

Malaysia Complains 2011



Annual NCCC Consumer Complaints Report



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Message from the Chairman of NCCC

With great pride, I would like to present the National Consumer Complaints Centre Annual Report for the year 2011. This report exemplifies our 6th consecutive comprehensive analysis of consumer complaints resulting from their purchase of goods and services. It is my great belief that this report on the goods from suppliers, manufacturers and service providers will bring great benefits to the consumers at large as it provides an opportunity for Industries and the Government of Malaysia to provide better consumer dispute resolution.

Businesses often share best practices to improve productivity, financial performance and in some cases environmental performance, which then contributes to an improved corporate and brand image. The NCCC however is in the business of sharing consumer grievances with businesses and policy makers with the aim of ensuring that businesses and government agencies prioritize improvements in both products and service performance for consumers.

Very often, businesses especially those in the small and medium enterprise category, fear complaints and drop them like a 'hot iron'. There is minimum effort expended to compile and analyse the nature of complaints to further improve services or products. The complaints report speaks for itself, as complaints which are brought to the attention of NCCC are complaints which were not handled effectively by the responding organization in the first place or the resolution is not satisfactory to the affected consumer or complainant.

The report for 2011 is different from previous reports in the following aspects: The 2011 report lists 4 lesser categories compared to the 2010 report. The 4 missing sectors are "Cheap Sales", "Job Recruitment Agencies", "Scams" and "Hire Purchase". However, the 2011 report has a new addition which is the "Consumer Product" therefore, bringing the total number of sectors

to 20. Other changes include a revision of the way the report is presented: analysis of complaints; relevant laws and / or voluntary initiatives; and recommendations.

The increase in the number of consumer complaints received is 18.2% compared to the number of complaints received in 2010 of 37,216. The amount involved in the dispute stands at a staggering RM 33,861,721.95 (or appx USD 11.5 million).

The complaints data and report published by the NCCC is increasingly being referred to and is being used as a valid indicative tool by research organizations, universities, media players and private organizations wishing to revise their business practices and methods from everything from cost of living factors for their employees' salary scale to understanding consumer purchasing behaviour.

The NCCC has also established a healthy working relationship with various industries over the years and has now developed a network to help and support these industries in becoming more consumer-friendly and efficient.

The highest number of complaints were received on consumer products and topping the list are information telecommunication products followed by domestic electrical appliances and fashion accessories. In this complaints category, the total value involved in the disputes in 2011 was over RM 2 million.

The second highest complaints were against services provided by the telecommunication industry including satellite television broadcasting. The total number of complaints received in this sector is slightly more than 8,000. Satellite television broadcasting services are a constant source of complaints in this sector and have been for over 5 years since this report was first published in 2006. The nature of complaints

remains the same and the service provider has to date, failed to improve the situation significantly.

The NCCC has never been merely an ordinary complaint handling body for individual cases. We have taken greater steps by actively commenting on consumer issues, addressing the consumer's dilemmas, the difficulties, the marketing gimmicks, consumer losses, as well as the need for law and policy amendments.

Some industry sectors continue to ignore the importance of consumer complaints as an opportunity to improve their services; many are also beginning to engage more actively with the NCCC in an effort to improve their services to consumers. However, concerns that these engagements are purely superficial often arise in the minds of the board members. One also has to bear in mind that mere invitations to consultations are insufficient; industries and stakeholders have to sincerely work towards improving products, services and commitment to consumers.

Similar to the concept of human rights, consumer protection has gained great importance and increasing prevalence in the last couple of decades. In a consumer oriented society, protection of the individual consumer is perceived as part of maintaining human dignity-especially against big business organisations, monopolies, cartels and multinational corporations. An examination of several basic international and national documents reveals that it is due time to acknowledge consumer rights as human rights.

The ultimate purpose of offering products and services is to satisfy the needs of people, which is a part of human rights. Any misrepresented products and services characteristics are not simply a minor infraction or trivial breach of trust, but an intentional violation of the basic rights and

interests of human beings. In particular, when consumers receive misleading information about the feature of food, medicine, electrical appliances, autos, and housing, the products and services can pose a threat to the users' lives or quality of living.

Even if the products do not harm the consumers physically, the misrepresented information undoubtedly harms consumer spiritually. This spiritual infringement is certainly a form of damage to human rights, while consumers' physical suffering is more severe, more strongly condemned and draws more concerns than common violations.

As I have mentioned many times before, funding has been and still is our greatest barrier to expansion. But I am confident in the relevance and significance of the NCCC to consumers, businesses, the policymakers and to the Nation.

I would also like to take this opportunity to thank the relentless effort and endurance of the team in NCCC and the support that we had in compiling and delivering the Malaysia Complains – annual Consumer Complaints Report - 2011. We will continue to pursue the goal of making NCCC a centre for excellence for local and cross-border dispute resolution, mediation, and arbitration at least for Southeast Asia and a role model for many countries in the world seeking to provide or improve their current alternative dispute resolution services to consumers.



Y. Bhg. Datuk Marimuthu Nadason
*Chairman,
National Consumer Complaints Centre*

About the Malaysia Complains Series

The year was 1890, and Mahatma Gandhi in a speech in South Africa included the following statement which is still being referred to as a benchmark for good customer service. *"A customer is the most important visitor on our premises. He is not dependent on us. We are dependent on him. He is not an interruption of our work. He is the purpose of it. He is not an outsider of our business. He is part of it. We are not doing him a favour by serving him. He is doing us a favour by giving us the opportunity to do so."*

A survey by TARP (an American based customer service research company) in the 80s states that for every one consumer or customer who complains, there are 10 other customers or consumers with whom they share their bad experience with. In a nation like Malaysia where most friends in the world are on social networking websites like 'Facebook', this number grows exponentially. Malaysians are said to spend most hours per week on such sites. According to a survey conducted by the international firm TNS, a Malaysian has an average of 233 friends in their social network¹. So we can anticipate that the TARP statistics may not be applicable anymore and if anything is a gross underestimation of current trends. If the statistics by TNS are accurate, a disgruntled consumer or customer may post his experience and up to 233 of his 'facebook pals' can view it and form their opinion on a product, service or an organization.

The Malaysia Complains Series seeks to address a consumer's right to redress and voice their opinion on products and services which many businesses do not address satisfactorily.

There are many private and government dispute handling agencies in Malaysia but very few if none provide a published in-depth analysis of the disputes or complaints allowing an overview of market and consumer satisfaction trends.

This report published annually, is targeted at businesses, government agencies and policymakers, providing an insight into:

- the state of consumer protection in Malaysia
- identify areas for improvement of performance of products and services
- consumer behavior related to use of products
- identify relevant initiatives ; both regulatory and voluntary to improve performance of services and products

This report also serves as a channel for the NCCC to reach out to relevant stakeholders enabling us to continuously work towards improving the state of consumer protection in the country. It can also serve as a reference for many areas of research on consumer behavior, business practices, policy revision and consumer protection.

The Vice President of British Airways in the 1980s during the heyday of the airline company said "Customers don't expect you to be perfect. They do expect you to fix things when they go wrong".

With the Malaysia Complains Series we hope businesses and policymakers alike will be able to identify where they've gone wrong and take the necessary steps to fix the problem.

¹ The Star, Wednesday October 13, 2010 -Survey: Malaysians have most Facebook friends

Introduction

About the NCCC

The National Consumer Complaints Centre (NCCC) is a non-profit organization. It was launched in July 2004 and is partially funded by the Ministry of Domestic Trade, Cooperatives and Consumerism Malaysia.



Vision

To be an independent and respected organisation providing a mechanism for consumer complaints and counselling to resolve problems arising from the purchase of goods and services.

Mission

To provide consumers with an objective and timely resolution of disputes, claims and complaints with regard to their purchase of goods and services.

Objectives

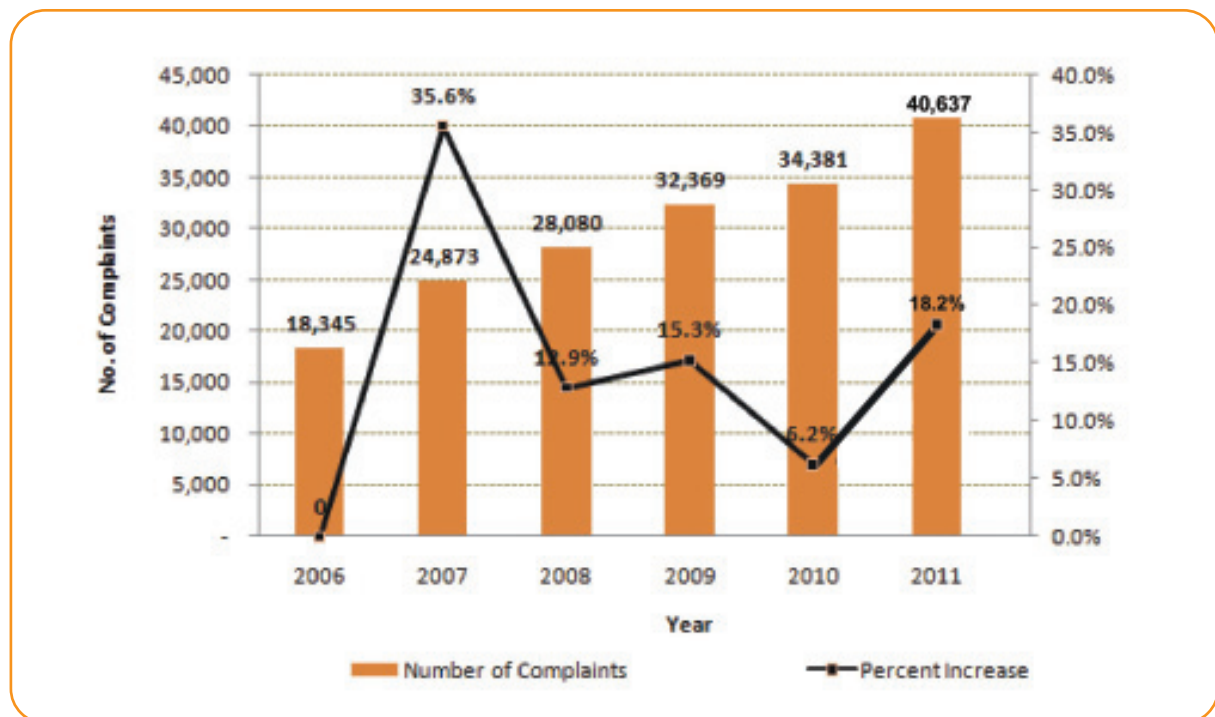
- *Guiding consumers in finding solutions to problems related to the purchase of goods and services;*
- *Empowering consumers with information on consumer related matters;*
- *Facilitating consumers in filing claims and complaints against errant goods and service providers; and*
- *Highlighting consumers' concerns in the media*

2011 Complaints Report Summary

Total Number of Complaints Received in 2011

The total number of complaints received in 2011 by the National Consumers Complaints Centre increased about 18.2% compared to the year 2010.

Figure 1: Consumer Complaints Received by NCCC from 2006 to 2011



The sectors which experienced increases in the number of complaints compared to the year 2010 are (possible reasons for these are highlighted):

- **Telecommunications and Broadcasting**

The increase is due to an increase in number of complaints especially with regards to broadband services and satellite television broadcasting services.

- **Consumer Product**

The increase is due to the incorporation of all consumer products which were previously reported under electrical, hire purchase, scams and retail trade. In this report, complaints on retail services

do not include quality of products. Complaints on furniture are also included in this section thus making it the sector with the highest number of complaints for 2011.

- **Electricity and Energy (Supply)**

The increase was fueled by massive complaints received when there was an electricity tariff revision last year. Then there was an announcement of a 1% levy to promote the use of renewable energy sources to generate electricity. The main electricity provider further implemented electricity meter replacements last year and this led to the increase in the number of complaints related to billing disputes and faulty / incorrect meters.

- **Wellness (Including Gymnasium)**

The number of complaints received for this sector increased as new players entered the game making this business rather competitive. Many resort to unethical ways to secure their bottom-line.

- **Hospitality and Tourism**

This sector saw an increase in complaints mainly against Malaysia's budget airline company. In a bid to remain profitable despite increasing fuel costs and to entice more people to use their services consumers are tempted by low prices but then are unpleasantly surprised by hidden charges and other kinds of charges such as taxes and levies. Mushrooming of budget hotels in cities also leads to situations where those who have booked tour packages are rudely surprised with the poor quality of accommodation.

- **Automobile**

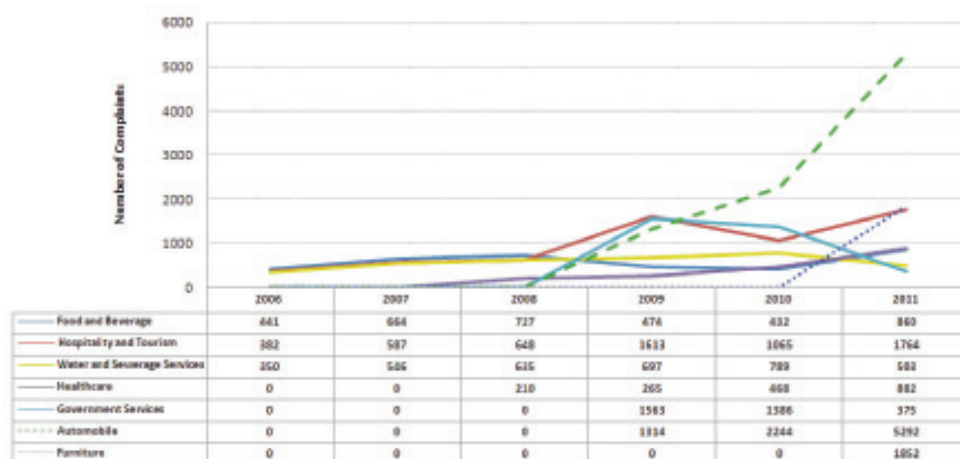
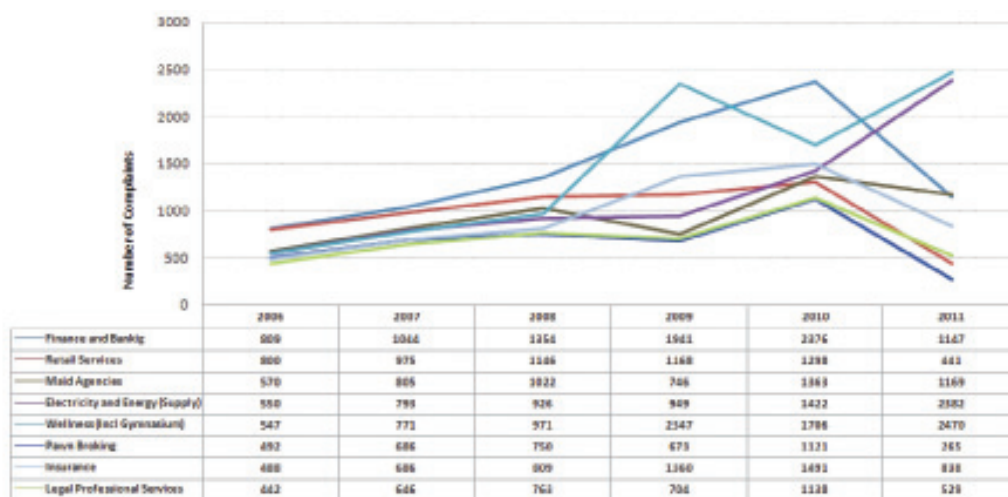
The increase in the number of complaints is especially due to perhaps the increasing cost of owning and maintaining a personal vehicle. Consumers may become easily disgruntled with the poor performance of the vehicles and the after sales service. Massive recalls and the perception that substandard cars or parts are being imported from Thailand which experienced a devastating flood in 2011 may have reduced consumers level tolerance with the problems they face with their new vehicles and when it is being serviced or repaired.

Regulators and brand owners must develop mechanisms to curb fake parts from being sold to consumers as many such parts pose serious safety issues to consumers and users.

Malaysian brand of cars have always topped the number of complaints received in the automobile sector. There has also however been an increase in the number of complaints received against Japanese models also.

In terms of number of complaints received, the sector with the most number of complaints is consumer products followed by telecommunications, automobile, wellness and electricity and energy supply.

Figure 2: Complaints Received According to Sectors 2006-2011



In terms of the value involved in the disputes (RM), the sector with highest impact of cost to consumers are:

- Automobile
- Financial
- Housing
- Consumer Products
- Healthcare Services
- Wellness Services
- Maid Agencies
- Legal Services
- Furniture
- Hospitality

Table 1: Number of Complaints and Value of Dispute (RM) According to Sector Category

No.	Category	Value Involved in the Dispute (RM)	Number of Complaints
1	Consumer Products	2,519,819.24	9349
2	Telecommunications	103,592.22	8181
3	Automobile	13,967,336.23	5292
4	Wellness Services	1,715,232.36	2470
5	Electricity and Energy Supply	311,129.08	2382
6	Hospitality and Tourism	708,529.04	1764
7	Housing	4,270,225.08	1676
8	Education	41,779.15	1279
9	Maid Agencies	1,431,169.53	1169
10	Finance and Banking	4,966,387.93	1147
11	Healthcare Services	1,779,177.96	882
12	Food	33,513.46	860
13	Insurance	288,140.65	838
14	Public Transport	46,661.37	750
15	Legal Services	1,111,010.18	529
16	Water and Sewerage	193,384.10	503
17	Management Corporation	193,384.10	485
18	Retail Trade	8,458.58	441
19	Civil / Government Agencies	130,437.44	375
20	Pawn Broking	42,354.27	265
TOTAL		33,861,721.95	40,637

Table 2: Value of Dispute (RM) According to Sector Category

No.	Category	Value Involved in the Dispute (RM)
1	Automobile	13,967,336.23
2	Financial	4,966,387.93
3	Housing	4,270,225.08
4	Consumer Products	2,519,819.24
5	Healthcare Services	1,779,177.96
6	Wellness Services	1,715,232.36
7	Maid Agencies	1,431,169.53
8	Legal Services	1,111,010.18
9	Hospitality	708,529.04
10	Electricity and Energy Supply	311,129.08
11	Insurance	288,140.65
12	Water Services	193,384.10
13	Management Corporation	193,384.10
14	Government Agencies and Services	130,437.44
15	Telecommunication	103,592.22
16	Public Transport	46,661.37
17	Pawn Broking	42,354.27
18	Education	41,779.15
19	Food	33,513.46
20	Retail Trade	8,458.58
TOTAL		33,861,721.95

Report According to Sector Category



Chapter I

Complaints Related to Consumer Product Sector

More than 52% of the complaints received in the consumer product sector are caused by complaints on IT and Electrical and Electronic products respectively.

Complaints on products result from unsatisfactory product quality and performance, followed by dissatisfaction over quality of services rendered to consumers. The total value of products involved in the complaints is RM 379,733.12. Most complaints are resolved with either replacements or refunds by the organization responding to the complaints.

Out of **9349** complaints received 4.7% of the cases were escalated to the Consumer Claims

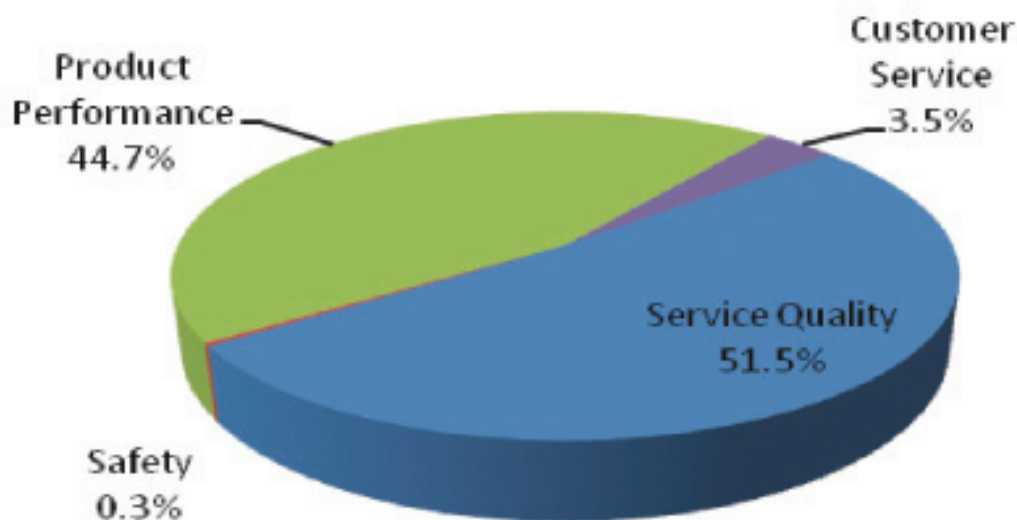
Tribunal or TTPM. Cases often referred to TTPM are those related to E&E products and IT products.

The top ten product categories comprises 80% of the total value (RM) of products involved in the complaints and 87% of the complaints received.

IT Consumer Products

Mobile phone and Computers (lap tops) top the list of complaints received on IT consumer products making up about 84% of complaints in

Figure 3: Nature of Complaints Related to Consumer Products (n=9349)





the IT consumer product category.

The most prevalent types of complaints are related to product quality and performance followed by service quality.

Most of the product performance problems relate to functional defects followed by structural defects (LCD screen cracked, touch screen pad, earphone problem). The counterfeit problem is

not focused on any particular brand, at least based on complaints received. Among the safety concerns are overheating and explosion.

Complaints related to service quality mostly refer to failure to honor warranties and poor quality of repair services. Many complaints refer to misrepresentation and a failure to provide phones based on specifications advertised or promoted.

Table 3: Value of Products Referred in Complaints – Consumer Product Sector

No.	Ten Product Category with Highest Number of Complaints	Number of Complaints	Percent Vs Sector Total	Value of Products (RM)	Percent Value of Total Complaints on Consumer Products
1	Alarm	178	1.9%	82,992.00	3.3%
2	Camera	196	2.1%	25,771.65	1.0%
3	Others	196	2.1%	45,380.42	1.8%
4	Bedding	196	2.1%	107,499.58	4.3%
5	Garment	231	2.5%	50,185.22	2.0%
6	Fashion Accessories	249	2.7%	44,444.06	1.8%
7	Others	303	3.2%	113,686.63	4.5%
8	E&E	997	10.7%	203,928.47	8.1%
9	IT products	2315	24.8%	660,745.70	26.2%
10	Furniture	3294	35.2%	809,672.46	32.1%

Figure 4: Types of complaints related to consumer products (n=9349)

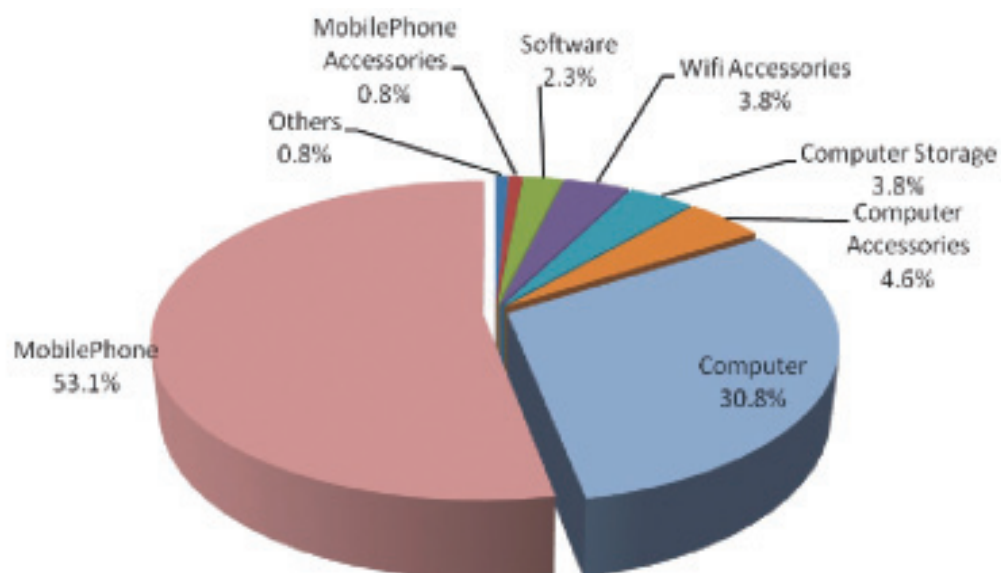
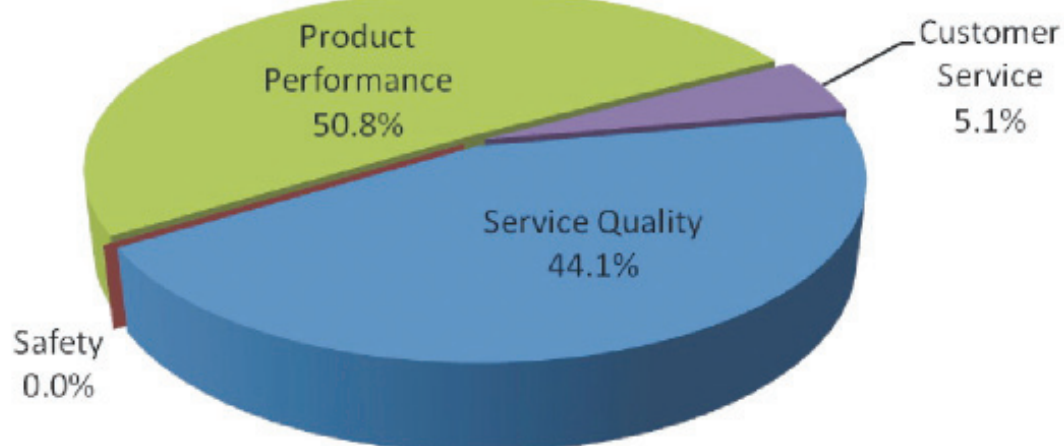


Figure 5: Nature of Complaints Related to Consumer Products (n=9349)



One of the retailers frequently referred to in complaints is Mobile Technic Sdn Bhd. Retail outlets where phones are purchased are mostly SMEs. There are limited number of complaint against original / brand outlets.

Brand owners should improve services provided by their wholesalers, distributors and retailers to improve consumer satisfaction to avoid or minimize a negative impact to their brand image.

The big 5 laptop producers are among the brands often referred to in complaints FY 2011. However, there are quite large amount of complaints where brands were not referred to but rather the complaints were on repair services. Complaints against one particular brand are related to functional and structural defects. Customers of another brand often complain about after sales services and structural defects. Often computers which were sent for repairs or rectify defects takes a long time to be repaired and returned to the respective customers. Almost all the complaints received against one of the prominent brand are related to Mobile Internet Devices (MID), or more popularly known as tablets, misrepresentation and unethical marketing practices.

