MINISTRY OF DOMESTIC TRADE, CO-OPERATIVES & CONSUMERISM (MDTCC)

REGULATORY FRAMEWORK & GOVERNANCE ON E-COMMERCE
SCOPE

- BUSINESS ONLINE TO REGISTER
- LAWS RELATED TO E-COMMERCE UNDER MDTCC
- CONSUMER PROTECTION (ELECTRONIC TRADE TRANSACTIONS) REGULATIONS 2012
- RESPONSIBILITY OF ONLINE MARKETPLACE OPERATOR
- OTHER RELATED LAWS
- STATISTIC: NUMBER OF COMPLAINTS & NATURE OF COMPLAINTS
- INVESTIGATION PROCEDURES
- INTER-AGENCIES COLLABORATION
- ONLINE MONITORING
LAWS RELATED TO E-COMMERCE UNDER MDTCC

Electronic Commerce Act 2006
- Provides a legal recognition of electronic messages in commercial transactions.
- Enable and facilitate commercial transactions through the use of electronic means.

Consumer Protection Act 1999
- Amended in 2007 to provide protection to consumers who are involved in electronic transactions.
- Monetary claims for the amount below RM25,000 can be filed at the Tribunal for Consumer Complaints Malaysia.

Consumer Protection (Electronic Trade Transactions) Regulations 2012
- Prescribe the important information that must be displayed on the website by the online sellers.
CONSUMER PROTECTION (ELECTRONIC TRADE TRANSACTIONS) REGULATIONS 2012

Disclosure of information on the website / profile:

- Name of the person / business / company
- Registration number of the business / company
- E-mail and telephone number / address
- A description of the main characteristics of the goods / services
- The full price including transportation costs, taxes and any other costs.
- The method of payment
- The terms of conditions
- The estimated time of delivery

Any person who contravenes this regulation commits an offence.
RESPONSIBILITY OF ONLINE MARKETPLACE OPERATOR

INTERPRETATION
Online Marketplace Operator
- A person who provides an online marketplace.
- i.e: Mudah.my, Lazada, Zalora, Rakuten etc.

KEEP AND MAINTAIN RECORDS OF ITS ONLINE SELLERS EVERY 2 YEARS

Name
Telephone Number
Address

Any online marketplace operator who contravenes this regulation commits an offence.
PENALTY

Any person who is convicted
- Fined not more than RM50,000 or;
- Imprisonment for a term not exceeding 3 years, or both.

Any body corporate which is convicted
- Fined not more than RM100,000
Online business must be registered with Companies Commission of Malaysia (SSM)
OTHER RELATED LAWS

**Trade Description Act 2011**
- Counterfeit goods
- Cheap sales notice –njm.kpdnkk.gov.my
- Misleading advertisements

**Price Control & Anti-Profiteering Act 2011**
- Price display
- Labelling by Producers/ Importers / Manufacturers / Distributors / Wholesalers

**Weights & Measures Act 1972**
- S.I Unit
- Unjust weights and measures
TYPES OF COMPLAINTS RECEIVED

- Pricing: 6%
- Internet Transaction: 9%
- Anti Profiteering: 6%
- Service: 5%
- No Price Tag: 5%
- Direct Selling: 5%
- Workshop: 4%
- Hire Purchase: 4%
- Misleading Ads: 3%
- Others: 12%
NUMBER OF COMPLAINTS RECEIVED

Complaints relating to Internet Transaction

- 2013: 700
- 2014: 1215
- 2015: 532
- 2016: 687

*Until May 2016
NATURE OF COMPLAINTS RECEIVED

- Goods ordered not delivered
- Different goods supplied
- Fake goods
- Inferior quality goods
INVESTIGATION PROCEDURES

- COMPLAINTS
- PROSECUTION
- INSPECTION
- INVESTIGATION
INTER-AGENCIES COLLABORATION

- **Royal Malaysia Police (PDRM)**
  - Joint operation
  - General intelligence information

- **Cybersecurity Malaysia**
  - Cyber intelligence information
  - Digital forensic

- **SKMM**
  - IP Address Information / Telecommunication
  - Access block

- **Companies Commission of Malaysia (SSM)**

- **National Registration Department (JPN)**

- **Telco/ISP**
  - IP Address
  - Line
ONLINE MONITORING

- E-mail Forensik
  - Gmail
  - Hotmail

- WEB Search / IP base
  - Central Ops.net
  - DomainTools
  - WHOis.net
  - mudah.my

- Social Network
  - Facebook
  - Twitter
  - Blog
  - YouTube
  - Instagram
  - WhatsApp
  - WeChat
THANK YOU

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