

UNITED ARAB EMIRATES
MINISTERIAL COMMITTEE FOR LEGISLATIONS
ABU DHABI

In cognizance of the constitution, and

Federal law No. (1) Of 19972 Regarding the Powers of Ministries and the Authorities of Ministers and the amending laws thereto, and

Federal law No. (5) of 1985 issuing the Civil Transactions code and the amending laws thereto, and

Federal law No. (1) of 1979 Regarding the Organization of Industry Affairs and the amending laws thereto, and

Federal law No. (4) of 1979 Regarding the Combat to Deception and Delusion in Commercial Transactions, and

Federal law No. (18) of 1981 Regarding the Organization of Commercial Agencies and the amending laws thereto, and

Law No. (35) of 1992 issuing the Criminal Procedures and the amending laws thereto, and

Law No. (3) of 1987 issuing the Penal Code and the amending laws thereto, and

Federal law No. (37) of 1992 Regarding the Commercial Trademarks and the amending laws thereto, and

Law No. (18) of 1993 Regarding Commercial Transactions, and Federal Law No. (28) of 2001 for the establishment of Emirates Authority for Standards and Meteorology, and

Federal Law No. (1) of 2003 regarding the establishment of the Federal Authority of Customs, and

Based on the proposal of the Minister of Economy and the approval of the Council of Ministers, the Federal National Council and the ratification of the Supreme Council of the Federation.

I, Khalifa Bin Zayed Al Nahyan, President of the United Arab Emirates:

Have issued the following law:

Chapter one Interpretations

ARTICLE (1)

In applying the provisions of this law, the following wordings and expressions shall have the meanings assigned thereto, unless the context requires otherwise:

"State"	the United Arab Emirates
"Ministry"	the Ministry of Economy
"Minister"	the Minister of Economy
"Committee"	the Supreme Committee for Consumer Protection
"Department"	the Consumer Department in the Ministry
"Competent Authority"	the local competent authority invested with the application of this law provisions in the concerned emirate,
"Approved Standard Specifications"	the specifications approved by the Emirate Authority for Standards and Meteorology, and referred to as "the Standard Specifications for the UAE"
"Consumer"	Anyone who attains any Goods or Services, with or without a return in order to satisfy his personal or others needs.
"Supplier"	Any judicial or natural person who provides Services, information, manufacturing, trading, selling, supplying, or exporting Goods or engaged in their production or distribution.
"Advertiser"	Any person who advertises or prompts for any Goods or Services by using different means of advertisements and publicity.
"Goods"	Industrial, agricultural, animal or transformational products including raw materials and components.
"Service"	Any work provided by any body for the Consumer with or without any return.
"Price"	Includes sale, rental or usage price.

Chapter two

THE SUPREME COMMITTEE FOR CONSUMER PROTECTION

Article (2)

Based on the proposal of the Minister, a Committee chaired by the Minister cited as “the Supreme Committee for the Consumer Protection” shall be established. The Committee shall be formed by a decision issued by the Council of Ministers which shall include in its members representatives from the Consumer protection societies. The said decision shall specify the competences of the Committee.

Article (3)

In case of any crisis or unordinary circumstances in the market which leads to unreasonable increase in the Prices, the Minister, based on the recommendations of the Committee shall take the necessary procedures to limit this increase and to protect the Consumers’ interests. The Executive Order of this law shall specify the principles and the procedures to define the abnormal increase in Prices and the monopoly instances as well as the arrangements which shall be taken in this regard.

Chapter three
The Consumer Protection Department and its jurisdictions

Article 4

A Department cited the "Consumer Protection Department" shall be formed in the Ministry to exercise the following jurisdictions:

- 1- Supervise the implementation of the general policy for Consumer protection in cooperation with the concerned authorities in the State.
- 2- Coordinate with the concerned authorities to combat the illegitimate commercial practices that may harm the Consumer.
- 3- Coordinate and cooperate with the concerned authorities to increase the consuming awareness in the State in relation to Goods and Services and to familiarize the Consumers with their rights and how to claim them.
- 4- Monitor and control Prices.
- 5- Work to attain fair competition and combat monopoly.
- 6- Receive Consumers complaints and to take actions accordingly or to refer them to the competent authorities. The complaint might be filed directly by the complainant as well as by the Consumer protection society as the complainant's representative.
- 7- Publish decisions and recommendations in order to increase Consumer's awareness.

Chapter four Supplier Obligations

Article (5)

The Supplier shall undertake returning or replacing any Goods in instances of any defects discovered by the Consumer provided that the return and replacement shall be pursuant to the specified rules in the Executive Order of this law.

Article (6)

The Supplier shall not offer, present, promote, and advertise any defect, fake, damaged, false or misleading Goods or Services that may harm the Consumer's interest or health in the normal use.