Electrical and Electronic Consumer Products

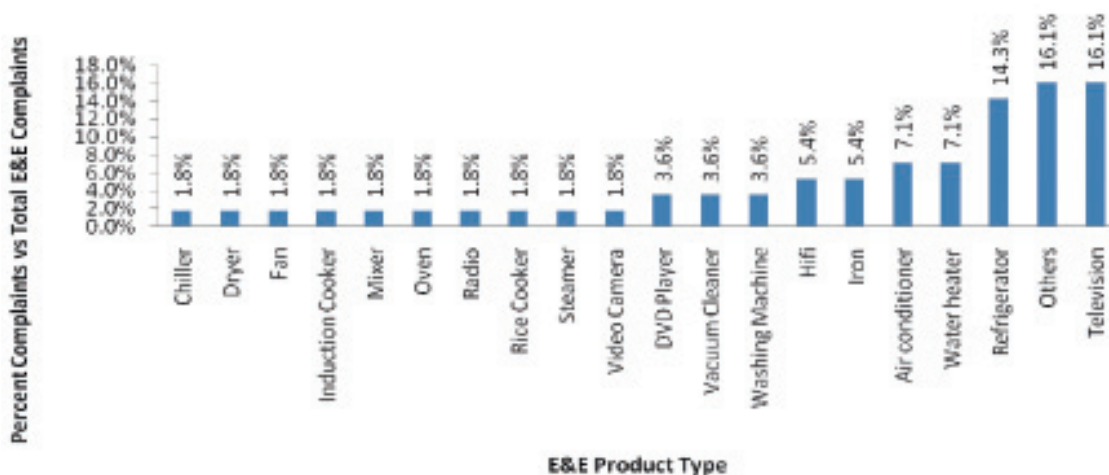
Televisions top the list of product with the most complaints in the electrical and electronic product category. No specific brands are involved.

Advertising and misrepresentation are causes of many complaints but there are defective products being sold to consumers and subsequent repair services also cause grievances to consumers.

Complaints received for **refrigerators** are due to performance problems mainly - such as freezing function, door closures and other defects.

Water heaters have posed safety issues in the past, in many countries. They impose higher risks due to the combination of electricity and water. The safety standards which are mandatory for this product are relatively stricter compared with other home electrical appliances. Fatalities at home have been reported in Malaysia in the past and other countries as well due to the malfunction of water heaters.

Figure 6: Complaints related to electrical and electronic consumer products (n=9349)





About half of the complaints received on water heaters are related to product performance such as unusual sounds or noises when the water heater is used and insufficient heating. Sellers and installers must take extra measures to ensure the installation and function of water heaters does not pose unnecessary risk to consumers.

Consumers must review or read the manual carefully and be well versed with all the safety features of water heaters.

Air conditioners are also a significant source of complaints in the E&E product category. Many consumers agreeing to purchase second hand units often face high repair costs and problems with after sales services. Defective parts (almost all of which related to performance issues) are also present in new units such as compressor malfunction and air purifier function which may have contributed to headaches / migraine (which are the only safety complaints related to air conditioners received in 2011).

Cross cutting issues related to complaints received on consumer products in 2011 as well as in 2010 and even before that are related to poor management of complaints by the organizations providing the product or services to the consumers. Consumers complain to the organizations first before using the NCCC as an alternative dispute resolution facility.

Most of the E&E appliances are purchased from E&E stores which qualify as SMEs. Larger

retailers are also often involved in E&E complaints.

Consumer Protection Laws Applied to Manage Complaints Received on Consumer Products

1) Laws

a) Product Performance

The laws in Malaysia are clear that goods sold to consumers must be of acceptable quality. However, judging by on the complaints received by the NCCC, that is not the case. **Section 32 of the Consumers Protection Act** states that goods purchased shall have implied guarantee of acceptable quality. Moreover, **Section 16 of the Sales of Goods Act 1957** states that goods sold shall have implied guarantee of merchantable quality.

b) Product Safety

The safety of products is always among the biggest concerns of NCCC. Certain safety issues even pose a danger to health and can even cause death. **Section 19 of the Consumer Protection Act 1999** deals specifically with the standards and safety of products whereby it includes performance, composition, contents, manufacture, processing, design, construction, finish and packaging of a product.

Section 20 of the same Act states that no person shall supply, or offer to or advertise for supply, any goods or services which do not comply with the safety standards determined under **Section 19**. The **Consumer Protection (Prohibition against Unsafe Goods) Order 2011** states that any goods that are found unsafe must be recalled by the supplier.

Safety requirements for domestic electrical appliances to a large extent are covered in the Electricity Regulations 1994.

Among the intention of this regulation is to safeguard the consumer interest and to ensure the efficient use of electricity with regards to:

- (a) any domestic equipment;
- (b) any equipment which is usually sold direct to the general public; or
- (c) any equipment which does not require special skills in its operation,



The above must be approved by the Energy Commission and affixed with the appropriate label. Approved electrical equipment that have met the specified safety requirements and efficient use of electricity help to prevent fire, electric shock, explosion, radiation and other hazards that could result in injuries or deaths to humans and/ or damages to properties.

Manufacturers, importers, exhibitors, sellers and advertisers of any electrical equipment prescribed under sub regulation 97(1), of the Electricity Regulations 1994 must ensure that their obligations under the said Regulations are fulfilled.

If any equipment is, in the opinion of the Commission, unsafe or dangerous or

likely to become unsafe or dangerous to use, the Commission may prohibit the manufacture, import, display, advertisement or sale of the equipment and may direct the person in sub regulation (1) to withdraw immediately all the equipment from use or sale and where necessary may seize and remove such equipment.



AFTERMATH: The bed that was destroyed by the fire allegedly due to an overheated laptop in Sarikei on Feb 16, 2012. SOURCE: Borneo Post

IT consumer gadgets, devices or appliances evolve at 'lightning speed'. Some tech savvy consumers change their devices once a new model or version is in the market sometime within three months. Despite this, there have been many safety incidents reported around the world and also Malaysia. Earlier this year a laptop exploded in Sarikei Sarawak causing a burst of flame which ignited the mattress of a 31-year-old who suffered third degree burns – (source the Borneo Post). Complaints records show several such incidents or near misses with mobile phones and laptops.

While such incidents in countries with more advance laws on IT product safety warrant investigation and perhaps recalls, Malaysian safety laws related to these products are almost absent.

The Malaysian Commission for Multimedia and Communication (MCMC) and related laws are not comprehensive enough to regulate safety requirements of IT products except for electromagnetic compatibility (or EMC).



A review of the Commission's primary functions by NCCC shows that it does not cover safety regulations for devices like their batteries, chargers and other components.

EMC is the interaction of electrical and electronic equipment with its electromagnetic environment, and with other equipment.

All electronic devices have the potential to emit electromagnetic fields. With the proliferation of electronic devices into everyday life - there is a huge potential for devices to interfere with each other.

EMC requirements are designed to keep these side effects under reasonable control.

c) Misrepresentation

The rights of consumers against misrepresentation and false statements made by goods/service providers are also protected by **Section 18 of the Contracts Act 1950** and **Section 10 of the Consumer Protection Act 1999**.

d) Quality of Services

Service here refers to the time taken to repair faulty products and the availability of spare parts in the market. According to **Section 41 of the Consumer Protection Act**, traders must remedy any defect in a product within a reasonable time. Whereas, **Section 37 of the Consumer Protection Act** states that any products supplied to the general public manufacturer must repair the product as soon as practicable.

2) Voluntary Initiatives / Tools

a) Product Performance

Consumers are sensitive to the importance of purchasing products from sources that are reliable and have records of good performance. Better product performance including safety, environmental and endurance give manufacturers a point of differentiation in the marketplace and consumers peace of mind about their product purchases. Electrical appliances and accessories generally must comply with product performance standards which are directly or indirectly associated with safety features of a particular appliance or accessory.

However in Malaysia, there are still many consumer products which are not required to comply with performance standards. This is despite the fact that there are many product performance standards developed by the Department of Standards Malaysia which are mostly total adoption of International Standards or widely acknowledged standards and a modification of those standards.

Until and unless these standards are referred to in regulations or compliance with these standards are made mandatory, there will be limited application of these standards for improved product performance for consumers.

For those interested in finding out more information about Malaysian Standards (MS) relevant to their products please visit www.msonline.gov.my.

Recommendations for Improvement

- More products should be included under SIRIM for quality and safety standard testing.
- The Ministry of Domestic Trade Cooperatives and Consumerism must strictly enforce laws which provide for stringent checks and investigations on any traders selling imitation products that are of substandard quality.
- Industries should adopt voluntary measures and put consumer interest above profiteering.

Furniture

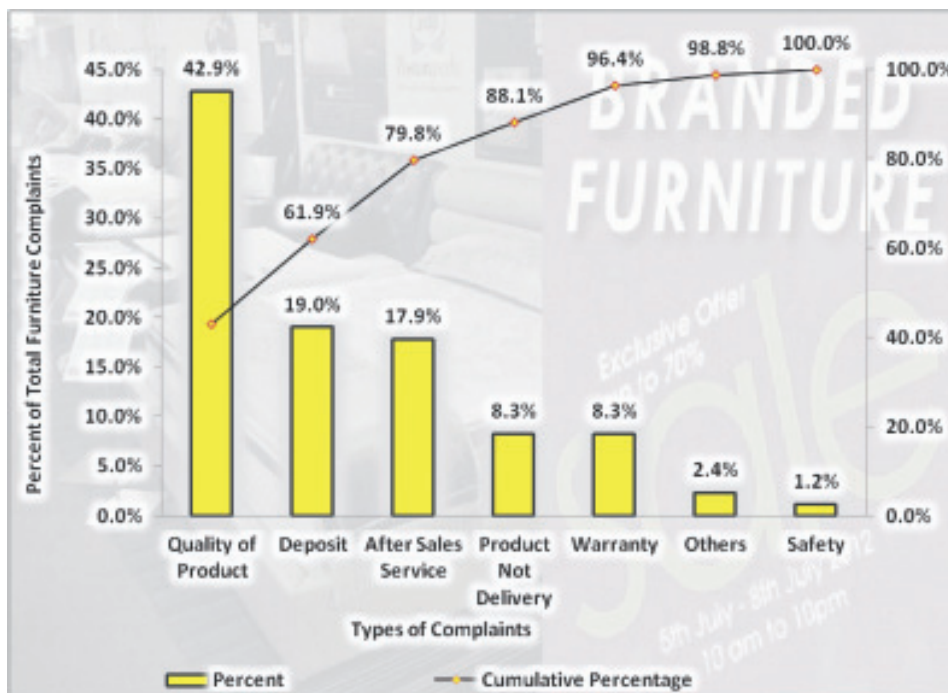
The NCCC received 1852 complaints about furniture in 2011. The furniture complaints comprise over one third of the complaints about consumer products, thus warranting a specified section under the consumer product complaints report.

One specific premium furniture outlet received about 10% of the complaints mostly related to product quality and refund or deposit disputes.

Main dispute related to furniture are attributed to quality of the furniture purchased. Consumers faced issues with peeling leather sofas, broken chairs (which could lead to safety issues) and tables.

When problems are discovered with the quality of the product they are sent for repair and this is another source of dispute when repairs take very long or do not solve the problem with the furniture. Consumers seeking refunds for the

Figure 7: Complaints Related to Furnitures Received by NCCC in 2011 (n= 1852)



Main dispute related to furniture is attributed to quality of the furniture purchased. Consumers experienced peeling leather sofa, broken chairs (which could lead to safety issues) and tables.



poor product quality and poor repair, often face problems getting refunds. Complaints about deposits include refund issues.

The terms and conditions for warranty is another source of dispute for consumers when products fail within the warranty period.

Consumer Protection Laws Applied to Manage Complaints Received

1) Laws

There is no specific law which governs the quality of furniture. However, certain provisions in the overarching law of **Consumer Protection Act** deal with the deficient quality of furniture. **Section 32** of the same Act states that goods purchased shall have implied guarantee of acceptable quality. Moreover, **Section 16 of the Sales of Goods Act 1957** states that goods sold shall have implied guarantee of merchantable quality.

Safety of furniture is among the major complaints under this sector. **Section 19 of the Consumer Protection Act** deals specifically with the standards and safety of products whereby it includes performance, composition, contents, manufacture, processing, design, construction, finish and packaging of a product.

Section 20 of the same Act states that no person shall supply, or offer to or advertise for supply, any goods or services which do not comply with the safety standards determined under **Section 19**. The **Consumer Protection (Prohibition against Unsafe Goods) Order 2011** states that any goods that are found unsafe must be recalled by the supplier.

Section 41 and 42 of the Consumers Protection Act states that aggrieved consumers have a right to redress against suppliers and manufacturers. In the event a proper redress is not provided, consumers can seek for refund of the money paid.

2) Voluntary Initiatives / Tools

There are many Malaysian Standards which are voluntary for furniture specifications and also to produce quality furniture.

- MS 2284:2010 Domestic Furniture – Beds and Mattresses - Safety Requirements and Test Methods
- MS ISO 9098-1:2008 Bunk Beds for Domestic Use - Safety Requirements and Tests –Part 1: Safety Requirements (ISO 9098-1:1994, IDT)
- MS 1581-2:2012 Furniture – Storage Units Part 2: Determination of Strength and Stability of Domestic and Contract Storage Furniture (First Revision)
- MS 1581-1:2012 Furniture – Storage Units Part 1: Safety Requirements and Test Methods for Domestic and Kitchen Storage Units and Worktops (First Revision)
- MS 1711: Part 2 : 2003 Furniture – Office Chair (Adjustable) : Part 2 : Safety Requirements
- MS 1711: Part 1 : 2003 Furniture – Office Chair (Adjustable) : Part 1 : Dimensions – Determination of Dimensions
- MS 1764: PART 3: 2004 Furniture – Seating: Part 3: Determination of Stability (Domestic)

Environmental Considerations for Wooden Furniture

Landowners and companies that sell timber or forest products seek certification as a way to verify to consumers that they have practiced forestry consistent with Forest Stewardship Council (or FSC) standards. Independent, certification organizations are accredited by FSC to carry out assessments of forest management to determine if standards have been met. These certifiers also verify that companies claiming to sell FSC certified products have tracked their



supply back to FSC certified sources. This chain of custody certification assures that consumers can trust the FSC label (source: www.fsc.org).

Recommendations for Improvement

- To enact a clear warranty related Act which deals with all goods sold. Ministry of Domestic Trade Cooperatives and Consumerism to oversee and implement regulations which ensure the minimum requirement for furniture.
- To take consumer's interest more seriously and not just focus on the profiteering.
- Industries to adopt the available voluntary tools into their standard operating procedure (SOP).

Chapter 2

Complaints Related to the Telecommunication Service Sector

The NCCC received 8181 complaints lodged against telecommunications service providers. According to research house International Data Corp (IDC), total telecommunications spending in Malaysia was expected to increase to US\$ 7.3 billion (RM 22.33 billion) in 2011, a growth of 5.3 per cent from 2010. (Source: *Market Watch 2012 - IT and Telecommunications in Malaysia*)

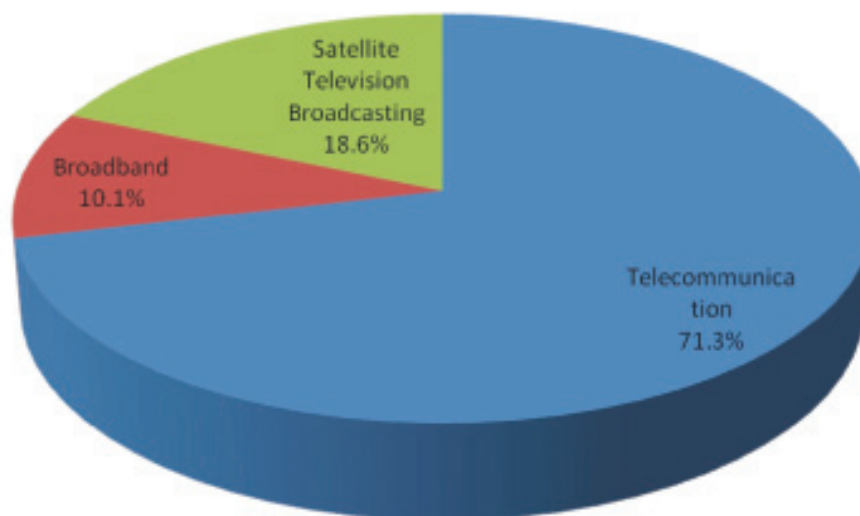
The network operators Telekom Malaysia, Maxis, Celcom and Digi Communications are the main players in the market. Axiata, Timedotcom, Astro and PacketOne are also some of the other bigger players followed by emerging competitors like YTL Communication, U Mobile, XOX, Redtone and many other small and medium sized enterprises.¹

Broadband

The Malaysian broadband market has continued to be dominated by services based on Digital Subscriber Line (DSL) technology and incumbent Telekom Malaysia has been the dominant service provider. A major boost to the broadband strategy for the country came in 2008 when the government selected Telekom Malaysia to roll out a National Broadband Network (NBN).¹

Subscription to broadband services has increased from a penetration rate of 31.7% in 2009 to 55.6% in 2010. In the 3rd Quarter of 2011 the broadband penetration rate for households was over 61%.

Figure 8: Complaints according to type of telecommunication services (n=8181)



¹ Malaysian-German Chamber of Commerce and Industry

Mobile Phone

The telecommunications industry is mainly driven by the cellular segment. In general, a wider subscriber base, increases in international calls and increased popularity in the usage of mobile data and multimedia services supported the growth in this segment. By 2010, the number of cellular phone subscribers had risen to 33,859 million with a penetration rate of 119.2% and further expanded to 35,707 million at the end of 2011 with a penetration rate of 124.6%.

Consumers and IT Industry

Several research and studies by Malaysian universities have indicated that the quality of the network is one of the important factors for consumers in overall service quality. Other factors include product (mobile phone, modem, router etc) quality, availability, and promotion.

The number of complaints received from consumers by NCCC against telecommunications service providers have increased since 2006. Several reasons appear to have contributed to the increase, namely:

1. Increase in the uptake of broadband services;
2. Increase in mobile phone users;
3. Increase in services subscription; and
4. Affinity of the general population towards social media (Facebook and Twitter for example)

Analysis of Complaints

A closer look at the complaints reveals that service quality continue to be the highest cause for complaints. Complaints related to broadband services are the highest lodged against one major service provider. Complaints related broadband services are often resolved with changes to installations. This raises the question about the quality of the installations used by this service provider to provide the broadband services. The question as to why the installations frequently require change or replacement is yet



The telecommunications industry is mainly driven by the cellular segment. In general, a wider subscriber base, increases in international calls and increased popularity in the usage of mobile data and multimedia services supported the growth in this segment.

to be answered. Other complaints related to broadband services are regarding billing, connection and disconnection charges. These are similar to complaints received on mobile broadband services. Complaints related to broadband services makes up 10.1% of the total complaints received.

Network coverage issues continue to plague consumers especially customers of two of the major service providers. Consumers in many instances are not able to make calls or experience line instability for long period of time. Consumers of mobile phone services often

receive unsolicited messages and are also charged a premium for such messages. They are also required to “opt out” of the messaging services with additional fee to “opt out”. This raises concerns about the security of personal data (contact number and names) of users / consumers in the telecommunications sector.

Consumers are often overwhelmed with the plethora of plans offered by mobile telecommunications service providers. More often than not, the root cause of the complaint is subscription to an incompatible plan and difficulty in choosing a more suitable one. Service providers are not forthcoming with the pros and cons of the plans offered to consumers and interpretation of the terms and conditions to enable consumers to be better informed before deciding on a plan. Often the staff of approved retailer and nominated distributor of the mobile phone service brand owner are untrained or lack capacity to interpret the terms and conditions of the plan to the consumers - resulting in bad customer service and depreciating loyalty.

The value of disputed services in this sector is approximately RM 103,592.22 with a maximum of RM 7,800.00 charged for international roaming services within a three days stay in Sydney.

Satellite Television Broadcasting

According to the STAR news in February this year three million out of 6.6 million households in the country subscribe to a major satellite television broadcasting services. Among the types of complaints received against the major service provider are:

- Billing disputes
- Disconnection and reconnection fees,
- Service disruption during rain / thunderstorm
- Quality of programmes
- Customer service quality

Billing disputes arise from alleged upgrading of packages without complainant's knowledge or request, and wrong package billed among others.



When complainants disconnect or reconnect their service package or their services, they are not well informed of the billing period and this among others, causes billing disputes again and dissatisfaction with reconnection or disconnection charges.

The alleged service enhancement through high definition viewing privileges comes with an ‘imposed’ additional monthly charge of RM20. Some consumers complain that they are in ‘catch 22’ situation where they have to pay the RM20 and watch many of the programmes repeated but now in high definition! Consumers who need to change a faulty old decoder are left with no choice but to replace them with the decoder for high definition or HD viewing and pay the additional RM 20 a month.

Rain fade or service disruption during rain has also not been solved effectively and been a constant source of grievances among consumers.

Complainants often lament about the quality of customer services when they have to be on hold for a significantly long time on the phone before they are attended to. Often the response from the customer service personnel is not satisfactory which brings the complainant to NCCC for an alternative solution.

Consumer Protection Laws Applied to Manage Complaints Received on Telecommunications

1) Laws

The regulating body governing services provided by this sector is the **Malaysian Communication and Multimedia Commission (MCMC)**. Main laws governing this sector i.e., the **Communication and Multimedia Act 1998 (CMA 1998)** and the **Malaysian Communication and Multimedia Commission Act**, together with other laws such as the **Contracts Act** and the overarching law of **Consumer Protection Act** are used to resolve issues involving this sector.

The major complaint of broadband and telecommunication services is frequent breakdown, poor customer service and loss of reception. **Section 188 of CMA 1998** requires service providers to provide adequate services to consumers.

Section 2 of CMA 1998 states that the objective of this statute is to promote a high level of consumer confidence in service delivery from the industry (telecommunication and multimedia). **Section 188 of the same Act** states that any network facilities provider, network service provider, applications service provider or content applications service provider shall deal reasonably with consumers and adequately address consumer complaints. Although the law does not cover consumer protection comprehensively, this particular section of the law provides the requirements for a minimum service quality.

Apart from the **CMA 1998**, under **Consumer Protection Act, Section 57** states that a consumer has the right to redress against a supplier of services

where the services or product resulting from the services fail to comply with any of the implied guarantees.

2) Voluntary Initiatives / Tools

The current Content Forum Malaysia established by MCMC does not provide fair representation of consumer voice and is dominated by industry stakeholders.

The Malaysian Technical Standards Forum Berhad (MTSFB) which is a Standards Writing Organization (SWO) does not encourage consumer or civil society interest representation other than during the public comment period. Those who wish to comment need to purchase these drafts from SIRIM Berhad which currently overseas the functions of the SWOs on behalf of the Department of Standards Malaysia (STANDARDS MALAYSIA).

Recommendations for Improvement

- The Commission formed under the **Malaysian Communication and Multimedia Commission Act 1998** should ensure that service providers deliver what they promise and must also take action against service providers who fail to provide adequate services.
- The MCMC must review and take stern action against service providers that send spam messages. Some of these messages are even charged the consumers although they did not subscribe to the service. If possible, licenses of such service providers should be suspended.
- The relevant Ministries and if possible also MCMC should also set a high standard for satellite television providers.
- The Minister should exercise his power conferred under the Act, to regulate rate /

fee structures of all services by service providers. Certain service providers such as a popular satellite television service provider, charge an exorbitant fee yet the services are not up to the mark due to a lack of competition in the market.

- The industries and regulators should ensure a proper and just redress system is available. Problems and issues should not only be solved on a case to case basis but at the policy level
- All satellite television broadcasting service providers must strictly adhere to the requirements of the **Communication and Multimedia Act 1998**. Consumers feel that any monopoly or special privileges increase the tendency for consumers to end up at the losing end.
- All domestic broadcasting, broadband and telecommunications installation must comply with mandatory safety and endurance performance requirements. But first, MCMC must make these requirements mandatory.

Chapter 3

Complaints Related to Automobile Sector

The NCCC received 5292 complaints lodged against suppliers and businesses in the automotive sector. The number of complaints received has been increasing since the year 2009. Complainants voice grievances if the value of their purchase is very high and they have to pay huge installments for their purchase over long period of time. Automobile are one such purchase.

A recent income survey discovered that a household earning RM3,000 a month could spend up to 50% of its income on car loans and maintaining a car. Owning a car in Malaysia comes with costs of maintenance and services from workshops and purchase of spare parts. Complaints in the automotive sector includes

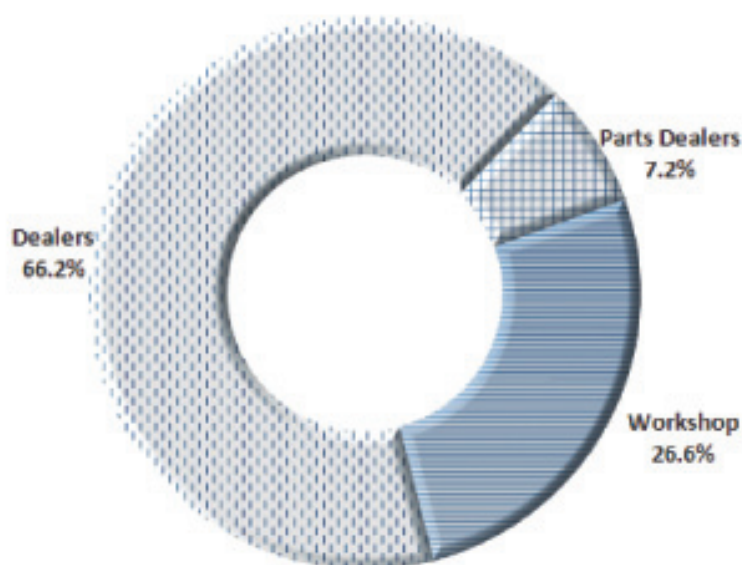
dispute with workshops, dealers and parts dealers. **The total value of services or cost of vehicles involved in the dispute for 2011 amounts to RM 13,967,336.23!**

Malaysian cars are among the brands most being complained about by consumers in 2011 and in the recent years as well. However, popular non-Malaysian brands (mostly Japanese) were among the top 5 brands with the most number of complaints.

