



World Consumer Protection Map

Contribution by
COSTA RICA

Page 2: Contact of respondent

Q1 Name of responding member State

**Costa
Rica**

Q2 Name of responding authority/agency:

Dirección de Apoyo al Consumidor

Page 3: Consumer protection legislation

Q7 Does your country's Constitution contain a provision on consumer protection? **Yes**

Consumer Protection Survey

Q8 If you do, please provide de following details:

Text of constitutional norm with reference to consumer protection

ARTÍCULO 46.- Son prohibidos los monopolios de carácter particular, y cualquier acto, aunque fuere originado en una ley, que amenace o restrinja la libertad de comercio, agricultura e industria. Es de interés público la acción del Estado encaminada a impedir toda práctica o tendencia monopolizadora. Las empresas constituidas en monopolios de hecho deben ser sometidas a una legislación especial. Para establecer nuevos monopolios en favor del Estado o de las municipalidades se requerirá la aprobación de dos tercios de la totalidad de los miembros de la Asamblea Legislativa. Los consumidores y usuarios tienen derecho a la protección de su salud, ambiente, seguridad e intereses económicos; a recibir información adecuada y veraz; a la libertad de elección, y a un trato equitativo. El Estado apoyará los organismos que ellos constituyan para la defensa de sus derechos. La ley regulará esas materias. (Así reformado por Ley No. 7607 del 29 de mayo de 1996.)

URL link

https://www.ucr.ac.cr/medios/documentos/2015/constitucion_politica.pdf

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

19/01/1995

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

Date

11/05/2013

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

1- Name of law

Ley de Promoción de la Competencia y Defensa Efectiva del Consumidor

1- URL link

<http://reventazon.meic.go.cr/informacion/legislacion/consumidor/7472.pdf>

Consumer Protection Survey

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

Consumer rights/legitimate needs,

Product quality,

Terms and conditions ,

Promotional marketing and sales practices (including misleading advertisement)

,

Restrictive business practices (competition/antitrust) ,

Redress,

Consumer education,

Consumer information

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Consumer Protection Survey

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):

Access by consumers to essential goods and services	NA
Protection of vulnerable and disadvantaged consumers	NA
Physical safety	NA
Voluntary codes for businesses	NA
Electronic commerce	DECRETO N°40703-MEIC
Promotion of sustainable consumption	NA
Food distribution	NA
Water	LEY DE LA AUTORIDAD REGULADORA DE LOS SERVICIOS PUBLICOS, LEY N°7593
Pharmaceuticals	NA
Energy	LEY DE LA AUTORIDAD REGULADORA DE LOS SERVICIOS PUBLICOS, LEY N°7593
Public utilities	LEY DE LA AUTORIDAD REGULADORA DE LOS SERVICIOS PUBLICOS, LEY N°7593
Tourism	LEY REGULADORA DE AGENCIAS DE VIAJES No. 5339, Decreto Ejecutivo No.37471-MEIC-TUR del 01 de agosto del 2012, denominado Reforma Parcial al Reglamento de las Empresas y Actividades Turísticas, Decreto Ejecutivo No. 25226-MEIC-TUR del 15 de marzo de 1996 Reglamento de las Empresas de Hospedaje Turístico, REGLAMENTO DE GUÍAS TURÍSTICOS Decreto Ejecutivo No. 41369-MEIC-TUR del 08 de agosto del 2018, LEY No. 1917 del 29 de julio de 1955, publicado en La Gaceta No.175 del 09 de agosto de 1955. Reformada por la Ley No. 2763 denominada “Reforma a la Ley Orgánica del Instituto Costarricense de Turismo
Data protection and privacy	PROTECCIÓN DE LA PERSONA FRENTE AL TRATAMIENTO DE SUS DATOS PERSONALES Ley n.º 8968
Financial services	REGLAMENTO DE TARJETAS DE CRÉDITO Y DEBITO N°35867, Ley Orgánica del Banco Central de Costa Rica N° 7558, Ley del Régimen Privado de Pensiones Complementarias No. 7523, Ley Orgánica del Sistema Bancario Nacional (Ley 1644) del 27 de setiembre de 1953, LEY REGULADORA DEL MERCADO DE VALORES N°7558, Ley Reguladora del Mercado de Seguros Reforma integral a la Ley N° 8653
Dispute resolution	NA

