



## **World Consumer Protection Map**

Contribution by  
Brunei Darussalam

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Page 2: Contact of respondent

**Q1**

**Brunei Darussalam**

Name of responding member State

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**Q2**

Name of responding authority/agency:

Department of Competition & Consumer Affairs

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Page 3: Consumer protection legislation

**Q7**

**No**

Does your country's Constitution contain a provision on consumer protection?

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**Q8**

**Respondent skipped this question**

If you do, please provide de following details:

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**Q9**

**Yes**

Does your country have have specific law(s) on consumer protection ?

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**Q10**

Date

**01/01/2012**

If you do, when was the main specific law first enacted?

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**Q11**

Date

**10/10/2015**

If your main specific law on consumer protection has been revised, when was the date of its latest revision?

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**Q12**

Please provide the following details of the current specific law(s):

1- Name of law	<b>Consumer Protection (Fair Trading) Order, 2011</b>
1- URL link	<a href="http://www.agc.gov.bn/AGC%20Images/LAWS/Gazette_PDF/2011/EN/s064.pdf">http://www.agc.gov.bn/AGC%20Images/LAWS/Gazette_PDF/2011/EN/s064.pdf</a>
2- Name of law	<b>Consumer Protection (Fair Trading) (Amendment) Order, 2015</b>
2- URL link	<a href="http://agc.gov.bn/AGC%20Images/LAWS/Gazette_PDF/2015/EN/S052.pdf">http://agc.gov.bn/AGC%20Images/LAWS/Gazette_PDF/2015/EN/S052.pdf</a>
3- Name of law	<b>ASEAN High-Level Principles on Consumer Protection</b>
3- URL link	<a href="https://aseanconsumer.org/file/pdf_file/ASEAN%20High%20Level%20Principles%20on%20Consumer%20Protection.pdf">https://aseanconsumer.org/file/pdf_file/ASEAN%20High%20Level%20Principles%20on%20Consumer%20Protection.pdf</a>

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**Q13**

Please check all the fields that your consumer protections law(s) cover.

- Consumer rights/legitimate needs,**
  - Protection of vulnerable and disadvantaged consumers,**
  - Terms and conditions,**
  - Promotional marketing and sales practices (including misleading advertisement)**
  - ,**
  - Electronic commerce,**
  - Dispute resolution,**
  - Redress,**
  - Consumer education,**
  - Consumer information**
-

**Q14**

From your previous answer, your specific consumer protection law(s) do(es) not cover the following field(s). Please name the relevant law(s) covering this/these field(s):

Access by consumers to essential goods and services	<b>Price Control Act, Chapter 142 (Price controls are set on 10 essential items including rice, sugar, cooking oil, powdered infant milk and energy products)</b>
Restrictive business practices (competition/antitrust)	<b>Competition Order, 2015</b>
Food distribution	<b>Public Health (Food) Act, Chapter 182</b>
Water	<b>Poisons Act and Misuse of Drugs Act</b>
Data protection and privacy	<b>Data Protection Policy, 2014</b>
Financial services	<b>Notice No. FCIU/N1/2017/1 - Notice For The Establishment Of A Complaints Handling Function Within Financial Institutions</b>

**Q15**

Please indicate the URL Link of the relevant law(s) to each field:

Access by consumers to essential goods and services	<a href="http://www.agc.gov.bn/AGC%20Images/LAWS/ACT_PDF/P/CHAPTER%20142.pdf">http://www.agc.gov.bn/AGC%20Images/LAWS/ACT_PDF/P/CHAPTER%20142.pdf</a>
Restrictive business practices (competition/antitrust)	<a href="http://www.agc.gov.bn/AGC%20Images/LAWS/Gazette_PDF/2015/EN/S001.pdf">http://www.agc.gov.bn/AGC%20Images/LAWS/Gazette_PDF/2015/EN/S001.pdf</a>
Food distribution	<a href="http://www.agc.gov.bn/AGC%20Images/LAWS/Gazette_PDF/1998/BM/B017.pdf">http://www.agc.gov.bn/AGC%20Images/LAWS/Gazette_PDF/1998/BM/B017.pdf</a>
Pharmaceuticals	<a href="http://www.agc.gov.bn/AGC%20Images/LAWS/ACT_PDF/P/CHAPTER%20114.pdf">http://www.agc.gov.bn/AGC%20Images/LAWS/ACT_PDF/P/CHAPTER%20114.pdf</a>   <a href="http://www.agc.gov.bn/AGC%20Images/LAWS/Peng_PDF/E7_1978_M.pdf">http://www.agc.gov.bn/AGC%20Images/LAWS/Peng_PDF/E7_1978_M.pdf</a>
Data protection and privacy	<a href="http://www.information.gov.bn/PublishingImages/SitePages/New%20Media%20and%20IT%20Unit/Data%20Protection%20Policy%20V.2.2.pdf">http://www.information.gov.bn/PublishingImages/SitePages/New%20Media%20and%20IT%20Unit/Data%20Protection%20Policy%20V.2.2.pdf</a>
Financial services	<a href="https://www.ambd.gov.bn/SiteAssets/Lists/Announcements/For%20Publication%20-%20NOTICE%20FOR%20THE%20ESTABLISHMENT%20OF%20A%20COMPLAINTS%20HANDLING%20FUNCTION%20dated%20Aug%2030,%202017.pdf">https://www.ambd.gov.bn/SiteAssets/Lists/Announcements/For%20Publication%20-%20NOTICE%20FOR%20THE%20ESTABLISHMENT%20OF%20A%20COMPLAINTS%20HANDLING%20FUNCTION%20dated%20Aug%2030,%202017.pdf</a>