Complaints due to dispute with dealers top the number of complaints received in 2011 by the NCCC. Among the common dispute with dealers are:

1. Poor quality of the new vehicle

Figure 9: Automobile Related Complaints According to Type of Respondents - NCCC 2011 (n= 5292)





Between 2009 and 2011, millions of cars were recalled worldwide due to 'unintended acceleration' and accelerator pedal entrapment problem.

Safety Related Complaints

Although safety related complaints comprise about 16% of the total complaints, they are of importance since it has a great impact on road safety for both drivers and pedestrians. Accident rates in Malaysia involving personal vehicles have increased due to many reasons: increase in number of cars, increase in congestion, driver attitude, road conditions, etc. But safe vehicle condition / specifications are crucial to minimize serious injuries and fatalities. Between 2009 and 2011, millions of cars were recalled worldwide due to 'unintended acceleration' and accelerator pedal entrapment problem.

2. Suspicion about authenticity of parts used, namely: batteries and tyres
3. Delays in delivering car
4. Misleading information about the car/ vehicles performance, documents and loans

In the post purchase or period after a person buys a car the role of the workshops become important. Complaints on quality of services provided by workshop are rampant and a constant source of dispute. Often workshops servicing Malaysian brand of cars seem to provide poor quality of services.

Among the complaints are:

1. Additional breakdown / malfunction after servicing or repair
2. Changing parts without consent of the owners
3. Suspicion about authenticity of parts replaced
4. Substandard parts replacement / change

Although the NCCC did not receive any such complaints, enquiries flooded NCCC lines during this period from concerned users of a particular brand or model of cars.

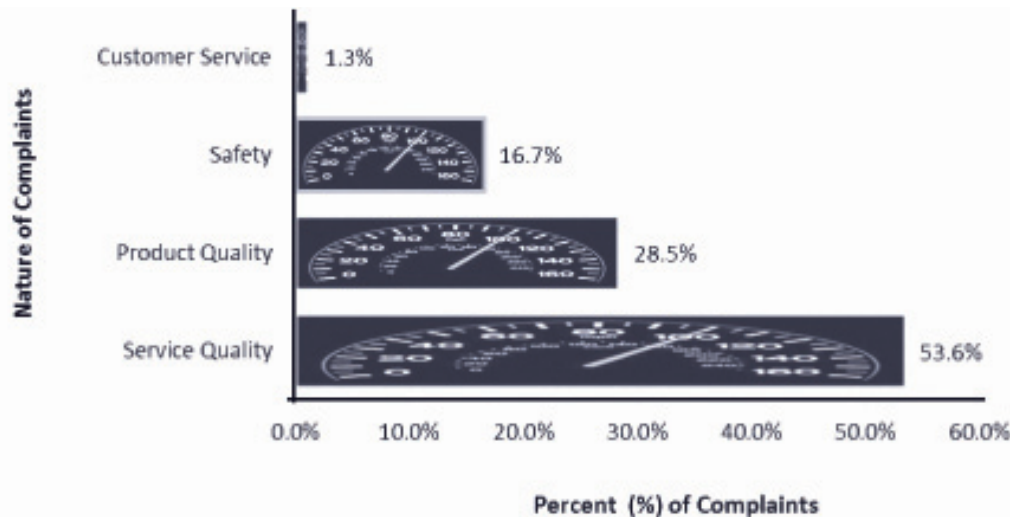
Another safety concern with automobile is the use of substandard or fake spare parts. The cannibalization of parts from accident or damaged vehicles for use in existing on the road vehicles adds to the list of safety problems.

Many of the safety complaints from consumers make reference that they (complainant) suspect the parts used / replaced / changed are sub-standard (not original parts), fakes or second hand.

There are complaints of engines catching fire, cars stalling in the middle of the journey on the highway (despite several repairs and maintenance work done at an authorized workshop) and car accessories which render the pedal dangerous to drivers.

Gray areas in the **Road Transport Act 1987** and the jurisdiction of various regulatory agencies are

Figure 10: Automobile Related Complaints According to Nature of Complaints
- NCCC 2011 (n= 5292)



not helpful in improving vehicle safety specifications and thus the safety of drivers and road users. Approving only one agency as authorized inspection facility and only one for testing of regulated parts is also not helpful to promote compliance with safety standards – mandatory and voluntary standards.

spare part where that the manufacturer and supplier shall take reasonable action to ensure that facilities for the repair of the goods and the supply of spare parts for the goods are reasonably available.

Consumer Protection Laws Applied to Manage Complaints Received on Automobile Sector

1) Laws

- Section 32 of the Consumer Protection Act 1999 states that there must be implied guarantee as to acceptable quality for goods supplied to a consumer where a product i.e. vehicle supplied to a customer should be free from any defects, must be safe and durable.
- Section 37 of the Consumer Protection Act 1999 states about implied guarantee as to repairs and spare part where that the manufacturer and supplier shall take reasonable action to ensure that facilities for the repair of the goods and the supply of spare parts for the goods are reasonably available.
- Section 46 of the Consumer Protection Act 1999 states that a consumers can exercise the right to reject goods, gets refund or replacement.
- Section 50 of the Consumer Protection Act 1999 also states about the consumer rights of redress against the manufactures.
- Section 53 of the Consumer Protection Act 1999 states where services are supplied to a consumer, there shall be implied a guarantee that the services will be carried out with reasonable care and skill.

- Compliance with the following road vehicle standards is mandatory under the Road Transport Act 1987 and corresponding Rules:
 - o MS 1-1:2011
Specifications for protective helmets for vehicle users
 - o MS 1175:2003
Specification for Seat Belts for Motor Vehicles (First Revision)
 - o MS 75:2002 Specification for anchorages for seat belts
 - o MS ISO 303:2004
Installation of Lighting and Signalling Devices for Motor Vehicles and Their Trailers
 - o MS 224:2005 AMD. 1:2010
Retreaded Pneumatic Rubber Tyres for Passengers Cars and Commercial Vehicles- Specification (2nd revision)
 - o MS 149 : 2008
New Pneumatic Passenger Car Tyres - Specification
 - o MS 1742-1:2004 Vehicle security systems: Part 1: Guidelines to the application of security systems to vehicles
 - o MS 1742-2:Section 1:2004 Vehicle security systems: Part 2: Locking systems: Section 1: Specification for locking systems
 - o MS 1742-2: Section 2:2004 Vehicle security systems: Part 2: Locking systems: Section 2: Specification for central power locking systems
 - o MS 1742-2: Section 3:2004 Vehicle security systems: Part 2: Locking systems: Section 3: Specification for dead locking systems
 - o MS 1742-2: Section 4:2004 Vehicle security systems: Part 2: Locking systems: Section 4: Specification for devices for prevention against unauthorised use
 - o MS 1742-3:2004 Vehicle security systems: Part 3: Specification for alarm systems
 - o MS 1742-4: 2004 Vehicle security systems: Part 4: Specification for immobilizer
 - o MS 2413-1:2011 (P)
Electric Motorcycle – Specification – Part 1: General
 - o MS 2413-2:2011 (P)
Electric Motorcycle – Specification – Part 2: Safety
 - o MS 2413-3:2011 (P)
Electric Motorcycle – Specification – Part 3: Performance Test

2) Voluntary Initiatives / Tools

There are also voluntary safety standards (MS) for vehicles such as the following:

- MS 376:2010 – which specifies requirement for engine oils; and
- MS ISO 6311 : 2003 which specifies a method of measuring the internal shear strength (stress) of brake lining materials

A relatively new initiative to improve services of automotive workshop is by the National Automotive Workshop Administration Malaysia (NAWAM). NAWAM was established to offer an **official website** for all collision repairers to register in support of the Economic Transformation Programme or ETP and tasked to standardize and benchmark the collision repairers market for compliance and other benefits. The effectiveness of

this effort to improve services of automotive workshops remains to be seen.

Recommendations for Improvement

1. Clearer laws to curb sales of sub-standard and fake spare parts. Currently the regulations for spare parts which are on the shelves of distributors or sellers are vague. Therefore there is limited control over spare parts which are suspected as fake or cannibalized from accident vehicles. Safety issues are main concerns for vehicle users besides economic implications.
2. There is still a need to introduce proper mechanism to ensure that both imported and locally assembled and manufactured vehicles are safe and do not come with faulty devices that can cause danger to the passengers.
3. An alert system should be developed and implemented by relevant regulators to ensure that consumers in Malaysia are informed in a timely manner about any recalls or corrective actions concerning the vehicles they have purchased.
4. Regulators need to put in place an effective recall and investigation system for defective vehicles. While brand owners such as Honda and Toyota have recalled millions of cars for defective airbags, sticky pedals and steering rods, very little if any is heard of locally. The effectiveness of the corrective actions or recalls if any is not monitored by competent authorities – in this case Road Transport Department or even MIROS.
5. Proper compensation and a redress mechanism need to be provided to consumers who were supplied with defective vehicles.
6. Workshops should be authorized to carry out repair services and mechanics must be qualified through a systematic approval mechanism.
7. Once a year mandatory roadworthiness inspection for private vehicle should be imposed.
8. The Road Transport Department and other agencies such as MIROS need to improve studies on vehicle collisions or accidents to identify root causes of accidents. Laws should make it mandatory for vehicle brand owners and distributors who operate in Malaysia to report any safety incidents related to the vehicle sold by them to consumers and for commercial purposes, to the relevant agencies.

Chapter 4

Complaints Related to Finance and Banking

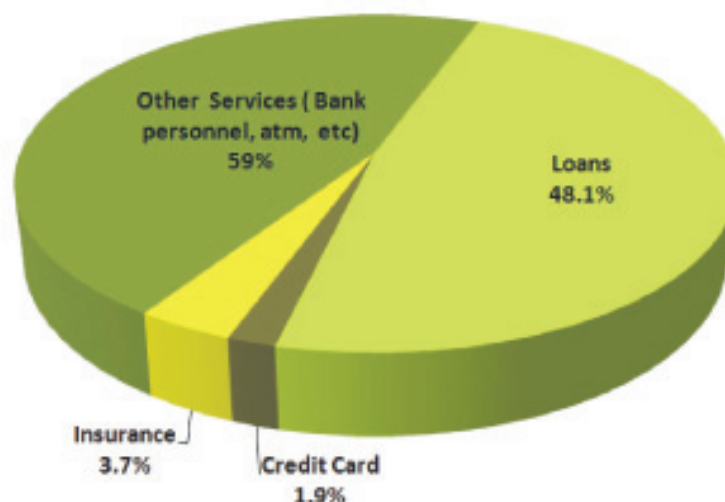
The NCCC received 1147 complaints lodged against finance and banking sector.

Complaints against the Banking and Financial sector have steadily increased over the 4 year period since the report was launched but reduced in 2011. Although there are no studies readily available to NCCC on the impact of the financial crisis and rising cost of living on consumers financial behavior, the NCCC believes that these two factors affect how consumers view their relationship with their bank and the services offered.

Complaints against three major banks constitute 47% of the complaints received from consumers in 2011.



Figure 11: Types of Complaints Received to Respondents in the Banking and Financial Sector - 2012 (n = 1147)



Total Value Involved in the Dispute = RM 4,966,387.90.00 with more than 23% involving RM 165,000.00 or more

Among the leading causes of complaints are related to loans primarily housing loans. The value involved in the disputes in 2011 for the banking and financial sector is RM 4,966,387.90. Approximately 87% of this is about loan issues.

Analysis of complaints related to loans showed that many stemmed from:

1. Unusual late charges
2. Revision of interest rates

Other loan related complaints involve rebate issues for early repayment of loans and documentation.

There is also an increasing number of complaints related to online transactions and hidden charges such as payment for an account pass book and printing of statements.

Consumers are generally ignorant about long loan agreement documents with small print. Bank employees too, are often not forthcoming with important information about revision of interest rates and late charges. Loans are often

obtained by consumers for large amounts and many end up spending almost half their income for loan repayment.

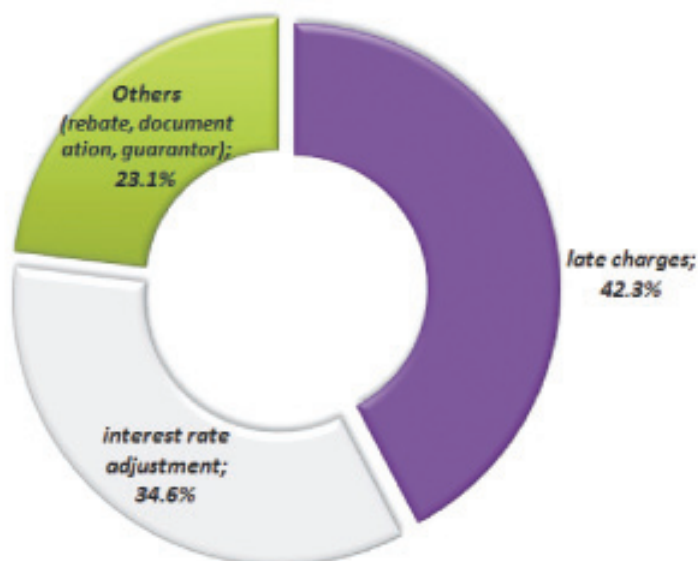
Consumer Protection Laws Applied to Manage Complaints Received on Banking and Finance Sector

1) Laws

Loans in general

Although the Banking and Financial Institution Act 1989 (BAFIA) regulates the banks it does not have any provisions to protect consumers who seek loans. Interest rate on loans is regulated through guidelines issued by the Bank Negara Malaysia.

Figure 12: Nature of Complaints Related to Loans - 2011 (n = 1147)



(Value of Complaints related to Loans = 87% of total value of RM 4,966,387.90)

(Housing Loan accounts for 73% of complaints related to loans)

All other terms and conditions are stipulated and imposed by the banks and finance companies via the loan agreement signed.

Personal data protection

Section 97 of the BAFIA however mandates that all consumer information to be treated confidentially except as required or permitted under the Act.

Recommendations for Improvement

It is time that consumer education on banking and financial issues takes centre stage and is driven by stakeholders in the banking and financial sector namely: banks and financial institutions themselves and the central bank. These efforts should be geared towards ensuring that consumers become well versed with bank loan agreements, its pros and cons and the financial commitment allowing consumers to gauge and whether he / she will be able to service the loan or manage it for an extended period of time.

Bank Negara should enhance consumer protection provisions in the BAFIA if its aim is to promote self regulation in the financial and banking sector. Self regulations needs clear acts and regulations to comply with. Ethical code of conduct must also be stipulated in the relevant regulations.

Banks must be transparent and justify the need to incur additional charges for their services such charges for pass book, charges to print statement or updating the account passbook and so on.

Chapter 5

Complaints Related to Wellness Sector

As explained by Paul Zane Pilzer, economist and author of, “The New Wellness Revolution: How to Make a Fortune in the Next Trillion Dollar Industry”, the wellness industry includes products and services provided proactively to already healthy people to make them feel even healthier and look even better, to slow the effects of aging and to prevent diseases from developing in the first place. According to Bloomberg Business, the wellness industry is a field of healthcare focused on improving everyday health and state of well being, rather than treating a disease or curing illnesses.

The NCCC received 2470 complaints related to the Wellness Industry.

Currently, complaints in this sector also include weight loss and aesthetic care such as skin and hair care. There has been an increase in the number of complaints related to wellness sector by 44.7% compared to 1706 complaints in 2010.

Four companies constitute 58% of the complaints received and 74% of the cost to consumers / complainants.

The nature of complaints in this sector are related to services quality and unethical trade practices namely due to misrepresentation and failure to observe “cooling off” period etc. There are also safety related complaints which in some cases results in long term impact on health.

Figure 13: Complaints Received against Wellness Centres (weight loss, skin and hair care, aesthetic care) (n= 2470) - FY 2011 by NCCC





Wellness can be looked at from either a consumer or corporate perspective. Activities often associated with wellness include yoga, fitness, outdoor activities, meditation, Pilates, massage therapy, healthy diet, organic living, and more.

The value of services involved in the dispute or complaints amounts to RM1,715,232.36. Some consumers pay as high as RM29,000.00 for skin treatment and RM15,000.00 for weight management.

- Failure to provide copy of contract or agreement

The highest number of complaints on unethical trade practices is against a particular gymnasium and a weight management centre.

Unethical Trade Practices

Complaints related to unethical trade practices result from:

- Respondents refund policies (no refund / late in refunding / hidden charges during refunds) especially on deposits upon termination of services
- Failure to honour contract and comply with laws related to contract
- Misrepresentation of services and misleading advertisements
- Charging consumer credit card without their knowledge

Service Quality - General

Complaints related to general service quality result from:

- Treatment which did not provide the results expected: pimples, weight loss, hair care
- Employees do not serve customers accordingly when enquiries about services are made: rude, not forthcoming.

Safety Related Complaints

Safety complaints in some cases are serious whereby complainants had to seek long term medical treatment. Among the complaints related to safety are:

- Burnt scalp after treatment
- Skin was burnt after the treatment
- Pain after laser treatment
- Skin allergic reaction or discoloration

The highest number of safety complaints is against a prominent skin care solutions centre. Some have paid as high as RM 15,000.00 for skin treatment which resulted in severe reddening of skin after treatment.

About 12.5% of the cases were unable to be resolved by NCCC and were escalated to the Consumer Claims Tribunal.

Consumer Protection Laws Applied to Manage Complaints Received on Consumer Products

1) Laws

There is no general law under the Malaysian legal system that addresses issues related to wellness sector except for some specific situations which is dealt by specific statutes. The major complaints under this sector were dealt by specific laws such as the following:-

- a) **Safety in wellness centres, Section 19 of the Consumer Protection Act 1999** states that every service provided for in the market should be subjected to some safety standard as per set by the Ministry. In the event such standard is not prescribed, then the supplier is expected to observe a reasonable standard of safety.

- b) **Safety of products used in these centres,**

The **Consumer Protection (Prohibition against Unsafe Goods) Order 2011** states that any goods that are found unsafe must be recalled by the supplier. Similar to the provision above, **Section 19 of the Consumer Protection Act 1999** also states that every goods and products provided for in the market should be subjected to some safety standard as per set by the Ministry. In the event such standard is not prescribed, then the supplier is expected to observe a reasonable standard of safety.

- c) **Contract, Section 17(5) Consumer Protection Act 1999** states that a person can cancel a contract through documentation or verbally. In the event the wellness centres insist for full payment upon cancellation of the contract (for those who have paid lump sum payment), the consumer is entitled to claim for the balance of the remaining services in the contract. However, this has to be done within 14 days of the cancellation of the contract.

Another common issue in regards to contract is the auto renewal of membership. Although most contracts entered by consumers and service providers have an auto renewal clause, this clause is actually illegal. A contract cannot be automatically renewed without the consent of the consumer.

- d) **Misleading information / advertisement, Section 13 of the Consumer Protection Act 1999** states that no person may advertise for the purposes of supplying any product or services with a stipulated price without the intention of providing the services.

Similarly the **Trade Description Act 1972**, states that sellers or traders of goods and services shall not take unfair advantage of consumers with misleading and false information as it is an offence under the Act to do so.

e) **Misrepresentation**

The rights of consumers against misrepresentation and false statements made by goods/service providers are also protected by **Section 18 of the Contracts Act 1950** and **Section 10 of the Consumer Protection Act 1999**.

2) **Voluntary Initiatives / Tools**

There is an initiative by Sinasantara Sdn Bhd which has established the IPEC Certification Bureau to provide personnel certification services both nationally and internationally for various professional services in the field of transportation, beauty and health, tourism and even oil and gas. In Malaysia they have begun offering personnel certification services for Beauty Therapist and Aesthetician i.e Beauty Therapist and Aesthetician Certification Scheme (BTaA). These kinds of certification may assist consumers in finding the best service provider in town if promoted well.

Internationally there are many standards (including guidelines and requirements) being developed to improve quality of services to consumer and performance of wellness sector. Among them are standards for:

- i) Spas
- ii) Stationary training equipment (such as safety requirements for strength training equipment, benches, pedal crank training equipment, elliptical trainers and many more) which are frequently used in gymnasiums and at home
- iii) Cosmetic products including those for skincare, hair care etc
- iv) Drugs (including those to aid in weight loss, skin care and hair care)

Recommendations for Improvement

- Relevant ministries such as the Ministry of Domestic Trade, Cooperatives and Consumer Affairs and Ministry of Health must regulate and monitor services provided by wellness centres.
- New provisions should be added under the Medical Act 1971 to regulate wellness centres that provide aesthetic care. Currently there is no specific law which regulates these services.
- Consumers should not be deceived by the hyped up advertisements on the services provided by these wellness centres. Proper background research needs to be done before buying the product or service offered by these centres.
- **The industry should start adopting a more consumer centric approach utilising socially responsible business practices.**

Chapter 6

Complaints Related to Housing

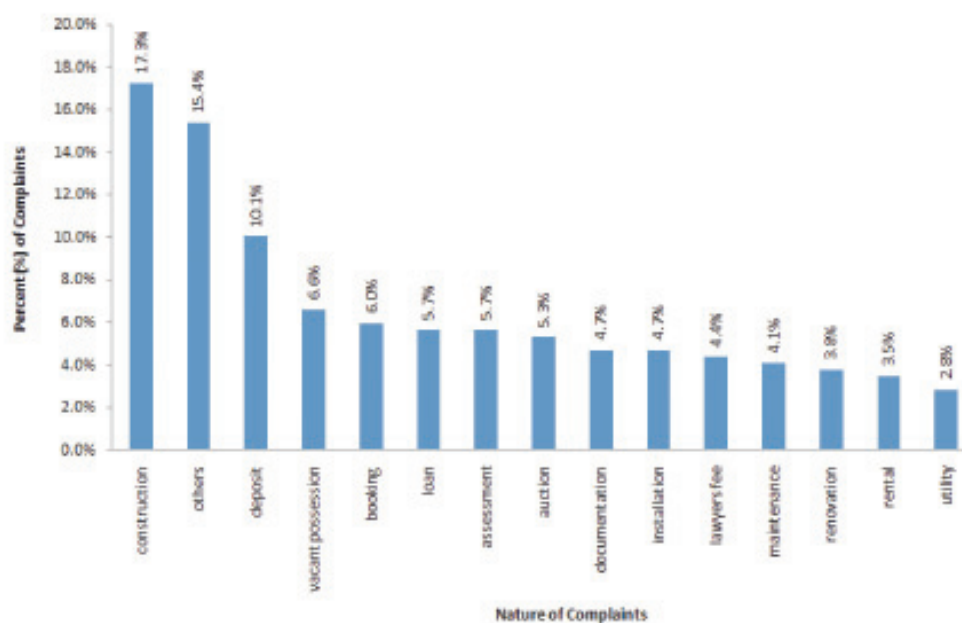
The NCCC received 1676 complaints lodged against businesses in the housing and real estate sector. House maintenance and renovations cost consumers a lot of money. The total value of the services and properties involved in the dispute in 2011 is RM 4,270,225.08.

Most of the complaints received are related to:

1. Construction – quality of the houses built; roofing, leaking, cracked walls etc.
2. Deposit – dispute related to amount
3. Booking fee disputes
4. Vacant possession – mostly related to delays and certificate of occupancy



Figure 14: Complaints Related to Housing Received by NCCC in 2011
(n= 1676)



In this sector more cases were escalated than in any other sector. Most unresolved cases are escalated to Ministry of Housing and Local Government and Small Claims Court.

to day at the rate of 10 per centum per annum of the purchase price from the expiry date of the delivery of vacant possession.

Consumer Protection Laws Applied to Manage Complaints Received on Housing Sector

1) Laws

Section 24 (2) (d) and (f) of Housing And Development (Control and Licensing) Act 1966 (HDA), clearly states that only, the Minister may regulate all kind of payments, under whatever name these may be described for the purchaser to make, therefore collecting. The minister also prescribes or names the fee to be collected from the purchaser as stated in **Schedule G, H, I and J of HDA**. Thus the law only recognizes the deposit as the first payment from the purchaser.

A deposit however recognized by the Sale and Purchase Agreement which is a valid and binding contract. However, if a buyer is ineligible to secure a housing loan than the purchaser shall be liable to pay 1% per centum of the purchase price to the developer and shall be entitled to get a refund of the balance of the deposit paid, if any. Despite such stipulation under **Regulation 5 (3) of Schedule G and H** developers refuse to refund the balance of deposits or booking fees.

Vacant possession of the house to the buyer is however stipulated within the time period stated in the sales and purchase agreement. **Regulation 22 (1) Schedule G and Regulation 25 (1) Schedule H of HDA**, provides that the developer must deliver vacant possession of the property within 24 months for landed property. If the developer fails to do so, than the developer is liable to pay to the buyer liquidated damages calculated from day

Quality of Construction

The right of purchasers for quality houses is derived from the standard **Sale and Purchase Agreement (SPA) (Schedule G and H of the HD Regulations 1989)**.

Clause 14 of the above schedule uses the phrase “the building shall be constructed in a good and workmanlike manner.” Based on this any purchaser having a problem of poor quality construction of house may claim remedies against the respective developers.

There are two kinds of remedies; first remedies under the law of contract and second, the statutory remedies available during the statutory warranty period.

The statutory remedies are derived from the standard Sales and Purchase Agreement under the **HD Regulations, 1989**. Under the amendment of the HD Regulations (which came into force on the 1st December 2007), the defect liability period is valid for twenty four months from the date of handing over vacant possession of the completed unit.

Recommendations for Improvement

Excerpts from a paper in the International Journal of Economics and Management state the following:

“The housing industry in Malaysia is regarded as one of the major industries contributing to the economic and social development of the country. The industry is regulated by several sets of rules and the imposition of regulations, guidelines and standards is to ensure that all categories of houses, inclusive of houses for the lower income group will be

*constructed according to the acceptable standard. Despite the existence of these regulatory measures, yet there are many problems faced by house-buyers in Malaysia. This has to be affiliated with the level of commitment of housing developers as well as the enforcement of the above rules and regulations by the respective authorities. One of the most common problems encountered by the Malaysian house buyers is the sub-standard construction of houses. There is a standard form of sale and purchase agreement (SPA) stipulated under the **Housing Development (Control and Licensing) Regulations 1989 (HD Regulations 1989)** but as far as the problem of sub-standard construction of houses is concerned, Malaysian house-buyers are not well protected. In general there is no benchmark in Malaysia to measure the standard of quality of houses constructed by developers¹.*

A study by Universiti Tun Hussein Onn, Malaysia concluded that there is need for a model which can be used as a guideline to determine the design and provision of quality and affordable housing, analysis of various parameters such as family, psychological, physical, safety, environmental, economic, social and cultural needs of the intended dwellers² needs to be taken into account.