Consumer Protection Survey

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

Access by consumers to essential goods and services	NA
Protection of vulnerable and disadvantaged consumers	NA
Physical safety	NA
Voluntary codes for businesses	NA
Electronic commerce	http://reventazon.meic.go.cr/informacion/legislacion/consumidor/7472.pdf
Promotion of sustainable consumption	NA
Food distribution	NA
Water	https://aresep.go.cr/aresep/marco-legalaresep/documentos-marco-legal/809-ley-7593-conreformas-formato-libro
Pharmaceuticals	NA
Energy	https://aresep.go.cr/aresep/marco-legalaresep/documentos-marco-legal/809-ley-7593-conreformas-formato-libro
Public utilities	https://aresep.go.cr/aresep/marco-legalaresep/documentos-marco-legal/809-ley-7593-conreformas-formato-libro
Tourism	https://www.ict.go.cr/es/documentosinstitucionales/leyes-reglamentos-y-procedimientos/64-leyes-y-reglamentos.html
Data protection and privacy	http://www.tse.go.cr/pdf/normativa/leydeprotecciondelapersona.pdf
Financial services	https://www.sugese.fi.cr/seccion-marco-legal/leyes
Dispute resolution	NA

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Q16 Name of Ministry responsible for consumer protection:

MINISTERIO DE ECONOMÍA, INDUSTRIA Y COMERCIO

Q17 URL link of responsible Ministry for consumer protection:

<https://www.meic.go.cr/meic/>

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

1995

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

Q20 Name of main consumer protection authority/agency:

DIRECCION DE APOYO AL CONSUMIDOR

Q21 URL of main consumer protection authority/agency:

<https://www.consumo.go.cr/>

Q22 Year of creation:

1995

Q23 Annual budget: (in USD)

1962990434

Q24 Total number of staff:

47

Q25 Total number of staff directly affected to consumer protection:

47

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

Q27 If you do, please provide the following details:

Reference of the law/decree

Ley de Promoción de la Competencia y defensa Efectiva del Consumidor, ley N°7472

URL to law/decree

<http://reventazon.meic.go.cr/informacion/legislacion/consumidor/7472.pdf>

Consumer Protection Survey

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

Consumer rights/legitimate needs,
Product quality,
Terms and conditions ,
Promotional marketing and sales practices (including misleading advertisement)
 ,
Electronic commerce,
Dispute resolution,
Redress,
Consumer education,
Consumer information

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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:

Access by consumers to essential goods and services	NA
Protection of vulnerable and disadvantaged consumers	NA
Physical safety	NA
Voluntary codes for businesses	NA
Restrictive business practices(competition/antitrust)	MEIC COPROCOM
Financial services	CONASIFF
Promotion of sustainable consumption	NA
Food distribution	NA
Water	ARESEP
Pharmaceuticals	NA
Energy	ARESEP
Public utilities	ARESEP
Tourism	ICT
Data protection and privacy	PRODHAB

Consumer Protection Survey

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

Access by consumers to essential goods and services	NA
Protection of vulnerable and disadvantaged consumers	NA
Physical safety	NA
Voluntary codes for businesses	NA
Restrictive business practices(competition/antitrust)	https://www.meic.go.cr/meic/web/46/promocion-de-lacompetencia.php
Financial services	http://www.conassif.fi.cr/
Promotion of sustainable consumption	NA
Food distribution	NA
Water	https://aresep.go.cr/
Pharmaceuticals	NA
Energy	https://aresep.go.cr/
Public utilities	https://aresep.go.cr/
Tourism	https://www.ict.go.cr/es/
Data protection and privacy	http://www.prodhab.go.cr/

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

Consumer rights/legitimate needs,
Product quality,
Terms and conditions ,
Promotional marketing and sales practices (including misleading advertisement)
 ,
Electronic commerce,
Dispute resolution,
Redress,
Consumer education,
Consumer information

Consumer Protection Survey

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:

