



Law No. 8 of 2008 on Consumer Protection

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We, Hamad bin Khalifa Al-Thani, Emir of the State of Qatar,

Having perused the Constitution,

Law No. 2 of 1999 concerning the fight against fraud in commercial transactions,

Decree-Law No. 32 of 2004 organising the Ministry of Economy and Commerce and defining its functions,

Decree-Law No. 36 of 2004 on the establishment of the Supreme Council for Information and Communication Technology,

The proposal of the Minister of Economy and Commerce,

The bill submitted by the Council of Ministers, and

After consulting the Shura Council,

Hereby promulgate the following law:

Chapter One: Definitions

Article 1 (Amended By Decree 14/2011)

In the application of the provisions of this Law, the following words and expressions shall have the meanings assigned to each, unless the context otherwise requires:

“Ministry” means the Ministry of Business and Trade;

“Minister” means the Minister of Business and Trade;

“Competent Department” means the competent administrative unit in the Ministry;

“Consumer” means any person who purchases and uses a commodity or service, for or without any consideration, for his or his family's personal needs, or any person with whom a transaction or agreement is made in respect of the said commodity or service;

“Supplier” means any person who provides a service or manufactures, distributes, trades, sells, exports or imports a commodity, or is involved in its production or circulation for the purpose of providing it to the consumer, dealing in it or contracting with the consumer regarding it in any way;

“Advertiser” means any person who advertises or promotes a commodity or service, whether personally or through third parties;

“Commodity” means any industrial, agricultural, animal or manufactured product, including the product's raw material and components.

“Service” means any work performed by any entity for the consumer, whether paid or unpaid;

“Price” means the price of a commodity to be paid for the sale, rental or use thereof;

“Defect” means any deficiency in the value or benefit of a commodity or service in respect of its intended purpose that totally or partially deprives the consumer from benefiting from the intended purpose. A defect includes faults resulting from improper handling or storage of the commodity, unless caused by the consumer.

Chapter Two: Consumer's Rights

Article 2

The basic rights of a consumer shall be guaranteed under the provisions of this Law. No person may conclude any agreement or conduct any activity that prejudices such rights, in particular the following:

The right to safety and protection from commodities or services that are unsafe, or whose use might cause injuries to others;

The right to obtain correct data and information about commodities or services;

The right to choose commodities that meet conditions of quality and conform to specifications;

The right to respect religious values, customs and traditions;

The right to obtain knowledge related to protection of the consumer's legitimate rights and interests;

The right to participate in associations, private institutions, councils and committees whose activities are related to consumer protection; and

The right to file lawsuits concerning anything that may violate, harm or restrict the consumer's rights.

Notwithstanding the above, nothing in this Law shall prejudice the provisions of international conventions to which the State of Qatar is a party.

Article 3

The consumer shall be entitled to fair compensation for any property or financial damages sustained by him as a result of the purchase or use of commodities and services. Any agreement contrary to the aforesaid shall be deemed null and void.

Article 4

Subject to the provisions of Law No. 12 of 2004 regarding private associations and foundations, consumer protection associations may be established with the following aims:

Informing the consumer, raising his awareness and educating him;

Contributing to the rationalization of consumption and family spending;

Expressing the consumer's point of view before official authorities and notifying such authorities of any practices that are detrimental to the consumer's interests and requesting their intervention to stop such practices when necessary;

Contributing to the creation of relations based on trust and cooperation between the consumer and the supplier and participating in dialogue and consultation with the entities concerned;

Defending the consumer's interests;

Conducting and publishing research and studies pertaining to consumer protection.

Chapter Three: Supplier's Obligations

Article 5

Where a commodity is found to be defective or does not conform to the prescribed standard specifications, the supplier shall recall the commodity and provide the consumer with a refund or exchange, or repair the defect free of charge.

Article 6

No defective or adulterated commodity shall be sold, displayed, presented, promoted or advertised. The commodity shall be deemed to be adulterated or defective where it does not conform to the prescribed standard specifications, is unfit for use, or has expired.

Article 7

Where a supplier displays any commodity for trading, he shall clearly indicate on the packaging or container the type, nature, ingredients and other information relating to the commodity in the manner specified in the executive bylaw hereof. Where the use of the commodity involves a certain risk, the consumer shall be clearly warned against such risk. The supplier shall be prohibited from describing, advertising or displaying the commodity in a manner that involves false or deceptive information.

