

**The Consumer Protection Law**  
**(The Pyidaungsu Hluttaw Law No. 9, 2019)**  
**(The 10th Waxing Day of Taboung, 1380 M.E)**  
**(15<sup>th</sup> March, 2019)**

The Pyidaungsu Hluttaw hereby enacts this Law:

**Chapter I**

**Title, Enforcement and Definition**

1. (a) This law shall be called the **Consumer Protection Law**.
- (b) The provisions contained in Chapter VXIII of this Law shall come into force commencing from the date of completion of one year after the promulgation of this Law. The provisions contained in the remaining Chapters shall come into force from the date of promulgation of this Law.
2. The following expressions contained in this Law shall have the meanings given below:
  - (a) **Consumer protection** means the protection of the rights and interests of the consumers in respect of goods or services, and the fair procedures between a consumer and an entrepreneur specified by the Commission and levels of Committees;
  - (b) **Consumer** means a person who purchases, uses, obtains, rents or receives the goods or services not for trading or vocation but for the purpose for personal consumption, or another person;
  - (c) **Entrepreneur** means an individual person or an organization conducting production, distribution, storage, transportation, sale,

processing, exportation, importation, resale of goods, or supply of goods, or providing services or advertisement;

- (d) **Goods** means objects that are purchased, used or consumed aiming at a consumer or other person. In this expression, the financial negotiable instruments, stocks and shares, debentures and money, etc. are also included;
- (e) **Service** means an act which fulfills the need of a consumer in the form of work or performance with or without consideration;
- (f) **Trade** means an act which determines the value of goods or services aiming to obtain the profit;
- (g) **Fraud** means an act with the intention of misleading the consumer related to goods or services through the wrong statement, false advertisement or dishonestly;
- (h) **Deception** means an act that misleads a consumer about the natural quality, production or quantity related to goods or service;
- (i) **Advertisement** means an act aiming to know a consumer related to goods or services by means of writing, oral, expression, sound or other way;
- (j) **Sale promotion** means an act made by means of one or more methods in order to increase the knowledge and use of consumer related to goods or service;
- (k) **Damage** means a detrimental act of physical or mental condition, dignity, reputation or any possession of the consumer related to goods or services;
- (l) **Labeling** means an information or a mark related to goods expressed by means of writing, printing, illustration or any other method on the goods or packaging of goods;

- (m) **Hazardous goods or services** means any goods or service specified by the relevant government departments and organizations as unsafe things for consumption or use;
- (n) **Government** means the Union Government of the Republic of the Union of Myanmar.
- (n) **Commission** means the Myanmar Consumer Protection Commission formed by the Government under this Law.
- (o) **Ministry** means the Ministry of Commerce of the Union Government.
- (p) **Department** means the Department of Consumer Affairs of the Ministry of Commerce.
- (q) **Office** means the offices of the Department formed in the Union Territory, Regions or States;
- (r) **Committee** means the Consumer Affairs Committee formed by the Commission under section 17 of this Law;
- (s) **Inspector** means a person who is assigned as an inspector by the Department of Consumer Affairs under this Law.
- (t) **Consumer Protection Association** means an association formed in accordance with the existing law solely to perform the consumer protection activities.

## **Chapter II**

### **Objectives**

3. The objectives of this law are as follows:
  - (a) to ensure the fulfillment of the consumer's rights;
  - (b) to raise comprehensive awareness on consumer protection;
  - (c) to disseminate accurate, correct and clear information on consumer protection;

- (d) to fulfill the high quality goods or services that guarantee on safety, health and the satisfaction of the consumers;
- (e) to be followed by the entrepreneur on consumer protection in accordance with the law;
- (f) to prevent the consumers from hazardous goods or services and any damage from consumption of it;
- (g) to manage and regulate the establishment of consumer protection association and to cooperate with each other in order to strengthen such association;
- (h) To take action rapidly on hazardous goods or services to the consumer.

