

ပြည်ထောင်စုသမ္မတမြန်မာနိုင်ငံတော်အစိုးရ  
The Republic of the Union of Myanmar  
စီးပွားရေးနှင့် ကူးသန်းရောင်းဝယ်ရေးဝန်ကြီးဌာန  
Ministry of Commerce

စားသုံးသူကာကွယ်ရေးနည်းဥပဒေများ  
The Consumer Protection Rules

( ၂၀၂၂ ခုနှစ်၊ ဇန်နဝါရီလ ၁၈ ရက် )  
18<sup>th</sup> January, 2022

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# The Consumer Protection Rules

Government of the Republic of the Union of Myanmar

Ministry of Commerce

Notification No. 9/2022

(The 2<sup>nd</sup> Waning Day of Pyatho, 1383 M.E)

(18<sup>th</sup> January, 2022)

In exercise of the power conferred by sub - section (a) of section 83 of the Consumer Protection Law, the Ministry of Commerce, with the approval of the Union Government, hereby issues the following rules.

## Chapter I

### Title and Definition

1. These rules shall be called **the Consumer Protection Rules**.
2. The expressions contained in these Rules shall have the same meanings as described in the Consumer Protection Law. In addition, the following expressions shall have the meanings given below:
  - (a) **Law** means the Consumer Protection Law;
  - (b) **Laboratory** means laboratories of relevant government departments and international recognized laboratories to test the goods related to the consumer protection;

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- (c) **Working Committee** means the Consumer Protection Working Committee formed by the Commission to support the implementation of the duties prescribed by the Law;
- (d) **Complainant** means person or organization filing the complaint together with the evidence to the Office about the damage of the consumer under section 44 of the Law;
- (e) **Form** means the form prescribed by these rules.

## Chapter II

### Researching the Consumer Protection Activities

- 3. The Department:
  - (a) shall perform survey and research on the consumer protection related to goods or service by types or region wise or sector wise;
  - (b) may cooperate with the relevant government department, government organization, university, college, institute, school, association in performing under sub-rule(a);

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- (c) shall submit the findings of the survey and the research which carried out under sub-rule (a) to the Commission, if necessary;
- (d) may distribute the findings of the survey and the research, if necessary.

### Chapter III

#### Formation of the Commission and Convening of Meeting

4. The Ministry shall perform the following activities to form the Commission in comprising the members who are not civil service personnel by the Government:
  - (a) asking for the name list of the representatives from the Consumer Protection Associations;
  - (b) compiling the name list of consumer protection expert.
5. The Commission member who is not civil service personnel shall be:
  - (a) Myanmar citizen who resides in Myanmar;
  - (b) in good moral, physical and mental health;
  - (c) impartial;
  - (d) skilled in and knowledgeable about law, economics or

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consumer protection affairs related to the goods or service.

6. The term of the Commission is the same as the term of the Government.

7. When any of the following action is caused by any Commission member who is not civil service personnel, the chairman of the Commission may terminate him or her from membership with the approval of the Government:

- (a) leading to any situation which tarnishes the reputation of the Commission;
- (b) leaking or attempting to leak out special matter, important matter, or plan or measure or any matter of the Commission, for which the security level is set;
- (c) abusing any duty or power or entitlement for self-interest in relation to the performance of a Commission member.

8. The chairman of the Commission may, with the approval of the Government, appoint a new Commission member according to the relevant position from the Union level government department or government organization or from the Consumer Protection Association or from consumer protection experts if there is a vacancy or a requirement to appoint a new member.

9. The term of the substituted Commission member who is not civil service personnel is the same as the remaining term of the Commission.

10. If the vacancy is the position of the chairman of the Commission, the vice-chairman shall temporarily perform the duty of the chairman until the new appointment can be made. If the vacancy is the position of the vice-chairman, the chairman of the Commission shall temporarily assign the duty of the vice-chairman to any suitable member.

11. In the interim period, after the expiry of Commission terms and before the re-formation of the Commission, the Department may make decisions on special matters relating to consumer protection with the approval of the Ministry, if necessary. In respect of the decision, it shall be obtained approval after the re-formation of the Commission.

12. The meeting of the Commission shall be convened at least once a year. If necessary, special meeting shall be convened.

13. If more than half of the total members of the Commission are present at the meeting, it shall form the quorum. If the quorum is not formed at the meeting, it shall be adjourned to the appropriate day.

14. The chairman of the Commission shall act as the chairperson of the meeting. When the chairman is unable to attend, the vice-chairman shall act as the chairperson of the meeting.



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15. The resolution of the Commission's meeting shall be made after the consultation. If they fail to reach the agreement, it shall be decided by the votes of the members of the Commission who are present at the meeting. The representatives of the Commission members shall not have the right to vote.

16. The resolution adopted at the meeting shall not be objected or refused or amended by any member who did not attend the said meeting. The resolution adopted at the meeting shall be deemed to be approved by all members of the Commission.

17. The Commission may invite non-Commission member from government department, government organization and subject matter experts to participate in the meeting, if necessary. These invited persons shall not have the right to vote in matters decided by vote.

18. If a matter discussed at the Commission meeting is concerned with the interest to any member of the Commission, the said member shall not have the right to participate in decision making.

**Chapter IV****Formation of the Working Committee**

19. The Commission:
- (a) shall form the working committees with at least five members under sub-section (k) of section 12 of the Law. It may be re-formed if necessary;
  - (b) may form the working committees as per relevant sectors, Union Territory, Region or State.
20. The member of the working committee who is not civil service personnel shall be:
- (a) Myanmar citizen who resides in Myanmar;
  - (b) in good moral, physical and mental health;
  - (c) impartial;
  - (d) skilled in and knowledgeable about consumer protection affairs and have experience in the field of consumer protection.
21. The member of Working Committee shall:
- (a) avoid involvement in the works, activities or performances which tarnish or is likely to tarnish the reputation of the Working Committee;

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- (b) have mutual respect and understanding among members;
- (c) avoid abuse of the duty and power;
- (d) keep disclosures and discussions that should not be leaked out;
- (e) keep the business information and the documents according to security level;
- (f) obey the conditions prescribed by the Commission from time to time.

