



World Consumer Protection Map

Contribution by
Tunisia



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Q1 Name of responding member State **Tunisia**

Q2 Name of responding authority/agency:

ministere du commerce

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Q7 Does your country's Constitution contain a provision on consumer protection? **No**

Q8 If you do, please provide de following details: **Respondent skipped this question**

Q9 Does your country have have specific law(s) on consumer protection ? **Yes**

Q10 If you do, when was the main specific law first enacted? Date **07/12/1992**

Q11 If your main specific law on consumer protection has been revised, when was the date of its latest revision? **Respondent skipped this question**

Consumer Protection Survey

Q12 Please provide the following details of the current specific law(s):

1- Name of law	la loi n°: 92-117 du 7 décembre 1992 relative à la protection du consommateur
1- URL link	http://www.commerce.gov.tn/Fr/historique_11_123
2- Name of law	La loi n°: 98-39 du 2 juin 1998 relative aux ventes avec facilités de paiement
2- URL link	http://www.commerce.gov.tn/Fr/historique_11_123
3- Name of law	La loi n°: 98-40 du 2 juin 1998 relative aux techniques de vente et à la publicité commerciale.
3- URL link	http://www.commerce.gov.tn/Fr/historique_11_123
4- Name of law	La loi n°: 2000-83 du 9 août 2000 relative aux échanges et au commerce électroniques.
4- URL link	http://www.commerce.gov.tn/Fr/historique_11_123
5- Name of law	La loi n° 2002 - 62 du 9 juillet 2002 relative aux jeux promotionnels
5- URL link	http://www.commerce.gov.tn/Fr/historique_11_123
6- Name of law	La loi n°: 99-40 du 10 mai 1999 sur la métrologie
6- URL link	http://www.commerce.gov.tn/Fr/historique_11_123

Q13 Please check all the fields that your consumer protections law(s) cover.

Consumer rights/legitimate needs,
Access by consumers to essential goods and services ,
Physical safety,
Product quality,
Terms and conditions ,
Promotional marketing and sales practices (including misleading advertisement)
,
Restrictive business practices (competition/antitrust) ,
Electronic commerce,
Food distribution,
Water,
Dispute resolution,
Redress,
Consumer education,
Consumer information

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Q14 From your previous answer, your specific consumer protection law(s) do(es) not cover the following field(s). Please name the relevant law(s) covering this/these field(s):

Protection of vulnerable and disadvantaged consumers	article 38 et 39 de la constitution tunisienne
Promotion of sustainable consumption	art 12 de la constitution tunisienne/la loi n° 95-70 du 17 juillet 1995, relative à la conservation des eaux et du sol, la loi n°96-29du 3 avril 1996 instituant un plan national d'intervention urgente pour lutter contre les événements de pollution marine, la loi n° 96-41 du 10 juin 1996, relative aux déchets et au contrôle de leur gestion et de leur élimination et ses textes d'application, et la loi n°2007-34 du 4 juin sur la qualité de l'air.
Pharmaceuticals	Loi n° 2008-32 du 13 mai 2008, modifiant et complétant la loi n° 73-55 du 3 août 1973 portant organisation des professions pharmaceutiques/Loi n° 2000-40 du 05 avril 2000, modifiant et complétant la loi n° 78-23 du 8 mars 1978 organisant la pharmacie vétérinaire/Loi n° 99-73 du 26 Juillet 1999 portant modification de la loi n° 85-91 du 22 novembre 1985, réglementant la fabrication et l'enregistrement des médicaments destinés à la médecine humaine./Arrêté du ministre de la santé publique et du ministre du commerce et de l'artisanat du 24 août 2006, portant modification de l'arrêté du 21 mai 1982, relatif au prix des produits pharmaceutiques.
Energy	Loi n°2004-72 du 2 Août 2004, relative à la maîtrise de l'énergie
Public utilities	les articles 15,38,39,42 et44 de la constitution tunisienne/
Tourism	loi n 90/21 du 19/03/1990 portant promulgation du code des investissements tourestiques/decret loi n 74-21 du 24/10/1974 rek*latif aux jeux de casino
Data protection and privacy	- la constitution tunisienne (art 24) et loi organique 2004-63 du 27/07/2004
Financial services	Loi n° 58-90 portant création et organisation de la Banque Centrale de Tunisie/Loi n° 2006-19 du 2 mai 2006, modifiant et complétant la loi n° 2001-65 du 10 juillet 2001, relative aux établissements de crédit/Loi n°98-4 du 2 février 1998, relative aux Sociétés de Recouvrement des Créances/loi n 94/117 du 14/11/1994 relative à la reorganisation du marché financier

