

**Decree of
The Minister of Trade and Industry
No. () of 2006
On the Enactment of the Executive Regulations of the Consumer Protection Law
Issued By Law (67) of 2006**

**Minister of Trade and Industry
After reviewing the Constitution, and
The Consumer Protection Law no. 67/2006**

Has Decreed

Article 1

The attached provisions of the Executive Regulations of the Consumer Protection Law issued by Law (67) of 2006 shall be applicable.

Article 2

This decision shall be published in the Official Gazette and shall be enforced as of the next day of publication.

Issued at the Ministry of Trade and Industry on _____ Dhul-Qieda, 1427 A.H.
(_____ November, 2006 A.D)

Minister of Trade and Industry

Rachid Mohamed Rachid

**The Executive Regulations of the Consumer Protection Law
Issued by Law no. (67) of 2006**

**Part I
General Provisions and Definitions**

(Chapter 1)

General Provisions

Article 1

For the purposes of the provisions of the Executive Regulations, "Law" shall mean the Consumer Protection Law issued by Law no. (67) of 2006, "Minister" shall mean the Minister of Trade and Industry, "Agency" shall mean the Consumer Protection Agency established according to the provisions of the Law, and "Board of Directors" shall mean the Consumer Protection Agency's Board of Directors.

Article 2

Practicing economic activity shall be in a way that does not violate the fundamental consumer rights, according to the provisions of the Law and the Executive Regulations, and without prejudice to the international agreements and treaties applicable in Egypt.

(Chapter II)

Definitions

Article 3

For the purposes of the provisions of the Law and the Executive Regulations, the phrases and terms mentioned in the following articles shall have the meaning indicated therein.

Article 4 (Persons)

“Person” shall mean natural persons and legal persons, including all kinds of companies, economic entities, societies, unions, institutions, establishments, associations, financial assemblies and person assemblies regardless of their way of establishment, the means of financing such persons, their nationalities, their administration centers, their activities main centers.

“The persons aforementioned in the first paragraph shall, *inter alias*, include the related parties comprised of two or more persons, each of an independent legal entity, and the majority of the shares of one of them is, directly or indirectly, owned by the other party, or is owned by a single party.

The related parties shall, *inter alias*, include the person(s) who are subject to an actual control of another person, and actual control means any situation, agreement, or ownership of any shares regardless of the percentage thereof, in a manner that leads to controlling the administration or decision making”.

Article 5 (Product)

The goods and services offered by public or private law persons, including the used goods that are contracted upon through the supplier.

Article 6 (Consumer)

Any natural person who is provided by any of the products that meet his personal or family needs, or otherwise dealt or contracted within that concern.

Article 7 (Supplier)

Any natural or legal person providing service, producing, importing, distributing, offering, circulating, trading in, or dealing with a product for the purpose of providing same to the consumer, or contracting or dealing with the consumer in relation to it by any means including electronic means or any other modern technological means.

Article 8 (Advertiser)

Any natural or legal person advertising or promoting a good or service directly or indirectly by any means, including electronic means or any other modern technological means.

An advertiser shall be the applicant for advertisement, advertising broker, advertising agency and the advertising media, according to Egyptian standard specifications regarding the provisions of advertising for goods and services

Article 9 (The Invoice)

Any prima facie instrument that is sufficient by itself to establish the dealing or the contracting with the consumer concerning a certain product, provided that it includes all the data required by the Law and the Executive Regulations.

Article 10 (Societies)

Societies, non-governmental organizations and their unions that are published in accordance with the provisions of the Law on Societies and Non-governmental Organizations, which are mainly or collaterally concerned with consumer protection. The society is deemed as mainly concerned with consumer protection if the main purpose of the establishment thereof is to work in the consumer protection field, whereas the society is deemed as collaterally concerned with consumer protection if the purpose of consumer protection is only one of the fields of its work.

Part II
Obligations of Producers, Importers,
Suppliers and Service Providers

(Chapter 1)

Obligations of the Producer and the Importer

Article 11

According to the conditions, the producer or the importer shall state on the product all or some of the following data, according to the nature of each product and the way of advertising or offering it, or signing a contract concerning it, and according to the applicable standard specifications:

1. name of the good
2. country of origin
3. name of the producer, or the importer in addition to his/her trade name, address and trademark, if any
4. production and expiry dates
5. conditions of distribution and storage
6. kinds, features, dimensions, weights and ingredients

The Minister shall issue a list including all the goods, where it is sufficient to mention only some of the above-mentioned data.