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**Q16**

Name of Ministry responsible for consumer protection:

Ministry of Finance and Economy

**Q17**

URL link of responsible Ministry for consumer protection:

<https://www.mofe.gov.bn/>

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**Q18**

Year when consumer protection was assumed by the current responsible ministry:

2018

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**Q19**

Yes

Do you have a main consumer protection authority/agency?

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**Q20**

Name of main consumer protection authority/agency:

Department of Competition and Consumer Affairs

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**Q21**

URL of main consumer protection authority/agency:

<http://www.deps.gov.bn/cad/>

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**Q22**

Year of creation:

2017

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**Q23**

Annual budget: (in USD)

778000

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**Q24**

Total number of staff:

27

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**Q25**

Total number of staff directly affected to consumer protection:

6

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**Q26**

Yes

Do you have a law/decree that governs the main consumer protection authority/agency?

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**Q27**

If you do, please provide the following details:

Reference of the law/decree

**Consumer Protection (Fair Trading) (Amendment) Order, 2015**

URL to law/decree

**[http://agc.gov.bn/AGC%20Images/LAWS/Gazette\\_PDF/2015/EN/S052.pdf](http://agc.gov.bn/AGC%20Images/LAWS/Gazette_PDF/2015/EN/S052.pdf)**

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**Q28**

Does your main consumer protection authority/agency have POLICY MAKING powers over any of the following fields?

**Consumer rights/legitimate needs,  
Access by consumers to essential goods and services,  
Protection of vulnerable and disadvantaged consumers,  
Terms and conditions,  
Promotional marketing and sales practices (including misleading advertisement)  
,  
Restrictive business practices(competition/antitrust),  
Electronic commerce,  
Dispute resolution,  
Redress,  
Consumer education,  
Consumer information**

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**Q29**

From your previous answer, your main authority/agency does not have POLICY MAKING powers over the following fields. Please name the relevant authorities/agencies with powers over these fields:

Financial services	<b>Autoriti Monetari Brunei Darussalam (AMBD)</b>
Food distribution	<b>Food Safety and Quality Control Division, Ministry of Health</b>
Pharmaceuticals	<b>Pharmacy Enforcement Section, Ministry of Health</b>
Data protection and privacy	<b>E-Government National Centre (EGNC)</b>

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**Q30**

URL Link of the relevant authority/agency to each field:

Financial services	<b><a href="https://www.ambd.gov.bn/Home.aspx">https://www.ambd.gov.bn/Home.aspx</a></b>
Food distribution	<b><a href="http://www.moh.gov.bn/SitePages/Food%20Safety%20and%20Quality%20Control%20Division.aspx">http://www.moh.gov.bn/SitePages/Food%20Safety%20and%20Quality%20Control%20Division.aspx</a></b>
Pharmaceuticals	<b><a href="http://www.moh.gov.bn/SitePages/Pharmacy%20Enforcement%20Section.aspx">http://www.moh.gov.bn/SitePages/Pharmacy%20Enforcement%20Section.aspx</a></b>
Data protection and privacy	<b><a href="http://www.egnc.gov.bn/SitePages/AboutEGNC.aspx">http://www.egnc.gov.bn/SitePages/AboutEGNC.aspx</a></b>

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**Q31**

Does your main consumer protection authority/agency have ENFORCEMENT powers over any of the following fields?

