

# Consumer protection law of uae

Law



Consumer Protection Law of UAE In United Arab Emirates; a new federal consumer protection law has been promulgated. Under which a consumer protection committee formed to monitor the prices of consumer goods. The provisions of the laws advocate the principle of healthy competition and fighting monopoly and commercial fraudulence. The new legislation is complementing other laws concerning civil procedures, commercial fraudulence, commercial agencies, industry organization and trading in precious gems and metals. Disregarding any provisions of these laws could lead to violation of other related laws and this itself is enough to ensure strict enforcements. The law No: 6 of 2006 covers and tackles issues relating to the rights of consumer, responsibilities and liabilities and specifying penalties to be imposed on people for selling substandard goods.

Under the law, a consumer protection higher committee will be constituted under the chairmanship of the Minister of Economy. The Committee will also comprise of representative of the Consumer Protection Societies. The Committee formation and determination of its powers will be decided by a resolution of the cabinet. In case of a crisis or extraordinary circumstances in the market leading to price hikes, the minister will recommend procedures to curb such price increases and protect consumer's interests. A new Consumer Protection Department (CPD) will also established at the Ministry of Economy (MOE) with a mandate to supervise the execution of the general policy for the protection of consumer in cooperation with the authorities. The Key responsibilities of CPD includes; 1. To supervise the implementation of policies designed to protect Consumers in cooperation with the concerned authorities in the State.

2. To coordinate with the concerned authorities in the State in order to cope with the unlawful commercial practices detrimental to the Consumer. 3. To coordinate with the concerned authorities to heighten Consumer awareness in the State about the commodities and Services, along with having the Consumers acquainted with their rights and the methods of the claims thereof. 4. To monitor Price movements and curb Price increases. 5.

To achieve the principle of the honest competition and fight monopoly. 6. To receive complaints from Consumers and refer them to the concerned authorities or otherwise take the necessary action(s) prescribed in the Department's mandate. A Complaint may be filled directly by the Consumer or through the consumer protection association, when such acts as the representative of the particular Consumer. 7. To publish and distribute the decision and recommendations designed to raise Consumer awareness. The key responsibilities of the (CPD) includes increasing the consumer's awareness, monitor the movement of prices and control their increase, combat monopoly, to receive consumers complaints and adopt appropriate action.

The law states that the Provider shall upon offering any commodity to consumers shall prominently display in the cover of the commodity or on the packet a label the particulars of the product including date of production, or packing, net weight, country of origin, expiry date, components and specifications of product etc. The Provider shall also prominently display the price of the product either in the label or at the place where the commodity is displayed. The consumer shall also have the right to receive a dated bill for the product with particulars such as price, type etc. The laws warrants the <https://assignbuster.com/consumer-protection-law-of-uae/>

conformity of the product or the service provided to the consumer with the declared and approved standardized specifications. As per the law, the supplier is prohibited to display or promote counterfeited commodities that would inflict damages or losses on consumers. According to the new law, a consumer will be entitled to be indemnified against personal or financial damages in accordance with the general rules in force. Any agreement in contravention therewith be null and void.

Concerning commercial and trade agencies, the law says that each commercial agent or distributor shall honour all guidance provided by the manufacturer or the trade agent of the commodity. The law also obliges the provider to provide for repair, maintain or provide service to the product after sales and to replace a product if a defect is found in the product within a specific time period. The law also confer legal capacity to CPD to represent the Consumers before the Courts and any other body prescribed by law.

Without prejudicing the rights of the parties to go to the Court, the department can also proceed with any settlement to protect the consumers' interest. According to law, those found guilty of violating the provision will face a fine of not less than Dhs. 1, 000/-. In case a supplier or a distributor fails to unequivocally warn against the hazards associated with use of the commodity or the service causing damages penalty will be not less than Dhs.

0, 000/-. The new law is a milestone in serving the interests of the consumers in protecting their basic rights against unfair trade practices, unscrupulous exploitation etc and their right to seek redressal against such practices. The law guarantee the consumers right to be heard and to be assured that consumers interests will receive due consideration at the <https://assignbuster.com/consumer-protection-law-of-uae/>

appropriate forum. Environmental Law in the UAE The body of Environmental Law in the UAE comprises Federal Laws and Local Orders issued at municipal level within certain of the Emirates. The UAE also recognises certain international conventions and protocols. A list of the Laws is provided in the appendix to this article. In this article we deal broadly with the provisions of Federal Law No.

(24) of 1999 for the Protection and Development of the Environment (" Law No. 24") which forms the backbone of the Environmental Law within the UAE. We also deal more specifically with Environmental Impact Assessments, the procedure relating thereto and the institutions charged with the responsibility for implementing the Law. Law No. 24 The objectives and general principles of this Law are the following: Protection and conservation of the quality and natural balance of the environment. Control of all forms of pollution and avoidance of any immediate or long-term harmful effects resulting from planning for economic, agricultural or industrial development or other programs aimed at improving life standards. Co-ordination among the FEA, competent authorities and parties concerned with the protection of the environment and conservation and consolidation of environmental awareness and principles of pollution control.