Article 12

In the cases where the use of the product may harm the consumer's health and safety, the producer shall attach a guideline indicating the appropriate way of using the product, avoiding and treating – if any – any potential harms,.

Article 13

The producer or the importer shall, as the case may be, state the data required by the Law and Executive Regulations in a clear and legible manner, and in a way whereby the purpose of placing such data is achieved according to the nature of each product and the way of advertising or offering it, or signing a contract concerning it, all according to the Egyptian standard specifications subject to the following:

1. The data shall be written in Arabic, and may be written in two or more languages provided that one of them is Arabic
2. The data shall be written in a way that would be hard to remove
3. The data shall be written on the good itself, or if not applicable, on labels attached to the good or container.

The producer or the importer, as the case may be, may not put any data that may deceive or confuse the consumer.

(Chapter II)
Obligations of the Supplier and the Advertiser

Article 14

The supplier shall state all the data identifying his/her character on all the correspondences and documents issued by him/her in the course of dealing or contracting with the consumer – including electronic documents, especially the following data:

1. The supplier's name, surname, address, chosen domicile in Egypt (if foreigner), and phone numbers.
2. In case the supplier is a legal entity, the name of the entity, in addition to the address and telephone numbers of the main center of the establishment as well as the address and telephone numbers of the branch in case of issuing the contract by it.
3. The number of the supplier's commercial register.
4. The supplier's trademark, if any.
5. The supplier's tax file number.

Article 15

The supplier is obliged to provide the consumer – upon request – with an invoice that indicates that a contract was made concerning such product, without incurring any additional financial or non-financial burden on the part of the consumer, provided that the invoice includes the following data:

1. The name of the supplier and his/her commercial store
2. The date of the contract concerning the product
3. The product price
4. The product kind, nature and substantial features
5. Product conditions, if the product is used
6. The product quantity, in terms of number and weight
7. Delivery date
8. The signature and seal of the supplier or his/her legal representative

The Minister shall issue a list including all the goods or services, where it is sufficient to mention only some of the above-mentioned data.

In case the product is sold on installments, the invoice shall indicate:

- the total amount to be paid on installments;
- actual interest and how it is calculated;
- number of installments and amount of each;
- penalties associated with outstanding and delinquent installments;
- rights and obligations of the parties to the contract as regards ownership and disposing of the product, and
- a proof that the consumer read and accepted these additional conditions

Article 16

Any act or abstention on the part of the advertiser or the supplier in a manner that may lead to a false or misleading impression on the part of the consumer, or that may lead to a confusion or mistake on the part of the consumer shall be deemed a misleading behavior, if it includes any of the elements indicated in Article (17) hereof.

Article 17

Any advertisement about a product that includes a false offer, statement, claim or any other matter that includes any of the following elements in a manner that may, directly or indirectly, lead to a false or misleading impression, regardless of the means of advertisement, shall be deemed as misleading advertisement, specifically when such advertisement is related to one or more of the following elements:

1. The nature and composition of the goods in addition to the substantial features or elements that constitute the goods and the quantity of such elements.
2. The source, weight, size, mode of manufacture, production date, expiry date of the goods in addition to the conditions and restrictions of usage.
3. The producer of the goods or the provider of the service.
4. The kind and place of the service in addition to the restrictions of usage and substantial features in terms of either the kind or the benefits of using the service.
5. The contracting conditions and procedures including the after-sale service and guarantee, in addition to the price and the means of payment.
6. The rewards, certificates, certification marks.
7. Trademarks, statements, or logos.
8. The characteristics of the product and the expected results of its usage.

Article 18

The supplier of used goods shall be obliged to provide sufficient information on their status and how far they may need repair before usage, in a manner that does not lead to the creation of false or deceiving impression, or confusion or mistake on the part of the consumer, and that meets health and safety requirements.

Article 19

The supplier shall, within a maximum of seven days of discovering or becoming aware of a defect in a certain product, notify the Agency of such defect and its potential damages.

Notification of the Consumer Protection Agency shall be by the supplier or his/her representative by virtue of an official authorization on the form prepared for that purpose, particularly including the following:

- 1- The notifier's name, capacity, surname, nationality, address and chosen domicile in the Arab Republic of Egypt, or the name, surname, address of the representative thereof if he/she is the one who made the notification together with the authorization document attached.
- 2- The product(s) subject of the notification.
- 3- The producer's name and address.
- 4- The importer's name and address if the product is imported.
- 5- The date when the notifier discovers or becomes aware of the defect, subject of the notification.
- 6- The accurate technical identification of the defect subject of the notification.
- 7- The potential damages that may occur as a result of the defect subject of the notification, and stating how it could be possible to avoid the damage or address the effects resulting therefrom.

