



NATIONAL STRATEGIC FRAMEWORK AND ACTION PLAN FOR CONSUMER PROTECTION

Office of Consumer Protection
Ministry of Economic Affairs

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| FOREWORD |

Consumer Protection Act of Bhutan 2012 requires the state to protect the economic interest and safety of consumers and ensure better consumer products and services, quicker redressal mechanisms, and avoid economic harm and adverse consequences in the course of acquiring and using goods and services. The function of consumer protection is very vast and falls within the purview of different relevant agencies. No matter which agency is designated with the responsibility for the management of areas of interest to consumers, it should be expected that there would be inter-agency mechanisms for consultation and cooperation to ensure that consumer interests are taken into account.

The Office of Consumer Protection, MoEA in collaboration with relevant agencies has developed a National Strategic Framework for Consumer Protection considering the gaps and overlaps in terms of policy, legislative and functions, and lack of inter-agency mechanisms for collaboration and cooperation among relevant agencies involved in consumer protection. The framework is expected to enhance effective and efficient consumer protection system; empower consumers; establish effective system of collaboration and coordination with all relevant stakeholders; and promote ethical and fair conduct by business in dealing with consumers. The strategic framework and action plan is expected to ensure dynamic and people centred public service delivery mechanism that generates prosperity for consumers and business entities.

I hope this framework will bring together relevant agencies in addressing consumer issues through collaborative approach, build consumer trust and confidence and realize our dream of transforming Bhutan into a well-informed and protected consumer supported by a fair-trading system and righteous advocacy programs.



Sonam Tenzin
Director

ACKNOWLEDGEMENT

The Office of Consumer Protection, Ministry of Economic Affairs would like to extend our appreciation to the following agencies for their valuable contribution in development of this document:

1. Bhutan Agriculture and Food Regulatory Authority (BAFRA), Ministry of Agriculture and Forest
2. Bhutan Electricity Authority (BEA)
3. Bhutan Infocomm and Media Authority (BICMA)
4. Bhutan Narcotic Control Agency (BNCA)
5. Bhutan Standard Bureau (BSB)
6. Drug Regulatory Authority (DRA)
7. Regional Trade and Industry Office (RTIO), Thimphu
8. Royal Monetary Authority (RMA)
9. Road Safety and Transport Authority (RSTA)
10. Tourism Council of Bhutan (TCB)

Taskforce

1. Mr. Pasang Wangdi, Senior Inspector, BAFRA
2. Mr. Sangay Phuntsho, Legal Officer, BEA
3. Miss. Chencho Om, Senior Legal Officer, BICMA
4. Mr. Sonam Tashi, Program Officer, BNCA
5. Mr. Pema Dorji, BSB
6. Miss. Jambay Wangmo, DRA
7. Mr. Dhurba Giri, RTIO, Thimphu
8. Mr. Sangay Dorji, Examining Officer, RMA
9. Miss. Pema Lhamo, Transport Officer, RSTA
10. Mr. Sangay Tenzin, Sr. Legal Officer, TCB
11. Planning and Research Division, Office of Consumer Protection

| EXECUTIVE SUMMARY |

The National Strategic Framework for Consumer Protection (NSFCP) is formulated based on the relevant laws and policies to address the existing gaps and issues in providing effective consumer protection services. The strategic action plan has also been prepared which sets strategy for consumer protection policy for next five years (2019-23). The primary objective is to ensure that consumer protection plans and strategies are in place in all RAs, consumers' access to information is enhanced, mechanism for consumer redressal is instituted, self-regulation in RAs are put in place, and institutional capacity is strengthened.

Consumer Protection Act of Bhutan 2012 provides consumers the right to protection of lives, health and safety; right to information on goods and services; fair terms of contract and sale; access to variety of goods and services at competitive price; and right to redressal. In order to ensure that these rights are provided, the Office of Consumer Protection (OCP) was established under Ministry of Economic Affairs in 2014. The OCP, MoEA is responsible for protecting the economic interest and safety of consumers and ensuring better consumer products and services, and facilitating quicker redressal mechanisms.

The consumer protection is very broad and cuts across many sectors. Besides OCP, there are other Relevant Agencies (RAs) rendering consumer protection services within the scope of their respective legal framework. However, there are gaps and overlaps in policy and legal framework, ambiguity in delineation functions among RAs, and weak inter-agency collaboration mechanism.

In the wake of above issues, OCP in collaboration with RAs has developed a National Strategic Framework for Consumer Protection (NSFCP). The NSFCP expects to provide RAs a framework for strategic approach for providing consumer protection in the country. The main objectives of the framework are to: Enhance effective and efficient consumer protection system; Empower consumers; Establish effective system of collaboration and coordination with all relevant stakeholders; and Promote ethical and fair conduct by business in dealing with consumers. The framework identifies RAs providing consumer protection in the country and maps potential gaps and overlaps of these RAs in the light of legal framework and functions. The framework also provides a consolidated strategic action plan of RAs for rendering consumer protection over the next five years (2019-2023).

| 1 | INTRODUCTION

The National Strategic Framework for Consumer Protection sets out strategies and action plans for consumer protection over the next five years (2019-23). The strategic framework is prepared based on relevant laws and policies to address the existing gaps and issues in providing effective consumer protection services. The primary objective is to ensure that consumer protection plans and strategies are in place in all RAs, consumers' access to information is enhanced, mechanism for consumer redressal is instituted, self-regulation in RAs are put in place, and institutional capacity is strengthened.

The NSFCP has four major goals:

- i. Enhance effective and efficient consumer protection system;
- ii. Empowering consumers;
- iii. Establish effective system of collaboration and coordination with all relevant stakeholders;
- iv. Promoting ethical and fair conduct by business in dealing with consumers.