### Chapter V

#### Formation of the Consumer Affairs Committee and Convening of the Meeting

22. The Commission shall form the Region or State Consumer Affairs Committee with the following persons in the number of five up to nine with an odd number to perform consumer protection activities, to settle the disputes between the consumers and the entrepreneurs and to make the decision on them:

- (a) Minister assigned by the Region or State Government Chairman
- (b) A person assigned by the Region or State Government Vice-Chairman

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- (c) A person assigned by the Region or State General Administration Department Member
- (d) A person assigned by the Region or State Police Force Member
- (e) Head of Region or State Office Department of Consumer Affairs Secretary

23. The Commission shall form the Union Territorial Consumer Affairs Committee with the following persons in the number of five to nine with an odd number to perform consumer protection activities, to settle the disputes between the consumers and the entrepreneurs and to make the decision on them:

- (a) Member of Nay Pyi Taw Council Chairman
- (b) A person assigned by Nay Pyi Taw Council Vice-Chairman
- (c) A person assigned by Nay Pyi Taw Development Committee Member
- (d) A person assigned by Nay Pyi Taw Police Force Member
- (e) Head of Nay Pyi Taw Office Department of Consumer Affairs Secretary

24. The Commission may reform the Committees formed under rule 22 and rule 23 as may be necessary.

25. The Committee member who is not civil service personnel shall be:
- (a) Myanmar citizen who resides in Myanmar;
  - (b) in good moral, physical and mental health;
  - (c) impartial;
  - (d) skill in and knowledgeable in consumer protection affairs and have experience in the field of consumer protection.
26. The term of the Committee is the same as the term of the Government.
27. When any of the following matter is arisen, any Committee member shall be automatically terminated:
- (a) decease;
  - (b) resignation of 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;
  - (d) being convicted for any offence related to moral;
  - (e) inefficient discharge of assigned duties.

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28. The chairman of the Committee may terminate the membership of the Committee with the approval of the Commission if a Committee member who is not civil service personnel commits any of the following actions:

- (a) leading to any situation which tarnishes the reputation of the Commission or the Committee, or disclosing it at any outside places;
- (b) leaking or attempting to leak out special matter, important matter, or plan or measure or any matter of the Commission or Committee, for which the security level is set;
- (c) abusing any duty or power or entitlement for self-interest in relation to the performance of a Committee member.

29. The chairman of the Committee shall submit the list of Committee members appointed to fill the vacancies of the Committee members who are not civil service personnel to the Commission within 45 days from the date of the vacancy.

30. The term of the newly appointed member who is not civil service personnel shall be for the remaining term of the predecessor member. The appointment shall be made only if the term of the predecessor member remains at least six months.

31. The regular meeting of the Committee shall be convened at least quarterly. A special meeting shall be convened if necessary.

32. If more than half of the total members of the Committee are present at the meeting, it shall form the quorum. If the quorum is not formed at the meeting, it shall be adjourned to the appropriate day.

33. The chairman of the Committee shall act as the chairperson of the meeting. When the chairman is unable to attend, the vice-chairman shall act as the chairperson of the meeting.

34. The resolutions of the Committee's meeting shall be made after consultation. If they fail to reach the agreement, it shall be decided by the votes of the members of the Committee who are present at the meeting. The representatives of the Committee members shall not have the right to vote.

35. The resolutions adopted at the meeting shall not be objected or refused or amended by any member who did not attend the said meeting. The resolutions adopted at the meeting shall be deemed to be approved by all members of the Committee.

36. The Committee may, if necessary, invite subject matter experts who are not committee member to participate in the meeting. These invited persons shall not have the right to vote in matters decided by vote.

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37. The secretary of the Committee shall distribute the meeting minutes to the Committee members who attend the meeting and keep the record systematically.

38. The secretary of the Committee shall, before the meeting is held, notify the meeting place, time and agenda in advance.

39. The Committee member shall:

(a) avoid involvement in the works, activities or performances which tarnish or is likely to tarnish the functions and duties, and the reputation of the Committee;

(b) have mutual respect and understanding among members;

(c) avoid the abuse of duty and power prescribed by the Law and the Rules;

(d) keep disclosures and discussions of the Committee meeting that should not be leaked out according to resolution of the Committee;

(e) avoid disclosure of the information about that administrative actions or appeal before making the decision



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or taking an action taken by the Committee;

- (f) keep according to security level for Committee's the business information and the documents;
- (g) obey the conditions prescribed by the Commission or Committee from time to time.

40. The Commission may:

- (a) specify the functions and duties, and form Self-Administered Division or Self-Administered Zone Consumer Affairs Committee comprising the person designated by the relevant leading Bodies of the Self-Administered Division or Self-Administered Zone as the chairman and the person appointed by the Department as the secretary, to perform the consumer protection matters including three to five members;
- (b) specify the functions and duties, and form the District Consumer Affairs Committee, comprising by the District General Administration Officer as the Chairman and head of District, Department of Consumer Affairs as the Secretary, to perform the consumer protection matters including three to five members;

- (c) reform the Committees formed under sub-rule (a) and (b) as may be necessary.

## Chapter VI

### Formation of Inspection Team and Conducting the Investigation

41. The Committee may form Inspection Team consisting of the following persons to investigate case-by-case whether goods or service is likely to cause enormous damage or hazardous on the consumer protection:

- (a) An officer whose rank is not lower than a Gazetted Officer assigned by the Chairman of the Committee Team Leader
- (b) Representatives from relevant Government Departments and Government Organizations Member
- (c) A subject matter expert relating to the goods or service Member
- (d) A member of the relevant Committee Secretary

42. The Inspection team, if necessary, has authority to investigate the relevant persons, to collect the evidence or document and make copies thereof in investigating goods or

services whether they are likely to cause enormous damage or hazard on the consumer protection.

43. The Inspection Team shall:

- (a) make an entry in the Goods/Service Investigation Form [Form (1)] when receiving the evidence under rule 42;
- (b) report the findings of the investigation to the relevant committee in a timely manner;
- (c) attach the evidence and document when submitting the report under sub-rule (b).