Article 8

1. The supplier shall, when displaying any commodity for circulation, clearly label it with the price or conspicuously advertise the price at the place where the commodity is displayed. The consumer shall be entitled to obtain a dated invoice reflecting the commodity's type, price, quantity and any other information specified by the executive bylaw hereof.

The competent department may by virtue of a resolution specify certain commodities where it shall be deemed a sufficient price declaration for the supplier to avail the consumer of the possibility of knowing their prices in a clear and specific manner.

Article 9

1. Subject to the provisions of Law No. 8 of 2002 concerning the regulation of the business of trade agents, each trade agent or distributor shall be obliged to execute all guarantees offered by the producer or the representative of the agency on a commodity.

Where the execution of such guarantees requires a period in excess of fifteen days, the trade agent or distributor shall provide a similar commodity for use by the consumer, free of charge, until the trade agent or the distributor executes the said guarantees.

Article 10 (Amended By Decree 14/2011)

Subject to the provisions of Law No. 19 of 2006 concerning the protection of competition and the prevention of monopolistic practices, a supplier may not hide any commodity, or refrain from selling it for the purpose of controlling the market price, or impose the purchase of certain quantities thereof or the purchase of another commodity in combination with the said commodity, or charge a higher price than the advertised price. The supplier may not cause any increase in the price of commodities and services without complying with the principles and controls issued in the Minister's resolution.

Article 11

The supplier shall indicate in a clear manner the information concerning the service he provides as well as its features, characteristics and prices. The supplier shall also guarantee the service for a period of time appropriate to its nature, and shall refund the consumer or repeat the service in the correct manner where the service does not conform to the guarantee.

Article 12

The supplier shall include in his contracts a commitment to the repair, maintenance and after-sales service of the commodity, as well as to the return of the commodity by the consumer within a defined time limit after the discovery of a defect therein.

Article 13

The supplier shall guarantee the conformity of the commodity or service to the declared and approved standard specifications. The supplier shall be held liable for non-compliance with the conditions of public health and safety.

Article 14

Upon the discovery of a defect in the commodity or service that is likely to harm the consumer, the supplier shall immediately inform both the competent department in the Ministry and the consumer about the potential damages and relevant protective measures. The supplier shall immediately withdraw the defective commodity from the market and announce such withdrawal in accordance with the executive bylaw hereof.

Article 15

Where the commodity is sold or the service provided in instalments, the supplier shall, prior to concluding the contract, provide the consumer with the following information:

- The price of the commodity or service if paid for in cash;
- The price of the commodity or service if paid for in instalments;
- The instalment period;
- The number of instalments and amount of each instalment;
- The total cost of the sale by instalments;
- The amount, if any, to be paid in advance.

Article 16

1. The supplier shall be liable for any damage resulting from the usage and consumption of the commodity; for the non-provision of spare parts for durable goods within a defined period of time; and for the lack of warranties, whether advertised or agreed with the consumer, pursuant to the rules specified in the executive bylaw hereof.

Where the commodity is locally produced, the producer and the seller shall be jointly liable pursuant to the provisions of the preceding paragraph.

Article 17

All information and data stipulated in Articles 7, 8 and 11 of this Law shall be rendered in the Arabic language. However, other languages may be used together with the Arabic language.

Chapter Four: Sanctions

Article 18 (Amended By Decree 14/2011)

1. Without prejudice to any greater penalties provided for in any other law, any person convicted of violating any of the provisions stipulated in the Articles of Chapter Three of this Law shall be sentenced to imprisonment for a period not exceeding two years and a fine of not less than three thousand Riyals (QR 3,000) and not more than one million Riyals (QR 1,000,000), or to either penalty.

However, an advertiser shall be exempted from liability where the information included in the advertisement which was provided by the supplier is of a technical nature and its accuracy cannot be verified by the advertiser.

Where a supplier is convicted of failing properly and clearly to indicate the risk involved in the use of the commodity and such failure is the proximate cause of damages, the sentence shall be a fine of not less than fifteen thousand Riyals (QR 15,000) and not more than one million Riyals (QR 1,000,000).

The sentence shall be doubled in case of a recurrence of the violation. The accused shall be deemed recidivist where he commits a similar violation before the lapse of a period of five years from the date of execution of the sentence.

