

Consolidated Inputs to Map AMS' Consumer Protection Provisions

AMS	National Consumer Protection Laws	Authority to administer the Consumer Protection Law	Unfair Contract Terms	E-Commerce	Product Liability and Safety	Lemon Law	Adjudication	Main investigative powers conferred by the Law	Appeal Provisions
BN	The Consumer Protection (Fair Trading) Order, 2012.	Competition and Consumer Affairs Department (CCAD), Department of Economic Planning and Development, Prime Minister's Office	Unfair Contract Terms is covered under Unfair Contract Terms Act	No, direct provisions. However, there are standalone act for e-commerce related.	No standalone act	N.A	The redress mechanisms and ADR include negotiation, mediation and small claims tribunal.	The CCAD is the specified body responsible for the Consumer Protection (Fair Trading) Order, 2012.	NO
						However, it may relate to the Sale of Goods Act as they are elements on warranties and returns.			
CA	The revised draft law will be passed to Council of Ministers then to National Assembly.	Camcontrol Directorate – General. Ministry of Commerce.	NO	Drafting the law	Yes, there is standalone Act (Law on The Management of Quality and Safety of Products and Services).	NO	Draft of Consumer protection Law has provision in receiving complaints and redress for consumer. Yes, it provides ADR, small claims court.	Camcontrol Directorate – General. MoC	YES

AMS	National Consumer Protection Laws	Authority to administer the Consumer Protection Law	Unfair Contract Terms	E-Commerce	Product Liability and Safety	Lemon Law	Adjudication	Main investigative powers conferred by the Law	Appeal Provisions
ID	Law Number 8 Year 1999 regarding Consumer Protection	Directorate General of Consumer Protection and Trade Order, Ministry of Trade	Unfair Contract Terms is covered under CP law (the Act regulates standard clauses not the contract)	No standalone act E-Commerce is covered under: CP Law, Information and Electronic Transaction Law, and Trade Law	No standalone act Product liability and safety is covered under CP law	N.A No stand-alone act covering product guarantees and returns	- Court -Alternative Dispute Resolution (Consumer Dispute Settlement Agencies (CDSA))	-Police officers - Certain civil servants	Appeal can be addressed to the District Court.
LA	Law on Consumer Protection	<ul style="list-style-type: none"> Ministry of Industry and Commerce Ministry of Public Health Ministry of Science and Technology and Ministry of Agriculture and Forest. 	NO	Standalone act. (Law on Electronic Transaction under responsibility of Science and Technology Ministry)	Standalone acts. <ul style="list-style-type: none"> Law on Food Regulation on the control of pesticides in Lao PDR Law on Standardisation Law on Cigarette Law on Metrology 	NO	<ul style="list-style-type: none"> Complaints could be lodged and addressed to consumer protection authority (Ministry of Industry and Commerce) and line ministries) 	Consumer Protection Authority (Ministry of Industry and Commerce) and line ministries)	Yes Appeal can be addressed to courts (This provision is not covered under the Consumer Protection Law)

AMS	National Consumer Protection Laws	Authority to administer the Consumer Protection Law	Unfair Contract Terms	E-Commerce	Product Liability and Safety	Lemon Law	Adjudication	Main investigative powers conferred by the Law	Appeal Provisions
							<ul style="list-style-type: none"> The Center for Economic Dispute Resolution (CEDR) Court 		
MY	Consumer Protection Act (CPA) 1999	Ministry of Domestic Trade, Co-operatives and Consumerism (MDTCC)	Yes, under Part IIIA, CPA 1999.	Consumer Protection Regulation (Electronic Trade Transaction) 2012.	Consumer Protection Act (CPA) 1999 has provisions for product liability under Part X Product Liability whereas the provision for product safety is under Part III Safety of Goods and Services.	The CPA has provisions regarding product guarantees and returns as follows: <ul style="list-style-type: none"> - Part V - Guarantees in Respect of Supply of Goods - Part VI Rights Against Suppliers in Respect of Guarantees in the Supply of 	Complaints are lodged and addressed through: <ul style="list-style-type: none"> - Telephone (1-800-886-800); - Short Message Service(SMS) 15888 - Website (www.eaduan.kpdnkk.gov.my); - Smartphone Application (EZ-Adu 	- Under the CPA, investigative powers are listed under Part XIII on Enforcement which includes powers to search and seize, examination of person, forfeiture of goods etc.	- Under Section 116 of the CPA, the decisions of Tribunal shall be final and binding on all parties to the proceeding and shall be deemed to be an order of a Magistrate's Court and

AMS	National Consumer Protection Laws	Authority to administer the Consumer Protection Law	Unfair Contract Terms	E-Commerce	Product Liability and Safety	Lemon Law	Adjudication	Main investigative powers conferred by the Law	Appeal Provisions
						Goods - Part VII - Rights Against Manufacturers in Respect of Guarantees in the Supply of Goods - Part VIII - Guarantees in Respect of Supply of Services - Part IX Rights Against Suppliers in Respect of Guarantees in the Supply of Services - Part X Product Liability	KPDNKK, MyKira GST); - Service Counter (Walk-in); - Letter; - Other Agencies (NGO, Government Agencies); - Email; - Complaint Box - Social Media - Village Head Office		be enforced accordingly by any party to the proceeding.

