer protection laws. Does your organization see the need for Ghana to follow suit? a) Yes b) No

11b) If yes to the above question, what steps has your organization taken in this regard?

í .

12a) In effectively tackling the problems relating to the enforcement of consumer protection legislations, certain countries have introduced consumer protection into their senior high school curricula. Have your organization considered it necessary for Ghana to do same? a) Yes b) No

12b) If yes to 13), has your organization taken any initiative aimed at drawing government and other stakeholders attention to the issue? a) Yes b) No

13) How familiar are you as a management with consumer protection globally?

14a) Considering the role of your organization and those of other national agencies in consumer protection, do you see any duplication of such roles?

a) Yes b) No

14b) If yes, what are the effects of the duplication on your performance as a consumer protection agency?

15a) Does your organization have a monitoring schedule? a) Yes b) No

15b) If yes, how often does it monitor?

a) Quarterly b) Bi-monthly c) Monthly d) Fortnightly e) Daily f) Others (Please specify) í

If no to 15a), why?.....

16) Based on the human, financial, material and other relevant resources available to your organization, how will you describe or rate monitoring as one of the functions of your organization?

a) Unsatisfactory b) Less Satisfactory c) Satisfactory d) Very Satisfactory

17a) Does your organization embark on information dissemination and public education for the purpose of sensitization on the need for consumer protection? a) Yes b) No

17b) If yes, how does the organization perform those activities?.....í í

18a) Information sharing with relevant organizations for consumer protection is very important for effective enforcement of the necessary legislations. Has your organization been sharing information with any other organization(s)? a) Yes b) No

18b) If yes, please name the organization(s) í .

19a) A strategic alliance is a relationship between two or more parties to meet a critical business need while remaining independent organizations. Has your organization entered into any such alliance with any institution(s)? a) Yes b) No

19b) If yes, please name the Institution(s) í .

20a) Networks are associations of individuals and organizations which communicate with each other for mutual benefits. Has your organization been networking with any institution(s) for consumer protection purposes? a) Yes b) No

20b) If yes, please name the institution(s) and/or individual(s) í í í í í í í í í í í í í í í .

21a) How many people are employed currently by your organization? í í í í í í í í **21b)** Is the number of employees enough to enable the organization perform its functions? a) Yes b) No

21c) If no, what stops the organization from employing more people?.....

22) Human resources refer to the sum total of inherent abilities, acquired knowledge and skills represented by the aptitude, attitude and talents of organizations workforce. Does your organization currently have sufficient human resources in fulfilling its mission?

a) Yes b) No

23a) Does your organization have a database of *local goods and/or services' providers* whose activities fall under your jurisdiction for monitoring? a) Yes b) No

If yes, how often do you update the database? a) Annually b) Semi-annually c) Quarterly d) Bi-monthly e) Others (Please specify) í í í í í í í í í í í í í í í .

23b) Does your organization have a database of *services and/or goods produced locally* which fall under your jurisdiction for monitoring? a) Yes b) No

If yes how often do you update the database? a) Annually b) Semi-annually c) Quarterly d) Bi-monthly e) Others (Please specify) í .

23c) Does your organization have a database of *goods and/or services imported* into Ghana that fall under your jurisdiction for monitoring? a) Yes b) No

If yes, how often do you update it? a) Annually b) Semi-annually c) Quarterly d) Bi-monthly e)

Others (Please specify) í

23d) Does the organization have a database of *importers goods and/or services* into the country that fall under your jurisdiction for monitoring? a) Yes b) No

If yes, how often do you update it? a) Annually b) Semi-annually c) Quarterly d) Bi-monthly e)

Others (Please specify) í .

24) How would you rate your organization in terms of emergency response capabilities for the purpose of consumer protection?

a) Very poor b) Poor c) Fair d) Good e) Very good

25a) Are the financial resources available to your organization sufficient to enable it to operate effectively? a) No b) Yes

25b) If no to 28a), what has been done in addressing the issue? í í í í í í í í í í í í í .

