

## New Regulation in Malaysia: Bahasa Malaysia Now Required for Online Sales under CPETTR 2024

July 2025  
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### 1. Introduction

Malaysia has announced the enforcement of the new Consumer Protection (Electronic Trade Transaction) Regulations 2024, also known as “**CPETTR 2024**”. These regulations replaced the previous CPETTR 2012 and it targets local sellers and operators who supply products or services to Malaysian consumers through online platforms.



As a background, Consumer Protection Act 1999 (Act 599) (the “**Act**”) is the principal legislation for protecting consumer rights in Malaysia. The Act also established the National Consumer Advisory Council (“**NCAC**”) and the Tribunal for Consumer Claims. The NCAC advises the Ministry of Domestic Trade and Cost of Living, or known as “**KPDN**” (stands for *Kementerian Perdagangan Dalam Negeri dan Kos Sara Hidup* in Bahasa Malaysia) in the implementation of consumer protection laws.

Section 150(2)(a) of the Act empowers the Minister to make subsidiary regulations to address evolving consumer needs, in line with technological advancements. It is under this provision that the CPETTR were improved and passed.

### 2. Key Points for Foreign Business

## 2.1 Bahasa Malaysia is Now Mandatory on Digital Commerce

Pursuant to Regulation 4 of the CPETTR 2024, all important information shown to consumers on online marketplaces must be written in the national language of Malaysia, i.e. the *Bahasa Malaysia*. In addition to the national language, any other languages may be used in the online marketplace.

The CPETTR 2024 defined “**online marketplace**” as any electronic trade platform that is conducted through electronic means by any supplier. Regulations 3 of the CPETTR 2024 makes the language obligation to “online marketplace supplier”, which must be differentiated with “online marketplace operators”<sup>1</sup>.

The “**information**” intended under the Regulation 4 is those information to be disclosed by online marketplace suppliers as listed in the Schedule of the CPETTR 2024 which includes:

- (1) Details of the online marketplace supplier such as name, website, email address, etc;
- (2) Description of the main characteristic of the goods and service;
- (3) Price, shipping cost, and method of payments;
- (4) Terms and conditions of the sale and purchase of the goods and services;
- (5) Estimated time of delivery of goods or supply of services to the purchaser;
- (6) Certificate that the goods and services have followed the standard of safety and health as may be determined by the competent authority, if any.

## 2.2 The timeline for compliance

It was reported in the Malaysian news that the enforcement deadline for the originally set for 24<sup>th</sup> June 2025 is currently under review. KPDN has stated that it will engage with major marketplace operators to address concerns and gather their feedback before announcing a revised compliance timeline. It is expected for KPDN to finalise the timeline and issue comprehensive guidelines by August 2025.

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<sup>1</sup> Regulation 2 of the CPETTR 2024 defined “**online marketplace supplier**” as any person who conducts a trade or advertisement through an online marketplace; meanwhile “**online marketplace operator**” means any person who makes it available or operates an online marketplace for the purpose of trading or advertising;

It is important to note, however, that CPETTR 2024 remains legally in force (as it has already been gazetted and passed), and only the enforcement date is pending. Some platforms, such as Shopee, have already taken proactive steps by introducing automatic translation tools and Q&A guidelines to support sellers in preparing for compliance.

### **2.3 What about company's corporate website?**

The national language requirement under CPETTR 2024 does not apply to a company's corporate website if it is not considered an online marketplace as defined at the above. If the website is only for information purposes for example, it shows company details or product descriptions but does not allow customers to make purchases or place orders, then it is not subject to the Bahasa Malaysia requirement. However, this is subject to any further circulars or directives that may be issued by the government to clarify the scope of the regulation.

### **2.4 What about the obligations of online marketplace operators?**

Although the language requirement is the obligation of the online marketplace suppliers i.e. the sellers, the online marketplace operators, such as the operators of Shopee, Lazada and TikTok Shop, shall also be responsible for ensuring that the sellers advertising and trading in the platform to comply with CPETTR 2024.

Regulation 7 of the CPETTR 2024 outlines the duty of online marketplace operators to ensure:

- (a) Online marketplace suppliers or sellers' obligations in respect of goods or services information advertised in the online marketplace comply with the disclosure requirements, including description in the national language;
- (b) That a channel for purchasers to lodge complaints is made available; and
- (c) That no advertisement in the online marketplace is made in contravention with the regulations of the CPETTR 2024.

As such, online marketplace operators are expected to implement the necessary policy and other steps (which to be further enlighten by the KPDN) in order to discharge their duties and compliance in accordance with the CPETTR 2024.

## 2.5 Penalties for non-compliance

Regulation 9 of the CPETTR 2024 provides that, any person who fails to comply with any provision of these Regulations commits an offence. Section 145 of the Act provides the general penalties of non compliance with the Act (and its regulations) as follows:

- (a) For Individuals: Fines up to RM50,000 or up to 3 years of imprisonment; and
- (b) Body corporate: Fines up to RM100,000 for first offence, and RM200,000 for the second and subsequent offences, and RM1,000 per day of continuing offence.

## 3. Other Requirements

Other than the major changes of the information disclosure and national language requirement, the CPETTR 2024 has also outlined several other requirements applicable to both online marketplace suppliers and online marketplace operators as follows:

<b>Costs and additional services</b>	<u>Regulation 5</u> provides that online marketplace suppliers must bear the cost of re-delivery to the purchaser if the goods received by the purchaser is materially different or contained defects, and to provide services which are reasonably fit or as offered.
<b>Rectification of errors and acknowledgment of receipt</b>	<u>Regulation 6</u> provides that online marketplace suppliers to make available the means for purchaser to rectify error prior to or after confirmation of order, and to acknowledge receipt of order without delay.
<b>Maintenance of record</b>	<u>Regulation 8 provides</u> the requirement for online marketplace operators to keep record of online marketplace supplier for a period of three (3) years.

## 4. Conclusion

Enforcement of new laws often take time to allow the government to address practical gaps and concerns raised by the public and industry players. This reflects one of the strengths of the Malaysian regulatory approach, where stakeholder feedback is taken seriously and

followed by the issuance of circulars, directives, FAQs, and implementation guidelines to support effective compliance.

We can expect the same process for CPETTR 2024. While enforcement may be delayed, supplementary materials and further clarification will likely follow soon. In the meantime, businesses should stay informed and begin preparing for eventual compliance. If you have any questions regarding the above or would like to seek our legal consultation to advise the legal needs for your business operation in Malaysia, please contact us.

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