- 8- The procedures and means provided by the supplier to enable consumers, upon request, to replace, repair or return the product and reclaiming their money, all without any further expenses.
- 9- Any other data the supplier believes necessary to be included in the notification.

The notification shall be registered in a special record. The notifier shall be given a receipt indicating that and including the number, date and time of the record.

Article 20

The supplier is obliged, upon discovering or becoming aware of a defect in the product that may lead to endanger the health or safety of the consumer, to notify the Agency of such defect and its potential damages, to state the suspending of the production of or dealing with such product in all forms, to take the procedures necessary to suspend its circulation or marketing, and to warn consumers against the use of such defected product.

The notification and warning shall be announced by publication in daily newspapers, or by directly contacting the consumer if the nature of this product circulation so allows, according to the rules set by a decision by the Consumer Protection Agency Board of Directors.

The notification shall be in accordance with the conditions and procedures set in Article (19) of the Regulations.

Part III
(Chapter 1)
Meetings and System of the Agency Board of Director

Article 21

The Agency shall be managed by a Board of Directors composed of a dedicated chairperson and 14 members, and shall be constituted in accordance with the provisions of Article (13) of the Law. The Board of Directors shall have a technical secretariat to be established and operated by a decision of the Board.

Article 22

The Board of Directors shall convene upon call of the Chairperson or his deputy at least once a month and whenever necessary. It shall also convene upon the request of two thirds of the members. The call for meeting shall be sent in writing at least four days before the meeting due date, with the agenda attached.

The meeting of the Board of Directors shall be valid by the attendance of nine members. The decisions shall be taken by absolute majority of the attendees, and shall be final without approval.

Article 23

No member of the Board of Directors may participate in the deliberations or voting in case such member or a representative thereof has direct or indirect interest therein, has litigation or a kinship of the fourth degree with a party thereto or represented or is representing a party thereto. The member is obliged to state in writing any of the abovementioned matters before starting the deliberations or voting as regards the matter concerned, and deliver such statement to the head of the meeting, who signs a copy indicating receipt.

Article 24

The Board may, at its discretion, hire experts for the meetings thereof. Such experts may not have countable votes, and shall be invited by the Chairman two days at least prior to the specified meeting by any means of notification.

Article 25

Minutes of Board meetings shall be regularly recorded in a special register with serial-numbered pages. Such minutes shall be signed by the Chairman and the Secretary.

(Chapter 2)
Competences of the Board and the Chairperson

Article 26

The Board shall have the competences enumerated in the Law, particularly:

- a) Accepting donations, gifts, or any other resources, so long as such don't contradict with the Board's objectives.
- b) Crafting regulations to organize the workflow of the Agency and the financial and administrative affairs of employees, such regulations may not be restricted to the rules governing civil servants, and shall be submitted to the appropriate minister for enactment.
- c) Nominating employees for the title of "judicial inspector" which is necessary for enforcing laws. Judicial inspectors shall be appointed upon a decree from the Minister of Justice in coordination with the appropriate minister.
- d) Forming the committees enumerated in Article 17 of the Law, which shall be responsible for settling the disputes that may arise between consumers and suppliers/advertisers as a result of the implementation of the Law's provisions.
- e) Nominating the expert member of the Committee referred to in Article 17 of the Law.
- f) Approving the Agency's Annual Activity Report.
- g) Commenting on draft laws and regulations related to protection of consumers and the basic interests thereof.
- h) Appointing an Executive Manager for the Agency upon the nomination of the Chairman, and determining the remuneration thereof.

Article 27

The Board may entrust one of the members thereof, or a committee formed of some of the members thereof, to perform a certain duty or supervise any of the Agency's activities. Reports of such duty or supervision shall be drafted and submitted to the Board for review.

