



LAWS OF MALAYSIA

Act A1533

**CONSUMER PROTECTION (AMENDMENT)
ACT 2017**

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Act A1533

CONSUMER PROTECTION (AMENDMENT) ACT 2017

An Act to amend the Consumer Protection Act 1999.

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ENACTED by the Parliament of Malaysia as follows:

Short title and commencement

1. (1) This Act may be cited as the Consumer Protection (Amendment) Act 2017.

(2) This Act comes into operation on a date to be appointed by the Minister by notification in the *Gazette*.

Amendment of section 3

2. The Consumer Protection Act 1999 [*Act 599*], which is referred to as the “principal Act” in this Act, is amended in subsection 3(1) by deleting the definition of “credit instrument”.

New Part III_B

3. The principal Act is amended by inserting after Part IIIA the following Part:

“PART III_B

CREDIT SALE TRANSACTIONS

Application of Part III_B

24k. (1) Without prejudice to the provisions in the Contracts Act 1950, the Specific Relief Act 1950 and the Sale of Goods Act 1957, the provisions of this Part shall apply to all credit sale agreements.

(2) This Part shall not apply to a credit sale transaction entered into between a purchaser and a co-operative society that is registered under the Co-operative Societies Act 1993 [Act 502] or any sale transaction involving a credit card.

Interpretation for purposes of Part III_B

24L. For the purpose of this Part—

“credit facility” means a facility provided by a credit facility provider to a purchaser under a credit sale transaction which allows the payment of goods sold to be made in instalments;

“credit facility provider” means any person, including a seller, who provides credit facilities to a purchaser in a credit sale transaction;

“credit sale agreement” means an agreement entered into between a purchaser, who is a consumer, and a credit facility provider for the sale of goods by which—

- (a) a credit facility is provided by the credit facility provider to the purchaser in a credit sale transaction of such goods; and
- (b) the credit payment for the purchased goods is made by the purchaser to the credit sale provider by instalments;

“credit sale transaction” means a credit transaction between a credit facility provider and a purchaser for the payment of purchased goods by way of instalments;

“dealer” means a person, other than the employee of a credit facility provider, who negotiates on behalf of the credit facility provider for the purposes of making a credit sale agreement;

“goods” means any goods or class of goods prescribed by the Minister under section 24M;

“seller” means any person who sells goods to any purchaser through a credit sale transaction;

“statutory rebate” means—

- (a) a rebate on the outstanding terms charges calculated according to the prescribed formula; or
- (b) a rebate on the amount of premium paid in respect of the insurance of goods,

granted upon early settlement of the payment of the total outstanding amount payable under a credit sale agreement;

“terms charges” means an interest calculated at a rate per annum on the initial amount financed by a credit facility provider in a credit sale agreement;

“total outstanding amount payable” means the total amount payable by a purchaser under a credit sale agreement and the amount derived from the terms charges on overdue instalments which has yet to be paid less—

- (a) the total amount of the instalments paid by or on behalf of the purchaser, excluding deposit; and
- (b) statutory rebate, if any.

Power of Minister to prescribe goods

24M. For the purpose of this Part, a credit sale agreement may only be made in respect of any goods or class of goods as prescribed by the Minister.