Access by consumers to essential goods and services	N/A
Protection of vulnerable and disadvantaged consumers	N/A
Physical safety	N/A
Voluntary codes for businesses	N/A
Restrictive business practices (competition/antitrust)	MEIC COPROCOM
Financial services	CONASIFF
Promotion of sustainable consumption	N/A
Food distribution	ARESEP
Water	N/A
Pharmaceuticals	N/A
Energy	ARESEP
Public utilities	N/A
Tourism	ICT
Data protection and privacy	PRODHAB

Q33 URL Link of the relevant authority/agency to each field:

Access by consumers to essential goods and services	N/A
Protection of vulnerable and disadvantaged consumers	N/A
Physical safety	N/A
Voluntary codes for businesses	N/A
Restrictive business practices (competition/antitrust)	https://www.meic.go.cr/meic/web/46/promocion-de-lacompetencia.php
Financial services	http://www.conassif.fi.cr/
Promotion of sustainable consumption	N/A
Food distribution	N/A
Water	https://aresep.go.cr/
Pharmaceuticals	N/A
Energy	https://aresep.go.cr/
Public utilities	https://aresep.go.cr/
Tourism	https://www.ict.go.cr/es/
Data protection and privacy	http://www.prodhab.go.cr/

Consumer Protection Survey

Q34 Regarding enforcement, how many infringement cases does your authority/agency handle on average per year?

3707

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)

8034

Q37 Record highest amount for any sanction/measure imposed: (in USD)

8034

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

- a) De una a diez veces el menor salario mínimo mensual establecido en la Ley de Presupuesto Ordinario de la República.
 - b) De una a cuarenta veces el menor salario mínimo mensual establecido en la Ley de Presupuesto Ordinario de la República.
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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:

Reference of the law/decreed	DE-37899-MEIC
URL to law/decreed	www.consumo.go.cr

Consumer Protection Survey

Q42 Do consumer organizations/associations fulfil any of the following functions?

Legal advice to consumers ,
Consumer education,
Consumer information,
Enforcement powers,
Legal representation of consumers' individual interests before courts
,
Legal representation for consumer collective actions

Q43 Do consumer groups/associations receive public funding? **No**

Q44 Name the three largest non-governmental consumer organizations/associations in your jurisdiction:

1- Name	CONSUMIDORES DE COSTA RICA
1- Website	http://www.consumidoresdecostarica.org/quienes_somos.html
2- Name	CONSUMIDORES LIBRES
2- Website	http://www.consumidoreslibres.org/
3- Name	ASOCIACIÓN PRO DEFENSA DE CONSUMIDORES FINANCIEROS Y AFINES
3- Website	https://www.ocf.fi.cr/

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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

Name	N/A
URL Link	N/A

Q48 Do you have collective redress/class actions for consumer complaints? **No**

Consumer Protection Survey

Q49 Who can represent consumer interests in court? **Consumers individually,
Lawyers,
Consumer associations**

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

Name of case **N/A**
Year of case **N/A**
Total amount in USD **N/A**

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

Comments:

En el caso de la Ley 7472, la misma se encuentra regulada en el numeral 55 y se indican los parametros sobre la cual versará la misma.

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

1- Name **N/A**
1- URL Link **N/A**
2- Name **N/A**
2- URL Link **N/A**
3- Name **N/A**
3- URL Link **N/A**

Q53 Are there any CROSS-BORDER out-of-court/alternative consumer dispute resolution initiatives? **No**

Q54 If there are, please provide the following details:

1- Name **N/A**
1- URL Link **N/A**
2- Name **N/A**
2- URL Link **N/A**
3- Name **N/A**
3- URL Link **N/A**

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Q55 Are there any self-regulation initiatives from businesses? **No**

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

1- Name of initiative	N/A
1- Scope of application	N/A
1- URL link	N/A
2- Name of initiative	N/A
2- Scope of application	N/A
2- URL link	N/A
3- Name of initiative	N/A
3- Scope of application	N/A
3- URL link	N/A
4- Name of initiative	N/A
4- Scope of application	N/A
4- URL link	N/A

Q57 Are there any co-regulation initiatives between businesses and public entities? **No**

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

1- Name of initiative	N/A
1- Scope of application	N/A
1- URL link	N/A
2- Name of initiative	N/A
2- Scope of application	N/A
2- URL link	N/A
3- Name of initiative	N/A
3- Scope of application	N/A
3- URL link	N/A
4- Name of initiative	N/A
4- Scope of application	N/A
4- URL link	N/A

Consumer Protection Survey

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

Respondent skipped this question

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

Respondent skipped this question

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

Respondent skipped this question

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:

Respondent skipped this question

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

Respondent skipped this question

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

Respondent skipped this question

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

Respondent skipped this question

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

Respondent skipped this question

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?