Article 28

The Chairperson shall be competent to

- a) coordinate matters of joint interest with counterpart agencies in other countries, such matters shall be reviewed by the Board;
- b) draft an annual report on the Agency's activities, future plans, and suggestions, and submit same to the Board for approval;
- c) nominate the Agency's Executive Manager, and inform the Board of such nomination so that a decision may be made for the appointment thereof;
- d) supervise the laying down of plans and work programs necessary for consumer protection, and work on furthering and improving consumer protection;
- e) supervise the studies conducted by the Agency in light of the suggestions and recommendations it receives as regards protection of consumer rights and conduct researches in this respect, and
- f) reach conciliation with defendants (before a final court judgment is delivered) in return for a minimum amount of ten thousand pounds. A regular report shall be drafted on cases of conciliation and reasons for accepting them.

Part IV
Submission of Complaints and Procedures
for Examination and Responding Thereto

(Chapter 1)
Submission of Complaints

Article 29

Consumers and consumer protection societies may submit complaints to the Agency as regards any violations of the Law. The Agency may receive no fees for the complaints submitted thereto or for the counter procedures taken thereby.

Article 30

Complaints shall be submitted to the Agency in writing together with the following information and documents:

1. Name, address, profession, capacity of complainant; and interest thereof to submit the complaint, and documents supporting the data in his claim
2. Name, address, and business of respondent
3. Type of the violation subject of the complaint
4. Pieces of evidence and documents supporting the complaint (if any)
5. Description of harm inflicted upon complainant (if any)

The Agency may ignore any complaint that doesn't meet these requirements.

In all cases, the Agency may receive complaints from consumers by any means that it finds adequate to enhance the efficacy of consumer protection.

(Chapter 2)
Procedures for Examination of Complaints

Article 31

The Agency shall examine the complaints submitted thereto either by consumers or consumer protection societies in the manner described hereunder.

Article 32

Upon receipt, complaints shall be recorded in the Register assigned for this effect. The complainant shall receive a receipt with a date and a serial number on it. Procedures, decisions, and judgments related to complaints shall be regularly recorded in the Register as well.

Article 33

Complaints shall be viewed by the Executive Manager to check whether they include the information and documents described in Article 30 hereof, and shall refer eligible complaints to the appropriate department after informing the Chairperson of the Agency of such reference.

The Executive Manager shall represent the Agency when dealing with the Judiciary or any third party.

Article 34

The appropriate department shall instantaneously examine the complaints referred thereto by the Executive Manager within a period of not more than 30 days. A report shall be drawn up of all the procedures taken in connection to such complaints. In all cases, the Executive Manager may refer the complaints he receives to the concerned government authorities and follow up the progress reached thereby.

Article 35

Employees of the Agency having judicial inspection capacity shall hold identification cards proving such capacity and describing the jurisdiction thereof. Such identification cards shall be shown to concerned parties.

Having proved their identities, judicial inspectors may:

- 1- Review registers and documents and access data and information at any government agency as necessary for the examination of complaints submitted to the Agency.
- 2- Access, upon written permission of the Agency's Executive Manager, and during official working hours, workplaces of natural persons subjected to inspection. Judicial inspectors may also seek the help of security if necessary.
- 3- Take appropriate evidence-collection procedures and interrogate persons about the commitment thereof of any Law violations.

Article 36

Samples of products offered for sale may be collected from stores, warehouses, and cold storage units. Procedures may be completed in factories, production units, public stores visited by consumers, and any other outlets where such products are offered for sale. However, production processes may not be interfered with.

Article 37

Immediately after accessing the establishment, judicial inspectors entrusted with collection of samples shall ask for the owner of the establishment or the person in charge thereof and shall require him or her to submit the documents proving the origin of the commodities under inspection. Upon submission, such documents shall be recorded in detail in the Sample Collection Report and a copy thereof shall be attached to the Report after verifying that such copy is identical to the original document.

In case the owner of the establishment or the person in charge thereof fails to submit such documents, all commodities available shall be seized and a report shall be written of such seizure. Sample collection procedures shall then proceed as stated in the following articles.

In all cases, judicial inspectors shall abide by the Egyptian standards and ministerial decrees governing the collection of samples.

Article 38

The appropriate judicial inspector shall draft a report describing the conditions of the samples and proving the collection thereof in the presence of the owner of the establishment or the person in charge thereof. The report shall also include the procedures applied by the judicial inspector, particularly:

- 1- Time, date, and place of writing the report.
- 2- Name and capacity of the writer of the report and description of the order upon which he was entrusted with the job.
- 3- Name and capacity of the person against who the procedures are applied (owner or person in charge).
- 4- Results of examining the place where commodities are stored.
- 5- Documents proving the origin of the commodities.
- 6- Procedures taken by the writer of the report to prepare the samples, including the number of samples and the way they are collected and transported.
- 7- Data printed on the seized commodities.
- 8- Signature of the owner of the establishment or the person in charge thereof or a proof that s/he refused to sign the report.