These goals are designed to allow RAs to work within the consumer protection framework in addressing consumer issues through collaborative approach, build consumer trust and confidence, and integrate consumer protection issues in all policies and plans.

| 2 | CONSUMER PROTECTION IN BHUTAN

2.1. The legislative framework for consumer protection

The Constitution of the Kingdom of Bhutan, various Acts and Rules that govern the respective RAs, the United Nations Guidelines for Consumer Protection, Manual on Consumer Protection of the United Nations Conference on Trade and Development, Sustainable Development Goals 2030, 12thFive Year Plan, 16 National Key Result Area, other relevant international guidelines and policies provide adequate framework to ensure consumer protection and for the respective agencies to operate within the broad parameters provided by these documents.

In order to provide protection of economic interest and safety of consumers, the Consumer Protection Act (CPA) of Bhutan was enacted in 2012. The Act defines a consumer as “a natural person who buys goods and services for personal, family or household use with no intention of resale and shall include farmers”. The consumers are also bestowed with the following rights:

- i. Protection of their lives, health and safety in the consumption of goods and services;

- ii. True, sufficient, clear and timely consumer education including information on goods and services offered, as well as on prices, characteristics, quality and risks that may be encountered in the consumption of goods and services;
- iii. Fair, non-discriminatory and equitable treatment by businesses that will include fair terms of contract and sale;
- iv. Be assured, wherever possible, access to a variety of products, technologies and services at competitive price;
- v. Get redress against unfair trade practices and unscrupulous exploitation of consumers;
- vi. Form consumer associations;
- vii. A physical environment that will enhance the quality of life of present and future generations; and basic goods and services, which guarantee dignified living.

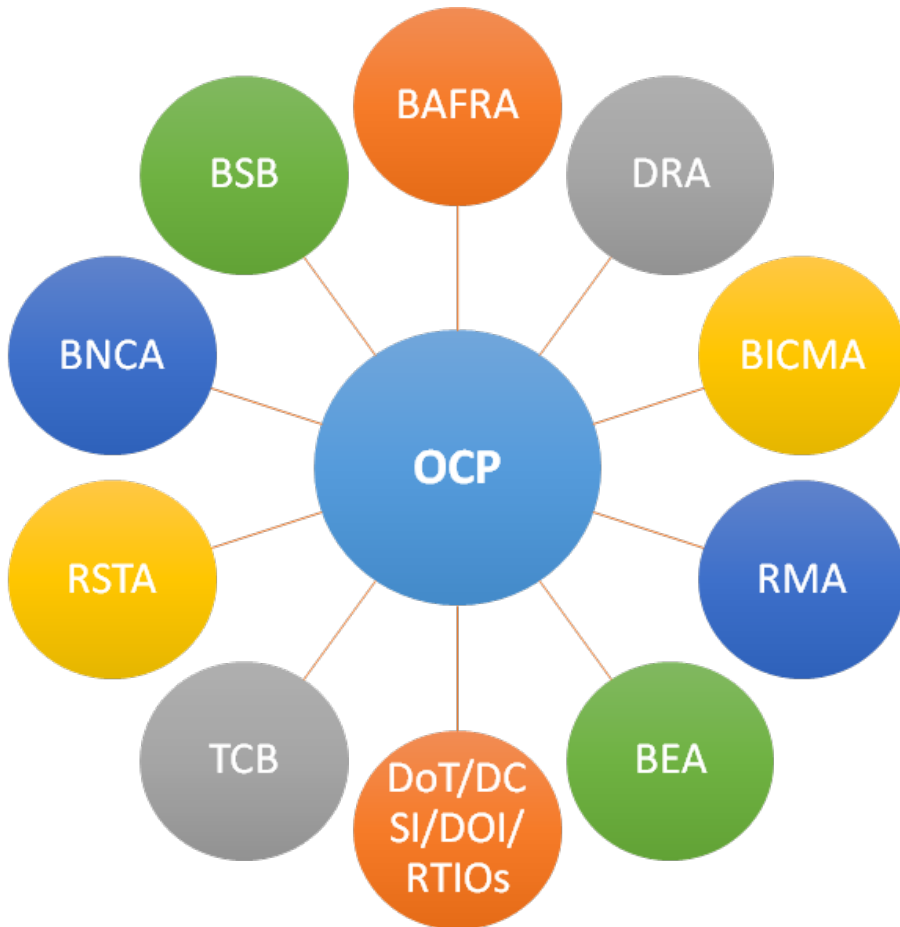
In order to ensure protection of the rights of consumers, OCP was established under Ministry of Economic Affairs in 2014 in accordance with section 88 of CPA 2012. Some of the important functions of OCP as enshrined in the CPA 2012 and Consumer Protection Rules and Regulation (CPRR) 2015 are to:

- i. disseminate information and educate consumers on provisions of the Act;
- ii. carry out research on consumer issues;
- iii. develop and promote policies pertaining to sustainable consumption of goods and services;
- iv. ensure consumer safety and protect from unfair trade practices;
- v. advise and educate consumers;
- vi. receive complaint from consumer and initiate enquiry; and
- vii. Investigate any trade practice detrimental to consumer.

2.2. Other laws and regulations pertaining to consumer protection

The role of consumer protection is pervasive and cross-sectoral in nature. There are many agencies in the country that are directly or indirectly engaged in safe guarding the safety and economic interest of consumers with respective laws and policies as identified in the figure 1.