AMS	National Consumer Protection Laws	Authority to administer the Consumer Protection Law	Unfair Contract Terms	E-Commerce	Product Liability and Safety	Lemon Law	Adjudication	Main investigative powers conferred by the Law	Appeal Provisions
MM	Consumer Protection Law (Pyidaungsu Hluttaw Law No. 10/2014 in the Republic of the Union of Myanmar).	Department of Consumer Affairs – the Ministry of Commerce	Unfair Contract Terms are covered under Consumer Protection law. Moreover, Contract Act, Sale of Goods Act and Specific Relief Act also cover unfair contract terms.	No standalone act. There is Electronic Transaction Law (2004, amended in 2014) which is related to E-Commerce.	Consumer Protection Law contains provisions on product safety and liability. There are also related laws for product safety and liability including the Code of Criminal Procedure (1861), the Penal Code (1861), the Control of Smoking and Consumption of Tobacco Product Law (2006), the Control of	NO	Consumer Protection Law (Pyidaungsu Hluttaw Law No. 10/2014 in the Republic of the Union of Myanmar).	Department of Consumer Affairs – the Ministry of Commerce	Unfair Contract Terms are covered under Consumer Protection law. Moreover, Contract Act, Sale of Goods Act and Specific Relief Act also covers unfair contract terms.

AMS	National Consumer Protection Laws	Authority to administer the Consumer Protection Law	Unfair Contract Terms	E-Commerce	Product Liability and Safety	Lemon Law	Adjudication	Main investigative powers conferred by the Law	Appeal Provisions
					Money Laundering Law (2014), the Burma Copyright Act (1914), the Motion Picture Law (1996), the Television and Video Law (1996), the Forest Law (1992), the Protection of Wild Life and Conservation of Natural Areas Law (1994), the Poisons Act (1919, amended in 2014), Small and Medium Enterprises Development				

AMS	National Consumer Protection Laws	Authority to administer the Consumer Protection Law	Unfair Contract Terms	E-Commerce	Product Liability and Safety	Lemon Law	Adjudication	Main investigative powers conferred by the Law	Appeal Provisions
					Law (2015), the Telecommunications Law (2013) the National Food Law (1997, amended in 2013), the Public Health Law (1972), the Law Relating to Private Healthcare Services (2007, amended in 2013), Myanmar Medical Council Law (2015), the Traditional Medical Council Law (2000,				

AMS	National Consumer Protection Laws	Authority to administer the Consumer Protection Law	Unfair Contract Terms	E-Commerce	Product Liability and Safety	Lemon Law	Adjudication	Main investigative powers conferred by the Law	Appeal Provisions
					amended in 2013), Teeth and Mouth Medical Council Law (2011), the Bar Council Act (1929), the Legal Practitioners Act (1880), the Electronic Transaction Law (2004, amended in 2014), the Financial Institution Law (2016), Central Bank of Myanmar Law (2013), the Insurance Business Law (1996), Yangon City Development				

AMS	National Consumer Protection Laws	Authority to administer the Consumer Protection Law	Unfair Contract Terms	E-Commerce	Product Liability and Safety	Lemon Law	Adjudication	Main investigative powers conferred by the Law	Appeal Provisions
					Law (2013), the Pesticide Law (2016), Chemical Safety Law (2013), Myanmar Marine Fisheries Law (1990), Animal Health and Development Law (1993), the Myanmar Merchandise Marks Act (1889, amended in 2013), the Export and Import Law (2012), the Standardization Law (2014), Electricity Law (2014),				

AMS	National Consumer Protection Laws	Authority to administer the Consumer Protection Law	Unfair Contract Terms	E-Commerce	Product Liability and Safety	Lemon Law	Adjudication	Main investigative powers conferred by the Law	Appeal Provisions
					Environmental Conservation Law (2012), Fertilizer Law (2002, amended in 2015), Myanmar Nursing and Mid-wife Council Law (2015)				
PH	Consumer Act of the Philippines (Republic Act No. 7394)	<ul style="list-style-type: none"> • Department of Trade and Industry for manufactured goods and for services • Department of Agriculture for agricultural products 	There is no specific provision on unfair contract terms in the Consumer Act. Complaints on this may be brought before the regular courts.	Electronic Commerce Act (Republic Act No. 8792) - This law only provides a secure legal framework for E-Commerce, and the protection of the integrity of electronic documents	<ul style="list-style-type: none"> • Consumer Act of the Philippines (Republic Act No. 7394) • Toy and Game Safety Labeling Act of 2013 (Republic Act No. 10620) 	Philippine Lemon Law (Republic Act No. 10642) - This law only covers brand new motor vehicles that turned out to be “lemons”. - All other defective products	Yes. (See ‘Matrix on Consumer Redress’ to see other existing forms of redress in the Philippines)	Under the Consumer Act, investigations can be conducted by the implementing agencies relative to their respective areas of jurisdiction.	Article 165 of the Consumer Act of the Philippines (Republic Act No. 7394)

