

Ministry on regulating sales of child restraint seats

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By: Bernama



PUTRAJAYA: The powers of the Minister provided under the Consumer Protection Act 1999 (CPA) and the Trade Description Act 2011 (TDA) can be considered to be used to regulate sales of child restraint seats (CRS).

Ministry of Domestic Trade and Consumer Affairs (KPDNHEP) in a statement issued in response to the sales of cheap CRS which are running rampant online, explained that the Ministry could carry out a review on the powers given to Minister under Section 19 of the CPA and Section 29 of the TDA in the aspect of CRS' compliance with safety standards.

"This would include a ban on the sales of CRS that did not meet the standard specifications and action against sellers of such CRS," the statement said.

According to the statement, the Ministry's involvement in the implementation of the mandatory usage of CRS in private vehicles is generally more on enforcement on the aspect of false or misleading representation.

"This encompasses all matters relating to product safety standards, approval by relevant authorities, and usage of false trademark in sales or advertising activities.

“At present, there is no specific provision in the existing laws relating to the safety standards of CRS offered in the market,” the ministry said.

Elaborating, the ministry said Section 19 of the CPA empowers the Minister to make regulations prescribing the safety standards for goods, as currently in force for children’s toys and primary batteries.

Meanwhile, Section 29 of the TDA stated that “where it appears to the Minister necessary or expedient in the interest of persons to whom any goods or any services in relation to that goods are supplied that the goods should be certified by a competent authority, or marked with a mark determined by the Minister or accompanied by any information or instruction relating to the goods”.

The provision is currently applied for motorcycle helmets, pneumatic tires and replacement brake pads.

The ministry said it will also make optimal use of several other provisions in the existing laws to monitor the sales of the CRS, both offline or online, to ensure that consumers’ safety would always be protected.

Among the provisions are Section 10(1)(h) and Section 21 of the CPA, Section 5 and Section 18 of the TDA, as well as the Consumer Protection (Electronic Trade Transactions) Regulations 2012.

In the statement, the ministry also advised all consumers to make comparison and refer to the guidelines for CRS issued by the Malaysian Institute of Road Safety Research before making a purchase. – Bernama