### **Chapter III**

#### **Formation of the Commission**

**4. The Government:**

- (a) shall form the Myanmar Consumer Protection Commission comprising the Union Minister of the Ministry as a Chairman, persons assigned by the head of the Union level government departments and organizations as members, consumer protection experts and representatives from consumer protection associations as members and the Director General of the Department as a Secretary in order to perform the consumer protection activities;
- (b) shall form the Commission established under sub-section (a) with no more than 29 members and in an odd numbers;
- (c) may re-form the Commission established under sub-section (a) as may be necessary.

5. The Chairman of the Commission may assign the duty to the Vice-Chairman and the Joint Secretary out of the Commission members formed under section 4.
6. The Commission members who are not civil service personnel are entitled to allowances and emolument allowed by the Ministry with the approval of the Government.
7. The Secretary of the Commission is responsible for carrying out the administration matters of the Commission.
8. The Chairman of the Commission shall, with the approval of the Government, permit the resignation of Commission members who are not civil service personnel if they wish to resign.
9. When any of the following matter is arisen, any Commission member shall be automatically terminated:
  - (a) Decease;
  - (b) resignation on his own volition;
  - (c) health deficiency that results in the inability of serving the duty according to the examination of the doctor or medical board prescribed by the Ministry of Health and Sports;
  - (d) being convicted for any offence related to moral.
10. The Chairman of the Commission may, with the approval of the Government, appoint new member in accordance with the provisions of this Law and rules if the position of the Commission member is vacant due to resignation, dismissal, decease or any other reason.
11. The Chairman of the Commission may dismiss any Commission member who is not civil service personnel with the approval of the Government if it is found that such member carries out the duty against the law.

## Chapter IV

### Powers, Function and Duties of the Commission

12. The powers, functions and duties of the Commission are as follows:
  - (a) reporting annually the consumer protection activities to the Government;
  - (b) implementing to achieve the objectives of this Law;
  - (c) advising the consumer protection affairs to the Government;
  - (d) drawing up the policies and laying down the plans of consumer protection;
  - (e) submitting its plans and activities to the Government if the extraordinary circumstances and processes arise;
  - (f) determining the priority sectors for the safety of goods to be used or consumed by consumers;
  - (g) assigning the Department to test the goods related to the consumer protection in the relevant government departments laboratories and international recognized laboratories;
  - (h) forming the Region or State Consumer Affairs Committee, Union Territory Consumer Affairs Committee, and forming the Self-Administered Division or Self-Administered Zone Consumer Affairs Committees and District Consumer Affairs Committees as may be necessary and specifying the functions and duties of those Committees;
  - (i) deciding on the extraordinary circumstances, processes and imposing fines submitted by the Department or Committee;
  - (j) deciding for the appeal on the administrative order passed by the Committee within the specified period;

- (k) forming the Consumer Protection Working Committee in accordance with the necessity, and specifying its functions and duties;
- (l) holding the emergency meetings, as may be necessary, if there is any enormous danger or any damage to consumers.

## **Chapter V**

### **Powers, Functions and Duties of the Department**

13. (a) The powers, functions and duties of the Department are as follows:
- (i) implementing the rights of consumer;
  - (ii) educating the consumer protection activities and disseminating information about it;
  - (iii) researching the consumer protection activities and analyzing the result of such research for the interest of consumers;
  - (iv) assigning the person whose rank is not lower than a deputy staff officer as an inspector in order to investigate the complaints or monitor hazardous goods or services, and disappear them from the market;
  - (v) communicating with the international organizations and regional organizations related to the consumer protection activities;
  - (vi) assigning the inspector for inspecting any places that need to be inspected, and collecting facts, taking samples and information for the safety of goods and services;
  - (vii) performing to prevent and expose timely the extraordinary circumstances that are likely to cause enormous danger or damage to consumers;
  - (viii) administering the establishment of Consumer Protection Associations;