Figure 1: Agencies providing consumer protection services



The consumer protection is very broad and cuts across many sectors. Besides OCP, there are other Relevant Agencies (RAs) rendering consumer protection services within the scope of their respective legal framework. There are gaps and overlaps in policy and legal framework, ambiguity in delineation functions among RAs, and weak interagency collaboration mechanism. An effective consumer protection system needs to be integrated, evolutionary and appropriate to suit the consumer landscape in Bhutan. Such approach could be done by adapting principles of consumer protection that are adaptable to change, strengthening enforcement capacity of agencies and instituting alternative dispute resolution mechanisms for consumer redress.

These RAs provide consumer protection services based on the acts, policies, rules and regulations as reflected in the table below:

The Acts, Policies, Rules and Regulations of other relevant agencies that are related to Consumer Protection

Acts/Rules & Regulations	Clause Reference
<ul style="list-style-type: none"> - Food Act of Bhutan 2005 - Food Rules and Regulations 2017 	<ul style="list-style-type: none"> - Chapter II- Labelling packaged food and food advertising of Food Rules and Regulations of Bhutan 2017 - Section 18 (a) - mandate of the Commission to formulate policy related to consumer protection - Section 42 – unsafe food - Section 57 - All food sold in Bhutan shall meet the prescribed standards for quality and safety established by the Ministry after consultation with the Commission. - Rules 54, 55, 56 and 57 (General food safety requirement) - Rule 65 and 66 (Inspection of food and food business) - Rule 68 and 69 (Duties, powers and rights of the inspectors)
<ul style="list-style-type: none"> - Medicine Act of Kingdom 2003 and Medicine Regulation 12 	<ul style="list-style-type: none"> - The Medicines Act Of The Kingdom Of Bhutan 2003 - Section 5.6 - The Board shall empower Drug Regulatory Authority to regulate the prices of medicinal products. - Section 16 of the Act and Chapter IV of Bhutan Medicines Rules and Regulations 2012 – registration medicinal products. - Section 24 - Sales and distribution of medicinal products - Section 25- Restricted or Controlled Medicinal Products - Section 27 – Advertisement - CHAPTER VIII Of the Act – Storage and disposal of expired medicines - Section 9 - Functions of the Drug Regulatory Authority - Medicines Rules and Regulations 2012 - CHAPTER VII of Medicines Rules and Regulations 2012 – Technical authorization for sale and distribution

	<ul style="list-style-type: none"> - Rule 116 of Medicines Rules and Regulations 2012- All the medicinal products shall be sold at or below MRP (Maximum Retail Price) and in case of non-availability of the price; the Market Authorization Holder shall affix the price as per the price submitted to the Authority at the time of registration. - CHAPTER X of the Rules and Regulations - management of expired, seized, recalled and defective medicinal product or unregistered medicines. - CHAPTER XI of Rules and Regulations- advertisement of medicinal products
<p>Rules and Regulations for Establishment and Operation of Industrial and Commercial Ventures in Bhutan 1995 (Rule no 1,3 & 8)</p> <ul style="list-style-type: none"> - Rule 1. An individual or company/firm may engage in commercial or industrial activity only after obtaining a license for the purpose from the Ministry of Trade and Industry. Exceptions to this rule shall be made only in the case of small cottage industries established in rural areas with an investment of less than Nu. 100,000.00. - Violation of the rule shall result in payment of a fine of Nu. 2,000.00 and immediate closure of the activity - Rule 3. A licensee shall not engage in “fronting”, in other words, leasing of the license to another party to run the business. - Violation of this rule shall result in cancellation of the license and immediate closure of the business - Rule 12. The licensee shall not deal in adulterated, contaminated or “date expired” products or medicines. - Violation of the rule shall result in payment of a fine of Nu. 10,000.00, seizure of the products and cancellation of the license. Thereafter, the MTI may initiate criminal proceedings against the defaulter. 	

- Rule 13. The licensee shall ensure that the expected quality and standard of services are provided to clients and customers. In activities on which standards have been laid down in respect of health and hygiene as well as quality control by the concerned authorities of the government, these standards shall be followed scrupulously.
- Violation of the rule shall result in payment of a fine of Nu. 1,000.00. If this rule is violated for three times, the license shall be cancelled and criminal proceedings may be initiated against the licensee
- Rule 14. A licensee shall not engage in any form of business malpractice including selling of fake products and manipulating standard weights and measures.
- Violation of this rule shall result in payment of a fine of Nu. 2,000.00. If this rule is violated for three times, the license shall be cancelled and criminal proceedings may be initiated against the licensee.
- Rule 16. The licensee shall always keep the working premises and surroundings neat and clean in the interest of promoting a healthy and good business environment. Violation of this rule shall result in a fine of Nu. 200.00. If this rule is violated for three times, the license may be cancelled
- Rule 17. A licensed wholesale or retail dealer in alcohol shall not sell or gift alcoholic beverages to a person below the age of 18 years. Violation of this rule shall be dealt in accordance with notification No. KHA (12)-7/89/5070 dated April 26, 1993 issued by the Ministry of Home Affairs which is attached to these Rules and Regulations
- Rule 18. A license holder of a video library/cinema hall, bookshop/newspaper agent or any other business establishment shall not deal in pornographic movies, video cassettes and other materials. This includes a ban on import, sale, rental, screening, circulation and distribution of pornographic movies, video cassettes and other materials.
- Violation of this rule shall result in payment of a fine of Nu. 10,000.00, confiscation of the banned goods and cancellation of the license.

