

22/11/1998

Need to strengthen and add new consumer protection laws

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PROTECTING consumer rights has been an issue in this country ever since the first local consumer organisation was founded in 1964.

The Government, for one, has always been aware of the advantages of harnessing consumerism's collective might.

Just recently, while launching the World Consumer Day 1998 celebrations at Pusat Islam, Prime Minister Datuk Seri Dr Mahathir Mohamad reiterated his call to Malaysians to spend wisely and buy local products during this period of economic hardship.

According to the Federation of Malaysian Consumers Associations' president Hamdan Adnan, such calls to buy local products were made by consumer associations since consumerism was actively promoted in Malaysia more than 30 years ago.

"This has been done by Fomca since our formation (in 1973)," he said, adding that consumer groups have also in the past called on local manufacturers to improve quality.

Yet, promoting the buying of local products is only one of many open-ended issues that make up the "struggle" of the consumer association in this country.

For years, consumer associations have tried to fight for consumers to be better protected from defective products and shoddy services that not only take advantage of them, but also threaten their livelihood and safety.

Over the past three decades, consumer groups such as Fomca and the Consumers Association of Penang have taken the lead in promoting and pushing for the protection of consumer rights through legislation and stricter enforcement of laws.

It has not been an easy task. Many efforts have either been thwarted by the slow implementation of consumer protection legislation or government policies which seemed to favour the business sector.

Several milestones in consumer protection have taken years to achieve. The Direct Selling Act 1993 for example, was enforced only after 12 years' of lobbying by Fomca.

Another achievement is the law on price tagging under the Price Control Act which came into existence only after 15 years' of continuous pressure on the Government.

Hamdan said better coverage by the media on consumer affairs has also provided a channel for the public to voice their complaints.

"In a recent study, we found that what consumers want most during the present economic situation is more information on products and services," he said, adding that the efforts by newspapers like the New Straits Times with its Wise Spending survey was very much welcomed.

Hamdan said Malaysia was among the most active countries in the world in terms of consumer education in schools, as about 70 per cent of the schools in the country have consumer clubs. But while having consumer clubs in most schools has further contributed to the increased consumer awareness among youths, clubs alone are not sufficient as they do not help them become wiser consumers.

Consumer education needs to be integrated in the school curriculum by having more elements of consumerism in various subjects such as in Mathematics and Physics.

While consumerism in Malaysia has come a long way with numerous achievements, there is still a long way to go.

The country has over 30 pieces of legislation related to consumer protection - among the most in the world - yet remains behind other countries in terms of the quality of legislation and consumer knowledge of the law.

Hamdan said most of the consumer protection laws contain loopholes which are being exploited by manufacturers.

"We need to strengthen these laws and add new ones. For example, there is already the Housing Developers Act which safeguards the interest of developers, but there is no equivalent act to protect housebuyers."

Also, he said the country still does not have sufficient product liability laws.

But what the consumer groups are strongly pushing for is the Consumer Protection Act which would give a better avenue for consumers to channel their complaints.

The Act has been presented to the Cabinet but has yet to be tabled in Parliament.

Hamdan said the fight for consumer rights was now a global matter rather than a localised one, and increased networking among the various consumer groups would be important.

"This means in the future we may see some kind of a consumer Interpol, with information on defective products in one country being shared with others around the world."

But it is the consumers themselves who have to assert and exercise their rights.

"It's already bad if a consumer has to suffer because of a defective product, but it is even more regrettable if the consumer does not complain and allows others to be exploited and suffer as well," said Hamdan.

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