44. The member of the Inspection Team shall:

- (a) avoid involvement in the works, activities or performances which tarnish or is likely to tarnish the functions and the duties, and the reputation;
- (b) avoid the abuse of duty and power;
- (c) keep the security of the business information and documents of the Inspection Team;
- (d) obey the conditions prescribed by the Commission or Committee from time to time.

**Chapter VII****The Role of the Inspector**

45. The inspector may, in order to undertake the inspection, obtain sufficient samples of goods from the market or before they are available on the market if they are suspected to be hazardous. A sample of the goods can be obtained for consideration or free of charge.

46. The inspector shall, in monitoring the market, follow the conditions in order to protect the consumer's rights or to monitor and investigate the goods or to disappear hazardous goods from the market.

47. The inspector shall carry out the monitoring and investigation the goods or services within the area assigned to him.

48. The inspector may, when the matter occurs to be investigated beyond the assigned area, cooperate with the approval of the relevant Office of that area.

49. The inspector has the authority to disseminate information about the hazardous goods or service received from others' in his assigned area.

50. The inspector, while investigating the goods or service about the consumer complaint in the market, shall;

- (a) investigate whether the facts filled in the Complaint Form [ Form (2)] are correct or not;
- (b) investigate the process and the conditions of the consuming goods or service;
- (c) submit the report to the Office with regard to the findings on investigation.

51. The inspector, while taking the sample of the goods shall:

- (a) obtain it from at least two of the following places in relation to the market monitoring:
  - (i) the place where the goods are sold;
  - (ii) the place where the goods are manufactured;
  - (iii) the place where the goods are stored.
- (b) obtain it from at least two of the following places in relation to the case of consumer complaint:
  - (i) the place where the consumer purchased;
  - (ii) other place where the goods are sold;
  - (iii) the source of distribution of the goods;
  - (iv) the place where the goods are manufactured;
  - (v) the place where the goods are stored.

52. The inspector:

- (a) shall obtain the sample of goods in front of the entrepreneur and staff from relevant government department, the government organizations or other witnesses. While taking the sample, the photo record, documents record, video record, electronic records can be collected as evidences.
- (b) shall count or weigh and record the sufficient quantity when collecting the sample of goods and shall seal it with lac or any mark affixed with the stamp of the relevant Office.
- (c) shall obtain the sample of goods in accordance with the provision of the relevant laboratory when it is required to test the sample of goods at the laboratory;
- (d) shall pack the sample of goods in front of the witnesses and affix the completed the Sticker Form to Affix on the Sample Goods [Form (3)];
- (e) may obtain the help of the expert if the sample goods have potential to be hazardous while being transported or maintained.

53. The size, type and color of the Sticker Form to Affix on the Sample Goods [Form (3)] are as follows:

- (a) 10 centimeter length and 7.5 centimeter width;
- (b) water proof sticker type;
- (c) yellow paper.

54. The inspector shall submit the report to the Office with the Market Monitoring Report Form [Form (4)] after performing the market monitoring activities.

55. If the market monitoring is carried out in cooperation with the relevant government departments led by the inspector, the Investigation Report Form made by Cooperation Group led by Inspector [Form (5)] shall be completed and submitted to the Office.

## **Chapter VIII**

### **Procedures for Recalling and Prohibiting**

56. The inspector shall submit the report to the relevant Office when it occurs to recall, to prohibit the distribution of goods or

service temporarily or permanently from the market in any of the following conditions:

- (a) the observation of the inspector;
- (b) the finding of investigation, information and notification released by the relevant government department;
- (c) the result of the laboratory test;
- (d) information made by the relevant Committee;
- (e) complaint;
- (f) prohibition by the relevant government department.

57. The Office shall submit the report together with the assessment of the potential hazards to the Department under rule 56.

58. The Department shall decide on the hazardous goods or service to recall from the market, to prohibit temporarily or permanently after examining the report submitted by the Office under rule 57.

59. The Office shall assign to the inspector to supervise the entrepreneur to follow the decision made by the Department in accordance with rule 58.



60. The inspector assigned under rule 59 shall:
- (a) make an entry in the Recalling from Market Form [Form(6)] completely if it is recalled from the market;
  - (b) make an entry Temporarily Prohibiting the Distribution in the Market Form [Form(7)] completely if it is temporarily prohibited;
  - (c) make an entry Prohibiting the Distribution in the Market Form [Form(8)] completely if it is permanently prohibited.
61. The Department shall supervise the submission of the entrepreneur to modify or recall the goods voluntarily in order to ensure the safety of the goods.
62. The entrepreneur shall bear any related expense with regard to recalling voluntarily, in order to ensure the safety of the goods or recalling the goods by the Department, or recalling temporarily or permanently prohibited goods from the market, or the temporarily or permanently prohibited service.

63. The entrepreneur shall, in order to ensure the safety of the goods, submit the report to the Department to re-distribute goods which are repaired in accordance with the stipulations after recalling.

64. The entrepreneur shall, in order to re-distribute the goods prescribed to be recalled after being repaired in accordance with the stipulations, apply to the Department.

65. The Department may allow re-distribution after scrutinizing the application under rule 64 in accordance with the stipulations.

66. The entrepreneur may, in order to repair the temporarily prohibited goods or service to safety condition, apply to the Department to revoke the temporary conditions.

67. The Department may allow re-distribution after scrutinizing the application under rule 66 in accordance with the stipulations by revoking temporary prohibition.

68. The Office shall submit the report to the relevant Committee to take actions on the entrepreneur if it is still found in the market although the Department has decided to recall hazardous goods or service and prohibit them temporarily or permanently.

69. The Department shall cooperate with the relevant government departments and government organizations for permanent prohibition of the hazardous goods or service in the market.

70. The Department may, if necessary, notify to recall or prohibit about the recalled or prohibited goods or service to the ASEAN Committee on Consumer Protection – ACCP, respective country, international and regional organizations with the evidences for consumer protection.