<ul style="list-style-type: none"> - Rule 19. A license holder of a video library shall not rent out to persons below the age of 18 years video cassettes that are considered unsuitable for children and that depict excessive and graphic violence. Similarly, cinema halls shall publicize clearly about the suitability of movies being screened for viewing by children. - Violation of this rule shall result in payment of a fine of Nu. 1,000.00 and cancellation of the license if the rule is violated thrice. - Rule 20. A licensed chemist, pharmacist or a shop dispensing medicines shall not sell any drugs requiring prescription of an authorized medical practitioner without a written prescription from such a person. - Violation of this rule shall result in a fine of Nu. 2,000.00 and cancellation of the license. Criminal proceedings against t - Rule 25. The licensee shall display at all times and in a legible manner the prices of “essential commodities” fixed or recommended by the Ministry of Trade and Industry. - Violation of this rule shall result in payment of a fine of Nu. 2,000.00. If this rule is violated for three times, the license shall be cancelled. - Rule 26. A license holder for wholesale agency or dealership of the essential commodities identified by the Ministry of Trade and Industry shall: not hoard or re-export imported commodities meant for internal consumption; submit all relevant documents to the Ministry of Trade and Industry along with original invoices, change in the terms of dealership, if any, and obtain the necessary approval from the respective Regional Trade and Industries Officer prior to increasing the price whenever the price is increased by the principal companies concerned; and be responsible for ensuring adequate and consistent supplies of imported essential items identified by the Ministry of Trade and Industry. - Violation of the above rules shall result in cancellation of the license(s). 	
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	<ul style="list-style-type: none"> - Rule 27. A license holder of a commission agency appointed by the government for selling quota items and other essential commodities directly to the consumers shall sell at the prices determined by the government, and shall not sell such commodities through other retailers. - Violation of this rule shall result in payment of a fine of Nu. 2,000.00 and cancellation of the license if the rule is violated thrice. - Rule 28. A license holder shall not take advantage of any situation that results in short supply of a product or products by increasing prices beyond the level, which was approved or normally charged. - Violation of this rule shall result in payment of a fine of Nu. 2,000.00. If the rule is violated for three times, the license shall be cancelled.
<ul style="list-style-type: none"> - Narcotic Drugs and Substance Abuse Act of Bhutan 2015 	<ul style="list-style-type: none"> - Chapter 6 Treatment and Rehabilitation (section 33,34,35,36,37 & 39 - Early detection and diagnosis - Treatment and rehabilitation
<ul style="list-style-type: none"> - Bhutan Information Communications and Media Act 2018 - Rules for the operations of commercial cable television - Rules on content - The Rules on the provision of ICT facilities and ICT services - The code of ethics for Journalists 	<ul style="list-style-type: none"> - Chapter 16, 17, 19, 20, 21 - Section 3.2 - Section 2.12 - Section 12.1-12.17 - Section 6.4,6.5,6.6 and 6.7

<p>Bhutan Standards Act 2010</p>	<p>- Section 4(e)-The Bureau shall have the mandate to permit, coordinate and facilitate accreditation of laboratories and certification bodies.</p>
<p>- Road Safety and Transport Act 1999</p> <p>- Rules and Regulations of RSTA (Updated January 2019)</p>	<ul style="list-style-type: none"> - Section 23 (1)- Motor Vehicle Standards - Section 24 (b)- Driver Licensing - Section 48(a)- Insurance and Compensation - Section 58 (a, b, c & d)Commercial Passenger Vehicle - Section 68 (1) Overloading of Vehicles - Section 53- Schedule and fares - Section 62- Taxi fare - Section 63- Charging of excess fare - Formulate and display operating schedule and fare - The Driver or owner of the Taxi shall not charge fare in excess of what has been fixed by the Authority. - Efficiency and safety motor vehicle standards. - Safe driving practices and traffic rules; - Compensation during motor vehicle accident; - Safe and reliable commercial passenger vehicles; - Provide for a licensing regime for commercial vehicles to ensure standards of operation; - Reliable and safe transport system; and - Ensure that drivers and conductors are fit and proper persons. - Overloading of vehicles
<p>- Financial Services Act 2011</p> <p>- Prudential Regulation 2016</p> <p>- Financial Services Act</p>	<ul style="list-style-type: none"> - Section 216 customer confidentiality, section 249 & 250 Deposit Protection Agency - Section 7.7 Information to clients (must be read in conjunction with 203 e of the Financial Services Act),section 7.8 Customer Grievance Cell - Chapter 13 section 202, 203-a, b,c,d, and e

<ul style="list-style-type: none"> - Tourism Rules and Regulations 2017 	<ul style="list-style-type: none"> - 7.1 Tour Guides - 7.2 Tour Operators - 7.3 Drivers - 8.6 Displaying of charges - 9.1 Complains and Penalties <ul style="list-style-type: none"> - Licensing requirement - 8.1 Accommodation - 8.8 Standards for Tourist Accommodation Establishments - 8.9. Alternative Services, Facilities, Amenities and Standards - Ensuring safe, honest, fair and transparent services. - Prominently display the scale of charges of the services provided - Harmonize with the fines and penalties of OCP - Include consumer protection requirement in licensing requirement
<ul style="list-style-type: none"> - Electricity Act 2001 - Safety regulation 2008 	<ul style="list-style-type: none"> - (Section 11 Issuance of safety and regulations, section 43 Notices for interruption compensation issues, Subsection VII of section 11-dispute resolution) - 43.5 Where damage or loss is caused to the customer by the negligence of the Licensee in the course of its operations, the customer is entitled to prompt payment of fair and adequate compensation by the Licensee for damage or loss sustained as a result of the course of its operations. - Section 11.1-dispute resolution, sub section VII-to establish a dispute resolution process and settle disputes between Licensees and between Licensees and customers relating to the enforcement of this Act, regulations, codes, standards and licences issued under this Act, contracts approved by the Authority and concession agreements entered into between the Minister and Licensees, or otherwise any other arrangement for settlement of disputes which are not determined by the mentioned legal instruments - Section 11.2-issuance of safety and regulations- ensure the reliability, quality, security and efficiency of electricity supply;