Article (7)

In accordance with the related laws and regulations, the Supplier, upon offering any Goods for sale, must undertake to affix label on the cover or package with the necessary information including the type, nature, contents, product's name, date of production or packing, net weight, country of origin, export country (if any), statement of use (if any) and date of expiry in addition to a detailed statement inside the package about the Goods contents, specifications, method of uses and risks and other information in the Arabic language according to the Executive Order of this law. If the use of Goods bears any risk, this must be written in an obvious way.

Article (8)

The Supplier, upon offering any Goods for sale, shall display the Price in a clear way or shall display it in a clear place over the Goods shelves. The Consumer shall have the right to obtain a dated invoice that includes the type and the Price of the Goods along with any other information specified in the Executive Order of this law.

Article (9)

The Supplier will be responsible for any incurred damage due to the use or consumption of Goods. The Supplier shall be responsible for the shortage of spare parts within a certain period of time for durable Goods, and for the non existence of warranties whether those advertised or agreed upon with the Consumer. All of the aforementioned shall be subject to the rules issued according to a decision taken by the Minister.

The producer and the seller shall be jointly responsible for the aforementioned in the instance of local produced Goods.

Article (10)

The Supplier warrants that Goods or Services provided to Consumers comply with the published and approved standard specifications. The Supplier shall be responsible for the incompliance with the conditions related to the public health and safety.

Article (11)

In accordance with the provisions of Federal law No. (18) of 1981 Regarding the Organization of Commercial Agencies and the amending laws thereto, any commercial agent or distributor must abide by all the warranties provided by the producer or the agent of the Goods which is the subject of agency.

In instances where the above-mentioned warranties need more than two weeks to satisfy, he shall provide similar Goods for the Consumer to be used without any additional charge until the agent can satisfy these warranties.

Article (12)

Any Goods provider shall include in his contracts the commitments of repair, maintenance, after-sale Service and the return of the Goods in a certain period of time from the date of defect discovery.

Article (13)

The Services provider shall warrant the provided Service for a period of time that commensurate with the nature of this Service, otherwise the Service provider shall either remit the amount paid by the Consumer or shall provide the Service again in the proper way. The Executive Order of this law shall specify the types of Services and warranty period for each Service.

Article (14)

No Supplier shall conceal any Goods or refrain from selling it intending to control the market Price. The Supplier shall not enforce purchasing certain quantities thereof or buying additional other Goods thereto or to collect higher Price than the published.

Article (15)

With consideration to the following two articles of this law which are relevant to the Consumer rights, all Suppliers shall promptly upon discovering any defect with harmful nature to the Consumer when the Goods or the Service upon its proper use, may cause any harm in any way to the Consumer, shall report that to the Directorate, competent authorities and the Consumer of all potential damages and precautions in accordance with the Executive Order of this law.

Chapter five CONSUMER RIGHTS

Article (16)

The Consumer shall be entitled to compensation against personal or financial damages according to the applicable general rules, provided that any contradictory agreement shall be considered void.

Article (17)

The Directorate shall have the legal capacity in representing the Consumer before courts of law and any other authority as specified by the law.

Without prejudice to the parties' rights to refer to courts, the Directorate shall undertake any settlement related to Consumer protection provided that its decision in this regard may be challenged to the Minister.

Chapter six PENALTIES

Article (18)

Without prejudice to any other stringent penalty as stipulated in any other law, a fine not less than Dhs. 1000 shall be imposed against any violation to this law and any decisions issued pursuant thereto, provided that the fine will not be less than Dhs. 10.000 if the Supplier has not alerted, in an obvious way, with the risks of using the Goods or Services and damages were encountered.

Article (19)

The court, in case of conviction with any of the crimes stipulated in the provisions of this law, may order, in addition to the stipulated penalties, the confiscation or damage of the product that forms the violation, material and tools used for production.

Article (20)

The Executive Order of this law shall state the classes and the necessary periods to adjust with the provisions of this law.

In case of failure to adjustment after the expiry of the specified period, the Minister shall suspend the establishment from exercising business for a period not more than one week and shall forward the issue to court regarding the closure of the establishment and the disposal of Goods in violation.

Article (21)

Employees whose names are listed by the Minister of Justice in coordination with the Minister and concerned authorities shall act as Law enforcement officers to inspect the violations to this law and the decisions issued thereupon.

These employees shall have the right to view the documents and papers as necessary to perform their duties.

Article (22)

Without prejudice to any international conventions and treaties that the United Arab Emirates is a part thereof, the council of ministers shall issue a justifiable decision based on the Ministers' suggestion to relieve from implementation of certain provisions of this law.

Article (23)

The Council of Ministers shall issue the Executive Order for the provisions of this law and the Minister shall issue the necessary decisions for this execution.

Article (24)

* This Law shall be published in the Official Gazette and shall be effective three months from the date of its publishing.

Khalifah Bin Zayed Al Nehyan

President of the United Arab Emirate

Issued at the Presidential Palace in Abu Dhabi

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