All violations provided for in this Law shall be deemed identical for the purposes of recidivism.

Article 18 - BIS (Added By: Decree 14 / 2011)

Without prejudice to the penalties stipulated in this Law, the premises in which a violation is committed may be closed by virtue of a reasoned administrative resolution issued by the director of the competent department. Such closure shall be temporary for a period not exceeding one month for the first violation, two months for the second violation, and three months for the third or further violations.

The resolution shall be published on the Ministry's official website and in two daily newspapers at the expense of the accused.

In all cases the closure shall be implemented administratively for the entire premises unless its condition restricts closure to that part in which the violation occurred. The accused shall bear the expenses incurred by the closure.

The person concerned may appeal to the Minister against the resolution within seven days from the date on which he was notified thereof. The appeal shall be accompanied by all supporting documents.

The Minister shall rule on the appeal within ten (10) days from the date of its submission and his decision shall be final.

The lapse of the period referred to in the preceding paragraph without a ruling on the appeal shall be deemed a rejection of the appeal.

Article 19

Without prejudice to any greater penalty stipulated in any other law, any person convicted of disposing of the seized products stipulated in Article 25 of this Law shall be sentenced to imprisonment for a period not exceeding two months, or to a fine equivalent to the value of the seized commodity which has been disposed of illegally.

Article 20

1. The person responsible for the effective management of a juristic person shall receive the same sentence stipulated in Articles 18 and 19 of this Law where it is established that he was aware of the violation or his failure to fulfil his duties in accordance with such management contributed to the occurrence of the violation. A juristic person shall be jointly liable to pay any imposed fines and indemnities where the violation is committed for or on behalf of the juristic person or by one of its employees.

Article 21

Following a conviction for any of the violations stipulated in this Law, the court may, in addition to the sentence imposed, order the confiscation or destruction of the commodity involved in the violation and the materials and tools used in its production, or the closure of the premises where the violation took place for a period of not less than one month and not exceeding three months. A summary of the court's judgment shall be published in two daily newspapers at the expense of the accused.

Article 22 (Amended By Decree 14/2011)

The Minister or his authorised delegate may settle any violations stipulated in this Law prior to or during the institution of criminal proceedings or before the issuance of a final judgment, against payment of a sum not less than double the minimum and not more than double the maximum amount of the prescribed fine. The settlement shall result in the abatement of the criminal case.

Chapter Five: General Provisions

Article 23

The provisions of this Law shall not prejudice the competencies of the Supreme Council for Communication and Information Technology pertaining to consumer protection in the fields of communication and information technology.

Article 24

Any condition referred to in a contract, document or other similar instrument in respect of contracting with the consumer shall be null and void where such condition relieves the supplier of any of his obligations stipulated in this Law

Article 25

1. Where there are strong reasons to believe that a violation to the provisions of Article 6 of this Law has occurred, the commodity may be seized and kept temporarily with the person concerned and under his responsibility.

At least five samples of the commodity shall be taken for analysis, each sample being kept in a safe container. Two of the said samples shall be delivered to the person concerned and an evidence report, including all procedures taken, shall be drawn up.

Without prejudice to the right of the person concerned to file a request to the competent court for release of the seized commodity, such commodity shall be released by operation of the law where no court order is issued to uphold the seizure within a period of thirty days following the date of the seizure.

Article 26

The executive bylaw of this Law shall determine the categories and periods within which the situations herein shall be rectified in conformance with the provisions of this Law. In the event of non-rectification after the expiration of the set period, the Minister may order the suspension of the establishment activities for not more than ten days and refer the matter to the court regarding the closure of the establishment's premises and disposal of the commodities involved in the violation.

Article 27

The Ministry's personnel deputed under the Attorney-General's resolution issued in agreement with the Minister shall have the capacity of judicial control officers in seizing and establishing evidence of violations committed in contravention of the provisions of this Law

Article 28

This Minister shall issue the executive bylaw hereof and the resolutions necessary for its implementation. Until the issuance of the said resolutions, the currently applicable resolutions and regulations shall remain effective in so far as they do not conflict with the provisions of this Law.

Article 29

The aforesaid Law No.2 of 1999 shall be annulled.

Article 30

All competent authorities, each within its jurisdiction, shall enforce this Law which shall be published in the *Official Gazette*.

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