	<ul style="list-style-type: none"> - iii) ensure non-discriminatory access to the transmission and distribution system iv) ensure a fair balance of the interests of the public,customers and participants in the electricity sector;v) facilitate the development of generation,transmission and distribution of electricity throughout the country; and vi) ensure the protection of the natural resources, the environment and other public interests affected by the development of electricity supply - Clause 13 of safety regulation 2008 requires the BEA and BPC to conduct safety awareness program 13.1 The Authority shall raise public awareness of the hazards associated with the operation of electric power plant and equipment. It shall also work with Licensees to minimize the risks to the general public. - The Authority may, either on its own initiative or in partnership with Licensees,undertake public awareness campaigns or workshops designed to raise awareness of risks inherent in the transmission, distribution and use of electrical energy and to minimize the risks to the general public. - 13.3 Nothing in this Regulation shall (i) limit the responsibility of Licensees to design,construct, operate and maintain their power plant and equipment in a manner that minimizes the risk to the general public, (ii) limit or reduce the obligations and responsibilities of Licensees under any law, (iii) indemnify Licensees from any legal liability or (iv) prevent Licensees from undertaking their own public awareness campaigns independently of the Authority.
<ul style="list-style-type: none"> - Consumer Protection Act of Bhutan 2012 - Consumer Protection Rules and Regulations 2015 - Package Pilgrimage Regulation 2017 - Guidelines for Consumer Grievance Redressal 	<ul style="list-style-type: none"> - Disseminate information and educate consumers on provisions of the Act; - Carry out research on consumer issues; - Develop and promote policies pertaining to sustainable consumption of goods and services; - Ensure consumer safety and protect from unfair trade practices; - Advise and educate consumers; - Receive complaint from consumer and initiate enquiry; and - Investigate any trade practice detrimental to consumer.

2.3. Current Challenges and Gaps

Bhutan is a young and emerging economy in the world and its national and international trade activities are increasing significantly as a result of globalization and technological advancement. The country witnesses increase in production and consumption of goods and services. Bhutanese have become more materialistic and is consuming more than they did few years ago. In the wake of growing consumerism, the consumers are vulnerable to exploitations, deception, unfair trade practices and misleading information. Business, when driven by profit motive, is more likely to resort to unfair and unethical trade practices that are detrimental to the lives and property of the consumers. Therefore, it is imperative to establish an effective and efficient consumer protection system to protect consumers from these exploitations.

The consumer protection is a new concept and cross-sectoral in nature and requires cooperation and collaboration of multiple agencies. Some of the common gaps among relevant agencies in effective and efficient consumer protection services are as follow:

i. Overlaps and gaps in consumer protection functions

Although the OCP is the nodal agency for consumer affairs in the country, there are other agencies that are directly or indirectly involved in consumer protection affairs functioning within the ambit of their legislative framework. However, there are gaps, overlaps, and ambiguity in the functions of these agencies.

ii. Lack of inter-agency collaborations

Consumer protection is a cross sectoral issue that entails multi sectoral cooperation and collaboration. Moreover, it is a multidisciplinary that requires domain expertise of different sectors. In order to derive the benefit of technical expertise and infrastructure, it is immensely essential to foster inter agency collaboration and cooperation. However, at the moment, the relevant agencies are operating in compartment. Collaboration among relevant agencies is feeble and undefined.

iii. Consumer grievance redressal system

Consumer Protection Act of Bhutan 2012 provides a consumer the right to get redress against unfair trade practices and unscrupulous exploitation. Establishment of consumer grievance redressal systems is essential to facilitate quicker redressal of consumer grievance. Although, RAs address their sector specific consumer grievances, most of them still lack a structured redressal mechanism.

iv. Common information and resource sharing mechanism

Resource sharing is imperative in the light of impoverished human capital and institutional capacity. However, resource-sharing culture among relevant agencies are not very common. Agencies are restricted from taking greater initiatives and efforts beyond their available facilities and infrastructure.

To address the above common gaps, NSFCP has been developed to work towards a common consumer protection goal, integrate all policies and laws, and maximize the benefits to consumers and business entities.

The objectives of the framework are as below:

| 3 | GOALS OF THE NSFCP 2019-23

3.2 Goal-1: Enhance effective and efficient consumer protection system;

3.2 Goal-2: Empowering consumers;

3.3 Goal-3: Establish effective system of collaboration and coordination with all relevant stakeholders;

3.4 Goal-4: Promoting ethical and fair conduct by business in dealing with consumers

| 4 | STRATEGIC ACTION PLAN

4.1. BAFRA

Relevant provisions and national policies	Relevant Functions	Gaps/overlaps	Actions required to address the gaps	Collaboration with relevant agencies/ stakeholders	Time Frame
<ul style="list-style-type: none"> - Food Act of Bhutan 2005 - Food Rules and Regulations of Bhutan 2017 	<ul style="list-style-type: none"> - Standard setting, certification and testing body for food and agriculture. - Food safety Services (Product Certification Services, Food Safety Licensing of Food Business, Food Importation into Bhutan, Food Handlers Training, Inspection and Monitoring Activities) - Plant Services (Permitted list of plant varieties, Import Procedures for plant /plant products, Inspection and certification for register seed grower, Export of Cordyceps, Export Certification Process) - Livestock Services (Animal Quarantine Services, Inspection and Certification of Livestock and Livestock Products, Issuance of in-country livestock and livestock products movement permit, issuance of import and export permit for livestock and its products) 	<ul style="list-style-type: none"> - Overlap functions with standard setting between BSB and BAFRA - Lack of mechanism to coordinate between OCP and BAFRA related to laboratory testing. - Lack of SOP for consumer complaint mechanism. - Acts and Rules implemented lack redressal provisions for the consumer affected by the food and agriculture related goods and services. - Non-availability of disclaimer and statutory warning requirement. - Lack of hygiene, storage, weights and measures, transportation and price display of livestock products 	<ol style="list-style-type: none"> 1. Strengthen the mechanism to collaborate between BAFRA and BSB on standardization of food sector. 2. Develop mechanism pertaining to laboratory testing support of food and livestock products to OCP. 3. Consultation with BAFRA to set up SOP in handling consumer issues. 4. Institute Consumer Redressal Mechanism by BAFRA pertaining to food quality and standards while OCP to take care of quantity and display of price. 5. Harmonise product labelling. 6. MoU to be signed between BAFRA and OCP. 7. Periodic joint monitoring of livestock products. 8. Conduct advocacy program to vendors and handlers 	BAFRA/ BSB/OCP	2019-2023

