

## Law to Ban and Combat Settlements Products

The President of the State of Palestine,  
The Chairman of the Executive Committee of the Palestine Liberation Organisation,  
The President of the Palestinian National Authority,

Having reviewed the Basic Law of 2003 as amended, particularly Article (43) hereunder;  
and

The Law concerning consumer protection No. (21) of 2005;

Based upon the recommendation of the Council of Ministers in its session, held on  
15/2/ 2010;

Based upon the powers vested in me by law; and

For the sake of public interest; and

In the Name of the Arab Palestinian people,

I hereby promulgate the following Law:

### Article (1)

#### Definitions

The following words and expressions mentioned in this Law shall have the meanings designated for them unless the context determines otherwise:

**The Minister:** The Minister of National Economy.

**The Ministry:** The Ministry of National Economy.

**The Council:** The Palestinian Consumer Protection Council,  
which is established under the Law concerning  
consumer protection No. (21) of 2005

**Head of Council:** The Head of the Palestinian Consumer Protection  
Unit

**The Fund:** AL KARAMAH [Dignity] National Fund for

Supporting self empowerment and Funding of the Control and Prohibition of the Products of Settlements, which is established in accordance with this law.

**The Competent department:**

The relevant administrative unit for Consumer Protection at the Ministry.

**The Settlements:**

Any residential, industrial, agricultural, or service providing consortium which is built on the 1967 A.D occupied Palestinian territory.

**Settlement Products:**

The fully or partially produced merchandise and services of settlements.

**Settlement Goods:**

Each industrial, agricultural, food-processed or manufactured product that is made partly or wholly or stored or packaged inside any settlement.

**The services of settlements:**

Each work that is represented by a technical, occupational or material activity in settlements, and which may present a benefit thereto, in consideration of a financial return.

**The Palestinian market:**

Each place within the 1967 border.

**Trading:**

Any trading, promotion, marketing, storage, transportation, packaging, labelling or any process which may render the products of settlements accessible to the Palestinian market, or the delivery of a benefit or service to the settlements or to their products.

**The Judicial Office:**

The Judicial officers at the Ministry.

**The person:**

The natural or legal person.

## **Article (2)**

### **Objectives of the Law**

This Law aims to the following:

1. Combat settlement goods and services built on the Palestinian territory.
2. Realise the national efforts, which the political leadership is making in order to remove settlements completely from the Palestinian territory by combating and banning the settlement goods and services and replacing them with national products.
3. Not to encourage or promote the establishment of factories in the settlements built in the occupied territory of 1967.
4. Build an independent national economy in the Palestinian territories.
5. Track the goods and services, which are deemed to be settlement products; seize, ban and control them; and prohibit their trading.
6. Supporting the Palestinian National Economy and provide better marketing opportunities for Palestinian products and goods, and to raise citizens' awareness regarding the negative impact of dealing with settlement products.

## **Article (3)**

### **Scope of Application**

This Law shall be applicable to all the products of settlements, which are traded on the Palestinian market, and to any person who trades in them.

## **Article (4)**

### **Prohibition of Trading and Delivery of Goods and Services to Settlements**

1. All settlement products shall be deemed to be illegitimate products, and shall be identified in accordance with a list approved by the council.
2. Any person shall be prohibited from trading with settlement products and services.
3. Any person shall be prohibited from delivering goods or service to settlements.

## **Article (5)**

### **Tasks of the Council**

In addition to the tasks of the Council which are prescribed under the applicable Law on Consumer Protection and the by-laws issued forth in accordance with it, the Council shall assume the following tasks and powers:

1. Devise special policies to support national products and to combat settlement products, as well as develop the plans and programmes to implement them.
2. Supervise and oversee all the bodies concerned with the implementation of the provisions of this Law.
3. Supervise and oversee the Fund.
4. Submit periodical quarterly reports to the Council of Ministers about its role and achievements within the framework of controlling and prohibiting settlement products as well as their trading on the Palestinian market.

#### **Article (6)**

##### **Establishment of the Fund**

According to the by-laws, a fund will be established and named “Al Karamah National Fund for supporting self empowerment and the combat and banning of settlement products”, its duties and work will be determined according to a decision taken by the Council of Ministers.

#### **Article (7)**

##### **Exemptions and facilities**

- 1) The Fund shall be accorded the same exemptions and facilities as those provided for Ministries and governmental units.
- 2) Donations made to the fund shall be payments accepted for deduction from taxes, including income tax and value added taxes.