As complaints about structural defects are still rampant besides those related to fees and charges, the role of local governments, MHLG

and CIDB (construction Industry Development Board) must be improved to protect house buyers from sub-standard dwellings. As prices of houses skyrockets making them unaffordable to many in the middle and lower income bracket, care must be taken to ensure the structural integrity of these homes are guaranteed for consumers as there is a temptation to use sub-standard materials to keep cost down.

1. The Ministry of Housing and Local Government must regulate the fees, charges and payments subjected to consumers during the purchase of the house either through developer, vendor or real estate agents.
2. The certification of fitness is an important consideration for both the consumers and developers, therefore in approving the project the authorities has to be more stringent this is because poor quality homes are one of concern of consumers after taking vacant possession.
3. Ministry of Housing and Local Government must promote the existence and role of Housing Claim Tribunal so that the consumers are fully aware of it functions and seek effective redress.

Further recommendations can be obtained from the following reference: Quality Housing: Regulatory and Administrative Framework in Malaysia published in the International Journal of Economics and Management - 2(1): 141 – 156 (2008).

1 Quality Housing: Regulatory and Administrative Framework in Malaysia; AZLINOR SUFIAN AND ROZANAH AB. RAHMAN; Private Law Department, Ahmad Ibrahim Kulliyah of Laws; International Islamic University Malaysia and Graduate School of Management, University Putra Malaysia; Int. Journal of Economics and Management 2(1): 141 – 156 (2008)

2 Quality Affordable Housing: A Theoretical Framework for Planning and Designing of Quality Housing; Noor Sharipah bt Sultan Sidi; Universiti Tun Hussein Onn, Malaysia – Journal of Techno-Social

Chapter 7

Complaints Related to Public Transport

The NCCC received 750 complaints lodged against public transport service provider which include:

1. Air
2. Bus
3. Train
4. Others (taxi, boat, ferry etc)

Consumer complaints against bus service providers were the highest followed by air travel – almost all complaints against air travel service provider are against the main budget air travel service provider in Malaysia.

The nature of complaints against public transport service provider are as follows:

1. Service – premium charges to speak to customer service personnel (largely

imposed by the budget airline company),

2. Route changes - last minute route and stop changes (mostly by express bus companies),
3. Delays - mostly bus companies (servicing city routes – KL, Petaling Jaya) and airline companies (budget airlines)
4. Ticket and fare disputes
5. Baggage services – budget airlines dispute with consumers related to lost and damaged baggages

For consumers in Malaysia, next to increasing food prices, public transport is the biggest consumer issue faced by consumers in both rural and urban areas.

Figure 15: Complaints Against the Public Transport Sector Received By NCCC in 2011 - (n= 750)

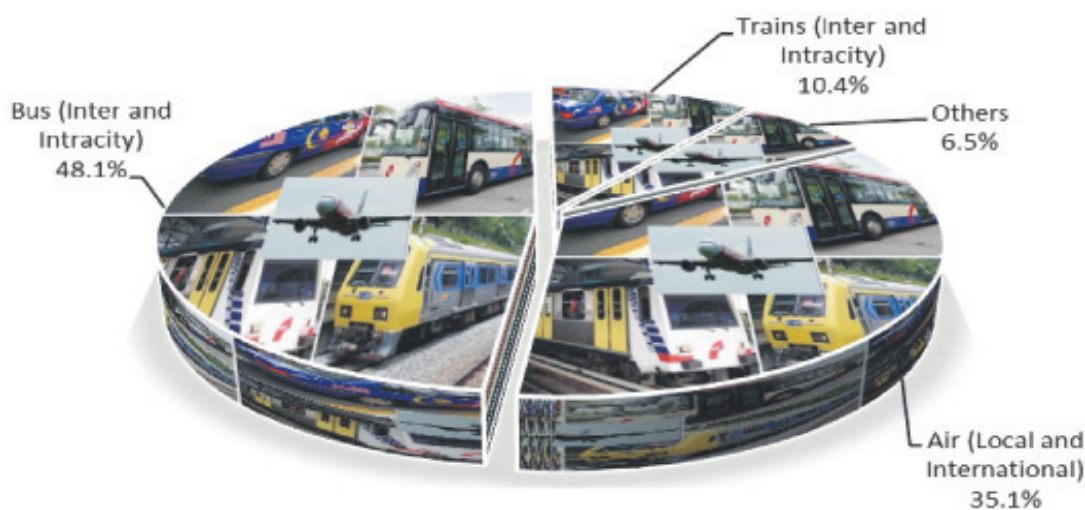
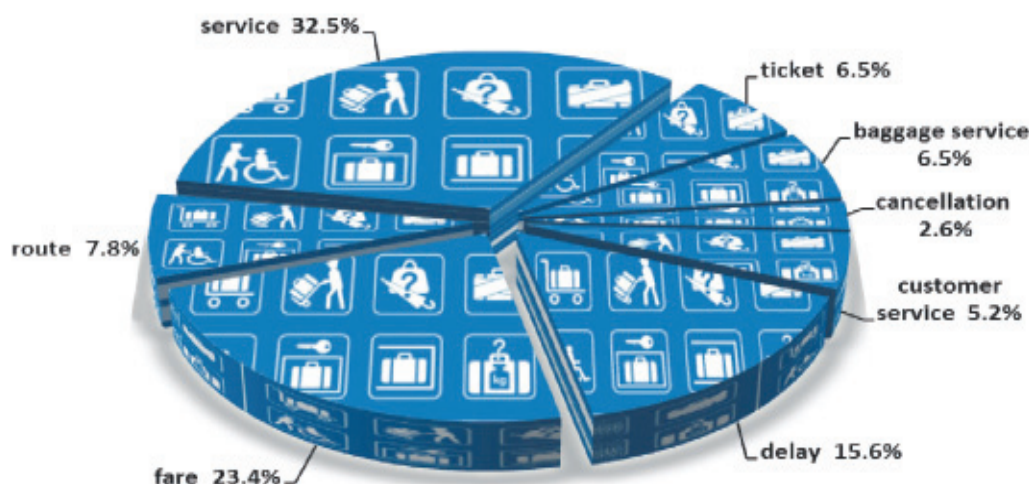


Table 4: Nature of Complaints According to Public Transport Category

Public Transport Category	Percent of Total Complaints / Nature of Complaints								
	Complaints According to Category	Baggage Service	Cancellation	Customer Service	Delay	Fare	Route	Service	Ticket
Air (Local and International)	35.1%	35.1%			5.2%	3.9%	3.9%	11.7%	3.9%
Bus (Inter and Intracity)	48.1%		2.6%	5.2%	10.4%	9.1%	3.9%	14.3%	2.6%
Trains (Inter and Intracity)	10.4%					3.9%		6.5%	
Others	6.5%					6.5%			

Figure 16: Nature of Complaints Against Public Transport Sector Received By NCCC in 2011 - (n=750)



Based on the complaints received, it is clear that the current public transport system is in a dismal state. Most complaints are in regards to unreliable bus services; it can take hours before the next bus arrives, buses are not maintained well, connectivity is poor, the physical and financial systems are not integrated, the journey itself can take long because of traffic jams, there is lack of information on transport routes and times and it can be inconvenient for consumers to get from office or home to the nearest station.

Consumer Protection Laws Applied to Manage Complaints Received on Public Transport Sector

1) Laws

Among Land Transport Commission / Suruhanjaya Pengangkutan Awam Darat (SPAD)'s main mandate is to play a central role in improving road and rail-based public transport in the country.

The **Land Public Transport Act 2010** expressly states that SPAD shall propose policies and plans in relation to or affecting land public transport, and develop strategies in line with the approved policies and plans with a view to achieving a safe, reliable, efficient, responsive, accessible, planned, integrated and sustainable land public transport, while ensuring the provision of affordable services for the carriage of passengers.

SPAD has its own enforcement officers on the ground to carry out enforcement work whereby their powers are derived from the **Land Public Transport Act 2010**.

The powers SPAD's enforcement officers, are empowered with among others, will include inspection of public transport and freight vehicles to ensure that they are road worthy, and have valid licenses and other documents; inspection of drivers, conductors and co-drivers to ensure that they are fit; inspection of travel tickets; and the clamping down on toutting and soliciting.



We are in the opinion that the governance system for public transport is highly ineffective due to the following reports:

- *Transport regulators say 80% of the more than 40,000 buses of various types plying our roads may be in breach of safety regulations – the SUN Daily 7th Dec 2010*
- *Malaysian Institute of Road Safety Research (MIROS) director-general Prof Dr Ahmad Farhan Mohd Sadullah said conventionally, buses were built locally on top of the chassis bought from known manufacturers. “There was not much control over the quality of bus bodies until the government announced the implementation of UNECE R66 rule to ensure stronger superstructure of bus,” he told theSun. - the SUN Daily 7th Dec 2010*
- *Commercial Vehicle Licensing Board said 41,273 bus licences have been issued to date. Of this, 33,203 were issued before 2007 and not R66-compliant. He said, when it came to testing for R66 compliance, it was difficult to get truthful and accurate results - the SUN Daily 7th Dec 2010 (so was the bus involved in the 20th Dec 2010 accident).*
- *Road Safety Department director-general Datuk Suret Singh said that one of the five codes under safety, health and environment was vehicle safety management, which encompassed the design, strength, roadworthiness of the vehicle and protection to the passenger. “The protection zone around the passenger – the bus cabin – must be strong. In a crash, it must remain intact to safeguard the passengers. If it collapses it will cause deaths and severe injury,” he said - the SUN Daily 7th Dec 2010 – (almost all images of fatal express bus accidents in the media show collapsed structures!)*

Section 166 of the Land Public Transport Act 2010 states that the Commission may, on its own initiative or upon the recommendation of the Land Public Transport Forum, prepare of cause to be prepared customer standards which may be set out in guidelines issued under this Act.

The safety of consumers are also protected by the law as **Section 170 of the Act** states that any contract for the conveyance of a passenger in a public service vehicle, tourist vehicle or railway shall, in so far as it purports to negate or restrict the liability of any person in respect of any claim which might otherwise be lawfully made against that person in respect of the death of or bodily injury to the passenger while being carried in, entering or alighting from the public service vehicle, tourist vehicle or railway or purports to impose any condition with respect to the enforcement of any such liability, be void.

2) Safety of Express Busses

Following the Bukit Gantang tragedy in August, 2007 authorities decided to develop stricter rules governing bus companies and their operations. This included requiring bus companies to use busses with superstructures. This was because more often than not, the high number of fatalities and severe injuries were often attributed to weak body structures of the busses.

There are many agencies under at least three different ministries involved in road safety regulations and the safety of buses (Ministry of Transport, Prime Minister's Department and the Home Ministry) however there is nothing black and white about the implementation of regulations and jurisdictions of these agencies - rather there are only different shades of gray.

Recommendations for Improvement

- The Transport Ministry should take into consideration consumers concern and demand such as a reliable public transport system, shorter commute time, comfortable, access to route and time information, better infrastructure such as bus lanes and some conveniences such as walkways for seriously.
- Service providers too should cater their supply according to the wants and needs of consumers by increasing services (more vehicles), improving services (more comfortable, convenient, reliable), providing incentives to use public transport (lower fares) and work along with the relevant Ministries to have transit oriented development (walkways, development around transit station and corridors).
- There needs to be a clear commitment by the Government to improve and upgrade the public transport system in the Klang Valley and throughout the country.
- All rail based public transports should increase its frequency during peak hours and minimize if not eliminate delays during those hours.
- Regulations and directives made by the authorities should not only be paper worthy. Authorities should regulate it vigilantly and go hard on enforcement. Service providers who do not comply with such regulations or directives should be punished severely.
- SPAD should have more consultations with the general public and include their views when setting regulations, guidelines or directives.
- Improved safety conditions of roads, busses and drivers. Others include
 - o installation of 'tamper proof' travel data recorder
 - o installation of GPS (Global Positioning System)

Chapter 8

Complaints Related to Hospitality and Tourism

The NCCC received 1764 complaints lodged against the hospitality and tourism sector in 2011.

These are complaints against travel and tour agencies, hotels and resorts and vacation membership or time sharing packages.

There have not been a significant increase in the number of complaints received against this sector however complaints related to disputes with time sharing packages still rank the highest among consumers.

Breach of contract and disputes on refund are among the highest sources of grievances among consumers in this sector. Some travel and tour agencies engage in unethical practices to promote their product (tour packages), using blatant misrepresentation in some situations. In many cases the accommodation included in the package were ultimately not provided to the consumer.

Other complaints include booking discrepancies, claims and customer service quality (in handling enquiries).

Figure 17: Consumer Complaints in the Hospitality and Tourism Sector - 2011
(n=1764)

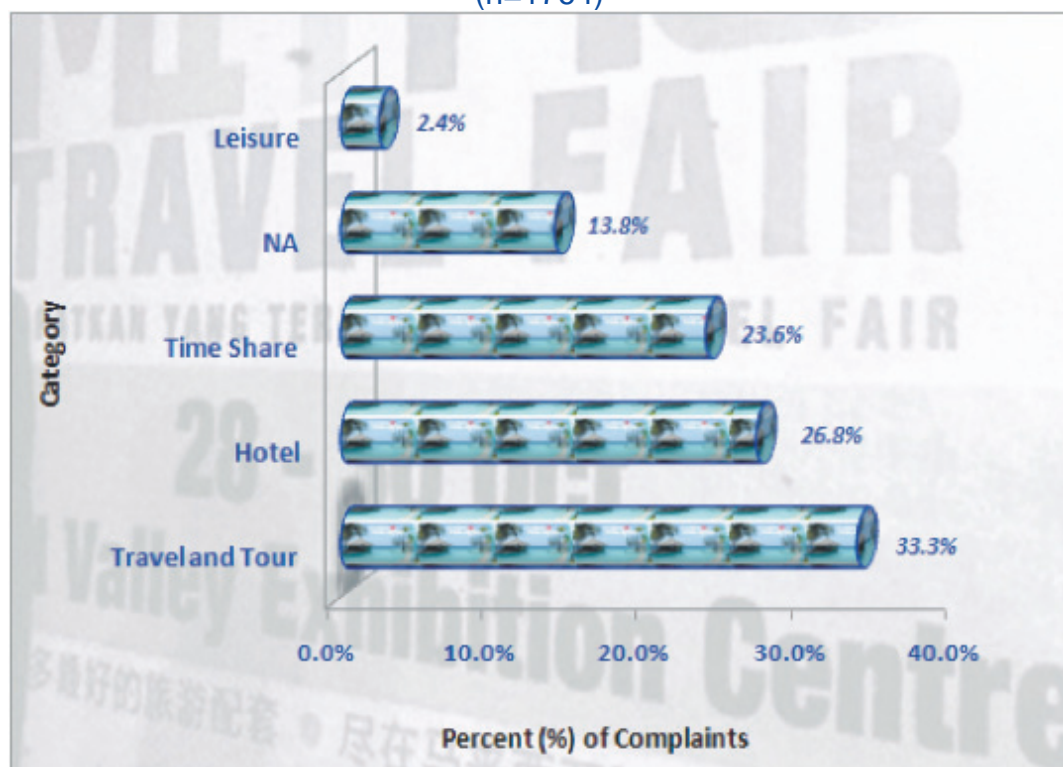
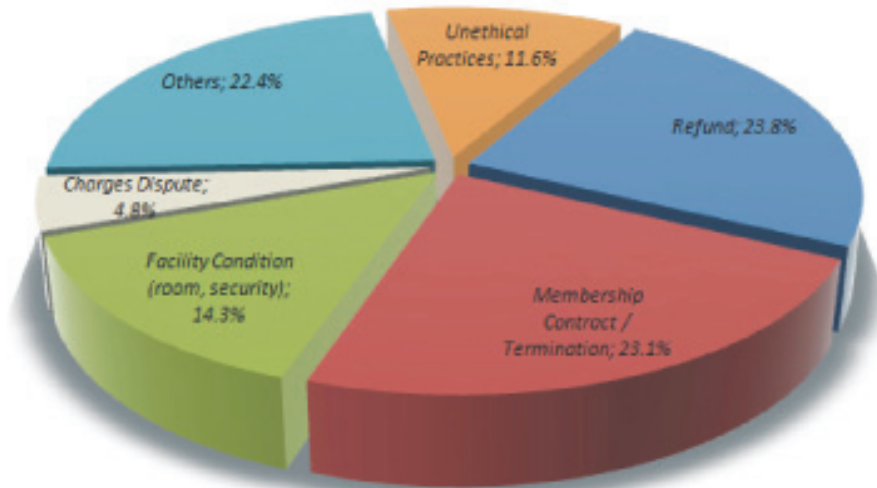


Figure 18: Consumer Complaints in the Hospitality and Tourism Sector - 2011
According to Nature of Complaints (n= 1764)



Consumer Protection Laws Applied to Manage Complaints Received on Hospitality and Tourism Sector

1) Laws

There are few governing laws in regards to this sector of hospitality such as **Contract law**, **Companies Act**, **Tourism Industry Act**, **Trade Description Act**, and the overarching law of **Consumer Protection Act** are among the most commonly used laws by NCCC in dealing with issues propping from this sector.

Unethical Practices / Misrepresentation

Among the common unethical practices is when consumers are burdened by hidden charges due to travel agencies not stipulating full terms and conditions of the agreement between consumer and travel agencies. We have received many complaints that the total charges are only indicated at the last minute. **Part 2 of Consumer**

Protection Act states that no person shall make false representation with regards to any characteristics of product or services with the intention to deceive people.

Agents of companies selling time share memberships often make misrepresentation to consumers into buying such memberships. Many representations made during the selling processes are inducement on the part of the time share companies whereby accurate information is not provided to consumers.

Section 18(a)-(c) of the Contracts Act 1950 make misrepresentation a breach of duty with the intention of misleading another party into entering a contract. In such situations, the affected party can seek to have the agreement void.

As far as tour operators who advertise to provide certain services but failed to do so they will be caught under **Section 13 of the Consumer Protection Act** which states that no person shall advertise to supply at specific prices goods or services they do not have reasonable grounds to believe can be supplied during the period stated and in the quantities advertised.

Facility condition

There are no specific laws that deal with this particularly. However, when a service provider fail to provide facilities as per advertised or represented, then that particular service provider contravenes **Section 18(a)-(c) of the Contracts Act** as above and **Section 7A (a) & (b) of the Trade Descriptions Act** and the **Malaysian Code of Advertising Practice**.

Apart from these abovementioned laws, service providers also owe a duty of care to consumers who occupy their premises. Service providers can be found liable under the **occupier's liability** as this particular law deals with liability that may arise from accidents caused by the defective or dangerous condition of the premises.

Termination of contract / refund

It is to be noted that timeshare companies are governed by the **Direct Sales Act 1993** whereby **Section 23** states that all contracts for goods and services are subject to a cooling off period of 10 working days. In such case, the buyer has 10 days to reconsider if he/she wants to continue with the purchase made.

Section 41 and 42 of the Consumers Protection Act states that aggrieved consumers have a right to redress against suppliers and manufacturers. In the event a proper redress is not given, consumers can seek for refund of the money paid.

2) Voluntary Initiatives / Tools

With regards to the quality of hotels which seems to be causing significant dissatisfaction among consumers, the Department of Standards Malaysia or STANDARDS MALAYSIA has developed a couple of standards which can be used as basis of classification of hotel and hotel apartment accommodations. These are:

- MS 2446:2012 Accommodation Premise – Classification – Criteria and Requirement for Hotels
- MS 2447:2012 Accommodation Premise – Classification – Criteria and Requirement for Hotel Apartments

However there are no voluntary initiatives or guidance for travel and tour companies and tour operators. Management system standards such as the ISO 9001 can however help improve services to customers although they provide only minimum requirements.

Recommendations for Improvement

- The Ministry of Domestic Trade, Cooperatives and Consumerism and the Malaysian Holiday Timeshare Development Federation must draft a unified code of ethics and introduce policy guidelines for stronger consumer protection. Further, both the Ministry and the Federation must take proactive steps to ensure that the industry is regulated.
- The Ministry of Tourism must ensure all travel and tour agencies formulate a codified Standard Operating Procedure to ensure comprehensive consumer protection in instances where consumers are held at a disadvantage by the terms and conditions of a tour and travel agreement.
- There are no specific laws dealing with facilities provided by hotels and service providers under this sector. Most of the provisions deal with the technicalities and touch very little, if any, on consumer protection. New provisions or at least regulations need to be enacted to ensure consumer protection and regulated by both the Tourism Ministry and the Ministry of Domestic Trade Cooperatives and Consumerism.
- Licensed travel and tour operators periodically must provide details of business activities carried out by them including the charges for and the terms and conditions of such activities. This is provided under **Section 15(2)(c) of the Tourism Industry Act 1992.**
- Service providers under this sector including hotels should be more accommodating to people with disabilities too. Many service providers do not have even basic facilities which are disabled friendly.

Chapter 9

Complaints Related to Electricity Energy Supply Sector

The NCCC received 2382 complaints lodged against electricity supply service sector. The number of complaints received for year 2011 increased significantly and surge in complaints was experienced between June and August of 2011. This was also the period when electricity tariff was reviewed. A number of changes were imposed on the tariff and billing structure in September 2011 in line with changes in energy policies to promote use of renewable energy sources.

The respondent with the highest number of complaints is the sole electricity supplier for

Peninsular and Sabah. However there were a couple of complaints against the Sarawak electricity company. Laws governing electricity generation and distribution for Peninsular and East Malaysia are different.

Dispute related to electricity meter contributed to slightly more than 60% of the complaints received. Among the complaints related to meters are:

1. Meter tampering
2. Meter reading – “anggaran”
3. Meter change
4. Faulty Meters

Figure 19: Consumer Complaints related to Electricity Supply Service - 2011 (n=2382)

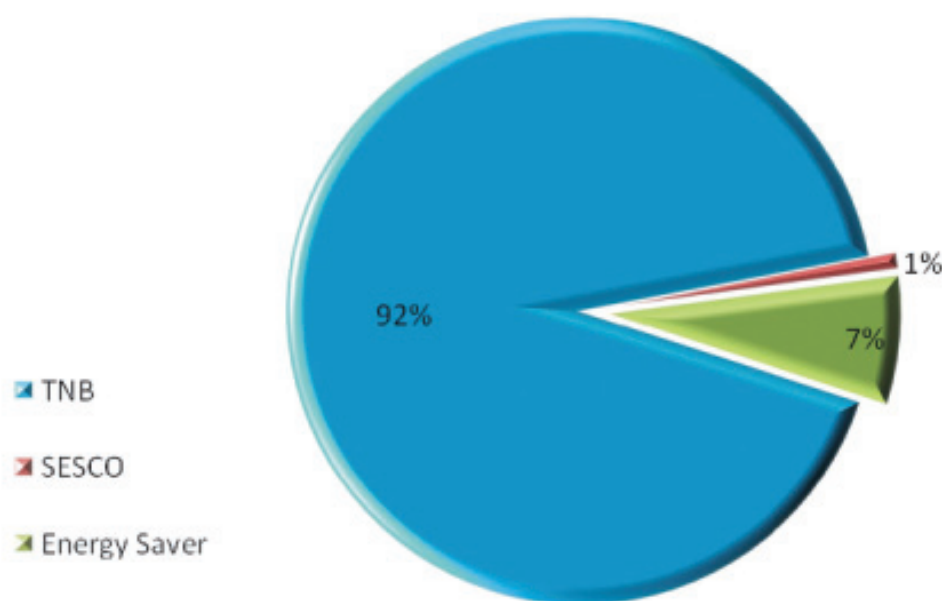
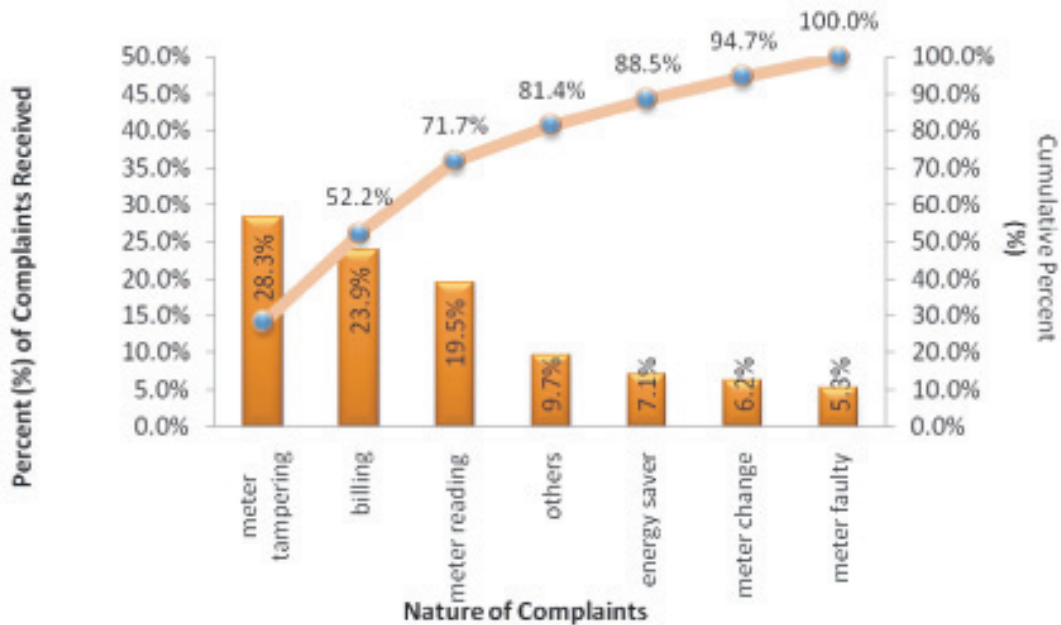


Figure 20: Complaints Received Against Electricity Supply Service Sector 2011
(n=2382)



The highest number of complaints related to meters was meter tampering. Total value involved in these disputes is RM 20,000.00. Total value involved in the dispute with energy service provider is more than RM 300,000.00

Surge in Energy Saving Device Complaints

There was significant number of complaints received on energy saving devices. These devices are claimed to reduce domestic and commercial electricity consumption by up to 30% and in some advertisement up to 40%. These companies took advantage of the high electricity cost experienced by both domestic and commercial consumers to market a device which was purported to save on electricity consumption.

Many of these devices carry a SIRIM mark and also the statement "diluluskan oleh Suruhanjaya Tenaga" (approved by the Energy Commission).



The advertisement comes with images of electricity bill showing differences in the amount of electricity used before and after installing the devices, further enticing consumers to buy them.