4.2. BEA/DLG

Relevant provisions and national policies	Relevant Functions	Gaps/overlaps	Actions required to address the gaps	Collaboration with relevant agencies/ stakeholders	Time Frame
<ul style="list-style-type: none"> - Electricity Act 2001: section 11 	<ul style="list-style-type: none"> - Ensuring reliability, quality and security of electricity services. - Section 43 Notices for interruption compensation issues, Subsection VII of section 11-(dispute resolution) 	<ul style="list-style-type: none"> - No transparency in calculation and collection of fees and charges for electricity by BPC. - Need collaboration between BEA and OCP for consumer grievance redressal. - Use of uncalibrated electricity meters 	<ol style="list-style-type: none"> 1. Initiate the monitoring and advocacy on electricity services standards. 2. Jointly review and formulate consumer redressal mechanism 3. Mandate BPC to use/issue calibrated electricity meter. 	<p>BPC, BEA, OCP</p> <p>BEA, BPC</p>	<p>2020-2021</p> <p>2019-2021</p>
<ul style="list-style-type: none"> - Local Government Act 2009 	<ul style="list-style-type: none"> - Ensuring reliability of public utility services 	<ul style="list-style-type: none"> - Lack of GPS address system for residents/consumers to support e-commerce. - No transparency in calculation and collection of fees and charges of public utilities like water, sewerages, and electricity. 	<ol style="list-style-type: none"> 4. Initiate a consultation with all stakeholders involved in the provision of public utilities such as electricity, sewerage and drinking water 	<p>Thromde MoWHS Bhutan Post DHL</p>	<p>2019-2023</p>

4.3. BICMA

Relevant provisions and national policies	Relevant Functions	Gaps/overlaps	Actions required to address the gaps	Collaboration with relevant agencies/ stakeholders	Time Frame
<ul style="list-style-type: none"> - Bhutan Information Communications and Media Act 2018 Chapter 16 Rules on content (Section 2.12) - The Rules on the provision of ICT facilities and ICT services (section 12.1-12.17) - The code of ethics for Journalists (section 6.4,6.5,6.6 and 6.7) 	<ul style="list-style-type: none"> - Information, Communication and Media services except social media (Telephone, Mobile, Internet, TV, Radio) 	<ul style="list-style-type: none"> - Chapter 16 and Section 51 (11) regarding charges of BICMA Act overlap with CPA. - Lack of coordination between OCP and BICMA on monitoring of telecommunication services and cable services. - False advertisement; Although it regulates the contents of the advertisement, the Authority can fix accountability only on the particular media used as a medium to advertise the product but not the person who is real owner of the advertisement. So normally such cases are forwarded to the court of competent jurisdiction 	<ol style="list-style-type: none"> 1. Sign MoU to address the gap in the areas of security payment, data privacy etc. 2. Carry out joint study on telecommunication services. 3. Review and align SOP and guidelines to monitor telecommunication services to protect consumer advertisement, fair contract terms, fair charges, data packages, etc. 	BICMA, RMA,	2020-21

4.4. BNCA

Relevant provisions and national policies	Relevant Functions	Gaps/overlaps	Actions required to address the gaps	Collaboration with relevant agencies/ stakeholders	Time Frame
<ul style="list-style-type: none"> - Narcotic Drugs Psychotropic Substances and Substance Abuse Act of Bhutan 2015 -Chapter 6 Treatment and Rehabilitation (section 33,34,35,36,37 & 39) 	<ul style="list-style-type: none"> - Provides Treatment and Rehabilitation Services 	<ul style="list-style-type: none"> - Increasing number of Treatment and Rehabilitation centres but still lacking a forum to lodge complaints against these facilities /services. - Lack of adequate market monitoring to control smuggling 	<ol style="list-style-type: none"> 1. Collaboration with BNCA in raising awareness among youths and suppliers on the consequences of using and abusing drugs. 2. Consultation with BNCA on the grievances related to rehabilitation services. 3. Strengthening market monitoring in collaboration with customs, RTIOs, RBP, OCP and other RAs 	BNCA, RTIOs, RBP, DRC, OCP and other RAs	2019 - 2023