- Consumer rights/legitimate needs,**
  - Access by consumers to essential goods and services,**
  - Protection of vulnerable and disadvantaged consumers,**
  - Terms and conditions,**
  - Promotional marketing and sales practices (including misleading advertisement)**
  - ,**
  - Restrictive business practices (competition/antitrust),**
  - Electronic commerce,**
  - Dispute resolution,**
  - Redress,**
  - Consumer education,**
  - Consumer information**
-

**Q32**

From your previous answer, your main consumer protection authority/agency does not have ENFORCEMENT powers over the following fields. Please name the relevant authorities/agencies with powers over these fields:

Financial services	<b>Autoriti Monetari Brunei Darussalam (AMBD)</b>
Food distribution	<b>Food Safety and Quality Control Division, Ministry of Health</b>
Pharmaceuticals	<b>Pharmacy Enforcement Section, Ministry of Health</b>
Data protection and privacy	<b>E-Government National Centre</b>

**Q33**

URL Link of the relevant authority/agency to each field:

Financial services	<b><a href="https://www.ambd.gov.bn/">https://www.ambd.gov.bn/</a></b>
Food distribution	<b><a href="http://www.moh.gov.bn/SitePages/Food%20Safety%20and%20Quality%20Control%20Division.aspx">http://www.moh.gov.bn/SitePages/Food%20Safety%20and%20Quality%20Control%20Division.aspx</a></b>
Pharmaceuticals	<b><a href="http://www.moh.gov.bn/SitePages/Pharmacy%20Enforcement%20Section.aspx">http://www.moh.gov.bn/SitePages/Pharmacy%20Enforcement%20Section.aspx</a></b>
Data protection and privacy	<b><a href="http://www.egnc.gov.bn/SitePages/AboutEGNC.aspx">http://www.egnc.gov.bn/SitePages/AboutEGNC.aspx</a></b>

**Q34**

Regarding enforcement, how many infringement cases does your authority/agency handle on average per year?

0 cases. Cases are mainly resolved at negotiation and mediation stage.

**Q35**

**No**

Has your authority/agency imposed sanctions and/or other measures for breaches of consumer protection law(s)?

**Q36**

**Respondent skipped this question**

Maximum amount for sanction/measure allowed by consumer protection law(s): (in USD)

**Q37**

**Respondent skipped this question**

Record highest amount for any sanction/measure imposed: (in USD)

**Q38**

Please detail if necessary, what kind of sanctions and/or other measures are available in your jurisdiction

Injunction / voluntary compliance agreement



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**Q39** **No**

Are there any non-governmental consumer organizations/associations in your country?

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**Q40** **No**

Do you have a law/decree that governs consumer organizations/associations?

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**Q41** **Respondent skipped this question**

In case you have a law/decree that governs consumer organizations, please provide the following details:

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**Q42** **Respondent skipped this question**

Do consumer organizations/associations fulfil any of the following functions?

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**Q43** **No**

Do consumer groups/associations receive public funding?

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**Q44** **Respondent skipped this question**

Name the three largest non-governmental consumer organizations/associations in your jurisdiction:

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**Q45** **No**

Can consumers obtain redress through judicial channels?

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**Q46** **No**

Is there a specialized judicial mechanism for consumer complaints?

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**Q47** **Respondent skipped this question**

If there is, please provide the following details

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**Q48**

No

Do you have collective redress/class actions for consumer complaints?

**Q49**

Consumer protection enforcement authority/agency

Who can represent consumer interests in court?

**Q50**

Respondent skipped this question

What is the highest damages award following a collective redress/class action?

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**Q51**

Regarding out-of-court/alternative consumer dispute resolution, are there any of the following?

**Mediation/ Conciliation,**

**Arbitration,**

Comments:

Mediation is conducted administratively by the Department of Competition and Consumer Affairs. Consumers may also file claims to the Small Claims Tribunal, where, mediation will be held initially. In the event that parties are unable to settle the matter a simple hearing shall be held before the tribunal before an adjudicator who will rule on the matter. Arbitration is conducted by the Brunei Darussalam Arbitration Centre (BDAC).

**Q52**

If there are any of the above, please provide the following details:

1- Name

**Department of Competition and Consumer Affairs**

1- URL Link

**<http://www.deps.gov.bn/cad>**

2- Name

**Small Claims Tribunal**

2- URL Link

**<http://judiciary.gov.bn/SJD%20Site%20Pages/Small%20Claim%20Tribunal.aspx>**

3- Name

**Brunei Darussalam Arbitration Centre**

3- URL Link

**<http://www.bdac.gov.bn/Style/Home.aspx>**

**Q53**

No

Are there any CROSS-BORDER out-of-court/alternative consumer dispute resolution initiatives?

**Q54** Respondent skipped this question

If there are, please provide the following details:

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**Q55** No

Are there any self-regulation initiatives from businesses?

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**Q56** Respondent skipped this question

Please provide (up to) 4 examples of the self-regulation initiatives from businesses:

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**Q57** No

Are there any co-regulation initiatives between businesses and public entities?

