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Regulation Governing Electronic Commerce

No. (4) of 2025

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Pursuant to the provisions of Item (Third) of Article (80) of the Constitution and Article (332) of the Trade Law No. (30) of 1984 and Article (28) of the Electronic Signature and Transactions Law No. (78) of 2012, the following regulation has been issued:

REGULATION GOVERNING ELECTRONIC COMMERCE NO (4) OF 2025

ARTICLE 1

For the purposes of this Regulation, the following terms shall have the definitions assigned to them:

First: Ministry: Ministry of Commerce.

Second: Minister: Minister of Commerce.

Third: E-commerce: All commercial activities conducted via the Internet or any other electronic medium, including the buying and selling of goods and services, making commercial offers, digital marketing and executing commercial transactions.

Fourth: E-commerce merchant: Any natural or legal person, whether Iraqi or foreign, who engages in e-commerce as a profession.

Fifth: Customer: Any natural or legal person who engages in e-commerce to obtain products or services provided by the e-merchant.

Sixth: E- Store: Any electronic means used by an e-merchants to display their products or services to the customer, whether through mobile applications, websites, social media platforms or other modern technologies that connect the e-merchant with the customer electronically.

Seventh- License: E-commerce practice license

Eighth: The Platform: An electronic platform established by the Ministry of Commerce to issue the e-commerce practice license to the e-merchant.

Ninth: Contract: An agreement concluded electronically between parties engaged in e-commerce.

Tenth-Data: Any data, regardless of its form or source, that is enter, directly or indirectly, during e-commerce transactions.

Eleventh: E-marketing: Any form of advertising conducted via electronic means by an e-merchant, aimed at promoting a product or offering a service, whether directly or indirectly.

دائرة الوقائع العراقية / قسم الترجمة

ARTICLE 2

The provisions of this Regulation shall be applied to the parties to the activity if one or both of them are located within Iraq, subject to the provisions of relevant legislation in force.

ARTICLE 3

The Ministry shall establish a dedicated unit responsible for managing the platform and issuing licenses to e-commerce merchants.

ARTICLE 4

The Ministry shall establish a comprehensive electronic platform for issuing and renewing e-merchant licenses, enable users to complete all procedures related to obtaining or renewing a license entirely online, without the need for a personal visit to the Ministry unless required.

دائرة الوقائع العراقية قسم الترجمة

ARTICLE 5

An e-commerce merchant whose products or services require approval from a competent authority shall attach such approval when applying for a license via the platform.

ARTICLE 6

An e-commerce merchant may not engage in e-commerce in the Republic of Iraq without first obtaining a license from the Ministry and securing all required approvals from the competent authorities.

ARTICLE 7

The e-commerce merchants shall commit to the following:

First: Clearly and accurately providing the following information on their online store to ensure and safeguard the customer's rights:

a. Full name and address

b. E-commerce license number

c. Available contact means

d. Providing privacy policy regarding the protection of customer data

e. Performing procedures for receiving and handling complaints, as well as the timeframe for answering

f. Providing options to cancel the account, stop notifications and delete all data related to the customer's account

g. Providing Available payment methods; an electronic payment mechanism must be included for applications and websites.

h. Setting up a dedicated page for frequently asked questions (FAQs) and inquiries.

i. Disclosing the specific timeframe for responding to requests or complaints.

j. Clarifying in detail and precisely the exchange and return policy.

k. Stating the expected duration and timeframe for product delivery or service provision.

Second: Enabling the customers to access their personal data and view any modifications made to it, as well as allowing them to review the e-merchant's privacy policy and the applicable terms and conditions, including how these are stored.

Third: Encrypting all customer data using modern, internationally recognized encryption technologies.

Fourth: Adhering to best practices and international standards in cyber security to protect the online store against cyber-attacks.

Fifth: Immediately notifying the customer of any changes to the privacy policy.

ARTICLE 8

Procedures and Requirements for obtaining the license:

First: Submitting an e-application via the platform, attaching the required documents specified in accordance with regulations established by the Ministry.

Second: Paying the fees required to obtain the license specified by the Ministry.

Third: An e-commerce merchant wishing to conduct e-commerce activities via applications and websites shall comply with the instructions and regulations issued by the Ministry of Communications and the Communications and Media Commission.

Fourth: The Ministry shall review the application and the submitted documents to verify their authenticity.

Fifth: The Ministry shall issue the license within (10) ten days from the date all requirements are met; the expiration of said period shall be deemed a rejection of the application.

ARTICLE 9

First: Any person whose application for license has been rejected may submit a grievance to the Minister within (30) thirty days, starting from the day following the date of notification thereof.

Second: Any person whose grievance has been rejected by the Minister has the right to challenge the decision before the judiciary in accordance with the law.



The license shall be valid for a period of three years is renewable; the license holder shall submit a renewal application at least one month prior to its expiration.



The provisions of the Trademarks and Trade Descriptions Law No. (21) of 1957 and the Trade Names and Commercial Register Regulation No (6) of 1985, or any legislation replacing them shall be applied to the person seeking to obtain the license.



In the event of any change to the information submitted in the license application, the license holder shall immediately notify the Ministry and update the necessary information.

ARTICLE 13

First: Before concluding the contract, the e-merchant shall provide the following information:

a. The procedures required to conclude the contract;

b. Information regarding the e-merchant;

c. An accurate description of the products or services;

d. The total price, including all fees, taxes and additional costs related to delivery, if any

e. Payment method;

f. Maximum delivery time;

g. Timeframe allowed for correcting or cancelling the order;

h. Return process (in the event the product does not match the provided description) ;

i. Contract termination process;

j. After-sale services (if any).