71. The Department shall, when it is found that the goods or service imported by foreign countries are hazardous,:

- (a) liaise with the respective country for such manufactured goods or provided service;
- (b) disseminate the information, in order to prevent further distribution and to take action as necessary within foreign countries, toward the relevant country, international organization or regional organization.

72. It shall carry out the procedures issued by the Department to recall or to prohibit hazardous goods or service from the market temporarily or permanently.

## **Chapter IX**

### **Announcement Regarding Taking Actions**

73. The Department may, if necessary, announce the following through social media for the public:

- (a) decisions of the Court under this Law;
- (b) appeal cases decided by the Commission;
- (c) administrative actions taken by the Committee;
- (d) administrative actions and settlements by the Offices;
- (e) settlements by the relevant government departments and government organizations with regard to the consumer protection.

74. The Department may assign duty to the Office to announce the facts under rule 73 through the social media.

**Chapter X****Providing Receipt or Document**

75. The following facts shall, at least, be included in the receipt or document relating to the goods:

- (a) name of the goods;
- (b) date of purchase;
- (c) quantity, amount and value of the purchased goods;
- (d) the seller of the goods or the name of the shop and its address.

76. The following facts shall, at least, be included in the receipt or document relating to the service:

- (a) name of service provider and address;
- (b) provided service and the fees;
- (c) guarantee received by the consumer compatible with the provided service;
- (d) eligible period of the provided service.

77. The address and information about the aftersales service for goods and service which need to be modified shall be mentioned on the receipt or attached with the receipt and provided to the consumer.

**Chapter XI****Scrutiny of Complaints and Mediation**

78. A person who wants to claim for damages in relating to goods or service, may file a complaint to the relevant Office or a place designated by the Department. In filing the complaint, the Complaint Form [Form (2)] shall be completed with the facts and attached the evidence or the documents.

79. The Office that received the complaint shall:

- (a) record the consumer's complaint;
- (b) take the electronic record of goods for the evidence if such goods is perishable and difficult to examine.

80. The Office shall not settle a complaint that has any of the following issues while investigating the complaint:

- (a) the decision has been made by the Committee for the respective complaint;
- (b) the complaint which is being processed or has been settled by the Department or by the Office in accordance with the Law, Rules and Procedures;

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- (c) the complaint already filed at any relevant government department or government organization;
- (d) the complaint unrelated to the violation of consumer rights;
- (e) the case which is under the process of hearing before the court and appeals against or revisions to the court's decision;
- (f) the case which has been made a final decision by the Court.

### 81. The Office that received the complaint:

- (a) shall examine if the facts in the Complaint Form [Form (2)] is correct or not, and the evidence or document presented with the complaint, in detail.
- (b) may, depending on the type of goods or service, request the additional evidence or documents to complainant if required.
- (c) may assign the inspector if necessary to investigate the complaint and shall carry out as necessary based on the findings that the inspector reports related to the investigation.

82. If the complainant fails to submit the required evidence or document during the investigation of the complaint, the Office shall keep it as the suspended case.

83. The Office shall close the complaint and record it in any of the following circumstances regarding the suspended case under rule 82:

- (a) having not to send the required evidence or document by the complainant within the date specified by the Office;
- (b) having not to contact although the Office contacts the complainant to send additional required evidence or documents.

84. When investigating the complaint, if the region or state, the union territory, where the complainant and entrepreneur who is complained are not in the same location, the Office shall carry out the followings:

- (a) inquiring and receiving the location where the complainant wants to settle the complaint;
- (b) coordinating with relevant Offices on the report to the Office if the entrepreneur who is complained is difficult



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to present to settle or to send a representative to the complained location for the complaint;

- (c) investigating the business of the entrepreneur who is complained by the Office in the same location;
- (d) coordinating with the Office that receives and settles the complaints by sending the findings and mediation under rule 87 related to the investigation.

85. The Office shall scrutinize and make initial inquiry on the following facts for the complaint:

- (a) personal information of the complainant (name, NRC Number, address, telephone number);
- (b) reason for complaint;
- (c) period of occurrence;
- (d) place of occurrence;
- (e) the content that the complainant wants to settle.

86. The Office shall direct the inspector to inquire the followings for the complaint:

- (a) asking whether it complies with the contents written by the complainant in relation to the inquiry under rule 85;

- (b) causing to verify the complainant that the statement of the complainant is true;
- (c) clarifying the complainant regarding the case to be settled.

87. To settle the complaint:

- (a) the Office may specify the date and time of the settlement in consultation with the complainant and the entrepreneur who is complained;
- (b) the Office may set the date and time of the settlement for a second time if the other party is unable to be present within a specified date and time with a reasonable ground under sub-rule (a);
- (c) the complainant or the entrepreneur who is complained may delegate the representative if necessary;
- (d) the Office shall carry out under sub-section (d) of section 46 of the Law if the entrepreneur who is complained fails to be present the mediation within the specified date and time under sub-rule (b).

88. The Office may request the recommendation or approval from the relevant government departments, government organizations or associations to settle the complained goods or service if necessary.

89. If there is an agreement between the complainant and the entrepreneur who is complained regarding the mediation, they shall sign in the Agreement Form [Form (9)].

90. The complainant and the entrepreneur who is complained shall implement the terms of the agreement within a specified date.

91. The Office shall refer the complaint which has to be taken action under any other existing law to the relevant government departments and government organizations.

92. The Office shall request the resolutions of the complaint referred under rule 91, for the purpose of record in Office, from the relevant government departments and government organizations.

93. The Office shall report the implementation under rule 92 to the Department and the Committee.

94. The Office shall systematically keep and record the evidence or documents attached to the complaint form.

95. The Office shall:

- (a) systematically record the agreement if there is an agreement between the complainant and the entrepreneur who is complained regarding the mediation;

- (b) separately record the case for further submission to the relevant Committee if there is no agreement between the complainant and the entrepreneur who is complained regarding the mediation;
- (c) submit case which is separately recorded under sub-rule (b) in a timely manner so that the relevant committee may decide.