- (ix) undertaking the office work of the Commission, and performing the duties assigned by the Commission from time to time.
- (b) The Department shall delegate duties to the Office to perform the followings:
  - (i) to administer the matters related to the consumer protection submitted by the inspector, and coordinate with the relevant government departments and government organizations if necessary;
  - (ii) to take legal action related to goods replied as the hazardous goods by the relevant government departments and government organizations;
  - (iii) to mediate consumer's damage, and to submit the mediation to the Department and Committee;
  - (iv) to pass one or more administrative orders mentioned in section 52 if it is found that the entrepreneur fails to comply with the provisions contained in section 21, 24, 25 and 27 and submit the order to the Department and Committee;
  - (v) to submit the findings to the Commission in order to take legal action if it is found that the entrepreneur fail to comply with any provision of this Law except the provision mentioned in sections 21, 24, 25 and 27;
  - (vi) to perform the duties assigned by the Department from time to time;

## Chapter VI

### Functions and Duties of the Inspector

14. The inspector is responsible for investigating the complaints or monitoring the goods or services that are suspected to be hazardous and conducting inspection on them in order to disappear from the market.
15. The functions and duties of the inspector are as follows:
  - (a) monitoring the domestic or imported goods before or after they are available in the market whether they are hazardous;
  - (b) monitoring whether the facts to be expressed in labeling;
  - (c) monitoring whether the goods or services are suitable for consumption or use, and whether they are hazardous;
  - (d) inspecting whether the information of finding the suspected hazardous goods or services are valid;
  - (e) monitoring whether action taken by the relevant Office and Committee are complied with;
  - (f) monitoring and prohibition contained in this Law not to be violated;
  - (g) submitting the findings of the investigation to the relevant Office;
  - (h) investigating the complaints about the goods or services, and submitting the findings such investigation to the relevant Office;
  - (i) submitting the report on the goods that are considered as hazardous goods to the relevant Office in order to send them to the relevant government's laboratories and international recognized laboratories to be tested whether there is deviation from standardization;
  - (j) submitting the report on the goods or services that are considered as hazardous goods or service to the relevant Office not to be distributed or operated continually within the investigation period;

- (k) performing the functions and duties assigned by the Department or the relevant Office from time to time.
16. The inspector may obtain the help of the Myanmar Police Force, if necessary, in performing his functions and duties.

## **Chapter VII**

### **Formation of the Consumer Affairs Committee**

17. (a) The Commission shall form the following Consumer Affairs Committees with appropriate persons in order to perform consumer protection affairs, to settle the disputes between consumers and entrepreneurs, and make the decision on them:
- (i) the Region or State Consumer Affairs Committee;
  - (ii) the Union Territory Consumer Affairs Committee.
- (b) In forming the Consumer Affairs Committees under sub-section (a), five to nine members in odd numbers comprising the chairman and secretary of the Committee shall be appointed.

## **Chapter VIII**

### **Powers, Function and Duties of the Consumer Affairs Committee**

18. The powers, functions and duties of the Committee are as follows:
- (a) cooperating with the relevant government departments and government organizations to perform consumer protection activities;
  - (b) obtaining advice from the relevant government departments and government organizations in order to consumer protection affairs and to settle the consumer disputes;

- (c) forming an inspection team to investigate the goods or services whether they are likely to cause enormous damage or hazard on the consumer protection;
- (d) making decision on the submission of the inspection team formed under sub-section (c);
- (e) passing one or more administrative orders mentioned in section 53 if it is found that the entrepreneur fails to comply with any provisions of this Law except the provisions contained in sections 21, 24, 25 and 27, and the prohibition contained in Chapter XXIII;
- (f) making decision on the appeal case against the administrative order passed by the relevant Office under section 52;
- (g) submitting the activities of the Committee to the Commission;
- (h) performing the duties assigned by the Commission from time to time.