Electricity Tariff Revision and RE Fund Contribution

An electricity tariff revision was done last year and the average tariff increased by 7.12% effective 1st June 2011. The rise was due to increase in global process of coal and natural gas. In line with the Renewable Energy (RE) Act which was passed in April 2011, the Government has imposed a 1% as levy effective 1st September 2011. The levy will be used to promote and develop RE projects and initiatives. This 1% levy is imposed on consumers.

Many consumers are still in the dark about the new tariff structure. Coupled with the extensive meter replacement program, consumers' complaints related to billing sky-rocketed.

Among the top complaints related to billing are:

- surge in the electricity bill after meter replacement
- consumers accused of meter tampering by service providers
- inability to understand new tariff structure

Related to Consumer Protection Laws Applied to Managing Complaints Received on Banking and Finance Sector

1) Laws

- a) Meter tampering has been the concern of many consumers with many complaining on excessive charges despite their electricity usage being less. The service provider should investigate if there has been any meter tampering and the possible source of such tampering. Under **Section 37(3) of the Electricity Supply Act 1990** it is an offence if anyone alters



or prevents any meter from producing actual output of electricity consumption and anyone found guilty from the offence stated as above can be fined not exceeding RM100,000.00 or to an imprisonment of not more than 3 years or both.

2) Voluntary Initiatives / Tools

- a) The Water and Energy Consumer Association of Malaysia (WECAM) with the support of FOMCA and Tenaga Nasional Berhad (TNB) have launched a nationwide energy efficiency awareness campaign since 2009. The aim of the campaign is to educate consumers on energy efficiency, electricity bill calculation and on issues such as fake energy saving devices.
- b) Websites such as www.switch.org.my and www.konsumerkini.net.my were established in order to provide latest information on electricity sector to the consumers in Malaysia.
- c) Two roundtable discussions were held between FOMCA and TNB last year in August and October in order to discuss the latest consumer issues and complaints such as the new billing system (ie. estimation method) and also the new meter replacement programme. Feedbacks were documented and information was circulated among consumers through on-going awareness programs.

Electricity Saver

Reduce electricity bill up to **20%- 40%** every month

Tried, Tested and Proven Technology

CE PSB

Suitable for houses, condominiums, apartments, shops, restaurants, offices, small factories, etc.

Mini Sun Power Saver is designed using advanced component and technology to reduce the energy wastage caused by voltage, current, refrigerator, fish pumps, lighting, computer, etc. Inexpensively designed for easy use. Just plug into power outlet.

Product Features

1. Reduce up to 30% electrical consumption
2. Stabilize the supply voltage
3. Reduce electrical overheating
4. Improve efficiency and power factor
5. Surge and brown out protection up to 400 volts AC
6. Reduce waveform distortions & improve harmonics
7. Easy to use, maintenance free
8. One unit will work for the whole house circuit
9. Manufacturer Liability Insurance RM1,000,000.00
10. Earth friendly
11. German Technology
12. One year product warranty

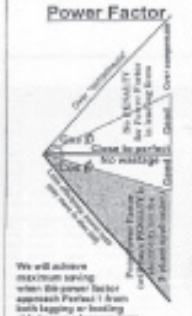
Why Mini Sun Power Saver?

1. Pioneer and market leader in the world.
2. Tested by Swiss, proved reducing in Real Power (kW) in all loading loads.
3. Tested by PSE Singapore UEMV-Q, can stand up to 135°C
4. Meets CE standard, High quality thicker power cord.
5. Internal safety features design meets EC standard.
6. Proved improving in Power Factor in all loading loads.
7. Guaranteed longer life span. Raw part originated from Germany. Fit in with Sun of thickness.
8. Pro-long the life span. High voltage design, can stand up to 650 VAC.

Asia Best Selling Power Saver now available in UK, Ireland, Spain, Greece, Mexico, Middle East, India, Singapore, Thailand, Philippines, Indonesia, Malaysia & etc.

Contact Us: Distributor Wanted
012-306 9883 (KK Lim)
Web: www.powersavermalaysia.blogspot.com

Power Factor



Leading

-0.9 (lag 0.9)
-0.8 (lag 0.8)
-0.7 (lag 0.7)
-0.6 (lag 0.6)
-0.5 (lag 0.5)
-0.4 (lag 0.4)
-0.3 (lag 0.3)
-0.2 (lag 0.2)
-0.1 (lag 0.1)

1 (Perfect)

0.9 (lag 0.9)
0.85 (lag 0.85)
0.8 (lag 0.8)
0.7 (lag 0.7)
0.6 (lag 0.6)
0.5 (lag 0.5)
0.4 (lag 0.4)
0.3 (lag 0.3)
0.2 (lag 0.2)
0.1 (lag 0.1)

Lagging

©2008 by Mini Sun Power Saver

We will achieve maximum saving when the power factor approach Perfect 1 from both lagging or leading side because less wastage of electricity. Only Power Factor below 0.55 in lagging item will get RM1.17 in 3-phase application.

Single Phase

Model MS 88 for bill below RM100 (Single Phase)

Model MS 188 for bill between RM100-RM300 (Single Phase)

Model MS 388 for bill between RM300-RM600 (Single Phase)

Three Phase

3 units of Model MS 88 for bill between RM300-RM600 (Three Phase)

3 units of Model MS 388 for bill between RM600-RM900 (Three Phase)

6 units of Model MS 388 for bill between RM900-RM3000 (Three Phase)

* 1 unit per phase. Please refer the installation guide (24 hours on)

Figure 21: Example of an energy saving device advertisement

Recommendations for Improvement

- Tenaga Nasional Berhad as the sole provider of electricity must establish a professional and fair complaints handling system to manage consumer complaints.
- Electricity meters should be calibrated regularly to ensure they provide correct readings.
- The Ministry concerned should also consider a review of the law so that the provision on penalties can be addressed to improve the level of service to the public.
- Active public engagement and effective communication between TNB and public must be in place to avoid public misinterpretation and misunderstanding of new initiatives such as the meter replacement programme.
- Service providers must improve billing system as the current system is very confusing. TNB should adopt a more simplified and informative billing system. Jargon such as '*pelbagai caj*' should be explained in a more detailed manner.
- The service provider should manage exorbitant bills responsibly. An alert mechanism to warn consumers of an abnormal increase in the bill may avoid disputes over large amounts.

Chapter 10

Complaints Related to Insurance

The NCCC received 838 complaints lodged against the insurance sector. The number of complaints against the insurance sector has not changed much in past years. ETIQA Insurance service has been more often cited as a respondent to complaints than any other insurance company comprising 32% of the number of complaints received in 2011.

Vehicle and accident claims constitute more than 23% of the total number of complaints received followed by medical claims disputes. Other complaints include:

1. unapproved deductions for premium payments
2. poor customer and agent services – misleading information and delay in processing claims etc.



Figure 22: Types of Complaints Against Insurance Companies Received by NCCC in 2011- (n = 838)

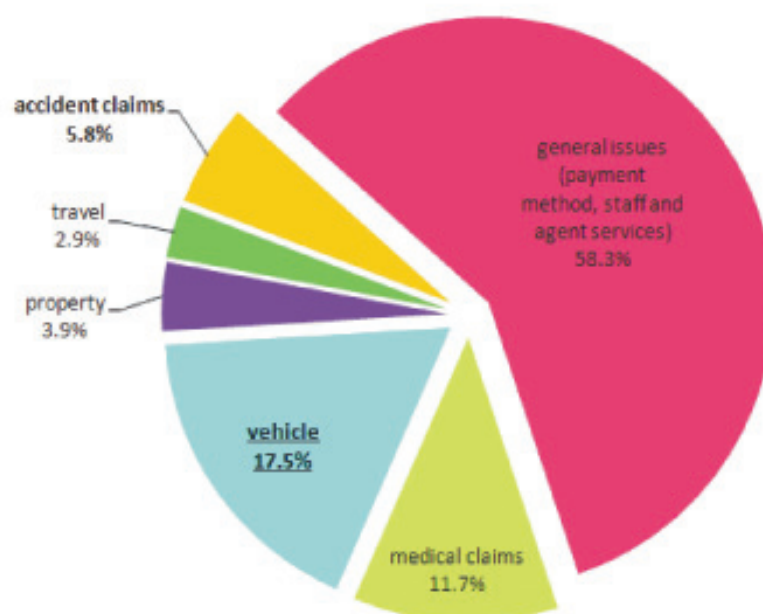
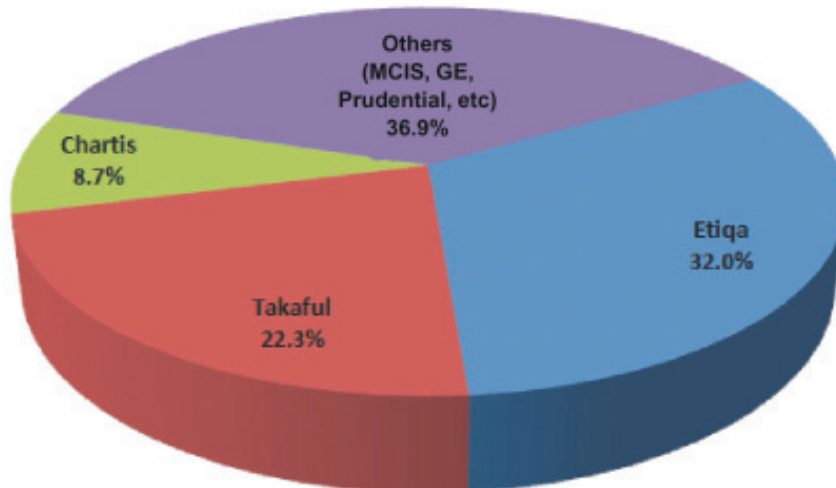


Figure 23: Complaints According to Insurance Companies Received by NCCC in 2011- (n = 838)



Consumer Protection Laws Applied to Managing Complaints Received on Banking and Finance Sector

1) Laws

Among the major complaints under this sector are fraud by agents, misrepresentation, poor customer service and delay in settling claims. For those consumers who have been the victim of fraud, they can be indemnified via the civil court and the perpetrator can simultaneously be charged under the criminal law of Malaysia.

In the cases of misrepresentation, agents usually make false claims to clients and dupe them into buying policies. However, consumers usually end up getting something other than what they believe

they will be getting. In such cases, the **Contract Act** allows for the contract to be rescinded and refunded.

Many terms or clauses in the contract signed by policy holders are found to be intentionally or negligently drafted leading to ambiguity and giving a negative effect to the insurer. This puts insurers in rural areas or illiterate policy holders at a disadvantage.

The **Code of Ethics and Conduct for the Life Insurance Policy** states that all life insurance agents must make it clear to their prospective policyholders that they are selling policies, the life insurance company they are representing, and what life insurance products they are selling.

Recommendations for Improvement

- Insurance companies should conduct more in house training for its staff to improve their customer service. **Section 53 of The Consumer Protection Act** states that a consumer has the right to reasonably skilled care and services.
- Companies should take more responsibility in the event of fraud by agents. In most cases, companies are not willing to take any vicarious liability on behalf of the agents.
- Terms must be straightforward and easily understood by consumers. Companies should avoid using dubious and ambiguous language while drafting the contract.
- New regulations or provisions should be made under the **Insurance Act** which covers consumer protection.

Chapter 11

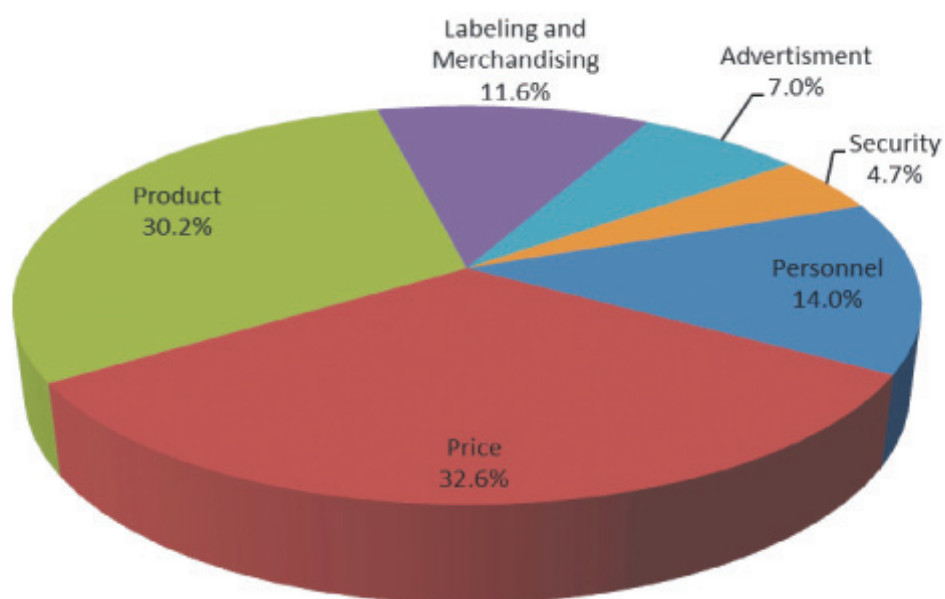
Complaints Related to Retail & Trade Services

The NCCC received 441 complaints against retailers and the majority of the complaints are related to price i.e different displayed price when at the cashier. Often price disputes happen when the complainant discovers the same product costing less than those purchased at the first retailer.

A significant number of complaints are related to labeling where products were mislabelled and consumers were informed of different price at the cashier. The attitude of retail services has personnel also become a source of grievance to consumers when their complaints are not handled appropriately.



Figure 24: Complaints Against Retailers Received By NCCC in 2011 - (n=441)



Consumer Protection Laws Applied to Managing Complaints Received

The **Trade Description Act 1972** states that any person offering to supply goods of any description gives false indication to the price of the goods shall be guilty of an offence. **Section 14 of the same Act** states that if any person is found to have offered supply of goods and if there has been any false indication with regards to the price at which the goods are being offered is equal to or less than the recommended price, shall be guilty of an offence. **Consumer Protection Act 1999** also states that it is an offence if misleading indication of the price (**Section 12**) and bait advertising of the good without an intend to supply (**Section 13**).

The **Food Regulation 1985 (Part VI Packages for Food) Regulation 35** states that no person shall import, prepare or advertise for sale or sell any food contained in any damaged package or container.

In relation to expired products being sold, **Regulation 14 [Part IV Labeling] of Food Regulation 1985** specifies the conditions of "expiry date" in relation to packaging of food.

Recommendations for Improvement

- The Ministry of Domestic Trade and Consumerism should closely monitor advertisements of goods and services. On site spot checks should be conducted periodically to check displayed price and safety of product.
- Retailers should develop a 'Consumer First' mentality and train their staffs to treat customers well. Many complaints received are in regards to rude staffs. Such training should be made compulsory.
- The Ministry should ensure that all retail stores form a Customer Care Department. The department is to be manned by staffs that have been well trained and all complaints made to such department should be concluded hastily, fairly and transparently.

Chapter 12

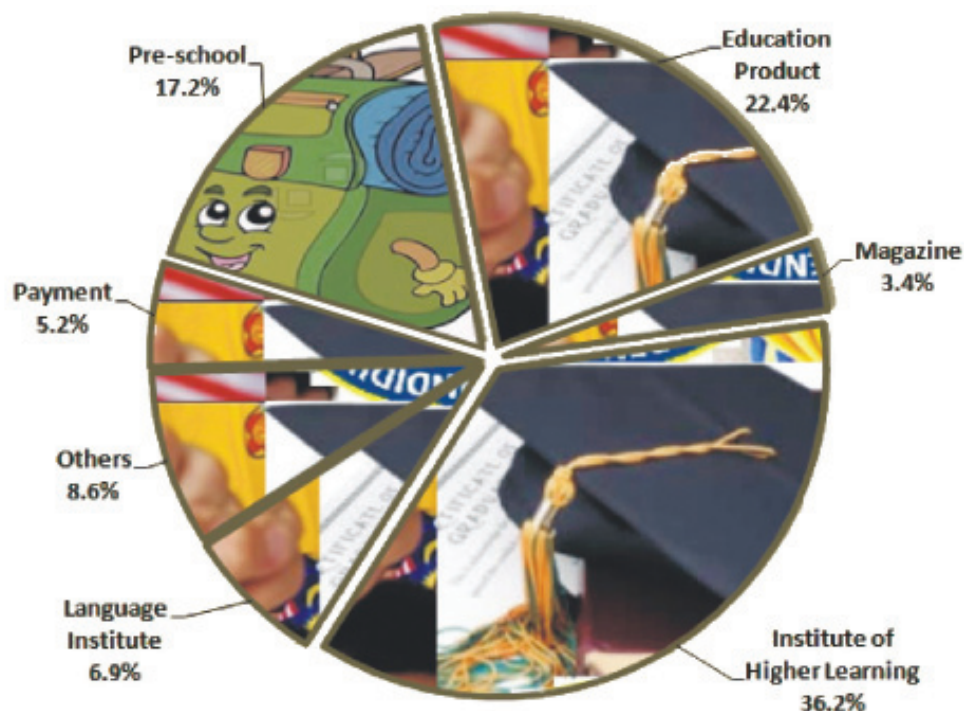
Complaints Related to Education

The NCCC received 1279 complaints lodged against the education sector and the majority of these complaints were against private institutes of higher learning and a particular language product called Linguaphone. Linguaphone related complaints were received several times a month by NCCC in 2011. PTPTN loan related complaints are also still persistent due to disputes over additional charges for late payment and services.

Another persistent source of complaints is from pre-school education services providers with complaints often referring to quality of facilities and children's safety and security. There have been reports made by parents of unexplained bruises and illnesses.

Consumer disputes with private colleges and other institutes of higher learning often revolve around fees, refunds, scholarships and facilities which have been marketed as first class but are not available during the course of study.

Figure 25: Complaints Related to Education Services Received by NCCC in 2011 - (n= 1279)



Consumer Protection Laws Applied to Manage Complaints Received on Banking and Finance Sector

1) Laws

a) Misleading advertisements and promotions

The NCCC received many complaints in 2011 in regards to misleading advertisements and promotions by private higher learning education institutes. Among them are qualification and experience of lecturers, demand for courses, inadequate facilities and availability of PTPTN loans. **Section 73 and 74 of the Private Higher Education Act 1996 (Advertisement Guidelines)** states that any institutions that advertise misleading advertisements have committed an offence of misleading students or prospective students into believing that the institution has any such goods or services under its purview.

Section 15A of the Trade Description Act 1972 mentions that it is an offence for any person in the course of any trade or business to make a statement which is known to be false, recklessly make a statement which is false or make any statement which is likely to deceive or mislead the general public.

Section 10 of Consumer Protection Act states that no person shall make false or misrepresentation of the services supplied by any particular person or by any person of a particular trade, qualification or skill.

Recommendations for Improvement

- We need stricter requirements for pre-school education service providers including those offering nursery and day care services. In fact, the Ministry of Education should draw up regulations on pre-schools in Malaysia as there is currently an absence of it in the Malaysian Legal System.
- Ministry of Higher Education should conduct regular visits to all private higher education institutions for the purpose of examining any irregularities as many of these institutions provide courses that are not recognized by the Malaysian Qualifications Agency or MQA.
- Advertisements by private colleges must be highly monitored and according to **Section 72 of the Private Higher Education Institutional Act 1996**, advertisements by the institution which is not approved by the Ministry must be prohibited.
- The Ministry should hold back the license of private institutions if there is a complaint filed against them.

Table 5: Nature of complaints received by NCCC against education sector in 2011

Complaints Category	Percent of Complaints	Summary of Complaints
Institute of Higher Learning	36.2%	Course structure, PTPTN loans, Refunds, Misrepresentation of Courses Offered, Lack in Course facilities
Language Institute	6.5%	Course structure, Refunds
Payment	5.2%	Debt recovery and Refunds including Public and Private Institute of Higher learning
Pre-school	17.2%	child safety and security (Injuries, illness), payment disputes, poor condition of pre-school facilities
Education Product	22.4%	all complaints in this category is against LinguaPhone: unclear terms of contract, malfunctioning software, deposit, claims, co-education in selling approach etc.
Magazine	3.4%	subscription disputes and promotion items
Others	8.6%	dissatisfaction with services; customer services on enquiry

Chapter 13

Complaints Related to Food

The NCCC received 860 complaints related to food. There has been an increase in the number of complaints related to food by 99% compared to 432 complaints in 2010. Slightly more than 64% of the complaints are related to food served in restaurants, fast food or community bakeries / bakery chains (which will be referred to as food services). About 30% are complaints related to processed food obtained / purchased from retail outlets. The following figure is classification of food related complaints according to respondents. Processed food respondents are largely the brand owners or the producers.

Although the monetary value of the products involved in the complaints is not as significant as other sectors such as housing and automobiles, we should be concerned with the higher number of complaints related to safety issues than other sectors.

More than 56% of the food complaints received are related to safety and more than 38% are related to service quality. Food services sub sector such as restaurants and fast food outlets are often referred in food safety complaints.

Figure 26: Complaints Received on Food (Services and Processed) - 2011 by NCCC (n= 860)

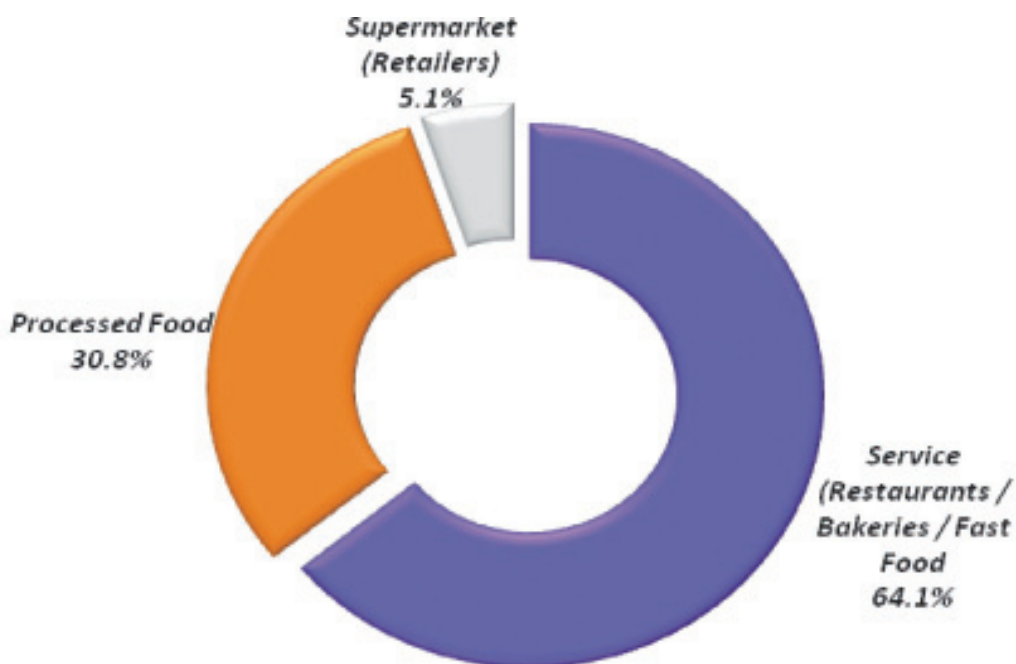
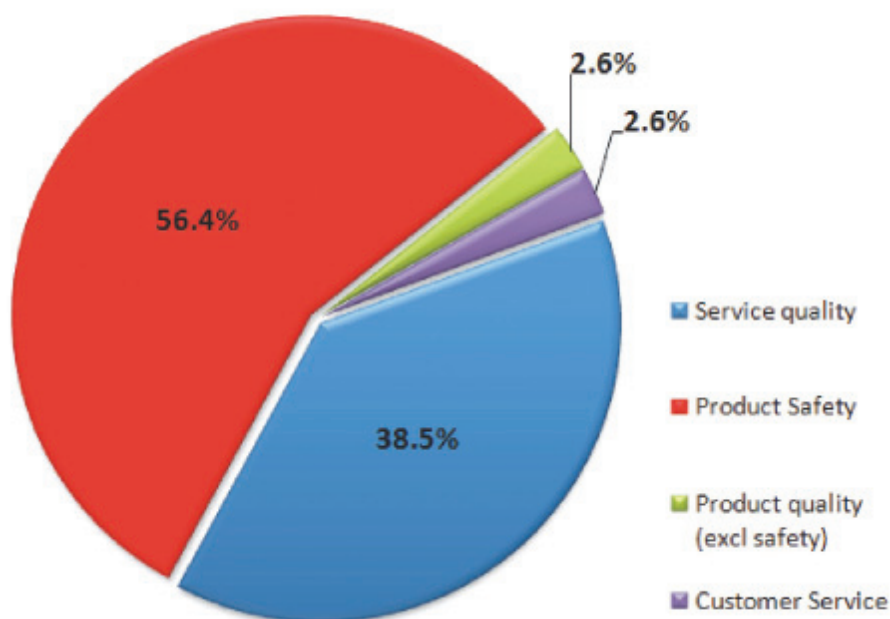


Figure 27: Description of Complaints Received on Food (Services and Processed) - 2011 by NCCC (n= 860)



Among the complaints are issue related to

- physical contamination such as:
 - o Cigarette bud in the meal ordered at a restaurant
 - o Nails and other foreign materials in the food ordered
- Biological contamination
 - o Maggots and insects in fried rice
 - o Foul smell in chicken and insufficiently cooked meal causing diarrhoea

Complaints associated with processed food are mainly related to expired goods still being offered to consumers and foreign materials discovered after purchasing the food item.

Consumers still complain about price and service tax of the food / meal purchased at restaurants. Due to the inflation in food prices and an increase in consumer demand around the globe, manufacturers, retailers and restaurant owners have been engaging in profiteering measures by

transferring the burden to the consumers. Please refer to figure on the next page.

