

Decree-Law No. 14 of 2011 Amending Certain Provisions of Law No. 8 of 2008 on Consumer Protection 14 / 2011

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We, Hamad Bin Khalifa Al-Thani, Emir of the State of Qatar,
Having perused the Constitution;
Law No. 8 of 2008 on consumer protection;
Emiri Resolution No. 38 of 2009 on the organisational structure of the Ministry of Business and Commerce;
The proposal of the Minister of Business and Commerce; and
The draft law submitted by the Council of Ministers;
Hereby promulgate the following Law:

Articles

Article 1

The definitions of the "Ministry" and "Minister" stipulated in Article 1 of the aforesaid Law No. 8 of 2008 shall be replaced with the following definitions:

"Ministry" means the Ministry of Business and Commerce.

"Minister" means the Minister of Business and Commerce

Article 2

The texts of Articles 18 and 22 of the aforesaid Law No. 8 of 2008 shall be replaced with the following texts:

"Article 18

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 22

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."

Article 3

The following texts shall be added to the aforesaid Law No. 8 of 2008:

“Article 10/ second paragraph

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 18 (bis)

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 4

All competent authorities, each within its own jurisdiction, shall enforce this Law which shall come into force from the date of its issuance and shall be published in the *Official Gazette*.