

Federal Law No. (15) of 2020

on Consumer Protection

We, Khalifa bin Zayed Al Nahyan

President of the United Arab Emirates,

- Having reviewed the Constitution;
- Federal Law No. (1) of 1972 on the Competencies of the Ministries and the Powers of the Ministers, as amended;
- Federal Law No. (18) of 1981 on the Organisation of Trade Agencies, as amended;
- Federal Law No. (5) of 1985 Issuing the Civil Transactions Law, as amended;
- Federal Law No. (3) of 1987 Issuing the Penal Code, as amended;
- Federal Law No. (20) of 1991 Issuing the Civil Aviation Law;
- Federal Law No. (11) of 1992 Issuing the Civil Procedure Law, as amended;
- Federal Law No. (35) of 1992 Issuing the Penal Procedure Law, as amended;
- Federal Law No. (37) of 1992 on Trademarks, as amended;
- Federal Law No. (39) of 1992 on the Production, Import and Circulation of Fertilizers, Soil Amendments and Nutrients;
- Federal Law No. (18) of 1993 Issuing the Commercial Transactions Law;
- Federal Law No. (28) of 2001 Establishing the Emirates Authority for Standardisation and Metrology, as amended;
- Federal Decree by Law No. (3) of 2003 on Regulating the Telecommunications Sector, as amended;
- Federal Law No. (1) of 2006 on Electronic Transactions and E-Commerce;
- Federal Law No. (24) of 2006 on Consumer Protection, as amended;
- Federal Law No. (6) of 2007 on the Establishment of the Insurance Authority and the

Regulation of its Operations, as amended;

- Federal Law No. (13) of 2007 on Goods Subjected to Import and Export Control, as amended;
- Federal Law No. (2) of 2008 on Public Welfare Associations and Institutions;
- Federal Law No. (4) of 2012 on the Regulation of Competition;
- Federal Decree by Law No. (5) of 2012 on Combating Cybercrimes, as amended;
- Federal Law No. (2) of 2015 on Commercial Companies, as amended;
- Federal Law No. (8) of 2015 on the Federal Customs Authority;
- Federal Law No. (10) of 2015 on Food Safety;
- Federal Law No. (14) of 2016 on Administrative Violations and Sanctions in the Federal Government;
- Federal Law No. (19) of 2016 on Combating Commercial Fraud;
- Federal Law No. (10) of 2018 on Product Safety;
- Federal Law No. (8) of 2019 on Medical Products, the Profession of Pharmacy and Pharmaceutical Facilities;
- Upon the proposal of the Minister of Economy as approved by the Cabinet and the Federal National Council, and as ratified by the Federal Supreme Council;

Have issued the following law:

Chapter One

General Provisions

Article (1)

Definitions

In applying the provisions of this Law, the following words and expressions shall have the meanings ascribed thereto, unless the context requires otherwise:

- State** : United Arab Emirates (UAE).
- Ministry** : Ministry of Economy
- Minister** : Minister of Economy
- Competent Authority** : The relevant emirate's local competent authority responsible for applying the provisions of this Law.
- Relevant Authorities** : The federal or local governmental authorities concerned with supervising and controlling the works of the provider in the sectors they supervise or control.
- Committee** : The Supreme Committee for Consumer Protection
- Department** : The administrative unit concerned with consumer protection affairs at the Ministry.
- Standard Specifications** : Obligatory standard specifications approved by the Emirates Standardisation and Metrology Authority in the State.
- Consumer** : Any natural or legal person obtaining a commodity or service for or without a fee to satisfy their own or another person's needs, or who is dealt with or contracted in this regard.
- Provider** : Any legal person who offers a service or manufactures, distributes, trades in, sells, supplies, exports, imports or plays a part in producing or trading or storing a commodity in order to provide

same to the consumer, or who is dealt with or contracted in this regard.