Second: Upon the customer's confirmation of the order, e-merchant shall send a message to the customer containing the information set forth in Item (First) of this Article; the contract shall not be deemed concluded unless the customer confirms their agreement to the contents of the message.

Third: E-merchant shall provide a clear method that safeguards the customer's rights and allows for the correction of any order errors or the cancellation of the order, whether

by the merchant or the customer, provided that the good or service has not yet been delivered or shipped.

ARTICLE 14

The customer shall not have the right to terminate the contract in the cases below, unless the products are defective or do not conform to the agreed-upon specifications:

First: If the subject matter of the contract consists of products manufactured at the customers' request or according to specifications created specifically for them.

Second: If the subject matter of the contract consists of tapes, cylinders, compact discs or software that have been used.

Third: If the contract concerns the purchase of newspapers, magazines, publications or books

Fourth: If a defect appears on the product due to improper handling by the customer .

Fifth: If the contract involves the provisions of transportation or catering services.

Sixth: If the contract concerns the purchase of electronic products or the downloading of software via the Internet.

Seventh: Other cases determined by the Ministry in accordance with the requirements of the nature of the products or services.

دائرة الوقائع العراقية / قسم الترجمة

ARTICLE 15

First: The e-merchant shall collect only the data necessary to achieve specific and legitimate purposes that are consistent with applicable laws and regulations.

Second: The customer shall be clearly informed of the type of data to be collected and the purpose of its collection.

Third: Data shall be processed in a lawful and transparent manner

Fourth: The e-merchant shall use the data for the purposes for which it was collected and to which the customer has consented.

Fifth: Data shall be stored securely to ensure the protection of information against unauthorized access, alteration, disclosure or destruction

Sixth: Data shall be retained only for the period necessary to achieve the purposes for which it was collected.

ARTICLE 16

Customer data may not be used or transferred to a third party without obtaining the customer's explicit consent.

ARTICLE 17

In the event of a data breach that compromises the customer's data, rights or freedoms, the e-merchant shall immediately notify the affected customer, the Ministry and the competent authorities, and provide details regarding the nature of the breach and the measures taken to address it; the e-merchants shall not be absolved of legal liability if negligence on their part is proven.

ARTICLE 18

The e-merchant shall train their employees in accordance with international standards, raise their awareness regarding the importance of protecting customer data, and ensure adherence to the policies and procedures in force in this regard.

ARTICLE 19

Without prejudice to any more severe penalty prescribed by law:

First: The Ministry shall suspend the license granted to the e-merchant for a period not exceeding one year in any of the following cases:

a. Failure to provide the information stipulated in Article (13) of this Regulation.

b. Violation of instructions and regulations issued by the Ministry

c. Use of the license for a purpose other than that for which it was granted

Second: The Ministry shall revoke the license granted to the e-merchant in any of the following cases:

a. Failure to meet one of the conditions for granting the license.

b. Advertising, promoting or selling goods or services that are prohibited, banned, or contrary to public order and morals.

c. Engaging in fraudulent activities or employing unfair competition practices.

ARTICLE 20

E-Advertisement:

First: The e-advertisement shall be considered one of the contractual documents supplementing the contract and shall be binding upon the parties.

Second: It shall be prohibited to include in an e-advertisement as offer, statement, claim that is false or phrased in terms likely to directly or indirectly deceive or mislead the customer.

دائرة الوقائع العراقية / قسم الترجمة

Third: The e-merchant shall obtain the customer's explicit and clear consent before sending any advertisement or notification via any e-means.

Fourth: The e-merchant shall provide the customer with a means to request the cessation of advertisements and notifications.

Fifth: The e-merchant has the right to advertise electronically, provided that they indicate that the content is an advertising material.

Sixth: The e-advertisement shall include, at a minimum, the following information:

a. Name of the advertised product or service.

b. Indication that it is advertising material.

c. E-merchant name.

d. Means of contacting the e-merchant.

ARTICLE 21

It shall not be permitted to advertise any goods or services that are prohibited locally or globally, or the promotion of which is banned.

دائرة الوقائع العراقية/ قسم الترجمة

ARTICLE 22

The Ministry shall undertake the supervision of the e-merchants and verify the extent of their compliance with the provisions of this Regulation; it may request any documents or records to achieve this.

ARTICLE 23

The penalties and fines stipulated in applicable legislation shall be applied to violators of the provisions of this Regulation.

ARTICLE 24

The General Tax Authority shall establish a clear mechanism for calculating and collecting taxes on e-commercial activities.

دائرة الوقائع العراقية / قسم الترجمة

ARTICLE 25

The General Customs Authority shall establish a mechanism to determine customs procedures for goods imported and exported via e-commerce.

ARTICLE 26

Coordination shall be established between the General Tax Authority, the General Customs Authority, and relevant government entities to ensure the integration of policies and procedures related to e-commerce.

ARTICLE 27

The provisions of the Commercial Law No. (30) of 1984, the Company Law No. (21) of 1997, the Electronic Signature and Transactions Law No. (78) of 2012 and relevant legislation and

the Consumer Protection Law No. (1) of 2010 shall be regarded in the provisions of this Regulation



This Regulation shall come into force (30) thirty days after the date of its publication in the Official Gazette.

دائرة الوقائع العراقية/ قسم الترجمة

Mohammed Shia' Al-Sudani

Prime Minister