AMS	National Consumer Protection Laws	Authority to administer the Consumer Protection Law	Unfair Contract Terms	E-Commerce	Product Liability and Safety	Lemon Law	Adjudication	Main investigative powers conferred by the Law	Appeal Provisions
		<ul style="list-style-type: none"> • Department of Health for food, drugs, cosmetics and devices, and hazardous substances 		<p>and signature as well as transmission and communication.</p> <p>Consumer Act of the Philippines (Republic Act No. 7394)</p> <ul style="list-style-type: none"> - This law does not distinguish between a brick and mortar business and those doing commerce online. - To strengthen consumer protection in E-Commerce, 		are covered under the Consumer Act.			

AMS	National Consumer Protection Laws	Authority to administer the Consumer Protection Law	Unfair Contract Terms	E-Commerce	Product Liability and Safety	Lemon Law	Adjudication	Main investigative powers conferred by the Law	Appeal Provisions
				the DTI proposed to include in the amendments of the Consumer Act that all forms of commerce done electronically or online must be clearly defined in the coverage of the law.					
SG	<ul style="list-style-type: none"> - Consumer Protection (Fair Trading) Act (CPFTA); - Consumer Protection (Trade Descriptions and 	<ul style="list-style-type: none"> - SPRING Singapore will be the administering agency for the CPFTA (by the end of 2016) 	Unfair Contract Terms is covered under the CPFTA	E-Commerce is covered under the CPFTA and CPTDRSA	Product liability and safety is generally governed by the common law of negligence in the case of manufacturers and	No stand-alone act for non-conforming goods (i.e. Lemon Law). They are contained within Part III of the CPFTA.	<ul style="list-style-type: none"> - For CPFTA (including Lemon Law): CASE and the Small Claims Tribunal (SCT) 	<ul style="list-style-type: none"> - For CPFTA: SPRING Singapore - For CPTDSRA: SPRING Singapore under the CPS Scheme. 	YES <ul style="list-style-type: none"> - Data Protection Appeal Committee - High Court - Court of Appeal

AMS	National Consumer Protection Laws	Authority to administer the Consumer Protection Law	Unfair Contract Terms	E-Commerce	Product Liability and Safety	Lemon Law	Adjudication	Main investigative powers conferred by the Law	Appeal Provisions
	<ul style="list-style-type: none"> Safety Requirements Act (CPTDSRA). Consumer Protection (Safety Requirements) Regulations (CPS) Consumer Protection (Consumer Goods Safety Requirements) Regulations (CGSR) 	<ul style="list-style-type: none"> CPTDSRA is currently administered by SPRING Singapore. 			contract against sellers/suppliers.		<ul style="list-style-type: none"> For CPTDSR: CASE and SPRING Singapore. 	<ul style="list-style-type: none"> For PDPA: Commissioner of the PDPC. 	

AMS	National Consumer Protection Laws	Authority to administer the Consumer Protection Law	Unfair Contract Terms	E-Commerce	Product Liability and Safety	Lemon Law	Adjudication	Main investigative powers conferred by the Law	Appeal Provisions
TH	Consumer protection Act 1979 as amended in 1998 and 2013.	The Office of the Consumer Protection Board (OCPB)	Unfair Contract Terms is covered under Unfair contract terms Act 1997	No standalone act	-Product Liability Act 2008 -Product safety is still in the drafting process.	Drafting	- Consumer complaint can be addressed to OCPB. - No small claim court, but a special "Consumer affair section" is established to facilitate the consumer in the court.	OCPB in coordination with the police officers.	YES
VN	Law on Consumer Protection of Vietnam (2010)	Vietnam Competition and Consumer Authority - Ministry of Industry and Trade	Unfair Contract Terms is covered under CP law	- Vietnam Law on Protection of Consumer's Rights - Law No. 51/2005/QH11 of November 29, 2005 on E-transactions	-Vietnam Law on Protection of Consumer's Rights -Law No. 05/2007/QH12 of November 21, 2007, on product	-Law on Commerce -Law on Housing -Law on Food Safety -Law on Products and Goods Quality	Consumer lodge complaints to these agencies and organisations: -VCA -Vietnam Standard and Consumer Association -Department of Industry and Trade	Vietnam Competition and Consumer Authority (VCCA) (state level) and Department of Industry and Trade (local level)	YES

AMS	National Consumer Protection Laws	Authority to administer the Consumer Protection Law	Unfair Contract Terms	E-Commerce	Product Liability and Safety	Lemon Law	Adjudication	Main investigative powers conferred by the Law	Appeal Provisions
					and goods quality		-Consumer Association at local level Disputes arising are addressed through: -Negotiation Reconciliation -Arbitration -Court		