- Advertiser** : Any legal person advertising – by themselves or through a third-party – a commodity, service or information using different means of advertising and publicity, whether the advertiser is the provider themselves or a person licensed to do so.
- Commodity** : Any natural substance or industrial, agricultural, animal, manufactured, intellectual or technological product, including the primary elements of the substances and the components that go into the product.
- Labelling** : The labels or any written, printed, drawn or engraved information showing the commodity's components or its maintenance, storage or date of expiry.
- Price** : The price of the commodity or the service, or the usage fee, as the case may be.
- Service** : Everything offered to the consumer whether for or without charge.
- Defect** : A lack in the quality, quantity or efficiency or a difference in the outer appearance, size or components of the commodity or service resulting from an error in its design, manufacturing, production or its being supplied to the consumer, leading to their harm or to preventing them totally or partially from using it; provided the defect does not result from an action of the consumer.
- Flaw** : Anything that befalls the commodity after its production or to the service after its provision, which causes harm to the consumer or prevents them totally or partially from using it; provided the flaw does not result from a misconduct from an action of the consumer.

- Commercial Fraud** : Deceiving the dealer by any means, whether by replacing or changing the commodity's nature, amount, type, price, fundamental nature, origin, source, validity or any other matter related thereto, or providing false or misleading commercial data on the promoted products including defrauding, imitating and cheating the service by not complying with the existing legislation in the State or containing false or misleading data.
- Discounts** : Offering to sell the commodity for discounted prices or providing the services for lower prices during a specified period using whatever means.
- Promotion** : Marketing the commodities or services via a prize draw, or by distributing gifts or advertising and publicising the commodities or services through special offers or any other means.
- Warranty** : A written or implicit declaration from the provider or the representative thereof that the commodity or the service of the warranty is free from defects or flaws and complies with the standard specifications, and that they undertake to repair any flaw or defect occurring to the commodity, re-provide the service or replace the commodity within a specific period.
- After-Sales Services** : Taking care of the commodity or the service by maintaining its quality, including spare parts, maintenance and technical support.
- Recovery** : Withdrawing the defected or dangerous commodity through the provider, or via the concerned authority or relevant authority in the State, or the country of origin or any other state.
- Misleading** : Advertising a commodity or service based upon misleading

Advertising information or omitting fundamental or core information related to the commodity or the service, which affects the consumer and leads them to contract whereas they would not have contracted were it not for such information. Advertising fake or untrue prizes or discounts is considered misleading advertising.

Invoice : Any instrument sufficient by itself to prove the transaction or contracting with the consumer on a commodity or service, provided it contains the data required by this Law or its Executive Regulation.

Article (2)

Objectives of the Law

This Law aims to protect all consumer rights, especially:

1. The quality of the commodity or service and the purchase as per the advertised price.
2. Maintaining the consumer's health and safety upon their purchase of the commodity or receipt of the service without causing them harming when using the commodity or receiving the service.
3. Encouragement of sound consumption patterns.

Article (3)

Application of the Law

The provisions of this Law shall apply to all commodities and services inside the State, including the free zones, and the operations related thereto that are carried out by the provider, advertiser or commercial agent which includes those carried out via e-commerce if the provider is registered inside the State, without prejudice to the international conventions and agreements to which the State is a party.

Article (4)

Consumer Rights

All prescribed obligations pursuant to this Law shall be regarded as consumer rights, including:

1. Providing suitable and safe environment when purchasing a commodity or receiving a service.
2. Obtaining true information on the commodities purchased, used or consumed or the service received.
3. Educating and raising consumers' awareness of their rights and obligations.
4. Consumers exercising the right to choose the most suitable product and service available in the market according to their desire.
5. Protecting consumers' privacy and data security and not using these for the purposes of promotion and marketing.
6. Protecting consumers' religious values, customs and traditions when providing them with any commodity or when they receive any service.
7. Fair and quick settlement for consumers' disputes.
8. Obtaining fair compensation for the damages caused to them or their property as a result of purchasing or using the commodity or receiving the service.
9. All other rights prescribed by the existing legislation in the State.

It shall be permitted to add other rights upon a resolution from the Cabinet.