## Chapter IX

### Rights and Duties of the Consumer

19. The rights of the consumer are as follows:
- (a) obtaining the satisfaction on the basic needs related to goods or service;
  - (b) having the right to use goods or service safely;
  - (c) having the right to know information correctly and completely, and obtain the receipt or document in buying and using the goods or services;
  - (d) having the right to choose and buy the goods or services in the market satisfactorily;
  - (e) having the right to explain and complaint in the matters related to consumer damages;

- (f) having the right to remedy for damage arising from the purchase and consumption of goods or services;
  - (g) having the right to study the knowledge, rights and required information in respect of goods or service;
  - (h) having the right to live in the decent living standard and environment not only in the present but also for future generations;
20. The duties of the consumer are as follows:
- (a) complying with the information and guidelines regarding goods and services;
  - (b) paying the agreed price in purchasing the goods or service;
  - (c) avoiding the false accusation and act intended to the detriment of entrepreneurs;
  - (d) avoiding the false statement in the form of saying, writing and acting in order to cause the detriment of relevant entrepreneurs by means of the social media or by other means while settling the consumer dispute.

## **Chapter X**

### **Duties of the Entrepreneur**

21. The duties of the entrepreneur are as follows:
- (a) providing the simple and correct information regarding the guarantee and requirements of goods or services;
  - (b) treating consumers honestly and properly without discrimination;
  - (c) acting the business honestly and properly in accordance with the business ethics and regulations;

- (d) guaranteeing goods or services for trading or manufacturing based on the quality and standardization stipulated by the relevant government departments and government organizations;
- (e) providing the opportunity to test on goods for consumers which is required to test quality before purchase;
- (f) expressing the additional cost of goods or service to be known by the consumer before purchase;
- (g) avoiding the direct or indirect selling goods or services that are likely to cause damage or loss to consumer;
- (h) taking responsibility for goods or services that are inconsistent with the guarantee;
- (i) avoiding threatening, false statement in the form of saying, writing and acting in order to the detriment of consumers by means of the social media or by other means while settling the consumer dispute;
- (j) notifying timely to the Department and consumer by means of the social media or by other means if he knows the hazard of the produced goods or services by himself or by any other way;
- (k) complying with the settlement and decision made by the relevant Committee if the disputes related to goods or services arise.

## **Chapter XI**

### **Guarantee of Goods**

- 22. The entrepreneur shall inform the facts about the potential changes in the nature of the selling goods that are normally invisible to the consumer by stating explicitly them.
- 23. The entrepreneur shall cause to include the following facts in the guarantee of goods:

- (a) having the quality that can be accepted and used by the consumer;
- (b) correcting the quality, measure and weight of the goods;
- (c) safety;
- (d) suitability for the needs of consumers;
- (e) the same goods as the sample represented;
- (f) availability of spare parts, repair or replacement during the period or the period that can be used;
- (g) conforming with the information on labeling and the description in advertisement, offering or promotion.

## Chapter XII

### Consumer's Entitlement to Guaranteed Goods

24. The consumer has the right to claim any of the following facts if the entrepreneur does not produce the high quality of goods or does not provide complete information of goods within the guaranteed period to the consumer or the usable period under section 23:
- (a) to repair and replace the goods as guaranteed; or
  - (b) to refund the goods price to recover the same goods that are purchased or the same goods whose qualities are not lower than the original ones from the producers unless spare parts are available; or
  - (c) to substitute the goods that are similar to the value of such goods in case of the damages of goods caused by the fault of entrepreneur; or
  - (d) to claim the right for compensation in case of damage arising from the failure to provide product information.
25. The consumer has the right to claim the following rights in respect of the goods guaranteed and sold to the consumer by the entrepreneur under section 23:

- (a) to receive the goods that is in compliance with the guarantee;
- (b) to claim for refund, repair or replacement from the seller;
- (c) to obtain compensation if the guarantee is not met.

### **Chapter XIII**

#### **Guarantee of Service**

26. The following facts shall be included in the guarantees in respect of providing services to the customer by the entrepreneur:
- (a) informing the facts about its services to the consumers in advance;
  - (b) providing the correct information and perfect service standards completely;
  - (c) conforming with the need of consumers;
  - (d) performing completely within the guaranteed period;
  - (e) paying service fees agreed with the customer.

