

## Tribunal for Consumer Claims Loosing its Credibility

Written by Administrator

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When the Tribunal for Consumer Claims was introduced in Malaysia in 1999 via the Consumer Protection Act 1999, Malaysia consumers rejoiced and believed that they will now be protected against errant traders and service providers. If previously consumers would have to think a thousand times before instituting legal action, with the establishment of the Tribunal for Consumers Claims they now wouldn't even have to think twice, given the nature of the Tribunal which is supposed to be fast, easy, and efficient. It had already been 6 years now since the establishment of the Tribunal and it has already been plagued with so many problems. The National Consumer Complaints Center (NCCC) has continued to receive reports on unenforcement of awards, inefficient presidents, biasness, traders challenging awards in High Court via judicial review, unjust decisions and no written grounds of decision provided. All these complaints appear to be frustrating the common consumer on the street and we believe that soon the Tribunals would loose its credibility if immediate action to strengthen it were not taken. The complaints study done by the NCCC appears to suggest the Tribunals are protecting big businesses. Most consumers fail to secure awards against these giant corporations although their cases appear to be straightforward. The Tribunal presidents fear to pass judgments against these corporations. Most of the Tribunal presidents are employed on a part-time basis and some are even full time lawyers. This would suggest that these people might not be independent. It must be made clear that the Tribunal for Consumer Claims should not be treated like any other Tribunals as it is established to protect almost 26 million consumers in the country. We suggest that the Ministry of Domestic Trade conducts a thorough study on the role of this Tribunal and ascertain whether it had actually fulfilled its function for which it has been established and the findings should be made public. Darshan Singh  
Director  
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