4.5. BSB

Relevant provisions and national policies	Relevant Functions	Gaps/overlaps	Actions required to address the gaps	Collaboration with relevant agencies/ stakeholders	Time Frame
<ul style="list-style-type: none"> - Bhutan Standards Act 2010 	<ul style="list-style-type: none"> - Standard setting, certification, testing and calibration. - 4 (e) of the act: permit, coordinate and facilitate accreditation of laboratories and certification bodies 	<ul style="list-style-type: none"> - BSB has broad sets of functions but lacks any power to penalise fines and seize materials. - As BSB focuses only on 4(e), it leads to major gap in calibration, certification and verification of weights and measures. - Overlapping roles of BSB in terms of standard setting and regulation. - Overlapping roles of RTIOs with BSB in terms of calibration of POL pumps 	<ol style="list-style-type: none"> 1. Sign MoU between BSB and OCP to address all the gaps 2. Initiate joint discussion with BSB, DoT and OCP to discuss on calibration of fuel dispensing machines. 3. Charges for lab-testing by BSB on behalf of OCP to be waived off through MOU 	DRC, BCCI, BSB, OCP, DoT, DoI, DCSI, RTIOs,	2019-2020 2020-2021

4.6. DRA

Relevant provisions and national policies	Relevant Functions	Gaps/overlaps	Actions required to address the gaps	Collaboration with relevant agencies/ stakeholders	Time Frame
<ul style="list-style-type: none"> - Section 5.6 of The Medicines Act of the Kingdom of Bhutan 2003 	<ul style="list-style-type: none"> - Section 5.6 of Medicine Act of the Kingdom 2003 and sec 9 c of the regulation 2012 empower DRA to regulate prices of medicinal products. - Pharmaceuticals, Blood and Blood related Products - Listing and Publishing of private Pharmacies lists in the website. 	<ul style="list-style-type: none"> - Requires improved inter-agency resources/information sharing and communication - Medical equipment not regulated - No helpline number (to be discussed with management) - No provision for consumer redressal (SOP) in place - Section 27 of Medicines Act of DRA regulation requires pharmacy outlets to sell their products at MRP or below 	<ol style="list-style-type: none"> 1. OCP to sign MoU with DRA 2. Finalise and implement regulation for monitoring medical regulation for monitoring medical equipment by DRA 3. DRA to align grievance SOP with Consumer Protection Act of Bhutan 2012 and its regulation 4. OCP and DRA to collaborate in harmonizing provisions related to advertisement of medical products. 5. DRA to issue notification to medical shops to display price and also issue public notification informing that medicinal products are sold at less than or at MRP 	<p>DRA/OCP</p> <p>DRA/OCP</p>	<p>2020-2021</p> <p>2020-2021</p> <p>2020-2021</p> <p>2019-2020</p> <p>2019-2020</p>

4.7. DoT/DCSI/DoI/RTIOs

Relevant provisions and national policies	Relevant Functions	Gaps/overlaps	Actions required to address the gaps	Collaboration with relevant agencies/ stakeholders	Time Frame
<ul style="list-style-type: none"> - Rules and Regulations for Establishment and Operation of Industrial and Commercial Ventures in Bhutan 1995 (Rule no 12 ~ 28) 	<ul style="list-style-type: none"> - Promotes competition and fair trade practices 	<ul style="list-style-type: none"> - Licensing issuing authorities engage in business promotion without considering consumer protection affairs-labeling, price tag, weights and measures, disclaimers, standards, etc.) 	<ol style="list-style-type: none"> 1. Initiate to include consumer protection affairs while issuing the license to promote reliable and trusted brand Bhutan. 2. Propose elements on consumer protection in the draft e-commerce policy. 3. Discuss with Bhutan Post on designing GPS physical address to support e-commerce 	<ul style="list-style-type: none"> DoT DCSI DoI DRC RTIO Bhutan Post 	2019-2021

4.8. OCP

Relevant provisions and national policies	Relevant Functions	Gaps/overlaps	Actions required to address the gaps	Collaboration with relevant agencies/ stakeholders	Time Frame
<ul style="list-style-type: none"> - Consumer Protection Act of Bhutan 2012 - Consumer Protection Rules and Regulations 2015 - Package Pilgrimage Regulation 2017 - Guidelines for Consumer Grievance Redressal. 	<ul style="list-style-type: none"> - All kinds of issues and complaints pertaining to goods and services 	<ul style="list-style-type: none"> - Lack of framework to facilitate synergy with relevant agencies to promote consumer protection services 	<ol style="list-style-type: none"> 1. Develop National Strategic Framework for Consumer Protection. 2. Discuss with Bhutan Post of designing GPS physical address to support e-commerce 	All Relevant Agencies	2019-2023

4.9. RMA

Relevant provisions and national policies	Relevant Functions	Gaps/overlaps	Actions required to address the gaps	Collaboration with relevant agencies/ stakeholders	Time Frame
<ul style="list-style-type: none"> - Financial Services Act 2011 (section 216 customer confidentiality, section 249 & 250 Deposit Protection Agency) - Financial Services Act (Chapter 13 section 202, 203-a, b, c, d and e) - Prudential Regulation 2016 (section 7.7 Information to clients (must be read in conjunction with 203 e of the Financial Services Act), section 7.8 Customer Grievance Cell) 	<ul style="list-style-type: none"> - Financial Service providers - Advertising, promotion of financial services, misleading practices and establishment of dispute settlement mechanism 	<ul style="list-style-type: none"> - Scope is too narrow and doesn't cover protection of private data of consumers. - Lack of quick resolution mechanism in the financial sector. - Lack of awareness among the people on the existing grievance procedure and financial and digital literacy. - Lack of coordination in formulating consumer protection guidelines, rules and regulation in financial sector. 	<ol style="list-style-type: none"> 1. Consultation with RMA on the needs to update and to expand the scope of private data protection in the financial sector. 2. Design and implement a financial literacy program for consumers and customers. 3. Reflect these reforms in the Guidelines for financial consumer protection. 4. Coordinate with PPD, MOEA and provide inputs into the draft e-commerce policy. 5. Institute quick consumer grievance resolution mechanism in the financial sector 6. Produce consumer satisfaction index (CSI). 7. Conduct financial literacy program. 8. Collaborate and coordinate in drafting guidelines, rules and regulations relating to consumer protection in financial sector. 9. Sign MoU between RMA and OCP 	RMA and PPD, MOEA.	2019-2023