Q15 Please indicate the URL Link of the relevant law(s) to each field:

Respondent skipped this question

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Q16 Name of Ministry responsible for consumer protection:

ministere du commerce

Q17 URL link of responsible Ministry for consumer protection:

<http://www.commerce.gov.tn>

Q18 Year when consumer protection was assumed by the current responsible ministry:

2001

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Q19 Do you have a main consumer protection authority/agency? **Yes**

Q20 Name of main consumer protection authority/agency:

ministere du commerce

Q21 URL of main consumer protection authority/agency:

http://www.commerce.gov.tn/Fr/accueil_46_50

Q22 Year of creation:

2001

Q23 Annual budget: (in USD) **Respondent skipped this question**

Q24 Total number of staff: **Respondent skipped this question**

Q25 Total number of staff directly affected to consumer protection: **Respondent skipped this question**

Q26 Do you have a law/decree that governs the main consumer protection authority/agency? **Yes**

Consumer Protection Survey

Q27 If you do, please provide the following details:

Reference of the law/decreet

decret n2001-2965 du 20/12/2001

URL to law/decreet

<http://www.commerce.gov.tn/>

Q28 Does your main consumer protection authority/agency have POLICY MAKING powers over any of the following fields?

Consumer rights/legitimate needs,

Access by consumers to essential goods and services ,

Protection of vulnerable and disadvantaged consumers ,

Physical safety,

Product quality,

Terms and conditions ,

Promotional marketing and sales practices (including misleading advertisement)

,

Electronic commerce,

Food distribution,

Water,

Tourism,

Dispute resolution,

Redress,

Consumer information

Consumer Protection Survey

Q29 From your previous answer, your main authority/agency does not have POLICY MAKING powers over the following fields. Please name the relevant authorities/agencies with powers over these fields:

Voluntary codes for businesses	ministere de l'industrie/ federation patronale
Restrictive business practices(competition/antitrust)	ministere du commerce(departement concurrence) conseil de la concurrence
Financial services	banque centrale
Promotion of sustainable consumption	ministere de l'environnement
Pharmaceuticals	ministere de la santé
Energy	ministere de l'energie
Public utilities	minstere de la présidence de la république/different ministeres
Data protection and privacy	instance nationale de la protection des données personnelles
Consumer education	ministere du commerce (institut national de la consommation) et les ONG

Q30 URL Link of the relevant authority/agency to each field:

Respondent skipped this question

Q31 Does your main consumer protection authority/agency have ENFORCEMENT powers over any of the following fields?

Consumer rights/legitimate needs,
Access by consumers to essential goods and services ,
Protection of vulnerable and disadvantaged consumers ,
Physical safety,
Product quality,
Terms and conditions ,
Promotional marketing and sales practices (including misleading advertisement)
 ,
Electronic commerce,
Food distribution,
Water,
Tourism,
Dispute resolution,
Redress,
Consumer information

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Q32 From your previous answer, your main consumer protection authority/agency does not have ENFORCEMENT powers over the following fields. Please name the relevant authorities/agencies with powers over these fields: **Respondent skipped this question**

Q33 URL Link of the relevant authority/agency to each field: **Respondent skipped this question**

Q34 Regarding enforcement, how many infringement cases does your authority/agency handle on average per year? **Respondent skipped this question**

Q35 Has your authority/agency imposed sanctions and/or other measures for breaches of consumer protection law(s)? **Yes**

Q36 Maximum amount for sanction/measure allowed by consumer protection law(s): (in USD)

8000

Q37 Record highest amount for any sanction/measure imposed: (in USD) **Respondent skipped this question**

Q38 Please detail if necessary, what kind of sanctions and/or other measures are available in your jurisdiction

