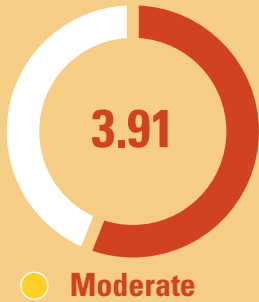
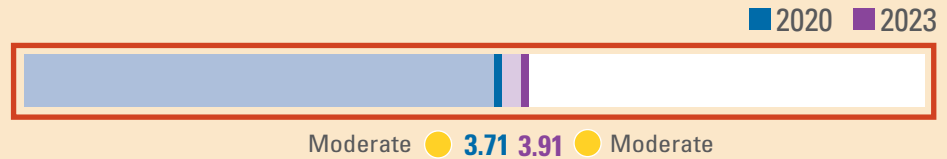


ARAB BUSINESS LEGISLATIVE FRAMEWORKS



CONSUMER PROTECTION

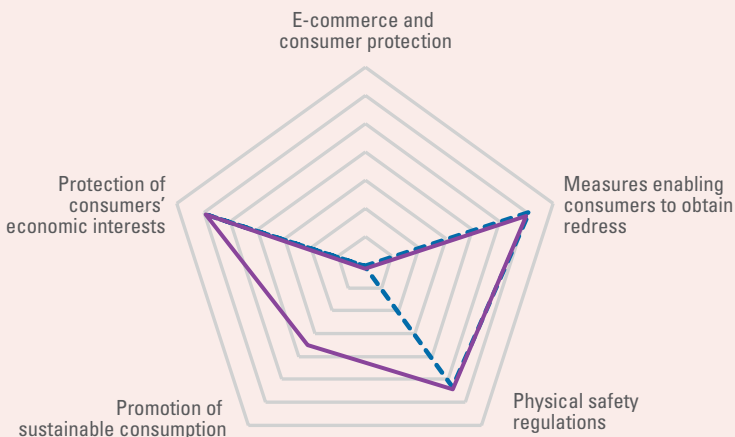


● Very weak ● Weak ● Basic ● Moderate ● Developed ● Strong ● Very strong

COMPONENTS	2020	2023
E-commerce and consumer protection	—	0.00
Measures enabling consumers to obtain redress	6.13	6.13 ▶
Physical safety regulations	5.25	5.25 ▶
Promotion of sustainable consumption	0.00	3.50 ▲
Protection of consumers' economic interests	5.83	5.83 ▶

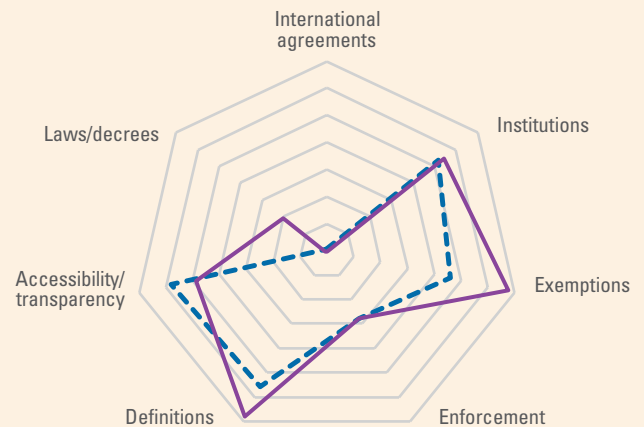
COMPONENTS

2020 2023



ELEMENTS

2020 2023



In 2005, the State of Palestine adopted its Consumer Protection Law No. [21/2005](#). Then, in 2018, the law has been slightly amended through Law No. [27/2018](#). The original consumer protection law addressed different aspects of this issue, such as consumer rights, product safety and the establishment of the consumer protection council, while the amendments mainly focused on sanction regime.



Physical safety regulations

Article 2, which determines the objectives of the law, includes guaranteeing that consumers are not subjected to any health hazard, unfair treatment or economic loss. Article 1 defines a flaw in a product or a service as either an error or deficiency in terms of quality, quantity or efficiency, or as noncompliance to the standards stipulated by laws and regulations.

Articles 4 and 5 of the law stipulate the establishment of the Palestinian Council for Consumer Protection and specify its functions. Article 5 states that the aim of the council is to assess and monitor compliance with physical safety and other regulations. Means to achieve that objective are

listed, and these include taking part in the coordination between all bodies concerned with protecting consumers, participating in developing policies for product safety, raising consumer awareness and ensuring that goods comply with standards and regulations. Article 14 allows the council, when there is evidence of risk from a product, to request from the Minister of the National Economy to either seize the product or take any suitable decision. Finally, the council may review the extent to which the terms and conditions in contracts are reasonable and fair.

Furthermore, neither the original law nor the amended one include exemptions.



Protection of consumers' economic interests

Article 3 of Law No. 21/2005 guarantees the rights to consumers, which include: get products and services without harming their interests, replace or redeem the price of products that are incompatible, access correct information about the products purchased, receive an invoice from the supplier and fair treatment without discrimination, must not be misinformed through advertisement (as per article 15), get remedy by immediate litigation or through Consumer Associations in order to safeguard his rights and indemnify him for the damages, etc.

Articles 16 to 22 state supplier duties, which include specifying the period for which the product will be available,

its price, and providing guarantees regarding any hidden flaw in the product. Suppliers are prohibited from using quality certifications fraudulently, refusing to sell a product to consumers without a valid reason or concealing products without justification, etc.

Finally, in the event it is proven to the supplier that the goods or services which they have offered for trading imply one or more defect(s) that may affect consumer's safety or health, they must notify the competent authorities and inform the public by means of the mass media about such defects as well as warn against the hazards which may result therefrom, as per article 11(1).



Measures enabling consumers to obtain redress

Articles 3(8), 5, and 19 of Law No. 21/2005 guarantee the right of consumers to obtain redress. Suppliers must adhere to the obligation of accepting the return of the product and refund, paying an amount of money that is equal to the damages, and addressing the defect after

receiving the written consent of the consumer. There are no exemptions regarding enabling consumers to obtain redress. Also, according to article 5(7), the council may take part in organizations and unions with similar objectives and goals.

Finally, in reference to the provisions of article 2 of Law No. 27/2018 (amending sanction regime in Law No.

21/2005), categorized penalties and fines are imposed against infringements.



Promotion of sustainable consumption

Different articles in the law tackle environmental-oriented subjects. According to article 4, the consumer protection council must include, among its members, a representative of the Environment Quality Authority. Also, article 11(5) calls for dumping defected items in an environment-friendly fashion. Article 3 guarantees the right of consumers to

live in a clean and safe environment and obtain goods and services that are compatible with the binding technical instructions (forthcoming). Finally, article 5(4) calls for programmes that raise awareness and guide consumers to use effective patterns of consumption and adopt the goods and services which preserve the environment.



E-commerce and consumer protection

None of the provisions of the law address e-commerce.

RECOMMENDATIONS

- To expand the mandate of the national consumer protection authority, especially in monitoring markets and conducting studies about them, and in the process of imposing sanctions.
- 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 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.