4.10. RSTA

Relevant provisions and national policies	Relevant Functions	Gaps/overlaps	Actions required to address the gaps	Collaboration with relevant agencies/ stakeholders	Time Frame
<ul style="list-style-type: none"> - Part 3: section 62 (3) of Road Safety and Transport Regulation 1999 revised in 2018:It is mandatory for all Taxis to display fare chart inside their vehicles and must be produced on demand by commuters and authorised persons; 	<ul style="list-style-type: none"> - Public transport (buses, taxis and goods transport) - Inspect and investigate cases. - Issue fare books and make announcements through media and website. - Yearly Road safety awareness to drivers and conduct meetings with bus operators 	<ul style="list-style-type: none"> - No specific rules/procedures to address the consumer issues and complaints. - No capacity to approve /authorize vehicle road worthiness/fitness e.g. Motorbike assembled in Bhutan has been forwarded to BSB to frame standards. - Inadequate zebra crossing, parking for buses and taxis, Inadequate signs for zebra crossings and subways. - Inappropriate U-turn, speed breakers, road dividers. - No island parking space in round about. - Lack of speed limits in schools and other public safety. - No medical fitness requirement for public transport driver. 	<ol style="list-style-type: none"> 1. Consultation with RSTA on the gaps identified. 2. Develop citizen conduct on the roads to avoid littering and conduct advocacy. 3. Assess the requirement of public amenities (road bins, toilets) on the road. 4. Collaborate with relevant agencies to ensure adequate zebra crossing, parking, speed breakers and nudge, signs, proper U-turn, etc. 5. Collaborate with RAs such as BSB on road safety signs, symbols and standards. 6. Initiate the installation of/outsource of weighing machines in bus terminals. 7. Establish helpline and display helpline numbers in public transport. 8. Initiate to collect medical fitness report submission by Public Transport Drivers periodically. 	<p>RSTA, BSB, TCB, DoR, RBP</p>	<p>2019-2023</p>

4.11. TCB

Relevant provisions and national policies	Relevant Functions	Gaps/overlaps	Actions required to address the gaps	Collaboration with relevant agencies/ stakeholders	Time Frame
<ul style="list-style-type: none"> - Tourism Levy Exemption Act of Bhutan 2018 - Tourism Rules and Regulations 2017 - Economic Development Policy 2016 - Disciplinary Committee guideline 	<ul style="list-style-type: none"> - Tourism Service Provider (Tour Operators, Guides, tourist Standards, Accommodations, Tourist Standard Restaurant, Tourist Driver) 	<ul style="list-style-type: none"> - Absence of Act and policy - TCB has no jurisdiction over Agreement made by agents abroad, Non TCB certified hotels, Handicrafts, Shops and Airlines) - No reference to CPA 2012 in Tourism Rules and Regulations. - No consumer redressal and remedies for the aggrieved consumer 	<ol style="list-style-type: none"> 1. OCP to be involved in formulating tourism legislations and policies. 2. TCB to explore the possibility to widen its scope to ensure minimal standards in non-TCB certified hotels. 3. Jointly review and establish first track remedy redress mechanism for tourists/ consumers with an option of escalation to OCP. 4. TCB and OCP to monitor tourist based market. 	TCB, OCP	2019-23

| 5 | CONCLUSION

Consumer protection cuts across many sectors and there are several RAs beside OCP regulating respective sectors. Given the milieu of consumer issues that are arising and will continue to arise in future, NSFCP is expected to wire complementary and close connection amongst RAs to ensure efficient delivery of consumer protection services.

NSFCP is designed for RAs to set forth necessary interventions to address major gaps and problems existing in cross-sectorial and cross-jurisdictional functions. Short and long-term strategies that policy makers, stakeholders, and task force members have to consider in addressing the identified gaps are included.

It is hoped that NSFCP will provide platform for interactions, planning and concrete actions among the RAs to traverse the boundaries separating interests in consumer protection services that are both shared and profound. NSFCP steers coordination, ensures multi-sector response, and calls for assessing and identifying gaps in the preparedness and competencies among RAs for better consumer protection services in Bhutan.

Annexure 1: ACRONYMS

BAFRA:	Bhutan Agriculture and Food Regulatory Authority
BEA:	Bhutan Electricity Authority
BICMA:	Bhutan InfoComm and Media Authority
BMHC:	Bhutan Medical Health Council
BNCA:	Bhutan Narcotics Control Authority
BCCI:	Bhutan Chamber of Commerce and Industry
BPC:	Bhutan Power Corporation
BSB:	Bhutan Standards Bureau
CDB:	Construction Development Board
CPA:	Consumer Protection Act of Bhutan
CPRR:	Consumer Protection Rules and Regulation 2015
DCSI:	Department of Cottage and Small Industries
DLG:	Department of Local Governance
DoI:	Department of Industry
DoT:	Department of Trade
DRA:	Drug Regulatory Authority
DRC:	Department of Revenue and Customs
GPS:	Global Positioning System
MoEA:	Ministry of Economic Affairs
MoWHS:	Ministry of Work and Human Settlement
MoU:	Memorandum of Understanding
NSFCP:	National Strategic Framework for Consumer Protection
OCP:	Office of Consumer Protection
PPD:	Policy and Planning Division
POL:	Petroleum, Oil and Lubricants
RAs:	Relevant Agencies
RMA:	Royal Monetary Authority
RSTA:	Road Safety and Transport Authority
RTIO:	Regional Trade and Industry Office
TCB:	Tourism Council of Bhutan