Article (5)

The Supreme Committee for Consumer Protection

A Committee titled the "Supreme Committee for Consumer Protection" shall be formed by a resolution from the Cabinet upon a proposal from the Minister and shall be affiliated to the

Ministry. It shall be chaired by the Minister and include the membership of a number of members. The said resolution shall determine the Committee's competences and working system.

Article (6)

Coordination with the Relevant Authorities

1. The Department shall coordinate with the relevant authorities to ensure the protection of consumer rights.
2. The Department shall submit periodic reports to the Committee on the coordination with the relevant authorities.
3. The Executive Regulation of this Law shall determine the controls of implementing this Article.

Chapter Two

Obligations of the Provider, the Advertiser and the Commercial Agent

Article (7)

Labelling

1. Upon offering the commodity for sale, the provider shall be required to place the labelling on its cover or package, or in a clear and legible place, and to clarify how to install and use it, in accordance with the existing legislation in the State with regard to the standard specifications.
2. If the use of the commodity involves risk, the provider shall be required to warn against this clearly as prescribed by the Executive Regulation of this Law.

Article (8)

Price of the Commodity and Service

1. Upon offering the commodity for sale, the provider shall be required to clearly write the price thereon.
2. Advertising the prices of commodities and services offered by the provider must not be misleading.
3. The provider shall be required to provide the consumer with a detailed invoice containing its trade name, address, commodity type, price and quantity or the service type, price and details and any other data prescribed by the Executive Regulation of this Law.
4. The invoice must be in Arabic and the provider may add any other language at their discretion.

Article (9)

Addressing Contingencies

In case of a crisis, contingencies or unusual situations in the internal and external markets, the Minister shall take all necessary procedures to protect the interest of consumers and prevent their harm. He may issue a resolution determining the prices of selling any commodity or commodities and all providers in the State shall be bound by such a resolution.

Article (10)

Obligations of the Provider in Honouring the Warranty

1. The provider shall be required to honour all warranties, provide the required spare parts and maintenance, replace the commodity or return its cash value and be committed to the after-sales service of the sold commodity during the period specified.
2. The provider shall be required to guarantee the service it provided and that it is free from

defects and flaws during a period commensurate with the nature of such service, otherwise it shall return the amount paid by the consumer or a part thereof, or correctly re-provide the service.

3. The Executive Regulation of this Law shall determine the controls of implementing this Article.

Article (11)

Obligations of the Commodity and Service Provider upon Discovering a Defect Upon discovering a defect or risk in the commodity or the service likely to harm the consumer when using it, the provider shall be required to inform the Ministry or the competent authority immediately of the possible damages and how to prevent them, and to remove the commodity from the market immediately and declare this, as prescribed by the Executive Regulation of the Law.

Article (12)

Flaw in the Commodity or Service

In case of discovering a flaw in the commodity or service, the provider shall be required to repair, replace or recover the commodity and reimburse its price or re-provide the service without charge, as prescribed by the Executive Regulation of this Law.

Article (13)

Obligations Upon Reoccurrence of the Flaw

If the same flaw occurs in the commodity three (3) times during the first year from the consumer receiving it, and which fundamentally affects the quality of the commodity's functionality, the provider shall be required to either replace it with a new one of the same type and specifications without any cost to the consumer or recover it and reimburse its value,

in accordance with what is prescribed by the Executive Regulation of this Law.

Article (14)

Provisions of Warranty and Prices of After-Sales Service

The Minister shall issue resolutions determining the periods and terms of the warranty and prices of after-sales service as per the type and nature of each commodity or service.

Article (15)

Obligations of the Service Provider

Contracts concluded by the provider shall be required to provide for repair, maintenance or after-sales service, or the return or replacement of the commodity or the reimbursement of its value within specified period from the date of the defect or flaw occurring, according to what is prescribed by the Executive Regulation of this Law.