í í

26) There is the school of thought that lack of political will on the parts of previous and current governments to ensure consumer safety has resulted in weaknesses of institutions concerned with consumer protection in the country. Do you agree to this statement?

a) Yes b) No c) Yes and No

If your answer to **26)** is either b) or c), please explain. í í í í í í

27) What are the sources of funding for your organizational activities?

a) Government subvention b) Internally generated funds c) Government subvention and internally generated funds d) Contribution from stakeholders e) Philanthropic organizations and/or individuals e) Others (Please specify) í í í í í í í í ... í

28a) Does your organization have the necessary logistics to enable it to perform its consumer protection roles? a) Yes b) No

28b) If no, what logistics does the organization lack?.....

í í

29) Which companies dealing in goods and/or services have your organization, as it considers appropriate to do so, monitored in the last three to five years here in Accra?

í í í í í í í í í í í í í í í í í í í
.....

30a) Manufacturers of certain products or their representatives in the country have been making health claims on those products referring to reduction of risks and to consumers including childrensø development among other things. Does your organization support those claims? a) Yes b) No

30b) If no, what has your organization done about the situation?.....

APPENDIX 3

Consumer Protection As a Public Safety Measure: The Case of Ghana Standards Authority and The Pharmacy Council

QUESTIONNAIRE FOR ENGINEERING, PHARMACEUTICAL, SCIENTIFIC, TECHNICAL, AND OTHER RELEVANT MEMBERS OF STAFF

Introduction

This questionnaire is aimed at collecting primary data for the above study. The information to be provided is for academic purposes only. Be please assured that whatever information you disclose for the purpose of this study would be strictly treated in confidence. It would thus not be made available to any person(s) without the prior permission of the organization. Please answer the questions freely.

Thank you.

Part 1: Profile of Respondents (Tick as you consider appropriate in your situation)

- 5) Age : a) 20 ó 25 b) 26 ó 30 c) 31 ó 35 d) 36 ó 40 e) 41 ó 45 f) 46+ í
- 6) Sex: a) Male b) Female
- 7) Your maximum qualification:
- a) Certificate b) Diploma c) Bachelor's Degree d) Masters Degree e) PhD
- 4) Number of years in service with your current organization
- a) Less than 5 b) 5 ó 10 c) 11 ó 15 d) 16 ó 20 e) 21 ó 25 f) 26+

Part 2: Institutional Capacity to Perform Consumer Protection and/or Public Safety Functions

5) How familiar are you with the law mandating your organization to perform as a consumer protection and/or a regulatory body?

a) Not Familiar b) Less Familiar c) Familiar d) Very Familiar

6) Considering the current global market developments, how relevant is the law establishing your organization in guaranteeing the safety of Ghanaian consumers of goods and/or services?

a) Irrelevant b) Less relevant c) Relevant d) Very relevant e) No idea

7) How will you rate or score the realization by your organization, of the parameters captured below as some of the means by which it enforces its consumer protection laws?

Parameter	Ratings or scores of parameters			
Public education on your agencies' standards	a)Unsatisfactory	b) Less satisfactory	c) Good	d)Very good
Complaints making and dispute resolution avenues	a)Unsatisfactory	b)Less satisfactory	c) Good	d)Very good
Sanctions for non-compliance with the relevant legislations	a)Unsatisfactory	b)Less satisfactory	a) Good	d)Very good

8) A centralized consumer protection legislation draft bill has been submitted to Parliament for approval. How do you agree to the centralization of consumer protection legislation in Ghana?

a) Strongly disagree b) Disagree c) Agree d) Strongly agree

9) How do you see the importance of introducing consumer protection in Ghanaian secondary school curricula as a way of enhancing the enforcement of consumer protection legislation?

a) Not important b) Less important c) Important d) Very important

10) Comment on your familiarity with consumer protection developments globally

a) Not Familiar b) Less Familiar c) Familiar d) Very Familiar

11) Considering the role of your organization and those of other national agencies in consumer protection, how do you see the effects of role duplications, if any, on the performance of your organization?

- a) Very alarming b) Alarming c) Less alarming d) Not alarming

12) Comment on the effectiveness of the monitoring schedules of your organization?