Article 39

In all cases, judicial inspectors may only record actions, documents, and statements without describing them from the legal point of view.

Article 40

If the analyses of the appropriate laboratories proved that the seized commodities are valid or that they conform to Egyptian standards, such commodities shall be released and the concerned party shall be notified of the analysis results.

Article 41

The Chairperson may, upon request of respondent, reanalyze one of the other two samples in a reference laboratory approved by the appropriate authority. Cost of such analysis shall be born by the respondent.

(Chapter 3)
Processing of Complaints

Article 42

The appropriate department shall, upon completion of complaint examination procedures, draft a report explaining the view thereof and give such report to the Executive Manager who shall submit it, together with his opinion and the procedures he applied in this respect, to the Board of Directors within seven days from receipt of report.

Article 43

The Chairperson, having reviewed the report related to the subject of the complaint, may issue a reasoned decision either to refer the complaint to the competent authority, shelve it, or further examine it by the appropriate department.

A periodic report on complaints and the procedures applied thereto shall be submitted by the Chairperson to the Board in the next hearing.

Article 44

The Board shall, whenever violation of Law is established, order the violator to reverse such violation instantly or within a time limit to be set by the Board.

The Executive Manager shall notify the party in violation of such order by a registered letter accompanied by acknowledgement of receipt. The Board, if such violation led to, or was supposed to lead to, harming the health or safety of consumers, may order the suspension of the violator or the seizure of the violating commodities until an examination is completed and a decision is made concerning such commodities.

The Executive Manager shall, by a registered letter accompanied by acknowledgement of receipt, inform the violator and the consumers of the violation and the action taken by the Board to stop it.

Article 45

Disputes arising as a result of implementing the Law between consumers and suppliers/advertisers shall be settled by the committees described in Article 17 of the Law.

Article 46

Each of the committees described in Article 17 of the Law and Article 45 of the Executive Regulations shall be formed by virtue of a decision made by the Chairperson as follows:

- A president of any court of first instance (Chairperson of committee)
- A judge from any court of first instance (member of committee)
- An expert (member of committee)

The Chairperson of the Committee and the judge member shall be selected according to the provisions of the Judicial Authority Law. The expert member shall be selected by the appropriate minister upon the nomination of the Agency's Chairperson.

Article 47

The expert to be selected as a member of the Committee may not have submitted any comments related to the dispute, even if such opinion was in the form of a consultative report, and may not have worked in relation to such dispute.

Article 48

The Committee may hire any members as needed provided that they do not have countable votes. Such members may be experienced officials from chambers of commerce or the Industrial Federation, according to the nature of each dispute and the products subject thereof.

Article 49

Disputes submitted to the Committee shall be written on the form made for this effect and submitted in two copies. The Chairperson of the Committee shall set a date for the hearing, and shall notify the litigants of such date and summon them to the hearing by means of a letter accompanied by acknowledgement of receipt 10 days at least prior to the holding of such hearing, according to the established general rules of litigation.

Article 50

In case the Committee decides to seconde an expert, the decision must provide:

1. Detailed description of the expert's duties
2. The deadline given to the expert to submit the report thereof
3. The date of the hearing where such report is to be discussed

Article 51

In case the litigants decide to hire an expert, the Committee shall implement such decision.

If the expert is a civil servant who works for the government or an institution affiliated thereto s/he shall be informed of the secondement decision through the authority where s/he works, otherwise s/he shall be notified with a letter accompanied by acknowledgement of receipt.

Article 52

The Committee shall promptly settle any dispute by virtue of a reasoned decision, bearing in mind the nature, damageability, durability, and validity of the commodity. Any decision made by the Committee shall have the same effect of the judgment of a court of first instance if such decision is formulated as an executive order.

Litigants may appeal the decision of the Committee before the appropriate court of appeals according to Article 17 of the Law and the provisions of the Law on Civil and Commercial Pleadings.

Article 53

The Chairperson may conciliate with the defendant prior to the delivery of a final judgment in criminal cases in return for a minimum amount of ten thousand pounds.

However, the following conditions shall be observed:

- 1- The complainant shall withdraw his complaint
- 2- The subject matter of the complaint shall be cleared

Conciliation shall end any litigation.

In all cases, a monthly report shall be drafted on cases of conciliation and reasons for accepting them.