96. The Office shall submit evidence or documents related to the case to the Committee if it is within the powers of the Committee in scrutinizing the complaint.

97. When the relevant committee requests the documents, evidence and case in relation to the settlement of consumer complaints or in order to decide on the appeal, the Office shall systematically refer them.

98. The Committee, in relation to the consumer complaints submitted by the Office:

- (a) shall make decision after scrutinizing and hearing on the dispute if the case is received;
- (b) shall administer to hear the respective statements of the complainant or the entrepreneur who is

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complained within 14 working days from the date of receiving the case submitted by the Office, if necessary;

- (c) shall summon by sending notice to the complainant and the entrepreneur who is complained described in the complaint in order to carry out the hearing matters under sub-rule (b);
- (d) shall exactly describe the date and time to be present in the notice under sub-rule (c);
- (e) shall obtain the proof of the receipt notice from the complainant and the entrepreneur who is complained when in sending the notice;
- (f) shall send the notice to witness in accordance with the processes under sub-rule (c), (d) and (e) if either the complainant or the entrepreneur who is complained submit to provide statement as the witness;
- (g) may grant representative conferred by the complainant or the entrepreneur who is complained if necessary;
- (h) may make ex parte order if the entrepreneur who is complained or his legal representative fails to be present within the specified date and time.

99. The Committee shall inform the decision regarding the consumer complaint to the complainant and the entrepreneur who is complained.

## Chapter XII

### Remedies for Damages

100. The Office shall pass the Administrative Order under Section 52 of the Law by the Administrative Order Passed by the Office Form [Form (10)].

101. The entrepreneur who is complained shall follow the Administrative Order passed under Section 52 of the Law within the date specified by the office.

102. The Office shall complete in the register book for the following original Form and keep it in the relevant file and give a copy to the complainant and the entrepreneur who is complained;

- (a) Agreement Form [Form (9)] under rule 89;
- (b) Administrative Order passed by the Office [Form (10)] under Rule 100.

103. The Committee shall pass the Administrative Order under Section 53 of the law by the Administrative Order passed by the Committee Form [Form (11)].

104. The Committee shall complete the original form of the Administrative Order passed by the Committee [Form(11)] under rule 103 in the register book and keep it in the relevant file and give a copy to the complainant and the entrepreneur who is complained.

### **Chapter XIII**

#### **Taking Actions**

105. The relevant Office is responsible for the following matter in respect of whether the entrepreneur who is complained complies with any administrative order passed by the Committee within the specified date:

- (a) directing the inspector to monitor whether the entrepreneur who is complained complies with any Administrative order passed by the Committee within the specified date;
- (b) directing the inspector to inquire if there is any delay in complying with any administrative order passed by the Committee within the specified date;

## The Consumer Protection Rules

- (c) submitting to the Department to sue the entrepreneur who is complained in the relevant court if the person fails to comply with the administrative order decided by the Committee within the specified date.

106. The Department shall assign to the relevant Office to file a case if there is any situation to take actions against the entrepreneur who violates any prohibition in the law.

107. The Office shall carry out the following in respect of the suit:

- (a) submitting to the relevant committee;
- (b) reporting the situation to the Department.

108. The Office shall submit weekly progress and completion report of the suit to the relevant Committee and Department.

109. The Office shall direct the inspector to obtain the sample goods which are required for suit and to complete in Taking Sample Goods Form [Form (12)] and Record Form of the Amount of Goods Found in the Market [Form (13)].

110. The Office shall safely keep the documents and other evidence securely related to the relevant case in order to produce them to the court for prosecution.



## Chapter XIV

## Appeal Process

111. A person who is dissatisfied with the administrative order passed by the Office may appeal to the Committee with the following facts:

- (a) certified copy of the Administrative Order passed by the Office;
- (b) the original text completed in the prescribed Appeal Form [Form (14)];
- (c) evidence and documents.

112. With regard to the appeal case filed under rule 111, the Committee:

- (a) say request the required information or documents to the Office;
- (b) shall send the notice to the appellant to settle the appeal case and confirming the decision within 14 working days from the date of receipt of the appeal case;
- (c) may scrutinize and decide based on the decision of the Office, the statement of the complainant and the entrepreneur who is complained and the reports of the inspection team;

- (d) shall pass the appeal order only on the order passed under section 52 of the Law in confirmation, amendment or cancellation of the decision of the Office on the appeal case;
- (e) shall inform the decision to the Office and relevant persons within 5 working days;

113. A person who is dissatisfied with the administrative order passed by the Committee may appeal to the Commission with the following facts:

- (a) the administrative order passed by the Office and a certified copy of the appeal decision passed by the committee or a certified copy of the decision passed by the relevant committee;
- (b) the original text completed in the prescribed Appeal Form [Form (14)];
- (c) evidence and documents;

114. The chairman of the Commission may form and assign the scrutinizing and decision-making body with the appropriate Commission members to make decision depending on the appeal case.

115. The Commission shall record the appeal case under rule 113 to the nearest convening meeting of the Commission.

## Chapter XV

## The Role of Consumer Protection Associations

116. Any Consumer Protection Association may perform consumer protection awareness activities in the following ways:

- (a) using social media;
- (b) conducting seminar and training;
- (c) holding commemorative days and ceremonies;
- (d) distribution of educational books and pamphlets;
- (e) conducting research and information dissemination, and advocacy.

117. Any Consumer Protection Association is responsible for assisting in the restoration of consumer rights in respect of the complaint of consumer rights violations.

118. The Consumer Protection Association:

- (a) may coordinate with the Department in disseminating consumer protection information;
- (b) shall request publicly available information and statistics from the Department and relevant government department, government organizations;

## The Consumer Protection Rules

- (c) shall avoid disseminating and disclosing the information and statistics that have not been approved by the Department, relevant government department and government organizations;
- (d) shall avoid disseminating and disclosing inaccurate information and statistics that are intended to tarnish the dignity of any person or any organization.

119. Any person who wishes to form a Consumer Protection Association may negotiate and coordinate with the Department in respect of the area or process which they wish to form a Consumer Protection Association.