- a) Ineffective b) Less effective c) Effective d) Very effective

13) Based on the human, financial, material and other relevant resources available to your organization, how will you describe or rate monitoring as one of the functions of your organization?

- a) Unsatisfactory b) Less Satisfactory c) Satisfactory d) Very Satisfactory

14) Information sharing and dissemination as well as strategic alliance with relevant organizations for consumer protection are very important for effective enforcement of the necessary legislations. How many times has your organization involved you when it comes to such activities? í

15) Considering the workload of your organization, how adequate is the number of permanent employees currently in the possession of the organization?

- a) Woefully inadequate b) Inadequate c) Adequate d) Very adequate

16) Human resources refer to the sum total of inherent abilities, acquired knowledge and skills represented by the aptitude, attitude and talents of organizations workforce. How will you describe the human resources capacity of your organization?

- a) Woefully inadequate b) Inadequate c) Adequate d) Very adequate

17) How will you rate or score the efficiency and effectiveness of the database systems established by your organization to monitor companies who are regulated by organization and the goods and services those companies supply?

- a) Unsatisfactory b) Less Satisfactory c) Satisfactory d) Very satisfactory

18) How will you assess the effectiveness of the update frequencies of the database systems referred to in 17) above?

- a) Ineffective b) Less effectiveness c) Effective d) Very Effective

19) How would you rate your organization in terms of emergency response capabilities for the purpose of consumer protection?

- a) Not capable b) Less capable c) Capable d) Very capable

20) How adequate are the logistics available to your organization for effective and efficient performance?

- a) Woefully inadequate b) Inadequate c) Adequate d) Very adequate

21) Lack of political will on the parts of previous and current governments has resulted in weaknesses of institutions concerned with consumer protection in Ghana. How do you agree to this statement?

- a) Strongly disagree b) Disagree c) Agree d) Strongly agree

22) How relevant are the following packaging standards to you?

Packaging Standards	Relevance of Packaging Standards			
Batch	a) Irrelevant	b) Less Relevant	c) Relevant	d) Very Relevant
Expiry Date	a) Irrelevant	b) Less Relevant	c) Relevant	d) Very Relevant
Evidence of Certification	a) Irrelevant	b) Less Relevant	c) Relevant	d) Very Relevant
Product Barcode	a) Irrelevant	b) Less Relevant	c) Relevant	d) Very Relevant
Trade Mark of Producer	a) Irrelevant	b) Less Relevant	c) Relevant	d) Very Relevant
Location of Producer	a) Irrelevant	b) Less Relevant	c) Relevant	d) Very Relevant
Name & address of Producer	a) Irrelevant	b) Less Relevant	c) Relevant	d) Very Relevant

APPENDIX 4**Consumer Protection As a Public Safety Measure: The Case of Ghana Standards Authority
and The Pharmacy Council****QUESTIONNAIRE FOR THE PUBLIC****Introduction**

This questionnaire is aimed at collecting primary data for the above study. The information to be provided is for academic purposes only. Be please assured that whatever information you disclose for the purpose of this study would be strictly treated in confidence. It would thus not be made available to any person(s) without the prior permission of the respondent. Please answer the questions freely.

Thank you

Part 1: Profile of Respondents

- 1) Age in years: í í í í í í í í í
- 2) Sex: a) Male b) Female
- 3) Level of Education
 - a) No education b) Primary c) Middle School/JHS d) Secondary e) Tertiary
- 4) Place of residence (eg Nima-Accra, Airport Residential Area-Accra, Abeka Lapaz-Accra)í ..