Article (16)

Commercial Agencies

Subject to the provisions of legislation governing commercial agencies and enforced in the State, the commercial agent or distributor shall adhere to the following:

1. Honoring all the warranties provided by the producer or the agent for the commodity or the service under the agency.
2. Providing the consumer with a similar commodity to use free of charge if the execution of the warranties stipulated in Clause (1) of this Article exceeds (7) seven days, until such time as these warranties have been fulfilled.
3. The agent shall adhere to all the obligations of the provider, as stipulated in this Law, if the service or commodity is provided through it.

Article (17)

Describing the Commodity or Service with False Data

The advertiser, provider and commercial agent are prohibited from describing the commodity or service in a manner containing false data or from advertising it in a misleading way.

Article (18)

Promotion Licensing

The provider is prohibited from promoting the commodities or services or from making general discounts to the prices or from advertising them in any way, until they obtain a prior license from the competent authority.

Article (19)

Monopoly

Subject to the provisions of the existing legislation in the State, the provider is prohibited from concealing the commodity, refraining from selling it or from not providing the service to the consumer for the purpose of controlling the price, monopolising the commodity or obliging the consumer to purchase certain quantities of the commodity, or adding certain terms for using the service or selling a commodity or another service with it, or charging a price higher than the declared price; according to what is prescribed by the Executive Regulation of this Law.

Article (20)

The Commodity's Conformity to the Approved Standard Specifications and Rules of Public Health and Safety

The provider shall be required to ensure the conformity of the commodity or service to the

standard specifications, terms and controls related to health and safety and the relevant existing legislation in the State.

Article (21)

Prohibition of Including a Term Harmful to the Consumer

The provider is prohibited from including any term upon contracting with the consumer that would cause the consumer harm. Every term in a contract, invoice or otherwise shall be deemed void if it would exempt the provider from any of the obligations provided in this Law. The Executive Regulation of this Law shall determine the controls of the terms that are not harmful to the consumer.

Chapter Three

Consumer Rights' Protection

Article (22)

The Ministry and Competent Authority's Role in the Protection of Consumer Rights

1. The Ministry shall supervise the application of the general policy for consumer protection in cooperation with the competent authorities, and in particular the following:
 - a. Raising the awareness and educating the consumer in a manner that contributes to his protection from the risks of certain commodities and services including the e-commerce services.
 - b. Publishing the resolutions and recommendations that contribute to increasing consumer awareness.
 - c. Controlling the movement of prices and limiting their increase.
 - d. Workings towards realizing the principle of competition and combating misleading advertising and monopolization.

e. Receiving complaints from consumers and the Consumer Protection Association and taking the necessary procedures thereon; the Executive Regulation of this Law shall develop a system for receiving complaints and the procedures necessary in their regard, and establish coordination between the Ministry and the competent authority.

2. A Cabinet resolution shall be issued concerning the schedule of administrative penalties and financial fines which the Ministry or Competent Authority – as the case may be – impose them on the provider.

Article (23)

Use of Experts and Laboratories

Subject to the aforementioned Federal Law No. (28) of 2001, as amended, the Ministry or competent authority – whenever required or in the event of a conflict between the provider and the consumer – may request to inspect the commodity or the service at the laboratories, on condition that the provider incurs the cost of the inspection if it is found that the commodity is invalid.

The Executive Regulation of this Law shall determine the controls of applying this Article.

Article (24)

The Consumer's Right to Claim Compensation

1. The consumer shall have the right to claim compensation for the personal or material damages caused to them as a result of using the commodity or the service, in accordance with the existing legislation in the State. Any agreement made otherwise shall be deemed void.
2. The damages resulting from misuse or from use in a manner which violates the method of use shall be excluded from the provision of Clause (1) of this Article.

Article (25)

E-Commerce

1. The e-commerce providers registered within the State shall be required to provide the consumers and competent authorities in the State with their names, legal statuses, addresses, licensing authorities and sufficient information in Arabic on the provided commodity or service, and its specifications, terms of contracting, payment and warranty; as prescribed by the Executive Regulation of this Law.
2. The Ministry or the competent authority shall not be deemed responsible for the e-commerce transactions made through providers who are not licensed within the State.