Development of natural resources and conservation of biological diversity in the UAE and exploitation of such resources with consideration of present and future generations. Protection of society, the health of human beings and other living creatures from any activities and acts which are environmentally harmful or impede authorised use of the environmental setting. Protection of the UAE environment from the harmful effects of activities undertaken

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outside the region of the UAE. Compliance with international and regional conventions ratified or approved by the UAE regarding environmental protection, control of pollution and conservation of natural resources. Law No. 24 and the Executive Order published pursuant to Cabinet Resolution No. (37) of 2001 deals comprehensively with all aspects of environmental protection relating to projects; the marine environment and pollution thereof; liability and compensation for environmental damage; protection of drinking and underground water; air pollution; disposal of hazardous waste; disposal of medical waste, pesticides, agricultural fixers and fertilisers; nature reserves; the protection of wildlife, as well as the penalties imposed for contravention of any provisions of the aforesaid.

The Environmental Impact Assessment (EIA) According to Law No. 24, any entity that wishes to undertake a project within the UAE which may have an impact upon the environment must apply to the Federal Environmental Agency (FEA) or the relevant competent local authority for a license. The FEA in co-ordination with the competent authority undertake the evaluation of the environmental impact of projects. The procedure is as follows: The applicant shall attach with his application a complete statement on the project or activity intended to be undertaken including all information required in accordance with the Executive Order and forms included therein. The FEA in coordination with the competent authority shall decide on the application within a period not exceeding one month from the date of submission of the application. The applicant shall be notified of the decision and reasons for rejection of his application if rejected. The period stated above may be extended by one month if the need arises.

Owners of projects or establishments approved by license shall undertake the regular analysis of waste and monitor the properties of discharge and pollutants generated from such projects, including degradable materials and keep monitoring records as well as send reports with the results to the FEA and the competent authorities. Federal Environmental Agency (FEA) The Federal Environmental Agency was established pursuant to Federal Law No. 7) of 1993 for the Establishment of the Federal Environmental Agency. The Law sets out the objectives of the FEA being inter alia: To protect and develop the environment: To determine the necessary plans and policies to safeguard it from damaging activities, particularly Appendix The Environmental Laws in the UAE and International Protocols Federal Laws Federal Law No. 7 of 1993 for the Establishment of the Federal Environmental Agency (as amended by Federal Law No. 30 of 2001). Federal Law No.

24 of 1999 for the Protection and Development of the Environment and its Executive Order. Federal Law No. 3 of 1999 concerning Exploitation, Conservation and Development of Living Aquatic Resources. Federal Law No. 1 of 2002 for the Regulation and Control of the Use of Radiation Sources and Against Their Hazards Federal Law No. 11 of 2002 for Regulating and Controlling the International Trade in Species of Wild Fauna & Flora. Abu Dhabi Local Environmental Laws Law No.

16 of 2005 pertaining to the Reorganisation of the Abu Dhabi Environment Agency. Law No. 21 of 2005 for Waste Management in the Emirate of Abu Dhabi. Law No. 28 of 2005 which is a Law Establishing the Abu Dhabi

Authority for Culture & Heritage. The above local laws, reference to the federal laws and the protocols can be found on <http://www.ead.ae/en>

Dubai Environmental Laws Local Order No. 61 of 1991, a local order issued by the Municipal Council still governs environmental law at a local level. Federal Law will prevail in the event of conflict and contradiction. Local Order No. 11 of 2003 regarding Public Health and Safety of Society has replaced the specific provisions in Local Order 61 of 1991 relating to public health. Local Order No. 11 of 2003 supersedes Local Order No.

61 of 1991 in parts only (with the exception of specific provisions relating to public health and safety). We were informed by the Head of the Environment section in Dubai Municipality that a new Local Order will be issued soon. This local order will complement Local Order No. 11 of 2003 and replace Local Order 61 of 1991 in its entirety. The above local orders can be found on the below link: <http://vgn.dm.gov.ae/DMEGOV/dm-legislation-localorder-a>; and <http://vgn.dm.gov.ae/DMEGOV/dm-legislation-order2004-a>

There were also amendments issued in 2004 to the Local Order No. 11 of 2003. This Local Order and its amendments can be found on Dubai Municipality 's website in Arabic. Please see the above links.

The Municipality is currently finalizing the Executive Regulations for Local Order No. 11 of 2003 as well as a separate Local Order to be drafted for Occupational Health and Safety in Dubai . Local Order No. 7 for the year 2002 on Management of Waste Disposal Sites in the Emirate of Dubai. Local Order No. 8 of 2002 regarding Sewerage, Irrigation and Water Drainage in <https://assignbuster.com/consumer-protection-law-of-uae/>



the Emirate of Dubai. The DM's technical guidelines and circulars can be found on the DM's website.

Sharjah Environmental Laws Sharjah has issued Environmental guidelines pursuant to Law No. 24 of 1999 relating to specific industries, which are as follows; Environmental Guidelines for the Paint and Varnishes Related Industries. Environmental Guidelines for the Aluminium Industry. Environmental Guidelines for the Plastic and Melamine Industry. Environmental Guidelines for Laundries. Environmental Guidelines for the Jewellery Industry. Environmental Guidelines for the Electroplating Industry. Environmental Guidelines for Garages and Car Wash Facilities.