120. The department shall coordinate with the relevant government department and government organizations in order to form Consumer Protection Association in accordance with existing laws and rules.

121. Consumer Protection Associations shall not carry out the following matters:

- (a) carrying out other activities which are unrelated to consumer protection;

- (b) misusing the provisions of the Law and deviating from the objective of the Law in carrying out consumer protection activities;
- (c) performing an activity that supports the interests of any individual or organization rather than the benefit of the consumer as a whole in carrying out consumer protection activities.

122. If the Consumer Protection Associations carry out the matters prohibited under rule 121, the Ministry shall inform the relevant government department and government organizations that issued registration card to take action.

123. The Consumer Protection Association shall inform the Department to take action on any complaints in respect of goods or service that is suspected to be hazardous in a timely manner.

## Chapter XVI

## Miscellaneous

124. Expenditures related to consumer protection issues shall be used only for that purpose. The Commission shall carry out matters concerning the fee rates to be used, payments, administrative costs and expenses for consumer protection matters in accordance with the financial regulations.

125. The travel expenses, accommodation and food expenses for attending the meeting on consumer protection and for court hearing shall be incurred from fund of the Department for the Commission member who is not civil service personnel.

126. Decent costs, travel fees and accommodation and food expenses shall be incurred from the fund of the Department for consumer protection expert.

(Sd/)

Dr. Pwint San

Union Minister

Ministry of Commerce

Letter No. 11/ 2-37/ 2022(24)

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Constitutional Tribunal of the Union

The Union Election Commission

All Union Ministries

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Union Civil Service Broad

Nay Pyi Taw Council

All Region/ State Governments

The Central Bank of Myanmar

Office of Anti-Corruption Commission

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**The Consumer Protection Rules**

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to affiliated Associations)

By Order

Min Min

Permanent Secretary



Goods/Service Investigation Form  
(Only for Inspection Team)

- 1. Date of inspection -                      2. Time of inspection -
- 3. City/Location -
- 4. Information of inspected Goods

(a)	Name of Goods	
(b)	Types of Goods	
(c)	Serial Code Number	
(d)	Origin of manufacturing	
(e)	Net weight/amount	
(f)	Size	
(g)	Manufacture date	
(h)	Expiry date	

- 5. Information of Inspected Service -  
(service provider’s name and address, provided service)
- 6. Information about the shop where the goods are found-  
(Name of shop owner, address)
- 7. Name and address of manufacturer /importer -

- 8. Registration of Goods/ Service                      Yes                      No  
(in Relevant Department)
- 9. Taking Sample of goods                      Yes                      No

### The Consumer Protection Rules

10. Condition that can hazard	Yes	No
(if any)	<input type="checkbox"/>	<input type="checkbox"/>

11. Reason for Inspection –

12. Results of Finding –

13. Actions taken by other Department (if applicable)–

Name of Inspector –

Rank –

Signature –

14. In this investigation, the inspection team consists of the following persons–

Witness (1) –

Witness (2) –

Name –

Name –

Signature –

Signature –

.....Region and State, Union Territory

Complaint Form

Step (1)

The Information of Complainant

Full name of Complainant \* -

Gender \* -  Male  Female

Age \*

- 18 – 24 years
- 25 – 34 years
- 35 – 44 years
- 45 – 54 years
- 55 – 64 years
- 65 or – above
- NRC No.\*
- Passport No

Address

(Building No, Street Name) -

Ward -

Town\* -

State/Region\* -

Postal Code -

Region or State office of the Department

of Consumer Affairs to file the Complaint\* - select box

Complainant’s phone no. \* -

Complainant’s e-mail address (if applicable)-

## Step (2)

## The Information of Entrepreneur

Name of Company/Business -

to be complained

Address of Company/Business -

Phone No. -

Website (if applicable) -

Type of Complaint\* -

Goods Service 

Complaint Date\* -

Describe the subject\* -

to be complained

Date of Purchase or Sale\* -

Paid Amount\* - 

Payment Method\* -

 Cash Loan Credit Card Cheque other

Evidence of payment\* JPEG (or) PDF File (not more than 20 Mbps)

Attachment Files

Add More

Delete

# The Consumer Protection Rules

## Step (3)

### Description of Complaint

Which methods do you want to settle for your complaint? Please describe.\*

- Refund
- Repair
- Replace
- Other

Did you file the complaint at other court/department/or organization?\*

- Yes
- No

Name of Court/Department/Organization\* -  
where the complaint was filed

Address where the complaint was filed\* -

It is available to use the personal data of complainant (Name, e-mail and phone number) for settling the dispute, if necessary

- allow
- not allow

If you choose the 'not allow' option, for further assistance, the Department of Consumer Affairs may settle the dispute limitedly.

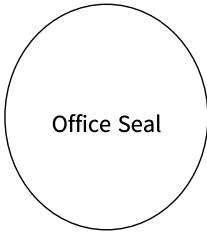
### Notice

Regarding the complaint, the responsible staffs from the Department of Consumer Affairs will contact the complainant by a few phone calls for further investigation within three days. If the complainant fails to receive those phone calls, the complaint case will be automatically closed.

Signature of Complainant ..... Date.....

## The Consumer Protection Rules

If the complainant files a complaint through any means of social media, the staff from the Department of Consumer Affairs signs after filling about the facts of complaint.



Signature - -----

Name - -----

Rank - -----

Department - -----

## The Sticker Form to Affix on the Sample Goods

- Length - 10 centimeter  
Width - 7.5 centimeter  
Color - yellow  
Type - Sticker

Region/State, Union Territory

Representative Code

Serial Number of goods

Serial Number YGN/001/.....