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**Q58** Respondent skipped this question

Please provide (up to) 4 examples of the co-regulation initiatives between businesses and public entities:

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**Q59** Respondent skipped this question

Do self-regulation and/or co-regulation initiatives cover any of the following issues? (Please relate to UNGCP Guideline 11)

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**Q60**

What kind and how many international cooperation agreement(s) on consumer protection does your authority/agency participate in?

	Bilateral	Multilateral/Regional
Formal (treaties)		2
Informal (memoranda of understanding)		

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**Q61** Respondent skipped this question

Please provide name and URL link of formal bilateral agreements (treaties):

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**Q62**

**Respondent skipped this question**

Please provide name and URL link of informal bilateral agreements (memoranda of understanding):

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**Q63**

Please provide name and URL link of formal multilateral/regionals agreements (treaties) that address consumer protection:

1. ASEAN Australia New Zealand Free Trade Agreement:

<https://aanzfta.asean.org/agreement-establishing-the-aanzfta>  
(E-commerce Chapter)

2. Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP)

[https://www.mofe.gov.bn/Divisions/Comprehensive-and-Progressive-Agreement-for-Trans-Pacific-Partnership-\(CPTPP\)-Texts.aspx](https://www.mofe.gov.bn/Divisions/Comprehensive-and-Progressive-Agreement-for-Trans-Pacific-Partnership-(CPTPP)-Texts.aspx)  
(Competition Chapter)

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**Q64**

**Respondent skipped this question**

Please provide name and URL link of informal multilateral/regionals agreements (memoranda of understanding) that address consumer protection:

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**Q65**

Do cooperation agreements on consumer protection (be those formal/informal/bilateral/regional) cover any of the following fields?

**Policy making,**

**Enforcement,**

**Promotional marketing and sales practices (including misleading advertisement)**

,

**Restrictive business practices(competition/antitrust),**

**Electronic commerce,**

**Redress**

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**Q66**

Does your consumer protection enforcement authority/agency have any of the following powers regarding cross-border fraudulent and deceptive commercial practices affecting consumers?

Other (please specify):

Fact-finding and resolving complaints administratively.

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**Q67**

**No**

Do you have any experience in cross-border cooperation on enforcement?

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**Q68**

Respondent skipped this question

If you do, please provide a short description

**Q69**

Do you engage in technical cooperation or capacity building activities on consumer protection?

Bilaterally

Through an international organization/network

As a recipient

**Yes****Yes**

As a donor

**Q70**

If you have engaged in technical cooperation or capacity building activities on consumer protection as a recipient/as donor and/or through an international organization/network, please provide the following details for each initiative

1- Name of programme/project

**AANZFTA Consumer Protection Scoping Project (CPSP)**

1- Name of cooperating partner(s)

**AANZFTA Economic Cooperation Support Programme (AECSP)**

1- Starting date of programme/project

**January 2019**

1- Finish date of programme/project

**December 2019**

1- Scope of programme/project (list areas of work)

**To support the potential upgrade of the AANZFTA Chapter on Competition to provide for consumer protection, including strengthening understanding of the current and potential interface between competition and consumer protection law.**

2- Name of programme/project

**Consumer Protection Training**

2- Name of cooperating partner(s)

**Competition and Consumer Commission Singapore (CCCS)**

2- Starting date of programme/project

**18 November 2019**

2- Finish date of programme/project

**19 November 2019**

2- Scope of programme/project (list areas of work)

**To enhance knowledge on the role of the consumer protection roles, institutional administration, and exchange views on effective complaint handling mechanisms and advocacy.**

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**Q71****Yes**

Does your authority/agency carry out information and education initiatives?

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**Q72**

Do information and education initiatives carried out by your authority/agency cover any of the following fields?

**Legislation, dispute resolution,**

Other (please specify):

Consumer rights

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**Q73**

Does your authority/agency provide specific education and information initiatives for vulnerable and disadvantaged consumers?

**No**

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**Q74**

If your authority/agency does, please provide the following details:

**Respondent skipped this question**

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**Q75**

Do consumer organizations/associations provide education and information initiatives?

**No**

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**Q76**

If consumer organizations/associations do, please provide the following details:

**Respondent skipped this question**

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**Q77**

Does your authority/agency conduct research and analysis on consumer protection issues?

**Yes**

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**Q78**

If your authority/agency does, please provide the following details:

**Respondent skipped this question**

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**Q79**

Do other organizations/associations conduct research and analysis on consumer protection?

**No**

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**Q80**

If other organizations/associations do, please provide the following details:

**Respondent skipped this question**

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