PRISON/ARRET PROVISIOIRE OU DEFINITIF DE LACTIVITE/AFFICHAGE DU JUGEMENT DANS LES JOURNAUX

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Q39 Are there any non-governmental consumer organizations/associations in your country? **Yes**

Q40 Do you have a law/decreed that governs consumer organizations/associations? **Yes**

Q41 In case you have a law/decreed that governs consumer organizations, please provide the following details: **Respondent skipped this question**

Consumer Protection Survey

Q42 Do consumer organizations/associations fulfil any of the following functions?	Consultation in policy making, Legal advice to consumers , Consumer education, Consumer information, Consumer publications
Q43 Do consumer groups/associations receive public funding?	No
Q44 Name the three largest non-governmental consumer organizations/associations in your jurisdiction:	
1- Name	organisation de defense des consommateurs (ODC)
1- Website	http://www.odc.org.tn/
2- Name	Association tunisienne pour l'orientation du consommateur et la rationalisation de la consommation
2- Website	https://ar-ar.facebook.com/jomhouria/posts/10152676373922554
3- Name	organisation de 20 millions de consommateurs
3- Website	https://www.facebook.com/20MillionsDeConsommateurs/
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Q45 Can consumers obtain redress through judicial channels?	Yes
Q46 Is there a specialized judicial mechanism for consumer complaints?	No
Q47 If there is, please provide the following details	Respondent skipped this question
Q48 Do you have collective redress/class actions for consumer complaints?	No
Q49 Who can represent consumer interests in court?	Consumers individually, Lawyers

Consumer Protection Survey

Q50 What is the highest damages award following a collective redress/class action?

Respondent skipped this question

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Q51 Regarding out-of-court/alternative consumer dispute resolution, are there any of the following?

Mediation/ Conciliation,

Comments:

suite à l'intervention des services de contrôle et économiques (autorité de protection du consommateur)

Q52 If there are any of the above, please provide the following details:

Respondent skipped this question

Q53 Are there any CROSS-BORDER out-of-court/alternative consumer dispute resolution initiatives?

Yes

Q54 If there are, please provide the following details:

1- Name

ministere des affaires etrangeres/ministere du tourisme

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Q55 Are there any self-regulation initiatives from businesses?

Respondent skipped this question

Q56 Please provide (up to) 4 examples of the self-regulation initiatives from businesses:

Respondent skipped this question

Q57 Are there any co-regulation initiatives between businesses and public entities?

Yes

Consumer Protection Survey

Q58 Please provide (up to) 4 examples of the co-regulation initiatives between businesses and public entities:

1- Name of initiative	projet arrete fixant les spécifications des préparations alimentaires similaires aux fromage
1- Scope of application	secteur alimentaire (importation/production/distribution)
2- Name of initiative	appareils des chauffages domestiques
2- Scope of application	secteur industriel - electromenager(importation/production/distribution)
3- Name of initiative	conserves du thon
3- Scope of application	secteur alimentaire(importation/production/distribution)
4- Name of initiative	savon
4- Scope of application	secteur industriel - electromenager(importation/production/distribution)

Q59 Do self-regulation and/or co-regulation initiatives cover any of the following issues? (Please relate to UNGCP Guideline 11)

Fair and equitable treatment ,

Responsible commercial behaviour ,

Disclosure of information and transparency ,

Education and awareness-raising

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Q60 What kind and how many international cooperation agreement(s) on consumer protection does your authority/agency participate in?

	Bilateral	Multilateral/Regional
Formal (treaties)	5	2
Informal (memoranda of understanding)		

Consumer Protection Survey

Q61 Please provide name and URL link of formal bilateral agreements (treaties):

Union Européenne

Conclu le 17/07/1995, entré en vigueur 01/03/1998. En date du 1er janvier 2008, tous les produits industriels sont totalement exonérés.

http://www.commerce.gov.tn/Fr/union-europeenne_11_224

Turquie

Conclu le 25/11/2004 et entré en vigueur le 01/07/2005. Tous les produits industriels sont totalement exonérés depuis 2005.

http://www.commerce.gov.tn/Fr/turquie_11_226

Lybie

Convention portant création d'une zone de libre échange entre la Tunisie et la Libye signée le 14/06/2001 et entrée en vigueur le 19/02/2002.