Name of Goods	-
Type of Goods	-
Date of taking sample	-
Signature of Inspector	-
Name of Inspector	-

Market Monitoring Report Form

(For Inspector Only)

1. Information of Reporter
  - (a) Name of Inspector -
  - (b) Rank -
  - (c) Department -
  - (d) Township -
2. Date of Inspection - / / , Time - : , Place -
3. Information of Goods Seller, Service Provider -
4. Write down the facts contained in goods/service in the following table-
  - (a) Name of Goods/Service -
  - (b) Type of Goods/Service -
  - (c) Size and Quantity of Goods -
  - (d) Net Amount of Goods -
  - (e) Country of Manufacture -
  - (f) Name and Address of Importer -
  - (g) Manufacture Date - / / Expiry Date- / /  
 (DD/MM/YY) (DD/MM/YY)
  - (h) Photo of Goods/Service -  
 (can be described with appendix)
5. The purpose of inspection in the market  
 .....  
 .....



## The Consumer Protection Rules

6. Findings

.....  
.....  
.....

7. Describe how the actions should be taken -  
(Refer to the provisions enacted in the Consumer Protection Law)

.....  
.....  
.....

8. I sign the above-mentioned report is correct-

Signature - -----  
Name - -----  
Rank - -----  
Department - -----

Form (5)

Investigation Report Form made by Cooperation Group led by Inspector

Name of Inspector -  
 Rank of Inspector -  
 Date of Inspection -  
 Region/State, District -

No.	Place of Inspection	Inspected Goods or Service	Findings	Level of Risk			Hazard (if applicable)	The Condition of Taking action in accordance with the Consumer Protection Law
				Low	Medium	High		
1.								
2.								
3.								

4. This investigation involved the following entrepreneur and staffs from relevant departments.

(a) Signature	-	(b) Signature	-	(c) Signature	-
Name	-	Name	-	Name	-
Rank	-	Rank	-	Rank	-
Department	-	Department	-	Department	-



Recalling from Market Form

Date -

Time -

Place -

1. Information of conveying Department/Organization

Name of Department/Organization \_\_\_\_\_

Address \_\_\_\_\_

Telephone No \_\_\_\_\_

Fax \_\_\_\_\_

E-mail \_\_\_\_\_

2. Information of Entrepreneur

Facts of Entrepreneur \_\_\_\_\_

Address \_\_\_\_\_

Telephone No. \_\_\_\_\_

Fax \_\_\_\_\_

E-mail \_\_\_\_\_

Website \_\_\_\_\_

3. Reason for Recalling from the market

\_\_\_\_\_  
\_\_\_\_\_

4. Information of Goods

Name of Goods \_\_\_\_\_

Type of Goods \_\_\_\_\_

Category of Goods \_\_\_\_\_

Serial Code Number of Goods \_\_\_\_\_

Origin of manufacture of Goods \_\_\_\_\_

Time Period to be Recalled \_\_\_\_\_

Area to perform Recalling \_\_\_\_\_

Other description \_\_\_\_\_

Photographic Evidence (To describe with appendix)

### The Consumer Protection Rules

**5. Information about Organization/ Department/ Person to take action for the Goods**

Name of Department/Organization/ Person to take action.....

Name of Law to take action .....

Contact Information to investigate case if necessary

.....

6, U/Daw ....., Rank .....sign that the above information are filled in front of the following witnesses, and the entrepreneur also signs for understanding to comply it .

Signature - .....

Name - .....

Rank - .....

Department - .....

**Witnesses**

Signature - .....

Signature - .....

Name - .....

Name - .....

Rank - .....

Rank - .....

Department - .....

Department - .....

**Entrepreneur**

Signature - .....

Name - .....

N.R.C No. - .....



**Temporarily Prohibiting the Distribution in the Market Form**

Date -

Time -

Place -

**1. Information of conveying Department/Organization**

Name of Department/Organization .....

Address .....

Telephone No. ....

Fax .....

E-mail .....

**2. Information of Entrepreneur**

Facts of Entrepreneur .....

Address .....

Telephone No. ....

Fax .....

E-mail .....

Website .....

**3. Reason for Temporarily Prohibiting Distribution in the Market**

.....

.....

**4. Information of Goods/ service**

Name of Goods/ Service.....

Type of Goods/ Service .....

Category of Goods .....

Serial Code Number of Goods .....

Origin of manufacture of Goods.....

(Origin of service providing)

Area to perform temporarily Prohibiting .....

Other description .....

Photographic Evidence (To describe with appendix)

5. Information about Organization/Department/Person to take action for the Goods/ Service

Name of Department/Organization/Person to take action .....

Name of Law to take action.....

6. I, U/Daw ....., Rank .....sign that the above information are filled in front of the following witnesses, and the entrepreneur also signs for understanding to comply it.

Signature.....

Name .....

Rank .....

Department ... ..

Witnesses

Signature -

Name -

Rank -

Department-

Signature -

Name -

Rank -

Department-

Entrepreneur

Signature -

Name -

N.R.C No. -



Prohibiting the Distribution in the Market Form

Date -

Time -

Place -

1. Information of conveying Department/Organization

Name of Department/Organization .....

Address .....

Telephone No.....

Fax .....

E-mail .....

2. Information of Entrepreneur

Facts of Entrepreneur .....

Address .....

Telephone No. ....

Fax .....

E-mail .....

Website.....

3. Reason for Prohibiting Distribution in the Market

.....  
.....

4. Information of Goods/ service

Name of Goods/ Service.....

Type of Goods/ Service .....

Category of Goods.....

Serial Code Number of Goods.....

Origin of manufacture of Goods.....

(Origin of service providing)

### The Consumer Protection Rules

Area to perform Prohibiting .....

Other description .....

Photographic Evidence (To describe with appendix)

**5. Information about Organization/Department/Person to take action for the Goods**

Name of Department/Organization/Person to take action .....

Name of Law to take action .....

6. I, U/Daw ....., Rank .....sign that the above information are filled in front of the following witnesses, and the entrepreneur also signs for understanding to comply it.

Signature .....

Name .....

Rank .....

Department.....

**Witnesses**

Signature -

Name -

Rank -

Department -

Signature -

Name -

Rank -

Department -

**Entrepreneur**

Signature -

Name -

N.R.C No. -



The Republic of the Union of Myanmar

----- Region/ State/ Union Territory Office

(YY/MM/DD)

Sr. No. (     /20     )

**Agreement Form**

1. This agreement describes that U/ Daw -----, the complainant and U/ Daw -----, the entrepreneur who is complained or his legal representative, agree the followings through the mediation by relevant Office:

**Agreements**

- (a) -----  
-----
- (b) -----  
-----
- (c) -----  
-----
- (d) -----  
-----
- (e) -----  
-----

2. The entrepreneur who is complained shall perform the above agreements mediated by relevant office prior to the date (.....).