Article (26)

Use of Arabic in Data, Advertising and Contracts

The data, advertising and contracts related to the consumer must be in Arabic, and it shall be permitted to use other languages alongside Arabic.

Article (27)

Prohibition, Administrative Seizure or Withdrawal of Commodities

Subject to the applicable legislation, the Minister or his representative and the competent authority – in the event of necessity or urgency after receiving information or reports from competent authorities about a harmful commodity or a commodity representing a risk to the consumer – may issue a resolution prohibiting the import of the commodity, its administrative detention or withdrawal from the markets (if it as entered them).

Chapter Four Penalties

Article (28)

The application of the penalties stipulated in this Law shall not prejudice any more severe penalty provided by any other law.

Article (29)

Whoever violates any of the provisions of Articles (7), (10), (11), (12), (15), (16), (17) and (21) and the provisions of Clauses One, Two and Three of Article (8) of this Law, shall be imprisoned for no longer than two years and fined no less than 10,000 (ten thousand) Dirhams and no more than 2,000,000 (two million) Dirhams, or by one of these penalties.

The penalty shall be doubled in the event of re-offence.

Article (30)

Whoever violates any of the provisions of Articles (18), (19), (20) and (26) and the provisions of Clause Four of Article (8) of this Law, shall be imprisoned for no longer than six months and fined no less than 3,000 (three thousand) Dirhams and no more than 200,000 (two hundred thousand) Dirhams, or by one of these penalties.

The penalty shall be doubled in the event of re-offence.

Article (31)

Upon the conviction of any of the crimes stipulated in this Law, the competent court may order:

1. The confiscation or destruction of the commodity and used material and tools, at the cost of the convicted party.
2. The closure of the shop or the place where the crime occurred for no longer than three months.

3. The publication of the judgement of conviction at the cost of the convicted party in two daily local newspapers, one of them issued in Arabic.

Article (32)

Whoever illegally disposes, by any means, of the commodities and tools seized by the competent authority shall be imprisoned for no longer than two months and fined the equivalent to double the market value of the seized commodities and tools, or by one of these penalties.

Chapter Five

Final Provisions

Article (33)

Adjustment of Status

The provider, commercial agent and advertiser shall adjust their statuses in accordance with the provisions of this Law within a year from the date it is enforced. Such a period shall be extended to other similar periods by a resolution from the Cabinet upon a proposal from the Minister.

Article (34)

Judicial Police

Employees designated by a resolution of the Minister of Justice, in agreement with the Minister or the chairman of the Concerned Authority, shall have the capacity of judicial officers for proving all violations, within their jurisdiction, of the provisions of this Law, its Executive Regulation and the decisions issued in the implementation thereof.

Article (35)

Appeal

It shall be permitted for all interested parties to appeal in writing to the Minister or the Head of the competent Authority – as the case may be – the resolutions and procedures taken against them under the provisions of this Law within fifteen (15) working days from the date of being notified of the resolution or procedure which is being appealed; provided it is accompanied by all supporting documents and instruments. A judgement shall be made on the appeal within thirty (30) days from the date it is submitted, and the decision issued thereon shall be final. Failure to reply within the said period shall be deemed a rejection to the request.

Article (36)

Executive Regulation

The Cabinet shall issue the Executive Regulation of this Law upon a proposal from the Minister within six months from the date it is published.

Article (37)

Repeal

1. The aforementioned Federal Law No. (24) of 2006 is hereby repealed, as well as any provision that violates or contradicts the provisions of this Law.
2. The regulations and resolutions applying the aforementioned Federal Law No. (24) of 2006 shall remain in force without contradiction to the provisions of this Law, until regulations and resolutions have been issued to replace them.

Article (38)

Publication and Enforcement of Law

This Law shall be published in the Official Gazette and shall come into force as of the day following the date of its publication.

Signed

Khalifa bin Zayed Al -Nahyan

President of the United Arab Emirates

Issued by us at the Palace of the Presidency in Abu Dhabi:

On: 24 Rabi' al-Awwal 1442 AH

Corresponding to: 10 November 2020 AD