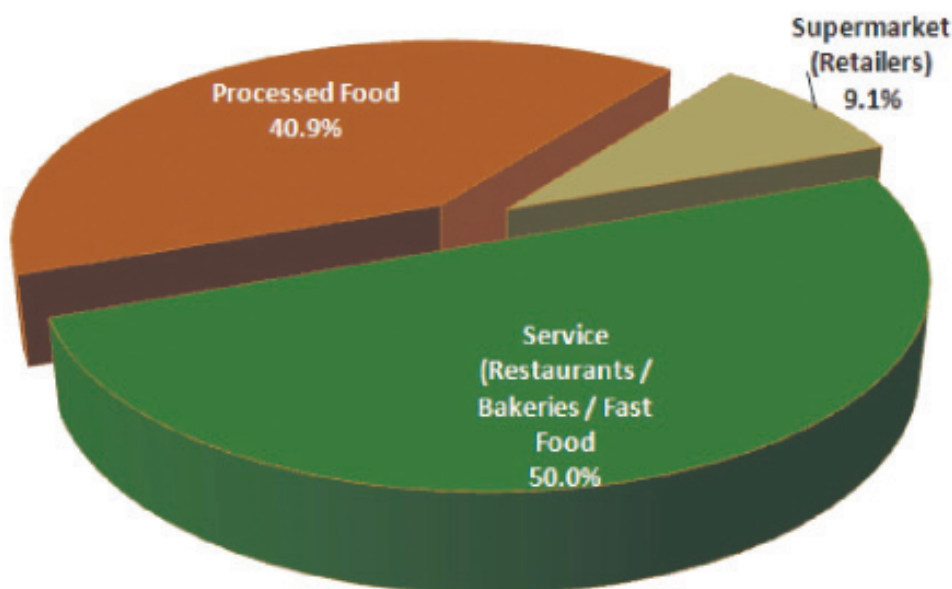
Consumer Protection Laws Applied to Manage Complaints Received on Consumer Products

1) Laws

Apart from the overarching law of **Consumers Protection Act 1999** that cuts through all consumers related issues, the complaints received under the food and beverage sector is also addressed by the **Food Act 1983**. The major regulations under this sector are as below:

- a) Food Safety
Section 13 and 13A of the Food Act 1983 states that any person found guilty of instances where

Figure 28: Complaints Related to Food Safety 2011 - (n= 860)



upon discovery that the food contains substances, which are poisonous, harmful or otherwise injurious to health, the person committing such offence shall be liable to a fine not exceeding RM100,000 or imprisonment not exceeding 10 years or both.

Section 13A also further states that it is an offence to prepare or sell food which is unfit for human consumption. The **Food Act** also provides provision which outlaws false labeling and advertisements that compromises the safety of food.

b) Food Services

These services are usually provided by restaurants, cafes, bistros and those similar to them. Complaints of rude operators and servers are

quite prevalent in this sector since there are no specific law to regulate these service providers, **Section 53 of the Consumer Protection Act** provides that where services are supplied to a consumer, there shall be implied a guarantee that the services will be carried out with reasonable care and skill.

- c) Food prices and service taxes**
Section 36 and 56 of the Consumer Protection Act states that where goods / services are supplied to a consumer, there shall be implied a guarantee that the consumer shall not be liable to pay to the supplier more than the reasonable price of the goods / services.

Other Issues

Many restaurants in Malaysia employ foreign labours to wait and prepare food in their premise for their patrons. Some local governments require these people to be given basic hygienic food preparation courses.

Language barriers however, obviously cause major hindrance to these workers in understanding the language in which most of these hygienic food preparation courses are delivered.

Consumers are also at fault for supporting unhygienic food premises when they should be finding cleaner alternatives.

- Enforcement unit of the MDTCC should monitor the prices more often especially in regards to controlled food items. For non-controlled food, the Ministry should introduce a ceiling price guideline.
- The industry should give more importance and adhere to guidelines promoting high standards of safety and clean operations.
- Food Safety and Quality Division should immediately adopt and impose stricter standards and enforce them industry wide.

Recommendations for Improvement

- Enforcement units of relevant Ministries such as the Ministry of Domestic Trade Cooperative and Consumerism (MDTCC) and the Ministry of Health (MOH) should make more regular spot checks to restaurants and food manufacturing factories to ensure safe and clean operations.
- Guidelines such as Good Manufacturing Practice (GMP) and Hazard Analysis of Critical Control Points (HACCP) should not be mere guidelines but should be elevated to regulations.

Chapter 14

Complaints Related to Management Corporation

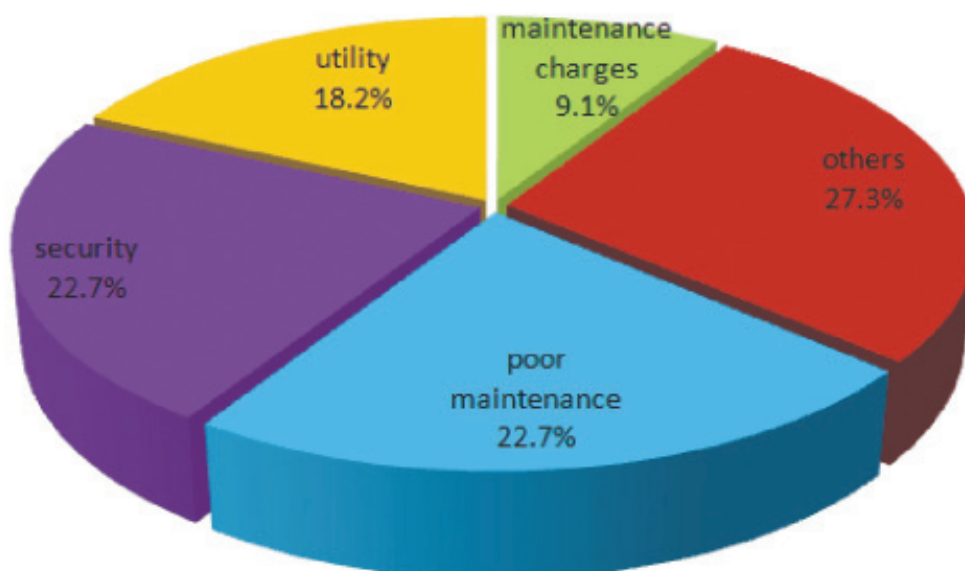
The NCCC received 485 complaints in 2011 related to Management Corporations (MC) with the number of complaints received increased slightly compared with year 2010.

Most of the complaints received are due to poor maintenance of common property and facilities. There is also a significant number of complaints related to utilities namely water and electricity. But the connection and disconnection of water supply dominates complaints related to utilities in this complain category.

Another major complaint is related to security. Consumers complain about damage to their properties and theft. Management corporations are among the biggest respondents to complaints related to water supply services also.

Frequently, management corporations abandon their functions leaving tenants in limbo with regards to utility bills which have already been settled by the tenants with the MCs. The issue is that these MCs do not pay the electricity and water supply service providers.

Figure 29: Complaints Related to Management Corporation (High Rise Homes) received by NCCC in 2011 - (n= 485)





Related Consumer Protection Laws Applied to Manage Complaints Received

Management Corporations exist by operation of law upon issuance of the strata title. The main governing laws for this sector, the **Housing Development (Control and Licensing) Act 1966**, **Strata Title Act 1985** and **Building and Common Property (Maintenance and Management) Act 2007** have many loopholes thus, contributing to the ever escalating complaints against the management corporations.

Consumers complain that developers delay calling all purchasers of strata title units 1st meeting to set up a Joint Management Body (JMB) as per **Section 4 of the Building and Common Property Act 2007**. **Section 4(1)(b)** of the same Act states that a JMB must be established within 12 months from the date of delivery of vacant possession to the purchaser.

Many developers also delay in applying and obtaining strata titles because there are huge sums of money to be made in managing buildings. **Section 8 of the Strata Titles Act**

1985 makes it compulsory for a developer to apply within a certain period for subdivision for buildings that are capable of being subdivided. **Section 20** of the same Act makes it compulsory for the proprietor of a stratified building to apply for strata titles within six months from the date when the Certificates of Fitness for Occupation (CF) are issued.

Some developers use oppressive tactics to recover maintenance charges owed by parcel owners such as harassing them or to clamp the water meter. This is an unfair and oppressive practice on the part of these developers. Such a move denies the resident's / consumer's right to access water. **Section 35 of the Strata Title Act** state that parcel owners or residents have the basic right to support services and shelter which includes access to water. The majority of complaints concern the failure of Management Corporation to carry out its duties as provided under **Section 43 of Strata Title Act**. The Management Corporation is also unable to collect management charges and administer the expenses wisely as provided for under **Section 45** of the same Act. Consumers who are dissatisfied with the management corporation can forward their complaints to the Strata Title Board formed under **Section 67A of Strata Title Act**.

Recommendations for Improvement

- The Ministry of Housing and Local Government should monitor the activities of management corporation and ensure developers apply for the strata title within the stipulated tie, so that the residents can form a Management Corporation.
- Individual water meters for new high rise housing projects.
- Commissioner of Building (COB) should closely monitor the activities of the Management Corporation.
- The State Authority should exercise its authority conferred under **Section 81** of the **Strata Title Act** to make required rules for more efficient and effective Management Corporation operations.

Chapter 15

Complaints Related to Water and Sewerage

Water

A total of 503 water services related complaints and 46 sewerage complaints were received by NCCC for the year 2011. The complaints are categorized into 7 types namely:

- i. billing dispute,
- ii. lack of bill statement,
- iii. meter problem,
- iv. construction,
- v. water quality,
- vi. customer service and
- vii. water supply connection
- viii. water shortage



Figure 30: Types of complaints on water supply services received in 2011 by NCCC. (n=503)

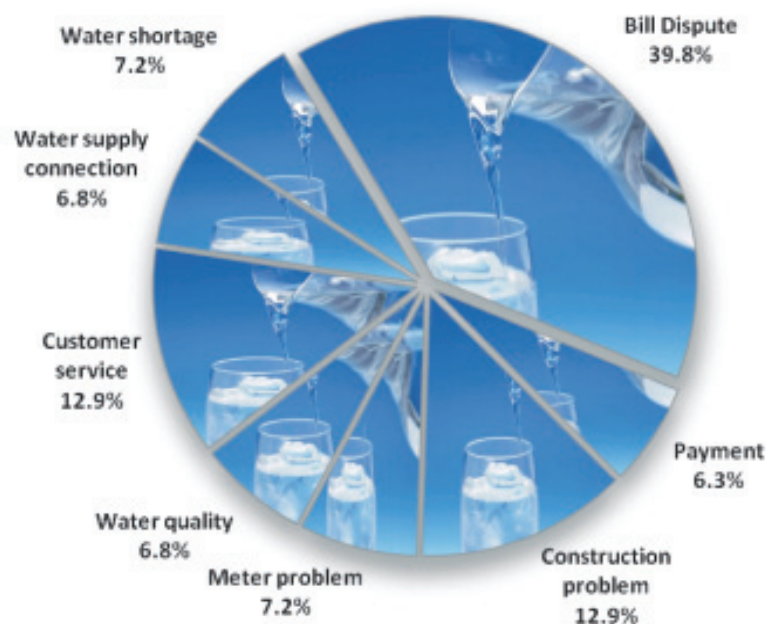


Figure 31: Selangor total complaint with breakdown of type of complaints

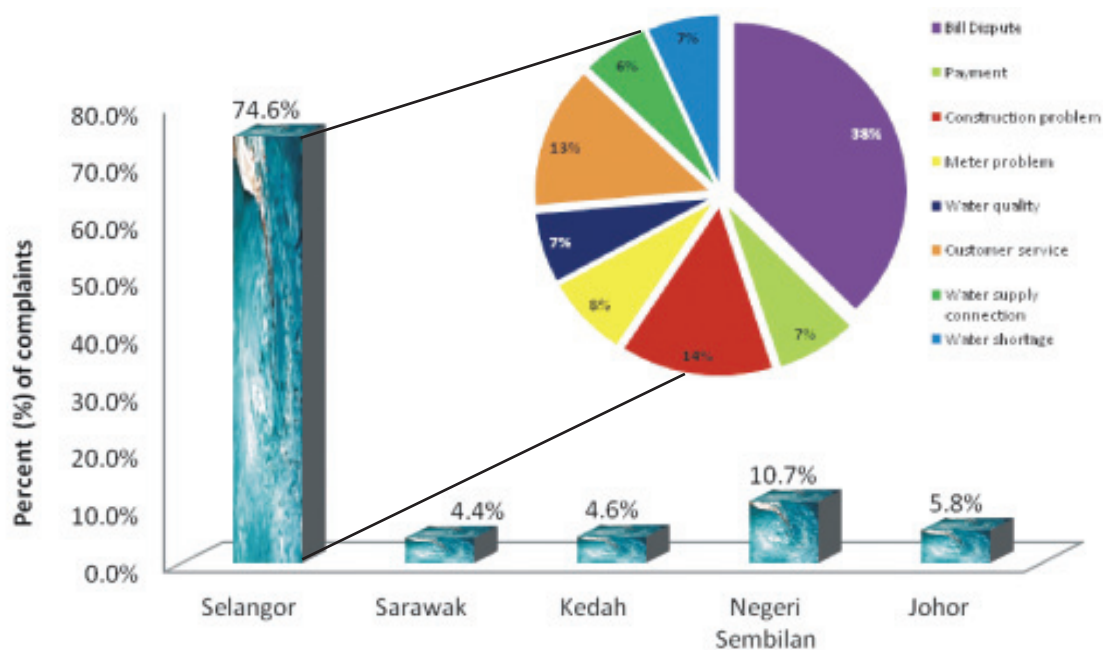
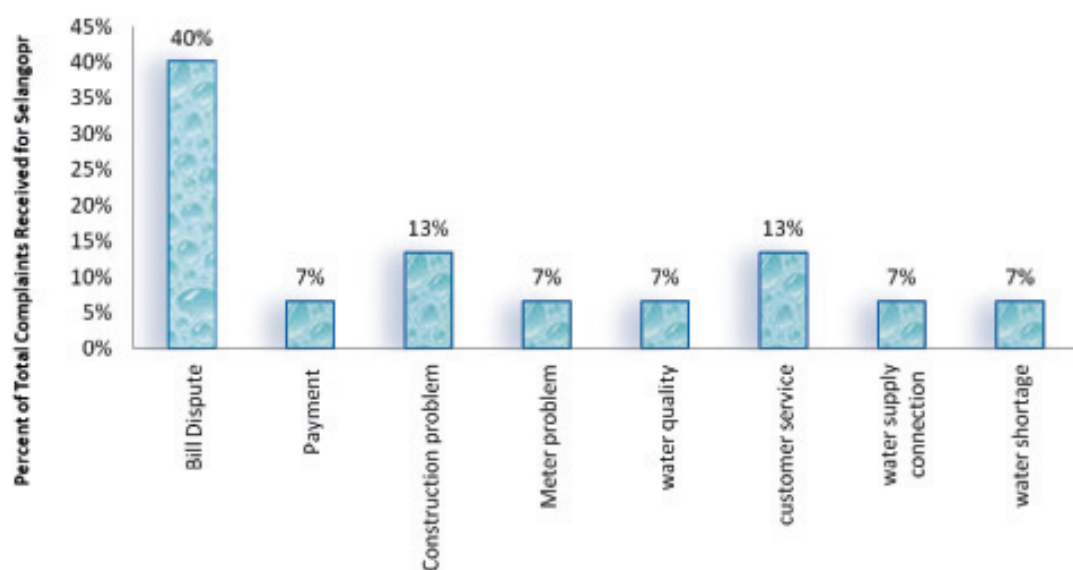


Figure 32: Percent of total complaints received for Selangor according to nature of complaints



Billing disputes top the list of complaints with a total of 201 complaints or equivalent to 40% of the total complaints. The second highest complaints came from various complaints namely meter problem which recorded 15% of the total complaints. Complaints such as water shortage, construction problem and customer service sit in third place respectively with 10%. Payment problem, water quality and water supply connection recorded the least number of complaints with 5% each.

Selangor (inclusive of Putrajaya and Kuala Lumpur) is the most modern state and having the highest population in the country, the number of complaints reported was the highest compared with other states.

Sewerage

As for the sewerage sector, 39 complaints were recorded in year 2011. All the complainants complained that the sewerage company did not issue any bill to them but asking them to settle the outstanding payment.

1.0 Case Studies:

1.1 Selangor

The primary water distributor and service provider in Selangor is Syarikat Bekalan Air Selangor or better known as SYABAS. Serving the whole Selangor, Kuala Lumpur and Putrajaya, SYABAS has the biggest connected account in Malaysia with a total of 1.794 million consumer accounts. SYABAS also undertakes the maintenance of 26,145 km of water pipes, 1,469 service reservoirs, elevated water tanks and suction tanks and 557 booster pumping stations within the State of Selangor and the Federal Territories of Kuala Lumpur and Putrajaya, making them the largest water company in Malaysia.

With such a massive amount of customer accounts, the number of complaints also relatively increased and recorded the highest number of complaints among all states. Selangor

recorded the highest amount of complaints (375) as compared to complaints from other states nationwide (503).

Of all the complaints, bill dispute recorded the highest with 141 complaints. A total amount of RM52876.63 was involved in the billing dispute between the consumer and SYABAS, where the amount ranges from RM73.00 to RM10,961.45. From the in-depth analysis of the complaints, most of the bill dispute problems caused by low awareness of the consumer on the responsibility they hold under the regulation. Some examples:

- (1) **The Water Supply (Selangor) Rules, 1951 Rule 34(i)**, all meters shall be supplied, fixed and maintained by the State Engineer and shall remain Government property, but the consumer shall be solely responsible for the safe custody of meter or the meters whilst they are fixed on the service pipe or pipes supplying his premises with water.
- (2) **Water Service Industry Act 2006 Section 36 (3)**, the duty of a water distribution licensee to maintain a public water supply system shall be up to the end of the communication pipe (meter).

The reasons for the bill dispute can be categorized into 2 types, **low level of awareness about consumers' responsibilities in the maintenance of internal piping (reticulation) system and bill dispute arising after meter changes or replacement.**

Most of the consumers are not aware of their responsibility under the **WSIA 2006** and therefore do not carry out routine checking on the internal reticulation. For example, there is one case in Johor where the owner of the house was unaware that the some pipes in his house were bypassed straight from the meter by the hired contractor causing a massive hike in his water bill.

Meter problems are another major issue to be tackled. In order to avoid theft of water meters (for their parts made of copper), all water meters in Selangor have been or will be replaced with plastic meters certified by SIRIM beginning 2007.

However, there are many complaints about the endurance of the plastic meter (i.e does not last as long as the older copper meters).

Consumers are responsible for the condition and maintenance of the water meter and will be charged for faulty or damaged meter replacement. Therefore, some consumers felt that it is unfair as the most of the meters are placed outside the premise and the rate of vandalism is high.

PUSPEL was established by SYABAS in order to enhance quality of customer service and to improve two way communications between the water operator and consumers. Fifty-one (51) complaints related to poor customer service were reported to NCCC. Many complaints are related to PUSPEL personnel attitude when dealing with disgruntled consumers.

A significant number of consumers in Selangor (who complaint about billing) are those who live in high rise homes (apartments, flats or condominium). Billing dispute usually arise from poor management of funds by the Joint Management Board or management corporation or due to bulk meter reading and billing. There has been a massive campaign to encourage these types of homeowners to install individual water meters. However, it can only be done if all tenants in the block of high rise homes agree to change to individual water meters. There is also problem with tenants who do not pay maintenance fees and the common property water bill is not settled. This again leads to water disruption to other tenants and source of complaints again.

1.2 Negeri Sembilan

There were 54 consumer complaints from Negeri Sembilan. All the complaints were about quality of service by SAINS (Syarikat Air Negeri Sembilan) and about problems with water meter. Again meter replacement was carried out and many complaints were about the time taken to replace a meter leading to water disruption longer than the period stipulated by SAINS initially.

1.3 Sarawak

The Water Service Industry Act 2006 or WSIA 2006 applies only to Peninsular Malaysia 22 complaints about frequent water disruption was received from consumers in Sarawak. Some of the complaints are about prolonged water disruptions for up to 2 years (waiting patiently for an explanation from JKR Sarawak which did not solve their problem). Upon investigation it was discovered that the current water supply infrastructure does not have the capacity to meet increasing demand for treated water in the affected area.

1.4 Kedah

NCCC received a total of 23 complaints from Kedah and all on bill disputes. One of the complainants (house owner) did not know that the water pipe in the house that he rented out to the tenant was by-passed and the bill was accumulated to more than RM972. As the house is occupied by the tenant, the house owner is frustrated that why Syarikat Air Darul Aman (SADA) did not disconnect the water supply as the tenant did not pay the water bill for more than 6 months. This is one of the complaints which have not been solved as SADA has not provided an amicable solution to the complainant.

1.5 Johor

NCCC received 29 complaints from consumers in Johor and all were about bill dispute. Complainants who come to NCCC with their complaints are those who have tried bringing grievances to the attention of the respondents and have failed to get a satisfactory solution. Similar to billing dispute in other states, a sudden hike in the water bill is an anomaly which the water companies could have helped in alerting the consumers. Consumers are rudely shocked by a tremendous increase in the bill which most of the time they are not willing to settle without comprehending the reason why they have to do so.

Laws

Water Service Industry Act 2006 (WSIA 2006)

SEC 33. Dealing with consumers

A service licensee providing water supply services or sewerage services has a general duty to—

- (a) Deal reasonably with consumers; and
- (b) Adequately address consumer complaints.

- **Billing Dispute** - This has been a major issue in 2009. Numerous complaints were received on billing disputes. They concern mainly consumer dissatisfaction with the high charges for water. This trend can be seen clearly from common complaints such as wrong billing, wrong meter reading, water leakage unknown to consumers, high reconnection fees and meter malfunction. Consumers complain that water operators should be able to identify increasing charges on consumers' water bills and advise the users on the possibility of leakage so that action can be taken at an early stage.

- **High Rise** - Consumers mainly high rise occupants have to bear the high bulk tariff rate on their water bill and those in Selangor is not enjoying the first 20 m3 water services as others do enjoy. Complicated procedures and disputed among water service operators and JMB/MC makes the migration almost impossible in many areas and put everyone in no end situation. **(see also complaints report on Management Corporation page 65)**

- **Unreasonable Delay in resolving complaints** - Complaint handling which takes almost 1 -2 months in most cases puts consumers in more frustration. Efficient, fast and fair outcome is very important aspect of complaint handling and improves consumers' confidence also satisfaction on water services.

SEC 37. Supply of water

Subject to subsection (2), a water distribution licensee shall, on application in writing by the owner or occupier of any premises, supply water to the premises.

- **Water supply disruptions** - Water supply disruptions are another major problem for consumers. Any disruption will affect the daily routine of a family. Alternate clean and safe water resources should be arranged for public because in cases public has been deprived from water supplies from months.

Consumer Protection Act 1999 (CPA 1999)

SEC 53 - Implied guarantee as to reasonable care and skill

Where services are supplied to a consumer, there shall be implied a guarantee that the services will be carried out with reasonable care and skill.

- **Water Leakage** - Water leakage is still an alienated issue for majority of people, lack of education and late information is one of the key for this problem. This matter have to be look into seriously whenever the water bill is unusual the consumer must be advised on this and on their responsibilities.
- **Poor Services** - Generally every consumer has the right to a good product and service, in line with many has given feedback and complaint that water services beside the water supply is not satisfying them, overall complaints are taken lightly, unequal right on determining a case outcome when it is brought to the attention of service providers.

Recommendations

Clean safe and continuous water supply to domestic users involves various stakeholders apart from consumers, water operators and SPAN such as Joint Management Committee, Commissioner of Building, Local Government, developers etc. These results in confusion among consumers and consumers are sometimes overwhelmed with the involvement and sometimes overlapping roles of various government agencies when it comes to settling disputes in relation to sewerage services and supply of water.

Number of complaints from other states may not be representative of the level of satisfaction of consumers with their water operators or sewerage service providers or contractors. This indicates the need for NCCC to promote its role in these states through its partners.

Almost always consumers tend to turn to water operators for answers and to resolve issues related to their water supply and Indah Water Konsortium (IWK) if sewerage services.

Cases referred to NCCC are often by consumers who are disgruntled by the inability of the water operators to resolve their problems.

Quite often the customer service personnel of the water operators are unable to provide constructive and progressive alternatives or guide to consumers with issues related to connection and disconnection, billing and other charges.

There are also persistent complaints from high rise dwellers on billings and tariffs etc; worsened by ineffective Joint Management Board (JMB) or Management Corporation (MC). Until laws and regulations are able to provide specific guidance for high rise dwellers and their JMB and these are effectively enforced, water operators need to be forthcoming with alternative solutions to consumers. This will potentially enhance level of satisfaction among consumers and increase confidence on the water operators.

1. Extensive consumer education on consumer responsibilities in the water and sewerage sector is the top priority. Solution-oriented consumer education such as introduction to the **WSIA 2006** along with other existing rules, regulations and complaints redress mechanism should be the core of the education program. Moreover, introduction and maintenance of internal reticulation system is also needed.
2. Capacity building such as training for customer service personnel of the water companies who are dealing with complainant is needed in order to resolve complains in a better and efficient manner.
3. Maintenance and responsibility of the water meter should be placed under water service provider / licensee as they are the one who can access the meter. It is unfair to put the responsibility on consumers.
4. As for East Malaysia, extensive infrastructure investment is needed in order to maintain the continuous and safe water supply to the population. With mindful planning and specific implementable timeline, the East Malaysia population will be able to enjoy a long term benefits and improved the standard of living.
5. In order to manage the national water service industry holistically, Sabah and Sarawak water sector should be incorporated under **WSIA 2006** and **SPAN Act 2007**.
6. For sewerage, there must be a proper mechanism to facilitate the agreement between the consumers and the concessionaire on billing of this very important service. Consumer education on their responsibilities in the sound functioning sewerage system coupled with an extensive outreach program on the importance of de-sludging should be intensified.

Chapter 16

Complaints Related to Civil / Government Agencies

NCCC received 375 complaints against various government agencies including local government agencies (16% of total complaints). Over one third of the complaints are related to loans.

There were several complaints against the Public Works Department or JKR and one such complaint was regarding poor road condition resulting in an accident.

Consumer Protection Laws Applied to Manage Complaints Received

Complaints in regards to government and civil agencies are usually forwarded to Biro Pengaduan Am (BPA) as it is the specific bureau set up by the Government to probe inefficient and defaulting government servants and civil services.

Recommendations for Improvement

- The Public Complaints Bureau should take more stringent and prompt action against errant government agencies. Such action also should be informed to other staff and the public in general as this will then reduce the amount of errant practices by the agencies in the future.



- Government staff are often lamented for their lackluster performance at work. Therefore, all government departments and agencies should be given realistic KPIs and those who do not meet such KPIs should be taken to task.

Chapter 17

Complaints Related to Healthcare Sector

The NCCC received 882 complaints lodged against the healthcare sector in 2011. The majority of the complaints were against the private medical centres, followed by alternative healthcare providers, general practitioners clinics and dental clinics.

