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PETALING JAYA: Malaysian consumers are now more rights savvy. From knowing when something like booking fees are illegal to whether a course is accredited or otherwise, consumers now know they have remedies if their rights are violated.

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And proof of this is the whopping 18,345 complaints lodged at the National Consumer Complaints Centre last year. And topping the list of complaints are those against housing developers (1,578), followed by direct sales complaints (1,499) and private higher education institutions (1,453).

Federation of Malaysian Consumers Associations (Fomca) president Datuk N. Marimuthu said the main complaints regarding housing developers were those regarding booking fees.

He said buyers interested in buying a property would normally be asked to pay a booking fee to lock in the sale of the property.

The buyer, he said, might subsequently change his mind and, thus, request a refund of his money. This, said Marimuthu, was where the problem arose.

"Most of the time, the developer would refuse to refund the booking fee, saying booking fees were non-refundable.

"Believing that to be true, many consumers would not pursue the matter further, oblivious to the fact that the law does not allow for the collection of booking fees."

Marimuthu said this was provided for by Regulation 11(2) of the Housing Developers (Control and Licensing) Regulations 1989 which stipulates : " No housing developer shall collect any payment by whatever name called except as prescribed by the contract of sale (sale and purchase agreement)".

Therefore, said Marimuthu, it is illegal for any developer to collect any fees before the signing of the sale and purchase agreement.

Direct selling, he said, was also a major concern for NCCC with most complaints against scratch-and-win and time-share scams.

"The cooling-off period of 10 days is provided by the law for direct sale transactions. This is an important consumer protection provision that is particularly appropriate for door-to-door sales and telemarketing where the consumer's decision is in response to heavy sales pressure tactics or sudden impulses.

"However, there is a lack of notice given by sellers about cooling-off periods," he said.

Complaints against private higher education institutions, said Marimuthu, were mainly those regarding unfulfilled promises by the institutions.

"Unaccredited courses and those that were not recognised by the Public Service Department (PSD) were among the main consumer grievances.

"When students enrol for a programme, they are told the courses were accredited by the National Accreditation Board (LAN) and recognised by the PSD for employment purposes as well.

"They later find out this is not true and when they want to withdraw from the course, the institution would refuse to refund the money paid."

To inform and educate the relevant agencies, corporations and consumers in general, NCCC is organising a seminar entitled "The Current State of Malaysian Consumers: Holding Corporations Accountable" and for the first time launching and making available its 2006 annual report on Nov 27.

The report, said Marimuthu, would inform corporations about the kind of problems their consumers face. The seminar would also show consumers what to beware of.

Those interested in attending the seminar and obtaining the report can contact 03-7877 9000/ 7874 8096, or log on to NCCC's website at www.nccc.org.my.