### **Chapter XIV**

#### **Consumer's Entitlement to Guaranteed Services**

27. The consumer has the right to claim the following rights if the entrepreneur cannot provide the service or fails to provide the service during the guaranteed period to the consumer under section 26:
- (a) to pay compensation for the damage caused by the failure of providing services;
  - (b) to remedy for the damage of the consumers if they do not receive the service agreed within the guaranteed period.

## **Chapter XV**

### **Safety of Goods or Services**

28. The Department shall set the priority sectors in accordance with the approval of the Commission for the safety of goods or services that will be used by the consumers and cooperate with the relevant government departments and government organizations.
29. The Department shall carry out the following matters in respect of the safety of goods or services:
  - (a) taking necessary measures for the safety of goods or services;
  - (b) cooperating with the Consumer Protection Association for the safety of goods or services if necessary;
  - (c) carrying out the safety of production of goods that will be consumed by the consumers;
  - (d) issuing orders and directives for the safety of goods or services;
  - (e) informing the public about the information of any hazardous goods or services reported by the inspector;
  - (f) supervising the goods that will be consumed by the consumers in accordance with the prescribed Myanmar standards under any existing law according to the priority classification of goods;
  - (g) supervising the non-standard goods that will be consumed by the consumers in accordance with the minimum standards coordinated with the relevant government departments.

## **Chapter XVI**

### **Recalling the Hazardous Goods from the Market or Prohibiting the Distribution of it and Prohibiting the Hazardous Service**

30. The Department shall:

- (a) perform to recall the hazardous goods from the market or to prohibit the distribution of it and to prohibit the hazardous service;
  - (b) coordinate with the relevant government department in doing so if necessary.
31. The Department shall recall the hazardous goods from the market or prohibit the distribution of it and prohibit the hazardous services in any of the following conditions:
- (a) the case that it is the hazardous goods submitted by the Office according to the observation of the inspector and the finding of the relevant government departments;
  - (b) the case that it is hazardous informed by the relevant Committee in respect of the hazardous goods or service reported by the Consumer Protection Working Committee.
32. If any entrepreneur who desire to recall the hazardous voluntarily, he shall report the recall and plan to recall of it to the relevant Office at the same time.
33. The Department shall issue the procedures in respect of recalling the hazardous goods or services from the market or prohibiting the distribution of them.
34. The Department shall issue the correct information to the consumers about taking action in respect of recalling the hazardous goods or services or prohibiting the distributing of them from the market.

## **Chapter XVII**

### **Liability for Goods or Services**

35. The following persons are responsible for arising the damage of consumers due to the consumption of goods or service:

- (a) a seller goods or the entrepreneur who provides services;
  - (b) a manufacturer of goods;
  - (c) the person authorized to use the name of the person, a trademark or a distinct mark on goods;
  - (d) a redistributor who imports goods to the domestic consumers;
  - (e) the redistributor of goods;
  - (f) the person who operates services for the domestic consumers at either Myanmar or foreign country.
36. If the consumer faces damage for the purchase and consumption of goods or services in the guaranteed period, the following persons are responsible for it:
- (a) a seller of goods or the entrepreneur who provides services;
  - (b) a manufacturer of goods;
  - (c) the person authorized to use the name of a person, a trademark, or a distinct marks on goods;
  - (d) a redistributor who imports goods to the domestic consumers;
  - (e) the redistributor of goods;
  - (f) the person who operates services for the domestic consumers at either Myanmar or foreign country.
37. In any entrepreneur transacts the goods or services to any other entrepreneur, the entrepreneur who transact shall, when any of the following conditions arise, settle the damage in respect of goods or services:
- (a) selling originally the goods or service without modification;
  - (b) trading the goods or services without knowing the modification or the noncompliance with the sample, quality or composition.
38. Any entrepreneur who sell the modified or altered goods or services to the consumers is responsible to settle for the damage of the said goods or services.