**Part 2: Ability to Complement the Efforts of Ghana Standards Authority and the
Pharmacy Council**

- 5) How familiar are you with consumer protection developments globally?
 - a) Not familiar b) Less familiar b) Familiar d) Very familiar
- 6) How familiar are you with the functions of the Ghana Standards Board (GSB)?

b) Not Familiar b) Less Familiar c) Familiar d) Very Familiar

7) How familiar are you with the functions of the Pharmacy Council?

b) Not Familiar b) Less Familiar c) Familiar d) Very Familiar

8) As a consumer, how would you rate the enhancement of your rights awareness by the Ghana Standards Board (GSB) and the Pharmacy Council (PC)? [Please select from below, your ratings or scores in respect of the two institutions, as you consider appropriate.]

i) Enhancement of the awareness of your **right to safe goods and services**

Ratings or scores on the enhancement of the awareness of your rights by GSB and PC to safe goods and services				
GSB	a) Unsatisfactory	b) Less satisfactory	c) Good	d) Very good
PC	a) Unsatisfactory	b) Less satisfactory	c) Good	d) Very Good

ii) Enhancement of the awareness of your **right to information** on goods and services

Ratings or scores on the enhancement of the awareness of your right by GSB and PC to information on goods and services				
GSB	a)Unsatisfactory	b)Less satisfactory	c)Good	d) Very good
PC	a)Unsatisfactory	b)Less satisfactory	c)Good	d) Very good

iii) Enhancement of the awareness of your **right to be heard** by appropriate competent authorities and judicial bodies

Ratings or scores on the enhancement by GSB and PC of the awareness of your right to be heard				
GSB	a)Unsatisfactory	b) Less satisfactory	c) Good	d)Very good
PC	a)Unsatisfactory	b) Less satisfactory	c) Good	d) Very good

iv) Enhancement of the awareness of your **freedom and right to join or form consumer associations or unions**

	Ratings or scores on the enhancement by GSB and PC of the awareness of your freedom and right to form or join consumer associations or unions			
GSB	a)Unsatisfactory	b) Less satisfactory	c) Good	d) Very good
PC	a)Unsatisfactory	b) Less satisfactory	c) Good	d) Very good

- v) Enhancement of the awareness of your **right to fair, non-discriminatory treatment by suppliers of goods and services**

	Ratings or scores on the enhancement by GSB and PC of the awareness of your right to fair, non-discriminatory treatment by suppliers			
GSB	a)Unsatisfactory	b) Less satisfactory	c) Good	d) Very good
PC	a)Unsatisfactory	b) Less satisfactory	c) Good	d) Very good

- vi) Enhancement of the awareness of your **right to compensation from suppliers** of goods and services for damages suffered as a result of consuming any of such products

	Ratings or scores on the enhancement by GSB and PC of the awareness of your right to compensation as and when necessary			
GSB	a)Unsatisfactory	b) Less satisfactory	c) Good	d) Very good
PC	a)Unsatisfactory	b) Less satisfactory	c) Good	d) Very good

- vii) Enhancement of your awareness of **any other rights, freedoms, entitlements and interests** by the GSB and the PC, incidental to or which would facilitate your enjoyment, if any, of the foregoing rights

	Ratings or scores on the enhancement by GSB and PC of your awareness of any other rights, freedoms etc incidental to or which would facilitate your enjoyment, if any, of the foregoing rights			
GSB	a)Unsatisfactory	b) Less satisfactory	c) Good	d) Very good
PC	a)Unsatisfactory	b) Less satisfactory	c) Good	d) Very good

- 9) The following packaging standards have been set for compliance by goods and/or service providers who are regulated by some state institutions including Ghana Standards Board and the Pharmacy Council. Rate or score in your candid opinion, your understanding of the relevance of the packaging standards:

Packaging Standards	Rate or Score of Your <i>Understanding of the Relevance of Packaging Standards</i> (Tick as you consider appropriate)			
Batch	a)Rarely Understood	b) Less Understood	c)Understood	d)Highly Understood
Expiry Date	a)Rarely Understood	b)Less Understood	c)Understood	d)Highly Understood
Evidence of Certification	a)Rarely Understood	b)Less Understood	c)Understood	d)Highly Understood
Product Barcode	a)Rarely Understood	b)Less Understood	c)Understood	d)Highly Understood
Trade mark of Producer	a)Rarely Understood	b)Less Understood	c)Understood	d)Highly Understood
Producer/Company Location	a)Rarely Understood	b)Less Understood	c)Understood	d)Highly Understood
Name and address of producer	a)Rarely Understood	b)Less Understood	c)Understood	d)Highly Understood