Egypte

Signée le 05/03/1998 et entré en vigueur la même année. Cette convention prévoit le démantèlement total ou partiel des droits de douane et taxes à effet équivalent aux produits échangés entre les deux pays durant une période transitoire qui s'est achevée.

Syrie

Signé le 17 / 06 / 2004 et entré en vigueur le 10 Mars 2005.

Q62 Please provide name and URL link of informal bilateral agreements (memoranda of understanding):

Respondent skipped this question

Q63 Please provide name and URL link of formal multilateral/regionals agreements (treaties) that address consumer protection:

Accord arabo-méditerranéen de libre échange (Convention d'Agadir)

http://www.commerce.gov.tn/Fr/accord-arabo-mediterraneen-de-libre-echange-convention-deagadir_11_228

Convention de facilitation et de développement des échanges commerciaux inter-arabes (Grande Zone de Libre Echange Arabe)

http://www.commerce.gov.tn/Fr/convention-de-facilitation-et-de-developpement-des-echanges-commerciaux-inter-arabes-grande-zone-de-libre-echange-arabe_11_227

Convention des préférences commerciales entre les pays membres de l'organisation de la coopération Islamique

Q64 Please provide name and URL link of informal multilateral/regionals agreements (memoranda of understanding) that address consumer protection:

Respondent skipped this question

Consumer Protection Survey

Q65 Do cooperation agreements on consumer protection (be those formal/informal/bilateral/regional) cover any of the following fields?

Consumer rights/legitimate needs,
Access by consumers to essential goods and services ,
Physical safety,
Product quality,
Terms and conditions ,
Promotional marketing and sales practices (including misleading advertisement)
,
Restrictive business practices(competition/antitrust),
Electronic commerce,
Food distribution,
Dispute resolution,
Consumer information

Q66 Does your consumer protection enforcement authority/agency have any of the following powers regarding cross-border fraudulent and deceptive commercial practices affecting consumers?

Investigate,
Pursue

Q67 Do you have any experience in cross-border cooperation on enforcement?

No

Q68 If you do, please provide a short description

Respondent skipped this question

Q69 Do you engage in technical cooperation or capacity building activities on consumer protection?

Bilaterally

Through an international organization/network

As a recipient

Yes

As a donor

Consumer Protection Survey

Q70 If you have engaged in technical cooperation or capacity building activities on consumer protection as a recipient/as donor and/or through an international organization/network, please provide the following details for each initiative

1- Name of programme/project	1/programme CNUCED: l'atelier de formation sur la protection des consommateurs mars 2018 le caire egypte (4 jrs) 2/atelier sur le commerce et le developpement durable au sénégal en 2010 organisé par l'OMC (2 jours)
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Q71 Does your authority/agency carry out information and education initiatives? **No**

Q72 Do information and education initiatives carried out by your authority/agency cover any of the following fields? Other (please specify):
depuis 2009 et après la creation de l'institut national de consommation toutes ces actions deviennent de la mission de cet institut

Q73 Does your authority/agency provide specific education and information initiatives for vulnerable and disadvantaged consumers? **No**

Q74 If your authority/agency does, please provide the following details: **Respondent skipped this question**

Q75 Do consumer organizations/associations provide education and information initiatives? **Yes**

Q76 If consumer organizations/associations do, please provide the following details:

1- Name of consumer organization/association	organisation de defense du consommateur
1- URL link of initiative	http://www.odc.org.tn/

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Q77 Does your authority/agency conduct research and analysis on consumer protection issues? **Yes**

Consumer Protection Survey

Q78 If your authority/agency does, please provide the following details:

1- Main area of work	controle qualité et de sécurité des produits (analyses)
2- Main area of work	evaluation des risques sanitaires et environnemental des produits (ANCSEP ministere de la santé)
2- URL link to online library or publication(s)	http://www.ancsep.rns.tn/

Q79 Do other organizations/associations conduct research and analysis on consumer protection?

Yes

Q80 If other organizations/associations do, please provide the following details:

Respondent skipped this question