3. In accord with the above mentioned agreements, we, the complainant and the entrepreneur who is complained or his legal representative sign voluntarily in the agreement form before the

## The Consumer Protection Rules

responsible persons of the office on ..... DD /.....MM/..... YY without being deceived, urged, threatened, forced. We understand that we shall have been taken actions according to existing laws if we breach the agreement.

**The Complainant**



**The entrepreneur who  
is complained  
or  
his legal representative**

Signature -

Name -

NRC No. -

Address -

Signature -

Name -

NRC No. -

Address -

They sign in the sight of us.

### Witnesses

Signature -

Name -

Rank -

Department -

Signature -

Name -

Rank -

Department -

The Consumer Protection Rules

Form (10)

The Republic of the Union of Myanmar

Ministry of Commerce

Department of Consumer Affairs

.....Region/State/ Union Territory Office

(.....DD,.....MM,.....YY)

Notification No. ....../20...

Administrative Order passed by the Office

Name.....

Father Name.....

NRC No.....

Phone No.....

Rank/Duty.....

Type of Business.....

Address .....

.....

Reason for Action.....

Contravened Section.....

1. .... Region/State/Union Territory Office passes ..... order against the entrepreneur, U/Daw ..... (NRC No.....) under sub- section.....of section .....exercising the power under Clause 4, sub-section (b) of section 13 of the Consumer Protection Law.

2. Under the order mentioned in paragraph 1, the entrepreneur who is complained shall perform the following facts prior to the date -

### The Consumer Protection Rules

- (a) .....
- .....
- (b) .....
- .....
- (c) .....
- .....

3. If it is dissatisfied with the order passed by .....Region /State/Union Territory Office, it may be appealed to the relevant Consumer Affairs Committee within 30 days from the date of passing the order.



Signature -  
Name -  
Rank -

The Republic of the Union of Myanmar

----- Region/ State/ Union Territory Consumer Affairs Committee

(DD/MM/YY)

Order No. ( / 20 )

Administrative Order passed by the Committee

Name .....

Father Name .....

NRC No.....

Phone No. ....

Rank/Duty .....

Business Type.....

Address.....

Reason for Action.....

Contravened Section.....

1. ....Region/State/Union Territory Office passes ..... order against the entrepreneur, U/Daw .....(NRC No.....)under sub-section .....of section .....exercising the power conferred under sub-section(e) of section 18 of the Consumer Protection Law.

2. Under the order mentioned in paragraph 1, the entrepreneur who is complained shall perform the following facts to complete prior to the date -

(a) .....

(b) .....

### The Consumer Protection Rules

(c) .....  
.....

3. If it is dissatisfied with the order passed by .....Region /State/Union Territory Consumer Affairs Committee, it may be appealed to Myanmar Consumer Protection Commission within 30 days from the date of passing the order.

Signature .....

Name .....

Chairman .....



(or)

Signature .....

On behalf of the chairman .....

(Name, Secretary) .....

**Taking Sample goods Form**  
**(To be used in sending to court)**

1. Information of goods seller -

Name	-	Father's name	-
NRC No.	-	Address (shop/home)	-

2. Date of Inspection - / / , Time - , Place -

3. Information of goods to be reported

- (a) Region/State -
- (b) Serial Code number of goods -

4. Write down the facts contained in goods in following table-

- (a) Name of Goods -
- (b) Type of Goods -
- (c) Size and Quantity of Goods -
- (d) Net Amount of Goods -
- (e) Country of Manufacture -
- (f) Name and Address of Importer -
- (g) Manufacture Date - / / Expiry Date- / /  
(DD/MM/YY) (DD/MM/YY)
- (h) Photo of Goods -  
(Can be described with appendix)

### The Consumer Protection Rules

5. Reason for taking Sample of goods.

-----

-----

-----

-----

6. How the actions should be taken

-----

-----

-----

-----

7. I sign the above-mentioned report is correct.

Reporter -----

Signature -----

Name -----

Rank -----

Department -----

#### Witnesses

Signature -	Signature -	Signature -
Name -	Name -	Name -



## Record Form of the Amount of Goods Found in the Market

## 1. Information of goods seller -

Name	-	Father's name	-
NRC No.	-	Address (shop/home)	-

2. Date of Inspection -        /        /        , Time -        , Place -

## 3. Information of goods to be reported

(a) Region/State -

(b) Serial Code number of goods -

## 4. Write down the facts contained in goods in following table-

(a) Name of Goods -

(b) Type of Goods -

(c) Size and Quantity of Goods -

(d) Net Amount of Goods -

(e) Country of Manufacture -

(f) Name and Address of Importer -

(g) Manufacture Date -        /        /        Expiry Date-        /        /

(DD/MM/YY)

(DD/MM/YY)

(h) Photo of Goods -

(Can be described with appendix)

### The Consumer Protection Rules

5. Remaining amount/ quantity of goods in taking sample.

-----  
 -----  
 -----  
 -----  
 -----  
 -----

6. Description how the actions should be taken.

-----  
 -----  
 -----  
 -----  
 -----  
 -----

7. I sign the above-mentioned report is correct.

Reporter -----  
 Signature -----  
 Name -----  
 Rank -----  
 Department -----

#### Witnesses

Signature -	Signature -	Signature -
Name -	Name -	Name -

Appeal Form

To

-----  
 -----  
 -----

Subject: Appeal on dissatisfaction with the decision in respect of  
 the complaint filed by .....to the committee (or)  
 the Office

-----  
 -----  
 -----  
 -----  
 -----  
 -----  
 -----

Attached: Decision of the Committee or the Office, and evidences  
 wished to be presented.

(Applicant)

Signature -----

Name -----

NRC No. -----

Address -----