39. Any entrepreneur shall carry out for the consumers to get spare parts, provide the necessary services after the sale of goods, and act in accordance with the guarantee contained in the agreement during the usable or guaranteed period of goods or services.
40. If two or more entrepreneur are responsible for the damage under section 37, 38 and 39, they shall take responsibility jointly or individually.

## Chapter XVIII

### Labeling of Goods

41. The entrepreneur shall explicitly state the followings facts regarding the labeling of goods based on types of goods in accordance with the stipulations:
  - (a) the trademark of goods;
  - (b) the type, size, quantity, net amount, storage guidelines and usage method of goods;
  - (c) the manufactured date, expired date and serial code number;
  - (d) the name and address of importer, the name of the manufacturer and address if the goods is imported;
  - (e) the origin of manufacturing or repackaging address of the imported goods;
  - (f) the names of ingredients and its quantity and ratio contained in goods;
  - (g) the precautions and warning about allergies and side effects;
  - (h) the facts prescribed by the relevant government departments to be stated.
42. Any entrepreneur may describe the scientific research and nutritional guarantee of the relevant organizations on the goods.

43. Any entrepreneur shall describe Myanmar Language or Myanmar Language and other Language in combination with one or more in the labeling of goods under the sub-section (b) and (g) of section 41.

## **Chapter XIX**

### **Complaint and Mediation**

#### **Filing Complaint**

44. If any of the following person or organization wants to file the damage of the consumer, they may file the complaint to the relevant Office in person or any form of the social media together with evidence:
- (a) the aggrieved consumer;
  - (b) the family members of the aggrieved consumer;
  - (c) the related person of the aggrieved consumer;
  - (d) the government departments and organizations;
  - (e) the consumer protection associations.

#### **Processing**

45. The relevant Office shall carry out the followings to ensure that the evidence is complete and correct regarding the complaints filed under section 44:
- (a) scrutinizing whether the complaint is correct or not;
  - (b) ensuring the complete and correct complaints in case of filing the incomplete or incorrect complaints;
  - (c) taking the record to take action regarding the complaint by any form of the social media.

#### **Mediation**

46. The relevant Office shall carry out the followings to settle the dispute between the consumer and entrepreneur regarding the investigation reported by the inspector under sub-section (h) of section 15:

- (a) examining the required documents and other exhibits related to the investigation;
  - (b) summoning to mediate the entrepreneur who is complained or his legal representative;
  - (c) summoning and examining the consumer and the entrepreneur or his legal representative in the presence of the person who knows the consumer's complaint or eyewitness and consumer protection experts;
  - (d) deciding the expert if the entrepreneur who is complained or his legal representative fails to be present the mediation;
  - (e) examining whether there is damage on the consumer and mediating it;
  - (f) notifying the entrepreneur who commits the complaint about the agreement of the consumer protection;
  - (g) submitting to the Committee if the committed entrepreneur fail to comply with the agreement under sub-section (f);
47. The relevant Office shall keep the record of the settlements under section 46.
48. The relevant Office shall, in undertaking the settlement process regarding the complaint, keep the confidential information as a secret. However, it has the right to send the said information to the Committee, Commission or court when they requested them as evidence.
49. The relevant Office, regarding the investigation reported by the inspector under sub-section (h) of section 15, shall refer the complaints to be settled in accordance with the law to the relevant government departments, and may cooperate with them.
50. If the consumer conceals the facts dishonestly, or fraudulently files a complaint in order to cause unfair damage to someone, or falsely testifies or submits false evidence, he shall be prosecuted in accordance with the existing law.