The nature of complaints are mainly about:

1. **Services:** complaints related to services are mostly due to poor treatment by doctors and staff and patients are not given the necessary information regarding their treatment. Complaints related to poor

services are mostly against medical centres and dental clinics

2. **Charges:** disputes related to charges involve mainly medical centres. Patients are often slapped with excessive bills and unrelated treatment. Another charges related dispute is due to medical card problem (card not given or not recognised).
3. **Negligence:** patients were given the wrong medication or treatment. Examples include the prescription of eye drops

Figure 33: Complaints Against Healthcare Service Providers Received in 2011 by NCCC - (n= 882)

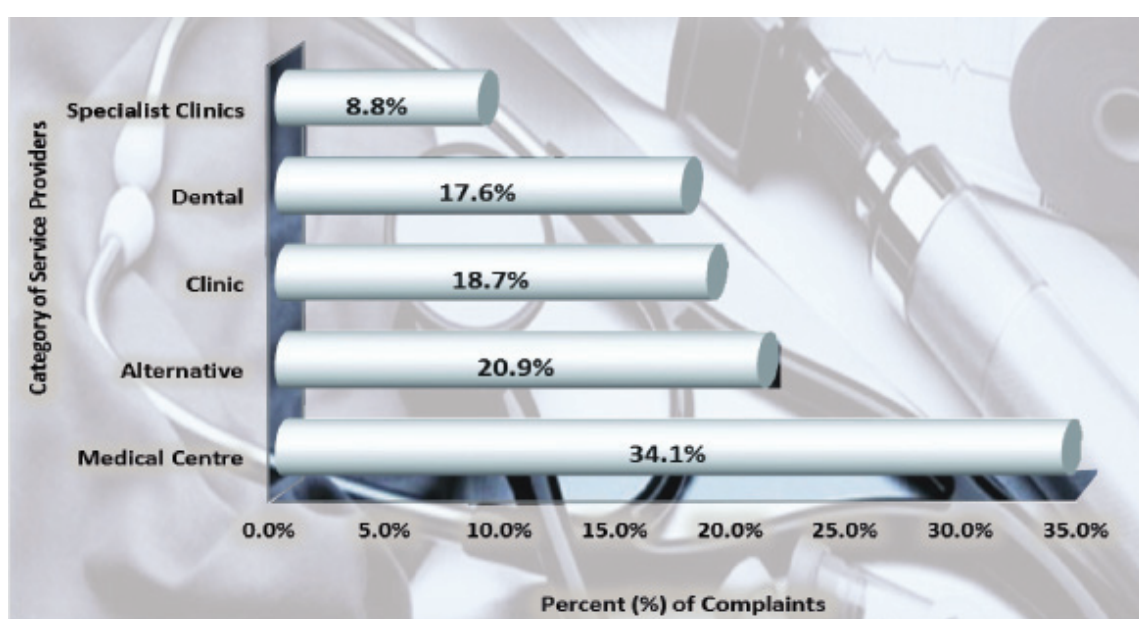
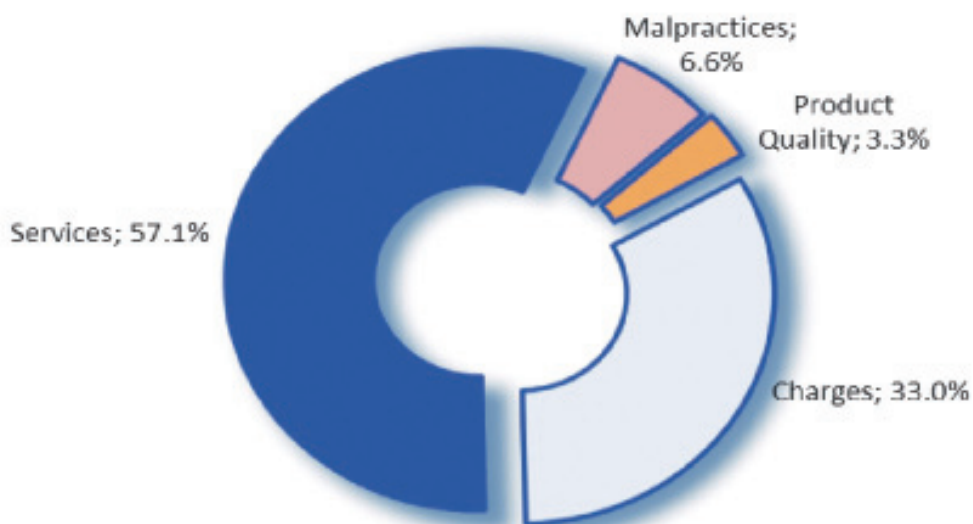


Figure 34: Nature of Complaints Against Healthcare Service Providers Received in 2011 by NCCC - (n= 882)



instead of ear drops and the suspicion of wrong dosages of medication prescribed which could have lead to stroke.

Alternative healthcare facilities include traditional and complementary medicine (TCM) and general health care. Complaints include dispute about charges, membership and contracts.

Consumer Protection Laws Applied to Manage Complaints Received on Banking and Finance Sector

1) Laws

a) Regulation

Specific provisions on patients' rights are found in the **Private Healthcare Facilities and Services Act 1998** regulations. **Section 27 of the Private Hospitals and Other Private Health Care Facilities and Services Regulations (PHCFSR)** states

that the licensee or person in charge shall take reasonable steps to ensure that a patient is:

1. Provided with information about the nature of his medical condition and any proposed treatment, investigation, or procedure and the likely costs of the treatment, investigation or procedure;
2. Treated with strict regard to decency; and
3. Provided with a medical report within a reasonable time upon request by the patient and upon payment of a reasonable fee.

The enabling Act also states that the person in charge of the healthcare facility is responsible for ensuring compliance with the **PHCFSA** and **PHCFSR** as non-compliance can lead to prosecution, and the penalties, upon conviction, include a fine, jail sentence, or both.



b) Information

Unbeknownst to most people, the law also protects the right to information of patient. For example, prior to admission to a healthcare facility, a patient is entitled to be provided with all the necessary explanation, instruction and education for pre- and post- procedure or pre- and post-operative care.

c) Emergencies

The healthcare facility has to ensure that at least one doctor is on duty to respond immediately to an emergency in the intensive care unit. The facility also has to have an on-call system for doctors to be available at all times for emergencies

d) Billing

Section 26 of the PHCF SR is reproduced verbatim so that patients are aware of the legal provisions that protect their rights with regard to bills i.e:

1. A private healthcare facility or service shall, upon request prior to

the initiation of care or treatment, inform the patient of the estimated charges for services based upon an average patient with a diagnosis similar to the tentative or preliminary diagnosis of the patient; and of other unanticipated charges for services that are routine, usual, and customary.

2. A patient has the right to be informed by a private healthcare facility or service prior to the initiation of care or treatment of the private healthcare facility or service's billing procedures.
3. A patient has the right to obtain from a private healthcare facility or service upon request, itemised billing for the whole course of the patient's treatment at the private healthcare facility or service at no extra cost

2) Voluntary Initiatives / Tools

The Malaysian Society for Quality in Health or MSQH developed standards and among the requirements of these standards are the safety aspects. These standards are applicable to all types of hospitals - public and private, large and small, urban and rural.

These standards provide the basis for organizational assessment by MSQH of the delivery of quality patient care and services, and the utilization of available resources.

- Licenses of healthcare providers (hospitals, clinics or doctors) should be immediately canceled and should be fined heavily in the event of gross negligence.
- The Ministry of Health should regulate the amount of fees charged by hospitals especially when the bill is charged to a medical card. Private hospitals should also provide bills with a detailed itemization.
- The Ministry of Health also should require all healthcare facilities to give greater focus to training in order to improve interpersonal and communication skills of their personnel.

Recommendations for Improvement

- Most medical negligence dispute are seen as not adequately representing consumers since they are highly technical and put consumers at a disadvantage. Councils should include fair consumer interest representation.
- There is no specific law regarding the provision of healthcare or treatment in public sector health care facilities. The Government of Malaysia especially the Ministry of Health should look into this matter seriously.
- The resolution of grievances at the healthcare facility level should be encouraged and a speedy resolution implemented. Areas in the provision of care or treatment that have given rise to grievances should be discussed in private rather than before other non-related parties. Customised solutions like explanations, apology, and dissemination of the lessons learned are more desired by consumers.

Chapter 18

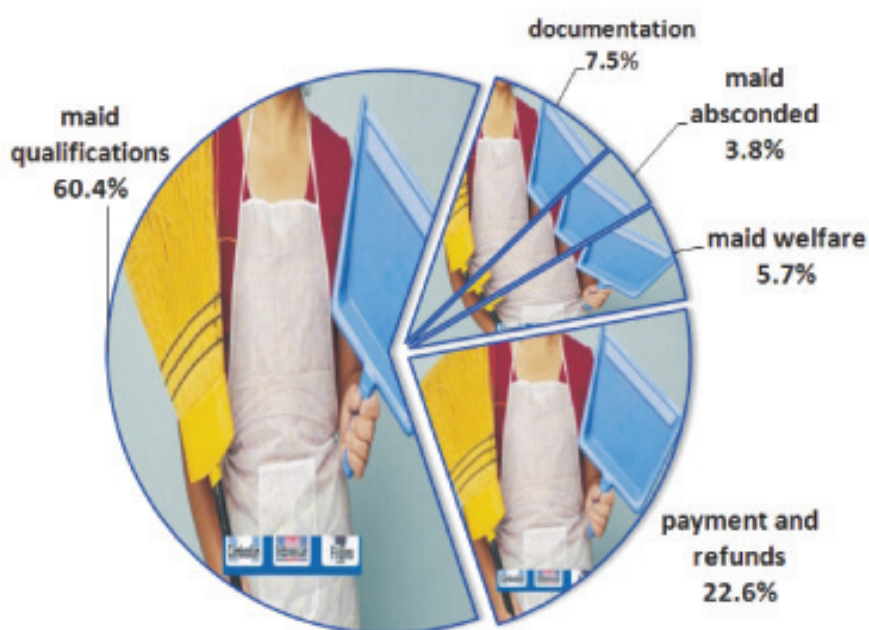
Complaints Related to Maid Agencies

The NCCC received 1169 complaints lodged against maid agencies in 2011. This sector is no short of scandals due to the mistreatment of maids and following that souring bilateral relations between Malaysia and countries where domestic helpers (or maids) are sourced from. This business and its remittances are one of the biggest sources of income for many least developing countries and developing countries like Indonesia, Philippines and Cambodia.

In a recent meeting between leaders of Malaysia and Indonesia the domestic helpers issue dominated the discussions - Malaysia wishes to import more while Indonesia wants better



Figure 35: Complaints Against Maid Agencies - Received By NCCC in 2011
(n = 1169)



working conditions for its workers in Malaysia. Nearly 20 per cent of households in Malaysia have at least one domestic helper and we employ more than 200,000 foreign domestic workers.

One particular agency - Agensi Pekerjaan Haz was the respondent in **20% of the complaints** with almost all the complaints related to payments and refunds disputes due to non-delivery of maids or domestic helpers. Another source of dispute is related to the quality of domestic helpers.

The following lists is the main types of complaints received by NCCC regarding maid agency services:

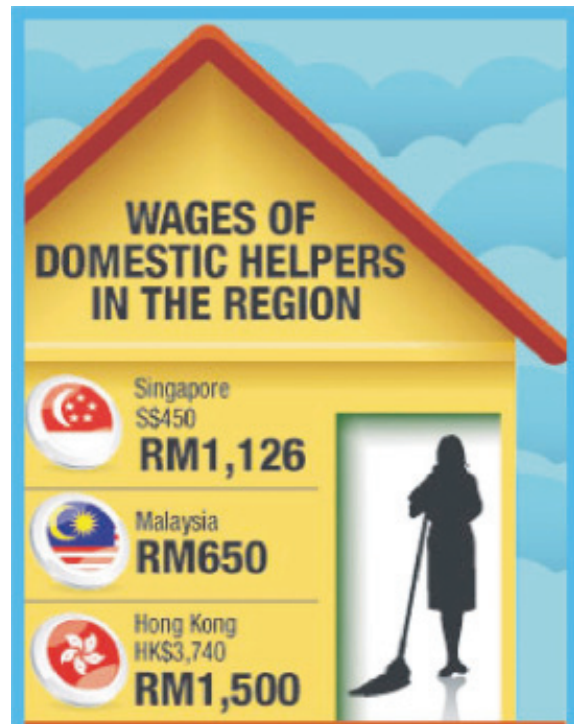
1. Quality or qualification of maids – maids are not able to understand instructions due to largely language barriers and many are unable to adapt to the lifestyle and also abscond
2. When the quality of domestic helpers is poor or domestic helpers run away, the 'consumers' seek replacements from the maid agencies and this is where the dispute related to payment, refund and deposit begins. When the agencies are unable to find timely replacements they are often reluctant to provide a refund.
3. Some agencies provide domestic helpers without proper immigration or other relevant documentations

The following agencies constitute more than 53% of the complaints received:

- Agensi Pekerjaan Haz
- AP Sun Supply Labour Management
- Agensi Pekerjaan Bukit Tinggi
- Agensi Pekerjaan Elite
- Agensi Pekerjaan Mewah

The quality of domestic helpers in Malaysia seems to correspond to the wages offered and their workload includes doing everything from childcare to cooking and cleaning or more.

Figure 36: Wages of Domestic Helpers in the Region



Graphic Source: The Malaysian Insider

Consumer Protection Laws Applied to Manage Complaints Received on Banking and Finance Sector

Complainants in this sector usually complain in 2 different capacities. Some complaints are in regards to their capacity as a consumer and at other times as employer. It is important to draw a line and distinguish between the nature of their complaints as the NCCC will only be able to accept complaints made on his / her capacity as a consumer and act accordingly.

When a complaint is made on the service provided by any maid agency (not keeping up with promise, delay in delivering the maid etc), then the complainant is a consumer. However, if the complaint is made on the maid itself, then the complaint is made on his / her capacity of an employer.

1) Laws

However, there is no specific law governing this sector in Malaysia, Consumers of the services rendered maid agencies rely on the **Consumer Protection Act. Section 57 of the same Act** states that a consumer has the right to redress against a supplier of services where the services or product resulting from the services fail to comply with any of the implied guarantees such as guarantee to reasonable care and skill, guarantee as to fitness for particular purpose, guarantee as to time of completion and guarantee as to price. In cases where there is a breach of contract, the provisions under the **Contract Act 1950** is used to resolve the dispute.

Recommendations for Improvement

- The government should enact laws to govern the activities of the maid agencies to protect consumers.
- Not to grant or renew license to maid agencies that have 3 complaints lodged against them.
- There should be a limitation on fees that can be charged by maid agencies in rendering their service.

Chapter 19

Complaints Related to Legal Professional Services

A total of 529 Complaints were received by the NCCC about legal professional services. Delay in cases and poor handling of cases are major service related complaints. Apart from that, another major concern is in regards to professional misconduct by lawyers. Professional misconduct here means contravening the code of ethics and etiquette of lawyers as per stated in the **Legal Profession Act 1976**.

Consumer Protection Laws Applied to Manage Complaints Received

Lawyers in general have to abide by a fee structure and fees charged by Malaysian Lawyers are governed by the **Solicitor Remuneration Order 2006**. Lawyers must refer to **Rule 11 (fees for litigation/contentious matters)** of the **Legal Profession (Practice and Etiquette) Rules 1978** to set their fees.

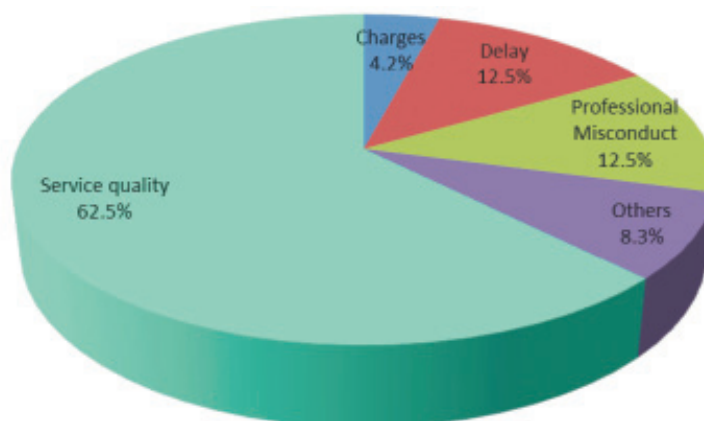
Rule 16 of Legal Profession (Practice and Etiquette) Rules 1978 requires lawyers to uphold the interests of the client, justice and the dignity of the legal profession. Similarly, **Rule 9** states that lawyers are to act and conduct cases fairly and honourably for their client.

Recommendations for Improvement

The Malaysian Bar, State Bar and Bar Council should conduct a stricter check and balance in terms of monitoring the competency of lawyers. Services rendered by them should continuously be evaluated.

- Complaints made against lawyers should be investigated swiftly without any delay as delay will only contribute to the loss of confidence.

Figure 37: Complaints Related to Legal Professional Services Received by NCCC in 2011 - (n=529)



Chapter 20

Complaints Related to Pawn Broking

The **NCCC received 265 complaints** related to Pawn Broking and the number of complaints received has reduced slightly compared to previous years.

However the problems faced by consumers remain the same i.e:

1. Their valuables being auctioned off without adequate notice to the consumers or without their knowledge
2. Consumers often complaint about their valuables damaged while in the custody of the pawn brokers
3. Other complaints related to dispute about documentations and charges for extension or late payment

The responsibility of governing pawn broking activities under the Ministry of Housing and Local Government is rather odd and needs to be reviewed. Those who seek the services of pawn brokers are often those with financial problems

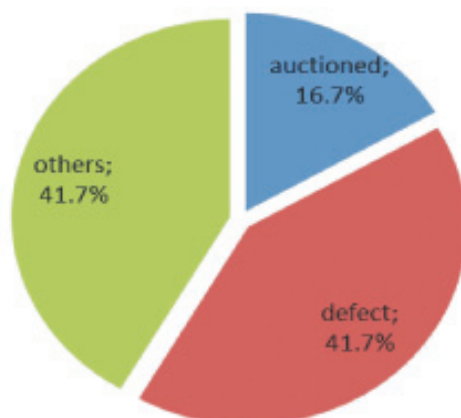
and sometimes pawning their valuables aggravates their dire financial situation.

Consumer Protection Laws Applied to Manage Complaints Received

Laws

As mentioned above, among the biggest complaints against pawnbrokers are in regards to auctioning off of valuables without adequate notice to the consumer. This action by the pawnbroker is in violation of the **Pawnbrokers Act 1972. Section 23(1)(a) and (b)** states that the pawnbroker must inform the borrower by post of the date, time and place of the auction of his pledges. An announcement that an auction will be held must be publicised. Under the **Act** also the pawnbroker must give sufficient time and

Figure 38: Complaints Related to Pawn Broking Received by NCCC in 2011 (n= 265)





notice to the borrower in the event the items have been auctioned for an amount more than what was borrowed. **Section 25** states that written notice must be sent by way of registered post and it must be done within a week from the time the item was sold.

One of the major complaints by consumers is in regards to the high interest rate provided for by the **Pawnbrokers Act 1972**. The interest rate allowed by this Act is 2% per month / 24% per annum. This rate is extremely high as even the **Moneylenders Act 1951** only charges a maximum of 1% per month / 12% per annum.

Another common complaint is that the amount of compensation paid by pawnbrokers is lower than the value of items pawned or market value in the event of a theft. **Section 22(3) of the Act** allows the pawnbrokers to pay compensation for the pawned item together with an addition sum of 25% of the pawned sum. **Section 22(1)** also states that every pawnbroker shall exercise the same care and diligence in the custody of pledge as a prudent owner would exercise in the custody of his own property. Therefore, allowing the valuables of customers to be damaged during the custody is not an option for these pawnbrokers.

Recommendations for Improvement

- Responsibility of governing pawn broking activities being placed under the Ministry of Housing and Local Government is rather odd. It should instead come under the governance of the Ministry of Domestic Trade Cooperatives and Consumerism as there are no available redress mechanisms under the former.
- The interest rate charged should be reduced from 2% to 1% as most borrowers are people that come from the lower income group.
- Steps must be taken by the government to amend and to include additional legislation especially in protecting the rights of the borrowers whereby most of them are from the lower income group.
- The current law should be amended especially on the auction procedure and must include that the pawn shop should send reminder letters to the owner one month before the redemption period.

Attachments



Annexe 1

NCCC Organisational Chart

Board Members



Datuk Marimuthu Nadason
Chairman



Dato' Paul Selvaraj
Chief Executive Officer / Director



**Mr. Muhammad
Sha'ani bin Abdullah**
Director



**Mr. Mohd Yusof Bin
Abdul Rahman**
Director



Ms. Chan Kah Chi
Director



Mr. Saravanan Thambirajah
Director



Ms. Ratna Devi Nadarajan
Director

Management Staff



Mr Ravin Karunanidhi
Deputy Director



Ms Matheevani Marathanandan
Senior Manager
vani@nccc.org.my



Mrs Norli Baharin
*Administration and
Complaints Manager*
norli@nccc.org.my



Ms Shanmugapriya
*Administration and Dispute
Resolution Officer*
priya@nccc.org.my



Ms Nirmala Komandai
Administration Executive
nirmala@fomca.org.my

Annexe 2

NCCC in the Media

Rogue beauticians can face the rap

T.K. LETCHUMY TAMBOO
Tuesday, June 21st, 2011 10:55:00

PETALING JAYA: Despite no proper legislation in the Private Healthcare Facilities and Services Act 1998 (Health Act) on cosmetic surgeries, consumers will not be losers should they become victims of fly-by-night cosmetic surgeons.

A legal source told *The Malay Mail* there were other avenues consumers could take if they had had a bad experience with the so-called surgeons.

Among the options available for consumers who go under the knife but return empty-handed were to seek legal redress under the Contract Act 1950.

"For example, if the offence committed is a breach of contract, consumers can sue the Act to seek justice."

The legislation allows consumers to claim compensation for loss or damage caused by breach of contract as well as for failure to discharge obligation resembling those by contract.

The source said if the matter was a cheating case, the Penal Code could be used to convict the culprits. Under the Code, it is stated whoever convicted of cheating is punished with imprisonment for a term which may extend to five years or fined.

A third option under the Act 1999, but consumers can utilise these.

Meanwhile, consumers can utilise these.

National Consumer Complaints Centre (NCCC) has many cases like this.

"I believe no forward with the NCCC."

"Only when consumers can forward their complaints to the NCCC."

Consumer Affairs Minister George Yeo said that would be a good idea.

3,000 not happy with communications sector

KUALA LUMPUR: The communications and media sector received the highest number of complaints from consumers last year, according to the National Consumer Complaints Centre (NCCC).

NCCC chairman Datuk N. Marudam said out of 34,000 complaints lodged last year, 3,192 were made against the communications sector.

"There are lots of telecommunications products, services, and the high number of complaints show that consumers are better aware of their rights."

"We receive more complaints every day and we try our best to engage with people from these sectors to resolve their issues."

NCCC senior manager M. Matheevani said the complaints against the communications sector were mostly on the services provided by communication companies.

"More than half of the complaints were on poor service, internet service, and mobile phone services."

"Customers will buy mobile phone packages and receive poor service. Many often times are not provided with the best service information."

"She added that there have been complaints on mobile phone services as well. Most consumers complain about the quality of service and the charges for the services."

Tuesday May 10, 2011

Guidelines for private car parks

By WINNIE YEOH

THE Penang Municipal Council (MPMC) may introduce guidelines for private car park operators in the wake of the controversy surrounding the chaining up of car wheels for unauthorized parking. MPMC financial management sub-committee alternate chairman Tan Han Wool said they were studying the possibility of drafting the do's and don'ts for such operators. He said the council currently did not have specific regulations for private car parks apart from ensuring they were suitable as parking lots and had closed-circuit television (CCTV). "There are also no conditions in their licenses that they can or cannot clamp people's cars," he said when contacted yesterday. Tan was responding to the *Star Metro* North story titled "Bitter pill to swallow after dinner" on Saturday where three people who parked their cars at a private food court parking lot without dining there found their vehicles chained up by the proprietor. The trio had to pay RM100 which the owner demanded to remove the chains during the incident in Tanjung Tekong last Sunday. The car owners claimed it was too dark to see the posters and banners which state that those who failed to patronize the food court but parked their cars at the parking bays would have their cars chained up.



Authorised to take action: A filepic of Seberang Perai Municipal Council enforcement officers clamping the wheel of a vehicle in Butterworth. The law is silent on the matter of private car park owners taking similar action of chaining up the wheels of cars that are parked without permission. The same day, *StarMetro Mail* also published a letter by a reader XINZ who was upset over the RM50 parking fee he had to pay at the same food court car park for dining at another restaurant.

National Consumer Complaints Centre Manager M. Matheevani said the property owner had the right to impose the charges on the car owners but chaining their cars was a "harsh action". The property belongs to the council and he can set the parking procedures and standard fees but it did not justify chaining.

Power is with you, consumers told

By Shazee
Coated Wednesday, February 2nd

KRAM ISMAIL, (1)
Wednesday, February 2nd, 2011 10:27:00

PETALING JAYA: While a hawkers association had warned prices of meals and drinks at stalls and coffeeshops will rise after the Chinese New Year festivities, due to higher cost of raw materials, a number of complaints have already come in that several eateries had jacked up their prices to cash in early.

National Consumer Complaints Centre (NCCC) senior manager M. Matheevani told *The Malay Mail* they had received more than 20 complaints from consumers of eateries drastically raising their prices ahead of the festivities.

"Most of the complainants were from the Chinese community. For example, they complained the price of seafood at many restaurants had risen 100 per cent, compared with menu charges just earlier in the month."

Just last month, *The Malay Mail* had reported consumers were upset with a statement by Kuala Lumpur Hawkers and Petty Traders Association vice-chairman Datuk Ang Say Tee warning there would be an increase in prices of meals at stalls and coffeeshops after Chinese New Year.

Noting the earlier alert, Matheevani said: "These complainants are angry because they had to spend more even before the celebration begins. With no monitoring and action from the government against such blatant profiteering, those eateries are taking advantage of consumers with their arbitrary price increases."

Matheevani said she would bring the matter to the Domestic Trade, Cooperatives and Consumerism Ministry for further action.

Already aware of such unethical practice, Domestic Trade, Cooperatives and Consumerism Deputy Minister Datuk Tan Lian Hoe had said Malaysians needed to raise their awareness.



