

**THE CONSUMER
PROTECTION ACT
(Act No. 1/96)**



(Act No: 1/96)
12-11-1446 AH
01-04-1996 AD

Introduction

1. This Act determines the rights of the consumers and the protection of these rights. This Act shall be cited as The Consumer Protection Act.

Unfair Discrimination among Consumers

2. Unless otherwise provided by another Law, traders and service providers shall not while trading or providing a service engage in any unfair discriminatory practices. It is an offence to unfairly prevent any person from purchasing a product or receiving a service.

Circumstance under Which Goods Are Kept Without Offering For Sale

3. [Except as provided below](#) it is prohibited to keep goods without offering them for sale:
 - a) The sale of particular goods is prohibited [by](#) Law.
 - b) An interim permit has been obtained from Ministry of Trade and Industries to cease trading temporarily in order to carry out accounting work.
 - c) A reasonable quantity of the goods has been sold to the customer on that occasion.
 - d) Where a wholesale trader is demanded to sell a lesser quantity of the good contrary to the normal practice of a wholesale business.



Price to Be Displayed On Goods

4. Except on goods exempted by the Ministry of Trade and Industries all goods whether sold in retail or in wholesale the selling price shall be clearly marked on the goods or at a place easily visible to those entering the trading premises. When a consumer requests to buy a good at the marked price it shall not be sold at a price higher than the stated price.

Goods Sold With Conditions Attached Other than the Payment of Price

5. It is prohibited to offer for sale or sell goods with the condition that the consumer purchase another product or with any condition other than the payment of the price. This section does not prevent the sale of similar or different goods packaged in bulk provided these are manufactured or supplied as such and intended to sell as such, nor does it prevent the packaging of similar or different goods that are offered for sale individually in retail.

Disclosure of the Price of Services and Conditions

6. a) Service providers shall display the prices of the services and, if there is any, conditions attached to the services in Dhivehi language easily visible at the place where the services are provided. Otherwise, upon consumer's request this information shall be made available in writing at the place where the service is provided.



b) If an application form in a foreign language is required to be filled in order to obtain a service the same shall be available in Maldivian language.

Price Controlling

7. a) Depending on the availability of a good or due to the nature of the prevailing economic conditions of the Maldives, Ministry of Trade and Industries may if it deems fit reserves the right to control the price of any such good and having regard to the transportation costs discriminate the control price among the Atolls.

b) Depending on the need of a service or due to the nature of the prevailing economic condition of the country the concerned Ministry reserves the right if it deems fit to control the price of any such service and having regard to the cost of the service discriminate the control price among the Atolls.

c) It is an offence to sell goods above the controlled price fixed according to subsection (a) of this section and it is an offence to provide a service above the controlled price fixed according to subsection (b) of this section.

Prohibited Acts While Trading, Providing Services and Making Advertisements

8. It is an offence to carry out or be made to carry out any of the following acts verbally or by action while selling or delivering or advertising a good or service:



- a) To sell goods different from the goods the consumer requested by misrepresentation or to provide a service different from the service the consumer requested by misrepresentation.
- b) Falsely represent that goods are of a particular standard, style, grade or model.
- c) Falsely represent that the services are of a particular standard.
- d) Falsely represent or state that the goods as new or unused.
- e) Falsely represent or state that a trader or service provider has approval of or is associated with a particular party or the good is produced by a certain party.
- f) Falsely represent or state or mislead as to the price of a good or service has gone down.
- g) Make false representation or misleading statements concerning the use of goods or services. Or advertise an unavailable good or service as available.
- h) Make false representation or misleading statements concerning the benefits of a good or effect of any warranty or guarantee.

Disclosure of Defects Prior To Sale

- 9. If a merchandise is damaged or unfit for the purpose for which it is designed the damage or the state of its defects shall be disclosed to the consumer before the sale takes place.

Testing and Examination of the Good

- 10. If a merchandise is a good that can be tested and that an examination of the good shall reveal any of its defects then if a customer so requests the customer shall be permitted to examine the good and get it tested in his presence.



Defect Discovered After the Sale

11. If a sale takes place without agreement between the seller and the consumer for the recession of the sale, and subsequently if the consumer discovers a defect in the good he had purchased, the consumer reserves the right to claim back the price of the good or demand for a similar good **after returning the goods to the seller and showing the defect within 24 hours of the sale.**

Ingredients and the Expiry Date to Appear Outside All Packaged Food Products

12. The bottled or packed or canned food products imported for sale or produced in the Maldives shall contain outside the container the type or nature of the product, the ingredients, weight or volume, production and expiry date, **the duration of use and direction to use, if there is any such specification**, in accordance with the regulations prescribed by the Ministry of Trade and Industries.

Prohibition to Sell Expired Goods

13. It is prohibited to sell or display for sale any good whose expiry date had passed. It is also prohibited to keep in any place of business any food which is damaged or spoilt to an extent that it is unsuitable for human consumption.



Issuance of Receipt

14. Every trader or service provider who sells a product or a service shall on demand, issue to the purchaser thereof a receipt setting out.
- a) name and quantity of the good or the nature of the service
 - b) price of the good or the service
 - c) date of the sale of the good or providence of the service
 - d) the full name and address of the trader or service provider

Formulation and Implementation of Regulations

15. a) Regulations under this Act shall be made and implemented by a body or bodies appointed by the President of the Republic of Maldives.
- b) The concerned Government Ministries reserve the discretion to oversee that this Law and any regulations hereunder made are observed by traders and service providers.

Penalty

16. a) If an offence under this Act is committed or this Act is contravened the concerned Government Ministry reserves the discretion to fine the offender, for the first time for a sum between MRF 500/- to MRF 100,000/- if repeated the offender shall be fined for a sum between MRF 5000/- to MRF 100,000/-
- b) If the offender does not rectify the offending act within the given duration or repeats the offence after the fine was levied as stipulated in subsection a) of this section the concerned Ministry reserves the right to fine the offender as stipulated in subsection a) of this section and close



the business or revoke the business license issued to the offender for a period not exceeding six months.

Exemption

17. Auction sales are exempt from this Act.

Definitions

18. In this Act;

- a) Services mean services provided in a commercial manner for a price.
- b) Goods mean products kept for sale at a trading place.
- c) Keeping products without offering them for sale mean falsely stating that the product is not available, withholding its sale at the normal market price, keeping merchandise at a trading place or at any other place without offering them for sale.
- d) Warranty or guarantee means a written document issued by the manufacturer of the seller providing that the merchandise is of a certain quality or that it would not be damaged until the expiration of a specific period and if the merchandise is damaged during the stated period it shall be repaired free of charge or will be replaced by a similar product.

Repealed Acts

19. When this Act comes into force Act no: 57/78 (The Act Governing Price controlling and Hoarding of Merchandise) shall be repealed.