51. Any person who causes the damage shall bear the expenses regarding the consumer dispute settlement.

## **Chapter XX**

### **Take Administrative Action**

52. The relevant Office may pass one or more of the following administrative orders to any entrepreneur who fails to comply with the duties of the entrepreneur under section 21 or fails to provide the rights claimed by the consumer under section 24, 25 and 27:
  - (a) warning;
  - (b) ordering to remedy;
  - (c) ordering to provide substitute;
  - (d) ordering to refund the value of damage.
53. The Committee may pass one or more of the following administrative orders to any entrepreneur who violates any provision of this Law except the provisions of sections 21, 24, 25, 27 and prohibitions in Chapter XXIII:
  - (a) ordering to provide the prescribed compensation for damage;
  - (b) imposing a fine;
  - (c) prohibiting the sale of the disputing goods or services for a limited period;
  - (d) coordinating with the relevant government department to revoke the business license temporarily or permanently.
54. The Committee shall deposit the fines imposed under sub-section (b) of section 53 to the Union budget, and Region or State budget as prescribed by the Commission.

## **Chapter XXI**

### **Appeal**

55. A person who is dissatisfied with the administrative order passed by the Office under section 52 may appeal to the Committee concerned, or a person who is dissatisfied with the administrative order passed by the Committee under section 53 or the administrative order passed sub-section (a) of section 56 may appeal to the Commission within 30 days from the date of passing the order respectively.
56.
  - (a) The Committee may confirm, amend or cancel the order passed by the relevant Office in the appeal case under section 55;
  - (b) The Commission may confirm, amend or cancel the order passed by the Committee under section 53 or the decision passed under sub-section (a);
  - (c) The decision of the Commission under sub-section (b) shall be final and conclusive.

## **Chapter XXII**

### **Consumer Protection Associations and their Activities**

57. The Department shall encourage the activities of the Consumer Protection Associations which carried out in accordance with this Law.
58. The establishment of the Consumer Protection Association shall be solely for the consumer protection activities.
59. The Consumer Protection Associations may cooperate with the Department to implement the consumer protection activities in accordance with the provisions of the Law.
60. The Consumer Protection Associations may coordinate with the Department to provide consumer awareness and distribute information to the consumer related to the consumer protection activities.

61. The Consumer Protection Associations may provide support regarding the complaint against the entrepreneur who causes damage or violation to the consumer on behalf of the consumer.

## Chapter XXIII

### Prohibitions

62. No one shall act the following dishonestly to injure any consumer or entrepreneur:
- (a) inducing the consumer to file a complaint;
  - (v) giving false testimony;
  - (c) spreading fake news;
  - (d) conducting the matters entangled with the provisions of the existing laws.
63. No entrepreneur shall advertise the following types of advertisements:
- (a) the fraudulent advertisements related to the quality, quantity, ingredients, mode of use, price, rate of service and time needed to deliver the goods or service;
  - (b) the fraudulent advertisements related to the warranty of goods or service;
  - (c) the advertisements including the false information in respect of goods or service;
  - (d) the advertisements that are not informative about the risk of using the goods or service;
  - (e) the advertisements using any person or event without the permission of the person concerned;

- (f) the advertisements which are in consistent with the existing laws or ethics:
64. No entrepreneur shall make a sale promotion regarding the goods or services by one of the following conditions:
- (a) offering to sell the goods with the special price within a period without any plan to sell as the advertised amount or quantity within the specified period;
  - (b) offering to sell the goods by pledging to pay as a bonus or to provide free services which are unable to provide actually;
  - (c) offering to sell the goods or services by any way to be disturbed the consumer physically or mentally;
65. No entrepreneur shall mislead the goods or services traded by any of the following conditions:
- (a) selling the goods or services after modifying or altering;
  - (b) stating incorrectly that the goods or services meet with the prescribed standards or quality;
  - (c) selling the expired goods by modifying or mixing;
  - (d) mixing and selling the goods that are of the same type but lower quality, and mixing and selling goods that are of different type and are unfit to be consumed.
66. No entrepreneur shall deceive the goods or services traded by any of the following conditions:
- (a) being the unusable or unavailable goods or services;
  - (b) being the goods or service concealing the defectiveness;
  - (c) disparaging directly or indirectly other goods or services;
  - (d) exaggerating the information about the goods or services that is not complete and concrete;