FOOD FOR THOUGHT: Drastic price increase a burden to consumers

貨不對辦·錢追不回·簽購配套須細讀條文

Created 06/06/2011 - 08:08

《雪蘭莪·八打靈再也訊》全國消費者投訴中心 (NCCC) 提醒消費者，在簽購任何服務或產品之前，先細讀合約條款才購買，以免因合約條款，而使消費者在合約上簽下不合理的條款。

全國消費者投訴中心高級經理馬基維尼在接受星洲日報專訪時指出，女性常常沒有詳細閱讀合約的條款就簽購產品，加上有時被騙得賠錢員工感嘆可憐時，她提醒消費者，在簽購之前，先細讀合約條款。

該中心最常接到女性消費者的投訴，是通過電話接獲的投訴，通常或涉及合約。

馬基維尼說，女性在接獲電話接獲電話，上門試用有關產品或服務後，一經上門就被該服務商有圖有報，但一經簽下後可能發現有騙局或商家之前宣傳的有圖有報。

她指出，女性消費者容易受騙，由於沒有細讀合約的內容和合約條款，結果她們簽購了有關服務或產品，可能發現有損失支付一年的費用，有的甚至包括賠償款。

銀行消費

她表示，這種情況尤其是數額方面很難去爭論，畢竟銀行已經先替你們付了錢。

她說，除了服務或貨不對辦之外，女性在簽購這種服務或產品時，也經常發生信用卡被騙用的事件。

該中心向來與消費者協會 (FOMCA) 的屬下屬全國消費者投訴中心，自2004年成立以來，協助消費者解決不少消費糾紛。

保障法令

消費者有權要求退款

"許多消費者或許不清楚，他們在消費者交易合約的下面有要求退款或更換零件的權利。事實上，政府也制定了消費者保障法令，可幫助人們對法律權益毫不關注。"

馬基維尼說，1999年消費者保障法令46條文說明，消費者有權利對不滿意或產品要求退款，但是許多公司卻不遵守本身的政策，表示一旦貨物出門即不退款。

"這種政策其實對消費者是不公平及不合理的，公司政策能超越法律嗎？可惜，現實中不少消費者真正去採取行動，儘管這些公司有本身的政策，消費者還是可以採取法律行動。"

Source URL: <http://www.singapore.com/news/2011/06/06/060608>

Annexe 3

Case Studies

Category : Consumer Product

Dear sir / madam, my wife and I took a wedding photo package offer from bridal house on 25/02/2011 during a wedding fair in Mid Valley Mega Mall. I made a full payment on the spot. About a month later, we went to the bridal shop to choose wedding gown and etc. After one or two weeks we visited the bridal shop again to try out those selected gowns which had been adjusted to our body sizes. Then we had the photo shooting session on 26/04/2011. A week later, we visited again to select photos to be printed on the wedding photo album. The bridal shop employee told us that they will email us to finalize the work. On 24/05/2011 we received this email and we confirmed it with a reply.

We waited again till end of June 2011 and my wife called the bridal shop to ask about the photo album.

On 03/07/2011 we received a call from the bridal shop, saying that the photo album is ready. However we have to pay RM207 transport fee for the album. After so many visits to the bridal shop no one informed us about the extra charges. We neither took photos in Taiwan, nor any outdoor shooting in Malaysia. We only took indoor photos in that particular bridal shop. The employees are forcing us to pay extra otherwise we will not get our album which I had already made full payment on 25/02/2011.

Category : Wellness Services

"IT WAS JUST A NORMAL FACIAL AND IN MY OPINION, NOT WORTH A RM100 FOR ONE SESSION".

In May 2011, I received a call from a skincare service provider and they offered me a free body treatment. I accepted and made a visit to the Damansara Utama outlet on May 17 at 2pm. The

consultant in charge then promoted packages for facial session as I was not interested in doing any slimming treatments. I purchased a 10 times facial package from them which cost RM1000. After the 1st facial treatment, I was not satisfied at all with the treatment given.

It was just a normal facial and in my opinion not worth a RM100 for one session. Since I did not sign any contract with them, I asked for a refund for that RM1000 and pay instead a first trial facial price of RM48. However, the company says that any purchases made are non-refundable. The consultant in charge then offered me another package worth RM1388 which also consists of 10 treatments. They wanted me to pay RM388 but since I'm not a high-income earner, I told them I do not have so much money. They agreed to return me the RM1000 in cheque and let me pay the RM1388 of 12-months installment.

However, I would rather get back a refund of my RM1000 because I do not wish to sign up for another package without trying the RM1388 facial, who knows it might still be another unsatisfying facial treatment? I hope you can help solve my current woes.

Category : Automobile

"We are very disappointed in [REDACTED] attitude towards its customer's safety. We have bought the [REDACTED] model on 28 March 2010. However, on 9th Jan 2011, we experienced some noise due to the Brake Wheel Cylinder on the left side. Then, in less than one month period, the noise re-appeared again. When we sent back to the workshop, it seems that the noise is due to the problems coming from both sides of the Brake Wheel Cylinder.

In addition, on 3rd April 2011, our car's radiator suddenly busted without any reason and also without our knowledge, only until the car

temperature shot up to the maximum. The worst case was that the car came to a halt whenever we brake at the roundabouts. Can you imagine how dangerous was that, so much so that we have children in the car. If the cars behind us were unable to stop in time, we would surely be knocked over. And only then, we realize that the radiator is totally dry and there was a burning smell coming from the engine. When we checked with our [REDACTED] dealer, we were told that we were not the first one who experienced this incident.

In addition, a service notice on RADIATOR FAN RUBBING WITH RADIATOR ASSEMBLY AND LEAKS is issued to the [REDACTED] Dealers / Workshop on 21/03/2011. Clearly, [REDACTED] is aware of this issue and yet did not inform the [REDACTED] drivers directly whose lives are at risk. In such cases which involved the safety of the drivers, car manufacturers should take the responsibilities to recall back these cars to identify and repair the problems.

In addition, when their cars being recalled back, a relieve car or transportation compensation will be offered to the respective customers. However, in our case, we have to arrange for a toll truck ourselves in order to send the car to the workshop and now we need to arrange our own transportation in order to carry out our daily tasks. Not only our daily routines are being disturbed, our precious time also are being wasted. It seems that [REDACTED] is taking our safety for granted."

Category : Food

RAW MEAT CAN CAUSE SALMONELLA AND SEVERE FOOD POISONING...?

[REDACTED] - COMPLAINT

"This is a complaint against [REDACTED]. Yesterday, 20 Feb 2011, I ordered a colonel burger takeaway. Halfway eating it, I found that the burger was raw on the inside. Raw chicken can cause salmonella and severe food poisoning. I brought the half eaten burger back to [REDACTED] and showed the supervisor. She apologized and asked if I'd like a replacement. I politely declined as I only

wanted her to be aware of the dangers of eating raw chicken. This incident was truly shocking."

Category : Public Transportation

MASJID JAMEK LRT STATION

Dear Sir/Madam, I am a Star LRT user, I understand that the LRT station at Masjid Jamek is under renovation process. Even if it's under renovation, passengers are still using the service and to provide good service is their responsibility. Last Tuesday, it was raining heavily and when I went to Masjid Jamek LRT station, I saw all the passengers (including myself) who wanted to use the LRT service, wet in the rain. How is it possible even we stand inside the station to buy ticket at the ticket counter? The rain water also flows from one of the ticket counter (see the images below) which caused that counter cannot be operated and ended up with a long queue to buy ticket.

I snapped a few photos for your knowledge and let me explain to you what caused the rain water to enter into the premise. (Kindly see the images below). You can see some of the frames with missing glasses and covered up with normal plastic cover. I'm sure when you build the thing, all the frames were fixed with glasses and now where are the missing glasses? Even if the glasses are missing I'm sure RapidKL can replace it and it won't cost too much if you are concerned about the passengers safety.

Let me bring you to a photo gallery tour now (look at the images below) that's the walkway to the LRT. How can it be wet as I know that the LRT station is not an open air station? Where is the rain water coming from? If anyone falls down because of this, can Rapid KL compensate them? How long your passengers have to suffer this? Please don't answer you are under renovation.

Even if you are under renovation you have to take care of your passengers. If you just replace the missing glasses from the frame the entire problem will be settled. And rectify the defects especially your walkway so that no rain water

will be flow in. I sincerely hope Rapid KL will take action as soon as possible before anything bad happen.

Thank you. Miss D

Category : Hospitality

"I am writing to you today to convey my utter annoyance and concern over how I was sold [REDACTED] membership with false promises. I felt cheated and depressed after talking to the manager at [REDACTED] Management. I was told by itune sales agent that [REDACTED] is a subsidiary company of [REDACTED]. I was also told by the sales agent that I will get discount on [REDACTED] tickets, however it was clearly mentioned in the company's booklet that there is no such discount on [REDACTED] flight tickets. After going through the website and talking to the Manager, I also came to know that [REDACTED] is not an [REDACTED] company.

The sales agent also promised a discount of 30% on international hotels however the companies' booklet clearly specifies that the discount on international hotels is only up to 15%. Sales agent promised me that everything can be checked on the company's website and the bookings can be made online as well.

However, I was shocked to find out that [REDACTED] doesn't have a professional website and the current website is not working at all. I was told that I will get a free 4 days 3 nights stay in a 3* or 4* hotel either in Malaysia or in Indonesia and I can check the list of hotels online. However, there was nothing like that on the website. In fact, the website is not working at all.

Though I was asking the sales agent to show a brochure of the company or company's website, I was told that I can check it later and they do not have any thing available now. I sent an email to the manager at [REDACTED] with my concern requesting her to cancel my membership and acknowledge a receipt of my email.

Although she said that she will reply my email, she never sent me an acknowledgement. Also, when I called [REDACTED] office today to discuss my

issues, my call was not handled properly. I was kept on hold for a long time so I disconnected and called back. I was told that the person in charge is not in. I had to call again and again several times to talk to the person in charge."

Category : Retail Trade

Consumer Complaint

"I decided to go shopping to purchase a packet of biscuits for my 11 month old daughter. To my horror I came across some rat running around and chewing on biscuits on the particular shelf. To my dismay, the whole biscuit counter was stinking of rat urine and the stench was making me noxious.

Luckily I managed to take a snapshot of the mess these pests caused. When I brought this matter up to the staff, I was very surprised that it seemed quite a norm that rats have been a nuisance at hypermarket and nothing can be done!!! Are these people really aware of what rat urine can cause?"

Category : Telecommunication

"I'm using [REDACTED] phone model 5800. I want to complaint [REDACTED] about the data charges amount of RM254.40. I didn't use 3G to connect internet using my phone before, I just select WIFI connected to internet only once, and my phone don't have option to switch off the 3G data. I understand that using [REDACTED] 3G connected to internet is very expensive, because I didn't subscribe [REDACTED] data plan, so I chose to connect to the internet using WIFI.

They should not charge me without my permission. I already made complain to [REDACTED] services centre many times, and I want talk to their manager or supervisor, but they keep giving me an excuse that their manager or supervisor is not available, or they will call me back about my complaint, but in the end they still didn't call me at all.

Hope NCCC can help me on my complaint and settle my issue, thank you very much."

Category: Furniture

UNSTABLE SOFA FRAME WHICH GIVES CRACKING SOUND

My sister and I had purchased a set of sofa from [REDACTED] which cost RM2800 on 23 November 2008. According to their sales staff and branch manager, this is real leather set with 5 years warranty and assured us of high quality. However unfortunately 2½ years as of today (May 11, 2011), 2 major quality issues occurred within this short period.

There are unstable sofa frame which gives cracking sound during sitting and big area of sofa surface leather starting to peel off by itself. During past 2 weeks from 15th – 31st May 2011, we went to the shop twice and they had sent their staff to our house to snap a photo of the sofa.

After several reminder calls, they just replied that they will only be responsible to send back the sofa to the factory to repair the frame but rejected the surface leather repair or replacement. When we requested for reason, they denied the warranty on leather and denied their responsibility with plenty of potential excuses such as environment, hot and moisture climate and customer's use method.

With thorough unsatisfaction, my last visit to the shop on 5th June 2011, after 30 minutes discussion, they proposed 3 options for us as follows:

- Repair Frame Only
- We paid for new set leather replacement
- We paid another RM2000 to buy new set of sofa with warranty for frame and leather.
- All this options are totally unacceptable and irresponsible.

Category: Insurance

I would like to raise a complaint against the insurance company stated above. I am the owner of vehicle number WRV 398 and my car met an accident with [REDACTED] insured vehicle (Long Trailer) WFB 6540 on the 20th of November 2010. The insured vehicle hit my car from behind and the impact made us to hit the car at the front. Obviously, the damages are at the front and back.

My car has been sent to the workshop after making a police report. The workshop called us to rent a vehicle from a private car rental company. It caused RM60 per day. My car was in the workshop for 69 days. It took almost a month for the adjustor to inspect my car. I submitted my loss of claim on February right after collecting my car from the workshop.

After so many follow ups, [REDACTED] has come up with offer stating they can only pay us RM30 x 8 = RM240. Saying based on adjusters report, the car can be done in 8 days. But it took almost 1 moth for the adjuster to come for inspection and it took 69 days due to the other party negligence.

[REDACTED] has to bear this. I had provided all the days for workshop to repair my car. My demand is that they should pay me RM4140 as per the receipt. I highly appreciate if consumer association could investigate and help me sort this out.

Annexe 4

Useful Government Agencies – According to Sector Categories

SCAMS

JABATAN SIASATAN JENAYAH KOMERSIAL

Ibu Pejabat Polis Diraja
Bukit Aman
50560 Kuala Lumpur.
Tel : 03 - 2266 2222
: 03- 2616 3822
Fax : 03 - 2070 7500

HOUSING

TRIBUNAL TUNTUTAN PEMBELIAN RUMAH (TTPR)

Kementerian Perumahan Dan Kerajaan Tempatan
Aras 3-4,
No. 51, Persiaran Perdana,
Presint 4,
62100 Putrajaya.
Tel : 03-8891 4723
Fax : 03-8891 3087

COMMUNICATIONS AND MULTIMEDIA

SURUHANJAYA KOMUNIKASI DAN MULTIMEDIA MALAYSIA (SKMM)

63000 Cyberjaya
Selangor
Tel : 03-8688 8000
Fax : 03-8688 1000

FUTURE SERVICES

TRIBUNAL TUNTUTAN PENGGUNA MALAYSIA, KEMENTERIAN PERDAGANGAN DALAM NEGERI, KOPERASI DAN KEPENGGUNAAN (TTPM)

Aras 5, Podium 2,
No. 13, Persiaran Perdana,
Presint 2,
Pusat Pentadbiran Kerajaan Persekutuan,
62623 Putrajaya.
Talian Bebas Tol : 1-800-88-9811
Tel : 03-8882 5822
Fax : 03-8882 5831

QUALITY OF PRODUCTS AND SERVICES

TRIBUNAL TUNTUTAN PENGGUNA MALAYSIA, KEMENTERIAN PERDAGANGAN DALAM NEGERI, KOPERASI DAN KEPENGGUNAAN (TTPM)

Aras 5, Podium 2,
No. 13, Persiaran Perdana,
Presint 2,
Pusat Pentadbiran Kerajaan Persekutuan,
62623 Putrajaya.
Talian Bebas : 1-800-88-9811
Tel : 03-8882 5822
Fax : 03-8882 5831

PUBLIC TRANSPORT

SURUHANJAYA PENGANGKUTAN AWAM DARAT (SPAD)

Level 19, 1 Sentral,
Jalan Travers,
Kuala Lumpur Sentral,
50470, Kuala Lumpur, Malaysia.
Tel : 03 - 2268 5782
Fax : 03 - 2272 3744

FINANCIAL INSTITUTIONS

JABATAN KONSUMER DAN AMALAN PASARAN

Bank Negara Malaysia
Tel : 03-2698 8044
Fax : 03-2691 2990

BIRO PENGANTARAAN KEWANGAN

Aras 25
Dataran Kewangan Darul Takaful
No. 4, Jalan Sultan Sulaiman
50000 Kuala Lumpur.
Tel : 03- 2272 2811
Fax : 03-2274 5752

Agensi Kaunseling Dan Pengurusan Kredit (AKPK)

Level 8, Maju Junction Mall
1001 Jalan Sultan Ismail
50250 Kuala Lumpur
Talian Bebas Tol: 1-800-88-2575
Tel : 603 2616 7766
Fax : 603 2616 7601

HOSPITALITY

TRIBUNAL TUNTUTAN PENGGUNA MALAYSIA, KEMENTERIAN PERDAGANGAN DALAM NEGERI, KOPERASI DAN KEPENGGUNAAN (TTPM)

Aras 5, Podium 2,
No. 13, Persiaran Perdana,
Presint 2,
Pusat Pentadbiran Kerajaan Persekutuan,
62623 Putrajaya.
Talian Bebas : 1-800-88-9811
Tel : 03-8882 5822
Fax : 03-8882 5831

BAHAGIAN PELESENAN KEMENTERIAN PELANCONGAN MALAYSIA

Tingkat 6, 21-23,
32-26, Menara Dato Onn
Pusat Dagangan Dunia Putra (PWTC)
45, Jalan Tun Ismail
50695 Kuala Lumpur
Tel : 03-2693 7111
Fax : 03-2694 1146

GOVERNMENT AGENCIES AND SERVICES

BIRO PENGADUAN AWAM (BPA)

JABATAN PERDANA MENTERI

Aras 6, Blok B1,
Pusat Pentadbiran Kerajaan Persekutuan,
62502 Putrajaya
Tel : 03-8872 5777
Fax : 03-8888 7778 / 3748

HIRE PURCHASE

**TRIBUNAL TUNTUTAN
PENGGUNA MALAYSIA,
KEMENTERIAN
PERDAGANGAN DALAM
NEGERI, KOPERASI DAN
KEPENGUNAAN (TTPM)**
Aras 5, Podium 2,
No. 13, Persiaran Perdana,
Presint 2, Pusat Pentadbiran
Kerajaan Persekutuan,
62623 Putrajaya.
Talian Bebas : 1-800-88-9811
Tel : 03-8882 5822
Fax : 03-8882 5831

MANAGEMENT CORPORATION

**PESURUHJAYA BANGUNAN
(COB)
JABATAN PERUMAHAN
NEGARA
KEMENTERIAN PERUMAHAN
DAN KERAJAAN TEMPATAN
(KPKT)**
Aras 30 - 38, No. 51, Persiaran
Perdana, Presint 4,
62100, Putrajaya, Malaysia.
Tel : 03-8891 5000
Fax : 03-8891 4088

INSURANCE

**JABATAN KONSUMER DAN
AMALAN PASARAN**
Bank Negara Malaysia
Tel : 03-2698 8044
Fax : 03-2691 2990

BIRO PENGANTARAAN KEWANGAN

Aras 25
Dataran Kewangan Darul Takaful
No. 4, Jalan Sultan Sulaiman
50000 Kuala Lumpur.
Tel : 03- 2272 2811
Fax : 03-2274 5752

PENGARAH PERSATUAN INSURANS AM MALAYSIA (PIAM)

Tingkat 3, Wisma PIAM
150, Jalan Tun Sambanthan
50470 Kuala Lumpur
Tel : 03-2274 7395
Fax : 03-2274 5910

PENGARAH PERSATUAN INSURANS HAYAT MALAYSIA (LIAM)

No. 4, Lorong Medan Tuanku
Satu, Medan Tuanku
50300 Kuala Lumpur
Tel : 03-2691 6167 /
: 03-2691 6628 / 8068
Fax : 03-2691 7978

AUTOMOBILE

**TRIBUNAL TUNTUTAN
PENGGUNA MALAYSIA,
KEMENTERIAN
PERDAGANGAN DALAM
NEGERI, KOPERASI DAN
KEPENGUNAAN (TTPM)**
Aras 5, Podium 2,
No. 13, Persiaran Perdana,
Presint 2,
Pusat Pentadbiran Kerajaan
Persekutuan,
62623 Putrajaya.
Talian Bebas : 1-800-88-9811
Tel : 03-8882 5822
Fax : 03-8882 5831

JABATAN PENGANGKUTAN JALAN MALAYSIA (JPJ)

Aras 1-5, Blok D4, Parcel D
Pusat Pentadbiran Kerajaan
Persekutuan
62620 Putrajaya
Tel : 03-8886 6400
Fax : 03-8888 9645

RETAIL TRADE

**TRIBUNAL TUNTUTAN
PENGGUNA MALAYSIA,
KEMENTERIAN
PERDAGANGAN DALAM
NEGERI, KOPERASI DAN
KEPENGUNAAN (TTPM)**
Aras 5, Podium 2,
No. 13, Persiaran Perdana,
Presint 2,
Pusat Pentadbiran Kerajaan
Persekutuan,
62623 Putrajaya.
Talian Bebas : 1-800-88-9811
Tel : 03-8882 5822
Fax : 03-8882 5831

ELECTRICITY AND ENERGY SUPPLY

SURUHANJAYA TENAGA (ST)
No. 12, Jalan Tun Hussein
Presint 2
62100, Putrajaya.
Talian Bebas Tol : 1-800-2222-78
Tel : 03-8870 8500
Faks : 03-8888 8637

JOB RECRUITMENT AGENCY

**TRIBUNAL TUNTUTAN
PENGGUNA MALAYSIA,
KEMENTERIAN
PERDAGANGAN DALAM
NEGERI, KOPERASI DAN
KEPENGUNAAN (TTPM)**
Aras 5, Podium 2,
No. 13, Persiaran Perdana,
Presint 2,
Pusat Pentadbiran Kerajaan
Persekutuan,
62623 Putrajaya.
Talian Bebas : 1-800-88-9811
Tel : 03-8882 5822
Fax : 03-8882 5831

CHEAP SALES

**TRIBUNAL TUNTUTAN
PENGGUNA MALAYSIA,
KEMENTERIAN
PERDAGANGAN DALAM
NEGERI, KOPERASI DAN
KEPENGUNAAN (TTPM)**
Aras 5, Podium 2,
No. 13, Persiaran Perdana,
Presint 2,
Pusat Pentadbiran Kerajaan
Persekutuan,
62623 Putrajaya.
Talian Bebas : 1-800-88-9811
Tel : 03-8882 5822
Fax : 03-8882 5831

MAID AGENCY

**TRIBUNAL TUNTUTAN
PENGGUNA MALAYSIA,
KEMENTERIAN
PERDAGANGAN DALAM
NEGERI, KOPERASI DAN
KEPENGUNAAN (TTPM)**
Aras 5, Podium 2,
No. 13, Persiaran Perdana,
Presint 2,
Pusat Pentadbiran Kerajaan
Persekutuan,
62623 Putrajaya.
Talian Bebas : 1-800-88-9811
Tel : 03-8882 5822
Fax : 03-8882 5831

**BAHAGIAN PENGUATKUASA
JABATAN TENAGA KERJA
SEMENANJUNG MALAYSIA**
Aras 5, Blok D3, Parcel E
Pusat Pentadbiran Kerajaan
Persekutuan
62530 Putrajaya
Tel : 03-8886 5000

LEGAL SERVICES

BADAN PEGUAM MALAYSIA
No. 13, 15 & 17
Leboh Pasar Besar
50050 Kuala Lumpur
Tel : 03-20502050
Fax : 03-20261313

**LEMBAGA TATATERTIB
PEGUAM-PEGUAM**
8th & 9th Floor, Wisma Maran
28 Medan Pasar,
50050 Kuala Lumpur,
Malaysia.
Tel : (603) 2034 1911
Fax : (603) 2031 2163

WATER SERVICES

**SURUHANJAYA
PERKHIDMATAN AIR NEGARA
(SPAN)**
Bahagian Hal Ehwal Pengguna,
Pemantauan & Penguatkuasaan
Aras Bawah dan Satu
Prima Avenue, Block 3510
Jalan Teknokrat 6
63000 Cyberjaya.
Tel : 03-8317 9333/334/335
Fax : 03-8317 9336/339

PAWN BROKING

**BAHAGIAN PEMBERI PINJAM
WANG DAN PEMEGANG
PAJAK GADAI**
Kementerian Perumahan Dan
Kerajaan Tempatan
Aras 22, No. 51, Persiaran
Perdana, Presint 4,
62100 Putrajaya
Tel : 03-8891 4652
Fax : 03-8891 3186

FOOD

**PENGARAH
BAHAGIAN KESELAMATAN &
KUALITI MAKANAN
KEMENTERIAN KESIHATAN
MALAYSIA**
Aras 3, Blok E7, Parcel E
Pusat Pentadbiran Kerajaan
Persekutuan
62590 Putrajaya
Tel : 03-8883 3888
Fax : 03-8889 3815

HEALTHCARE SERVICES

**PENGARAH
BAHAGIAN AMALAN
PERUBATAN
KEMENTERIAN KESIHATAN
MALAYSIA**
Aras 2, 3, 4 & 7, Blok E1,
Kompleks E
Pusat Pentadbiran Kerajaan
Persekutuan
62590 Putrajaya
Tel : 03-8883 1039
Fax : 03-8883 1040

MAJLIS PERUBATAN MALAYSIA

Level 2, Block E1, Parcel E,
Presint 1
Pusat Pentadbiran Kerajaan
Persekutuan
62590 Putrajaya
Tel : 03-8883 1400
Fax : 03-8883 1406

NATIONAL PHARMACEUTICAL CONTROL BUREAU (NPCB)

BIRO PENGAWALAN
FARMASEUTIKAL
KEBANGSAAN
Jalan Universiti
Peti Surat 319
46730 Petaling Jaya.
Tel : 03-7883 5400
Fax : 03-7956 2924

**PENGARAH
MAJLIS PERGIGIAN MALAYSIA
KEMENTERIAN KESIHATAN**
Aras 5, Blok E10, Komplek E
Pusat Pentadbiran Kerajaan
Persekutuan
62590 Putrajaya
Tel : 03-8883 4216

EDUCATION

**BAHAGIAN
PENGUATKUASAAN DAN
INSPEKTORAT
SEKTOR PENGURUSAN IPTS**
Jabatan Pengajian Tinggi,
Kementerian Pengajian Tinggi
Malaysia
No. 2, Menara 2
Jalan P5/6, Presint 5
62200 Putrajaya
Malaysia
Tel : 03-8870 6000
Faks : 03-8870 6834

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**PUSAT KHIDMAT ADUAN PENGGUNA NASIONAL
NATIONAL CONSUMER COMPLAINTS CENTRE**

[833117P]

No. 1D, Bangunan SKPPK, Jalan SS 9A/17, Sungei Way
47300 Petaling Jaya, Selangor Darul Ehsan, Malaysia
Tel: +603-7877 9000, 7874 8096 Fax: +603-7874 8097
E-mail: myAduan@nccc.org.my
www.nccc.org.my

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