Respondent skipped this question

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

Respondent skipped this question

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Q71 Does your authority/agency carry out information and education initiatives?

Yes

Q72 Do information and education initiatives carried out by your authority/agency cover any of the following fields?

**Product labelling,
Legislation, dispute resolution,
Electronic commerce,
Financial services**

Q73 Does your authority/agency provide specific education and information initiatives for vulnerable and disadvantaged consumers?

Yes

Consumer Protection Survey

Q74 If your authority/agency does, please provide the following details:

1- Name of initiative	PUERTAS ABIERTAS DE INFORMACIÓN Y ASESORÍA
1- Scope of initiative	Informar sobre los alcances de la Ley 7472 y su reglamento a las personas consumidoras
1- URL link	www.consumo.go.cr
1- Impact (short description)	atender consultas de consumidores y comerciantes, visitar el comercio local y brindar asesoría e información en relación a la Ley de Promoción de la Competencia y Defensa Efectiva del Consumidor (Ley 7472) y su respectivo Reglamento Decreto N° 37899-MEIC del 23 de setiembre del 2013, así como sus alcances, atendiendo de esta forma consultas y previniendo los posibles temas objeto de denuncia o reclamo.
2- Name of initiative	Comprar y Vender Productos Seguros en Línea
2- Scope of initiative	Pretender que los consumidores verifiquen la seguridad de los artículos adquiridos a través de una plataforma en línea
2- URL link	https://www.consumo.go.cr/noticias/comunicados/CP-Productos_seguros_en_linea.pdf
2- Impact (short description)	Verificar la seguridad de los artículos adquiridos en línea por parte de los consumidores
3- Name of initiative	N/A
3- Scope of initiative	N/A
3- URL link	N/A
3- Impact (short description)	N/A

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	CONSUMIDORES DE COSTA RICA
1- URL link of initiative	http://www.consumidoresdecostarica.org/quienes_somos.html
2- Name of consumer organization/association	CONSUMIDORES LIBRES
2- URL link of initiative	http://www.consumidoreslibres.org/
3- Name of consumer organization/association	ASOCIACIÓN PRO DEFENSA DE CONSUMIDORES FINANCIEROS Y AFINES
3- URL link of initiative	https://www.ocf.fi.cr/

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

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

1- Main area of work	Gestiones realizadas en Ventas a Plazo o ejecución futura de servicios
1- URL link to online library or publication(s)	https://www.consumo.go.cr/tramites_servicios/ventas_plazo_ejecucion_futura/estadisticas.aspx
2- Main area of work	Estudio sobre Entrada a Clases
2- URL link to online library or publication(s)	https://www.meic.go.cr/meic/web/298/estudios/consumidor/entrada-a-clases.php
3- Main area of work	Estudio de Precio de Mercado
3- URL link to online library or publication(s)	https://www.meic.go.cr/meic/web/829/estudios/verificacion-de-mercado/estudios-de-precios.php
4- Main area of work	N/A
4- URL link to online library or publication(s)	N/A
5- Main area of work	N/A
5- URL link to online library or publication(s)	N/A

Q79 Do other organizations/associations conduct research and analysis on consumer protection? **No**

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

1- Main area of work	N/A
1- URL link to online library or publication(s)	N/A
2- Main area of work	N/A
2- URL link to online library or publication(s)	N/A
3- Main area of work	N/A
3- URL link to online library or publication(s)	N/A
4- Main area of work	N/A
4- URL link to online library or publication(s)	N/A
5- Main area of work	N/A
5- URL link to online library or publication(s)	N/A