- (e) substituting and selling other goods that is different from the offered goods;
  - (f) increasing the price before the sale promotion;
  - (g) selling together with the additional goods which are not needed for the consumer without any reasonable ground in purchasing the usable goods.
67. No entrepreneur shall produce, trade or sell the following goods or services:
- (a) the goods or services that are not in conformity with the information stated on the label of the goods under the section 41;
  - (b) the goods or service that are not in conformity with the description in the advertisement and sale promotion;
  - (c) the goods or services that are not in conformity with the specified standards and norms;
  - (d) the goods or services prohibited by the Committee with the limited period for disputing.
68. No entrepreneur shall, in labeling the goods, produce, trade, or sell the goods that is not in conformity with the provisions of section 43.

## Chapter XXIV

### Offences and Penalties

69. Whoever violates any prohibition contained in section 62 shall, on conviction, be punished with imprisonment for a term not exceeding six months or with a fine not exceeding Two Million Kyats or with both.
70. (a) Any entrepreneur who violated If any prohibition contained in sections 63 and 64 shall, on conviction, be punished with imprisonment for a term not exceeding six months or with fine not exceeding two million kyats.

- (b) Any entrepreneur who violates any prohibition contained in section 65 shall, on conviction, be punished imprisonment for a term not exceeding one year or with a fine not exceeding ten million kyats or with both.
71. (a) Any entrepreneur who violates any prohibition contained in section 65 shall, on conviction, be punished with imprisonment for a term not exceeding six months or with a fine not exceeding five million kyats.
- (b) Any entrepreneur convicted under sub-section (a) who continue to commit the said offence shall be punished with imprisonment for a term not exceeding one year or with a fine not exceeding ten million kyats or with both.
72. (a) Any entrepreneur who violates any prohibition contained in section 66 shall, on conviction, be punished with imprisonment for a term not exceeding one year or with a fine not exceeding ten million kyats.
- (b) Any entrepreneur convicted under sub-section (a) who continue to commit the said offence shall be punished with imprisonment for a term not exceeding two years or with a fine not exceeding twenty million kyats or with both.
73. Any entrepreneur who violates any prohibition contained in sections 67 and 68 shall, on conviction, be punished with imprisonment for a term not exceeding two years or with a fine not exceeding twenty million kyats or with both.

## **Chapter XXV**

### **Miscellaneous**

74. The administrative order passed under section 53 shall not be prohibited to sue a civil or criminal action.

75. The Department may sue the person who is punished with the administrative order under section 53 for a criminal action if he fails to abide by such order.
76. Any person who is convicted under this Law may also be sued a civil action by the aggrieved consumer for his damage.
77. Notwithstanding anything in the other existing laws, the matters related to this Law shall be taken action by this Law. However, the matter to be taken action by any other existing law, they shall not be adjudicated.
78. Any Commission member, Committee member or member of the Consumer Protection Working Committee who are not civil service in the provision of section 21 of the Penal Code while performing the functions and duties of this Law.
79. The offenses contained in this Law are recognized as cognizable offenses.
80. The Department shall bear the expense of the office work of the Commission, Committee or Consumer Protection Working Committee.
81. The Consumer Protection Central Committee formed by the Consumer Protection Law (The Pyidaungsu Hluttaw Law No. 10, 2014) shall continue to carry out the consumer protection activities before the formation of the Commission under this Law.
82. The notifications, orders, directives and procedures issued by the Consumer Protection Law (The Pyidaungsu Hluttaw Law No. 10, 2014) may continue to exercise as long as they are not contrary to this Law.
83. In implementing the provisions contained in this law:
  - (a) The Ministry may issue rules, regulations and by-laws with the approval of the Union Government.
  - (b) the Ministry and the Commission may issue the notifications, orders, directives and procedures, and the Department may issue the orders and directives.

84. The Consumer Protection Law (The Pyidaungsu Hluttaw Law No. 10, 2014) is hereby repealed by this Law.

I hereby sign in accordance with the Constitution of the Republic of the Union of Myanmar.

(S/d) Win Myint

President

The Republic of the Union of Myanmar