#### **Article (8)**

##### **Tasks of the Competent Department**

The competent department shall be responsible for the following tasks:

1. Receiving complaints filed by Consumer Protection Associations, or by any person, regarding the trading of the products of settlements using the form, which the Ministry develops for this purpose, as well as deciding on measures to be taken concerning them in accordance with the provisions of the Law.
2. Cooperating and coordinating with all bodies concerned with supporting national products, and combating settlement products and services, and developing a list, in accordance with which the settlement products will be identified, and submitting it to the Council for approval.
3. Updating, disseminating and publishing the list mentioned in Clause (2) above in at least two daily newspapers for a period that is not less than three days and by any other means which it deems fit.
4. Submitting monthly reports to the Council.

## **Article (9)**

### **Prevention or Cancellation of Registration**

1. Any government body shall be prevented from registering any commercial agency, commercial trademark, commercial brand name or any other service for any person, in the event its subject matter is related to the products of settlements.
2. The Minister shall issue forth his decision on the cancellation of the registration of any person and the registration of any commercial agency or any commercial brand name trademark that is included on the designated register, based upon the recommendation of the relevant body at the Ministry, in the event its owner has committed any contravention of the provisions of this Law or traded in the products of settlements or used his agency to trade in them.
3. The competent department at the Ministry must notify the person to whom the provisions apply of the above two Paragraphs under this Article of the Minister's decision within a maximum period of one week from the date on which the decision on cancellation is issued forth.

## **Article (10)**

### **Instruments and Documents**

Any government department, civil society organisation or any other body shall be prevented from issuing forth any instruments or facilities so as to render legitimate the products of settlements. Any instrument that is issued in contravention of the provisions of this Law shall not acquire the legal status.

## **Article (11)**

### **Acceptance of Aid**

Any resident on the Palestinian territory occupied in 1967 shall be prohibited from accepting any aid of any type whatsoever in relation to settlement products.

## **Article (12)**

### **The Judicial Officers**

1. The Judicial Officers must capture and seize or damage the products of settlements in coordination with the competent authorities, each within the sphere of its own jurisdiction, and in accordance with the provisions of the respective Laws.

2. The Customs Police officers shall seize the products of settlements at the exits of settlements as well as on the main border points in cooperation with the Judicial Police officers at the Ministry.

### **Article (13)**

#### **Destroying Products**

In case it is proven that the seized product is of settlement produce, it shall be destroyed. The procedure shall be registered on an official record of destruction, which shall be signed by a destruction committee to be formed by the Minister for this purpose.

### **Article (14)**

#### **Penalties**

Without prejudice to any more severe penalty, which is prescribed by the Penal Law or any other Law, and in addition to the provisions of Articles (9) and (12) of this Law, each person who infringes on the provisions of this Law shall be punished as following:

1. Confinement for a period that is not less than two years and no more than five years as well as a financial fine of not less than ten thousand (10,000) Dinars or its equivalent in the legal trend for each person who trades with settlement products, along with anyone who takes part in or contributes towards their trade or imports any service to settlements.
2. A. Confinement for a period that is no less than three months and no more than six months as well as a financial fine of no less than two thousand (2,000) Dinars or its equivalent in the legal trend for each person who transferred settlement products, or takes part in or contributes in its transfer, the driver's license and the vehicle's registration will be withheld by the relevant body for a period no less than six months.  
  
B. In the event of repetition, the driver's license and the vehicle's registration will be permanently withheld, and the vehicle that was used to transfer settlement products or to deliver any product or service into a settlement will be confiscated in accordance with relevant laws.
3. A. Confinement for a period that is no less than three months and no more than six months as well as a financial fine of no less than two thousand (2,000) Jordanian Dinars or its equivalent in the legal trend for any person who stores or

let for the sake of storing settlement products, in addition to closing the facility for no less than six months

B. In the event of repetition, the facility will be permanently closed.

4.

A. Confinement for a period that is no less than one month and no more than three months as well as a financial fine of no less than five hundred (500) Jordanian Dinars or its equivalent in the legal trend for any person who withholds information according to any of the listed articles above.

A. In any event where repetition occurs, the penalty will be multiplied.

#### **Article (15)**

#### **Regulations**

- 1) The Council of Ministers shall issue the needed by-laws to execute this law, as assigned by the Prime Minister.
- 2) The Head of the Council shall issue all instructions needed to enforce this law and all by-laws made through it.

#### **Article (16)**

#### **Repeal**

Every [provision] that is contradictory with the provisions of this Decree Law shall be repealed.

#### **Article(17)**

#### **View to the legislative council**

This decision of law shall be presented to the legislative council during its first session for approval.

#### **Article (18)**

#### **Enforcement**

All the competent authorities, each within its scope of authority, shall implement this Law, which shall enter into force immediately upon its publication in the official gazette.

Promulgated in the city of Ramallah on 26/4/ 2010,

**Mahmoud Abbas**

**The President of the State of Palestine**

**The Chairman of the Executive Committee of the Palestine Liberation Organisation**

**The President of the Palestinian National Authority**