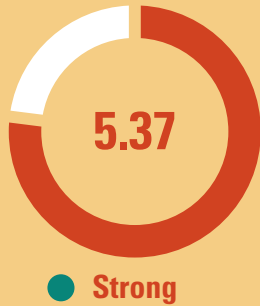
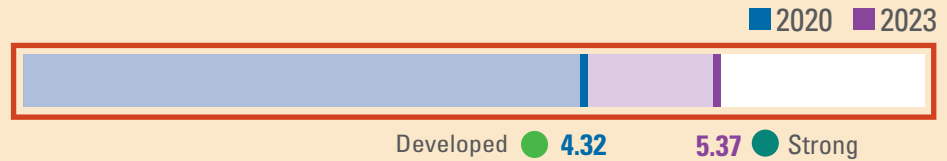




ARAB BUSINESS LEGISLATIVE FRAMEWORKS



CONSUMER PROTECTION



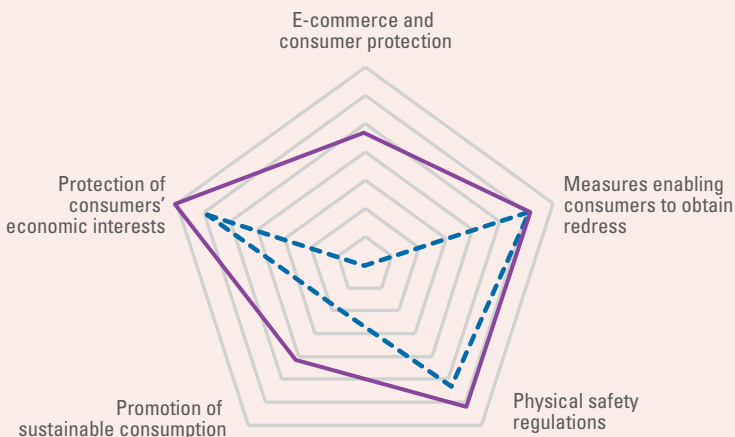
● Very weak ● Weak ● Basic ● Moderate ● Developed ● Strong ● Very strong

COMPONENTS

	2020	2023	
E-commerce and consumer protection	—	● 4.67	
Measures enabling consumers to obtain redress	● 6.13	● 6.13 ▶	
Physical safety regulations	● 5.25	● 6.13 ▲	
Promotion of sustainable consumption	● 1.75	● 4.08 ▲	
Protection of consumers' economic interests	● 5.83	● 7.00 ▲	

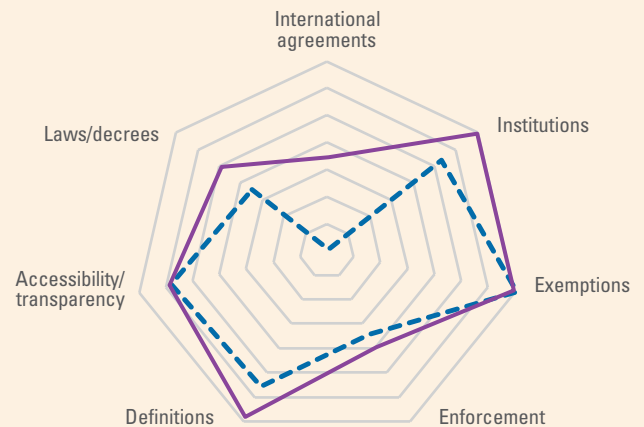
COMPONENTS

■ 2020 ■ 2023



ELEMENTS

■ 2020 ■ 2023



Kuwait began adopting laws and regulations to guarantee consumer interests in 1979. In 2014, the Consumer Protection Law No. [39/2014](#) was adopted. It was then followed by its Executive Regulation No. [27/2015](#).



Physical safety regulations

Article 1 of the executive regulation defines conditions of security and safety in terms of what is stipulated in laws and regulations. Moreover, articles 13 and 14 of the executive regulation stipulate the formation of a technical committee within the Consumer Protection Association in Kuwait, and list its prerogatives, including collecting samples from foods and products for laboratory assessment to ensure their safety according to the adopted legal metrology.

The legal framework of Kuwait does not allow any exemptions from consumer protection provisions. Moreover, pursuant to article 11 of the law, exemption clauses in any contract are considered null and void if it exempts suppliers/providers from their duties. However, according to article 14 of the law, if consumers get damaged due to the use of a product based on criteria that they requested, suppliers won't be legally responsible.

Kuwait has also ratified the Unified Law for Combating Commercial Fraud in the Gulf Cooperation Countries No. [20/2019](#) and issued the executive regulation related to it. According to article 3 of the Unified Law, and articles 2, 5, and 6 of its Executive Regulation, the suppliers should notify competent authorities of any contaminated or spoiled goods upon discovery or knowledge of them. The supplier is also required to stop selling or dealing with contaminated commodities and must immediately initiate procedures for withdrawing the commodities and warning publicly against its use. Article 13 of the Unified Law states that the court should rule for the withdrawal of contaminated goods and publish its ruling in two daily newspapers at the expense of the supplier if no corrective measures were taken by the latter.



Protection of consumers' economic interests

Article 9 of the law guarantees the rights of consumers, which include the consumer's health and safety when supplied with the product, guaranteeing the quality of goods and services and its usability for its stated purpose, receiving accurate information on used products, and fair redress for legitimate claims, etc.

Moreover, article 12 of the law and article 41 of the executive regulation list duties incumbent on suppliers, which include providing clear information on products (in Arabic), clearly mentioning the expiry date, ensuring the provision of post-

sale services, clearly mentioning the prices and issuing thorough and accurate receipts to consumers.

Article 6 of the law clarifies the mandate of the consumer protection committee, which includes investigating infringements and complaints, etc. Articles 27 to 32 list sanctions (fines and imprisonment) on infringements. Finally, article 12 of the executive regulation guarantees the due process principle by allowing the appeal of the committee decision before the competent court.



Measures enabling consumers to obtain redress

Article 14 of the law and article 25 of the executive regulation guarantee the right of consumers to obtain redress. The articles make it incumbent on suppliers to repair products for no charge or to accept their return of the product with a refund.

According to articles 6 of the law and 17 of executive regulation, consumers can present complaints to the

committee regarding infringements. Also, pursuant to article 7, officers of the consumer protection authority are qualified as judiciary police.

Article 8 of the law lists the roles of consumer protection associations, which include among others, presenting cases on behalf of the consumers and raising awareness, etc.



Promotion of sustainable consumption

The Strategic Cooperation Framework (SCF) 2020-2025 of Kuwait, which is supported by the United Nations system, includes pillars connected to the Sustainable Development Goals that target sustainable consumption and Vision 2035 adopted by Kuwait. It is worth noting that the environment protection law (2014) aims to encourage a green economy

and reach sustainable development by rationalizing the use of natural resources to protect natural resources. According to article 7 of the environmental law, the environment committee is to set criteria and policies to protect the environment and achieve the SDGs (that include health and environmental criteria for living and industrial development).



E-commerce and consumer protection

Although there is no specific chapter within the Consumer Protection Law covering the whole e-commerce field, several articles in the Executive Regulation (2015) target e-commerce. According to article 1(10) of the Executive regulation, advertising and selling products through the Internet is covered by the provisions of article 9 of the

Law. Article 32 allows businesses operating online to make offers, discounts, and link their online prices to the prices of the Western and worldwide digital platforms (based on a request). As for the sanction regime, the provisions of articles 27 to 32 of the consumer protection law also apply to e-commerce activities.

RECOMMENDATIONS

- 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.

