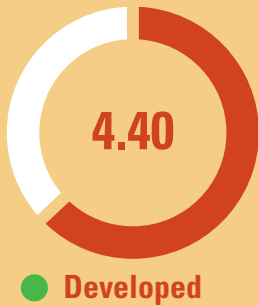
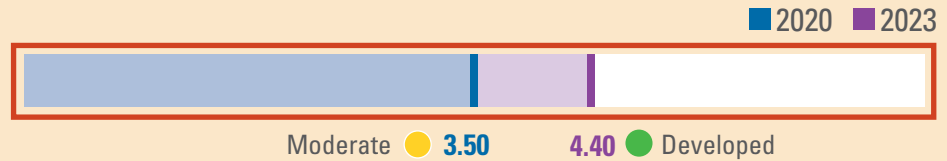




ARAB BUSINESS LEGISLATIVE FRAMEWORKS



CONSUMER PROTECTION

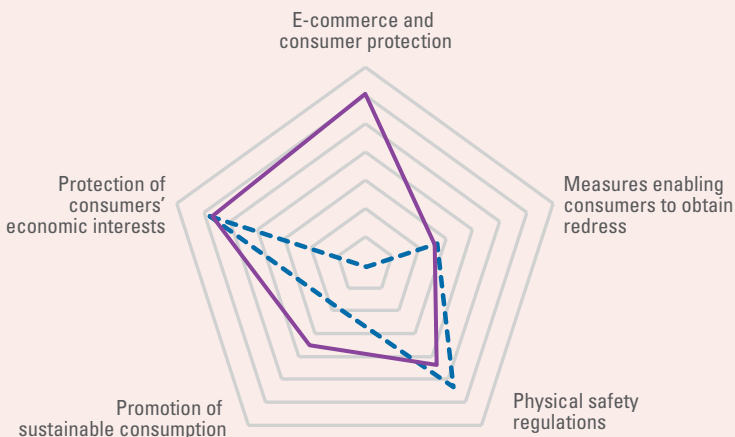


● Very weak ● Weak ● Basic ● Moderate ● Developed ● Strong ● Very strong

COMPONENTS	2020	2023
E-commerce and consumer protection	—	● 6.22
Measures enabling consumers to obtain redress	● 2.63	● 2.63 ▶
Physical safety regulations	● 4.38	● 4.38 ▶
Promotion of sustainable consumption	● 1.75	● 3.50 ▲
Protection of consumers' economic interests	● 5.83	● 5.83 ▶

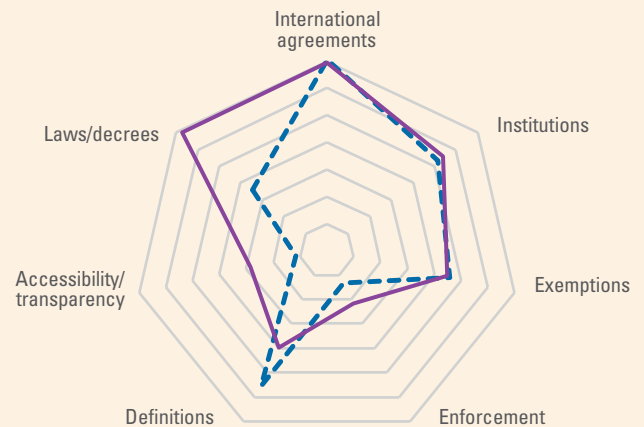
COMPONENTS

■ 2020 ■ 2023



ELEMENTS

■ 2020 ■ 2023



Consumer protection in Morocco is guaranteed by Law No. 31/2008. The law clearly emphasizes different rights of consumers, including rights to information, representation and choice, and establishes a strong sanction regime for deterrence.



Physical safety regulations

Law No. 31/2008 does not include provisions for physical safety regulations. Nevertheless, article 1 determines the objectives of the law, which include providing full protection for the consumers and their rights, and specifying the legal and contractual guarantees pertaining to sales, and procedures relating to recourse. Article 2 plainly states that this law defines the relationships between consumers and suppliers. Article 155 requires consumer protection associations to cluster in a national federation that is recognized as a public interest. As for article 157, it

empowers both the federation and consumer protection associations to take cases pertaining to consumers, protection to competent courts.

There are no exemptions in the consumer protection law. On the contrary, protection is ensured especially by prohibiting the draft of clauses that are unclear to consumers and by mentioning that interpretation of contracts between consumers/suppliers must be in favour of consumers (article 9).



Protection of consumers' economic interests

The preamble of the consumer protection law guarantees the following basic rights of consumers, among others: the right to information (especially regarding product prices and specifications), the right to protect economic interest, the right to be represented, and the right to choose products. Article 15 considers abusive any contract clause that has the purpose or effect of establishing, to the detriment of the consumer, a significant imbalance between the rights and obligations of the parties to the contract.

Article 21 of the consumer protection law prohibits the dissemination/publication of any incorrect or inaccurate

information. Article 54 requires from any offers proposed by producers/suppliers to mention the precise price after reduction. Article 57 prohibits refusing, without a reasonable justification, the sale of a product or a good, or the provision of a service.

Finally, according to article 166, the judiciary police is qualified to carry out research and to investigate violations against consumers. Also, the infringements are referred to the prosecutor within 15 days of the start of the investigation.



Measures enabling consumers to obtain redress

Pursuant to article 72, suppliers have a duty to grant a conventional warranty and/or post-sale services (for a specific period) in the event of a defect in the goods or product or poor performance of the service covered by the warranty. Also, article 32 guarantees the right of consumers to retract from contracts with suppliers (within a specific period).

Articles 173 to 195 stipulate a strong and categorized sanction regime for each infringement. Moreover, article 152 clarifies the roles of consumer protection associations.



Promotion of sustainable consumption

Morocco has developed a sustainable consumption and production national plan. The project aims to decrease carbon emissions by proposing activities and measures for consumers. Articles 1, 2 and 31 of the Framework Law No. 12.99 (national charter for the environment and

sustainable development) aims to promote the protection and preservation of natural resources and environments, biological diversity and cultural heritage, and the prevention and control of pollution.



E-commerce and consumer protection

Several provisions of the consumer protection law target e-commerce. According to article 29, provisions of the law, especially regarding the rights of consumers and duties of suppliers/producers, are applicable to

transactions that take place online through a digital platform. Also, suppliers must include accurate data/information, price and specifications of products that are published online.

RECOMMENDATIONS

- To strengthen coordination mechanisms between the national consumer protection authority and other administrative authorities such as the competition, public health, customs, trade, and environmental authorities.
- To develop more provisions related to consumers' physical safety.
- To develop more policies and legal provisions that tackle sustainable consumption, including consumer activities, duties on manufacturers, and a specific sanction regime.
- To further develop e-commerce practices and the protection of consumers in the digital market through a separate chapter in the law.
- To strengthen coordination and the establishment of agreements with regional and global consumer protection authorities to deter cross-border unfair practices that may be harmful to consumers.

